



Ethnic Conflict and Regaining Sri Lanka

The Importance of Agriculture for Human Development

Dr. Nimal Sanderatne

Alternative Government Programme

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To Our Readers

We sincerely regret the delay of this issue but have sought to make up for it by covering events up to the end of 2003. We hope to have another issue out in early 2004. May we in the meantime, send Christmastide & New Year Greetings to all our Readers.

FROM OUR READERS

Christian Worker Subscription

I am enclosing a cheque for Rs.1000/ to cover my subscription together with a donation. I suspect that by now my name would have been deleted from the scroll of the faithful since I had failed to respond before the July 15 deadline.

The failure to send my subscription has not been due to an oversight. Everytime the *Christian Worker* arrives, I say to myself that I must send a contribution to keep it going. But we 'average readers' can hardly survive on our meagre

incomes. The financial stress at the 'time of arrival' prevents an immediate response after which the matter 'lapses' But at last I am sending something.

The *Christian Worker* must continue to be published expressing its own particular viewpoint and presenting the average reader with a lot of information about church and international affairs having a direct bearing on human rights and Christian perspectives. Obviously, it cannot be published and distributed even at the subsidised price if subscribers fail to pay their subscriptions. But you have given very little time to respond with a subscription before the axe falls. You might keep in mind that many of us, average

readers, are of very limited means.

Dr. Nissanka Seneviratne

"Hebron"
Christopher Road, Peradeniya,

Editorial Note:

This is only one of the many letters we have recived in response to our reminder regarding the arrears of subscription. We stand rebuked over the short notice given to pay the arrears due. We are now taking steps to ensure that subscribers are informed in advance when subscriptions become due. However the address label (right hand top) also indicates the quarter and the year of the expiry of a subscription, but ensuring also that a subscriber will receive four issues for every annual subscription paid.

A Naive Observation

The United States, the world's sole superpower is on a roll. Like an unstoppable bulldozer, the Yanks have already crushed two nations this millennium as they attempt to make this world a safer place for themselves. At least, this is what they insist and who am I to assume otherwise.

I am just a young Malaysian who has been totally shocked and awed by the actions of the increasingly trigger happy Americans. A Malaysian who naively believed for years that this planet is sacred ground for civilised and intelligent human beings.

I write this piece as an ordinary citizen who is fed up with hearing the terms Al-Qaeda, weapons of mass destruction, religious terrorism and suicide bombings. Terms that have filled countless paragraphs and induced the cleverest of newspaper headlines. Terms that are used so frequently, I'll be surprised if Al-Qaeda doesn't make it to the next print of the Webster's Dictionary.

In all this relentless action, I have failed to digest many things. My mind is filled with so many questions, and none of the answers given seem relevant.

What are these weapons of mass destruction that the Iraqis are said to have? Do they actually possess the biological material they are accused of having? If they do, in which Godforsaken hole did they hide it in?

Colin Powell did tell the United Nations his troops were going into Baghdad to source out these weapons. He showed the council various satellite pictures of places the Americans believed housed and manufactured such weaponry. To the ignorant eyes like mine, these pictures were no more than white and black spots. To a great military man like Powell, it indicated dangers that should be eliminated immediately.

It's now been a few weeks since me invasion of Iraq ended. Seems to me like those pictures were not much help as soldiers have yet to find any concrete evidence of these arms. It is strange that they could spot these weapons from a thousand miles above sea level but have absolutely no idea where it actually is on ground zero.

Again I profess to write as guileless observer, but doesn't this render the invasion a total waste of time? Why would a nation spend hundreds of millions of dollars to liberate a country from its ruthless dictator who was suspected of having WMD he never had?

Too much taxpayers' money available to spend? Or are the Americans just generous people with genuine concern for the welfare of the Iraqis?

If the latter is assumed, I confess it's a difficult notion to accept as I have seen too many images of crying Iraqis. The colour pages in most newspapers are filled with majestic looking jets dropping bombs onto defenceless villages as editors try their best to come up with the most creative captions. Even the most sophisticated of public relations exercises cannot negate the number of dead Iraqi civilians and the amount of damage on property this war has caused.

This has to be liberation in the oddest sense of the word.

Well, I hear Iran is next on the list. I'm guessing the Yanks will be using the same modus operandi again. Take a few photos, tell people what to believe and voila... attack and conquer.

What is there to stop them from doing it to my country? All they have to do is show the world a few satellite pictures of a dodgy looking pirated compact disc factory in Kuala Lumpur and explain that it is actually an anthrax set-up.

Then, base their troops in Singapore and start bombing every inch of our lands. It's a scary thought but its not a far-fetched scenario is it? Seriously though, it looks like there really isn't anyone who can stop them.

They didn't seem to care when the millions of people around the world stepped onto the streets to voice their-disgust at the Iraqi invasion. They cared even less when the UN disapproved of their actions. The age-old concept of checks and balances certainly does not apply to the country with the biggest military force around.

Not only am I naive, but I am also terrified of the way the world functions now. There seems to be no protection and a complete disregard for human rights wad justice. Might has certainly become right.

All this takes me back to the first time I read the American Bill of Rights in college. Then I had marvelled at the exhaustiveness of the document. It was by far a remarkable piece of legislation as it encompassed the dignity of the human race and promised freedom and equality among men.

Now, it hurts to think I was so ignorant the irony of seeing the Americans themselves obliterate human rights suggests to me that the bill is nothing more than a convenient piece of paper with signatures on it. Not only is this attitude blatant hypocrisy, it also painfully reflects the scarce respect for life that the Americans in power have.

I confess I am neither a specialist nor an expert on the war. I only conceive opinions from what I read and see. Sadly, there has been nothing so far that has given me reason to hope for peace and security. It hurts to know that there is much more blood to be shed in these times of sorrow.

Ram Ganesan

JUST, Malaysia
May 2003

An Appreciation- E.S. Edirisinghe

The first death anniversary of E.S. Edirisinghe brings back memories of my friend and colleague. He joined the Law College in 1989 after his retirement from the public service as Deputy Director, General Treasury. He belonged to my batch and we passed out as attorneys at law in 1993.

He had a good practice and he excelled in public law. His long administrative experience stood him in good stead. He had a large circle of friends and many of them turned to him whenever they had legal matters to attend to. He was always kind and considerate taking nominal fees or whatever they could afford or nothing. His characteristic altruism shone through when he battled for justice on behalf of his clients.

In the 1950s and 1960s by dint of selfless dedication to working class, causes he became a driving force in the LSSP-led trade union movement in the public sector. He worked closely with railway and government factory workers. He visited regularly the trade union office at Dematagoda to attend to the grievances of the workers. He assisted Bernard Soysa and Pelis Serasinghe, who were at that time leading members of the LSSP's trade union bureau. Before long he won a place in the central committee of the party then in its heyday. He was also on the GCSU panel who defended colleagues in disciplinary inquiries.

As a union activist he had to face many challenges. In the late 1960s he and two colleagues - well-known leftists - were shortlisted for promotion to the CAS on their performance at the written examination. However, at the interview they were given only paltry marks which denied them their promotion. The trade unions launched an outcry against this blatant act of political victimisation. With the change of government in 1970 Edirisinghe and his two colleagues were promoted.

His colleagues and comrades remember him as a generous and faithful friend.

K.D. Wimalasena

Attorney -at-law, Moratuwa
19.12.2003

Post Saddam Iraq

Post Saddam Iraq,
Now a US and British Barrack,
Several US, British or Iraq Stooges dying every day,
'Cause Bush & Blair had their predatory way.

When Saddam's Statue tumbled,
Bush in combat kit declared the phoney one-sided war ended,
Ramsfeld crowed 'for the eagle a moments of honour and glory'
Though on the ground there were scenes so gory.

"The coalition of the willing" have installed a bank-thief,
As Iraq's Governing Council's Chief,
Bush & Blair's idea of freedom and democracy,
To control Iraq's potential oil rich economy.

Bush and puppy-dog Blair,
Under the Media glare.
Are fast losing their credibility,
'Cause of their pre-war mendacity.

That British PM Tony Blair,
To sex-up dossiers had a great flair,
Was leaked to BBC by the late renowned scientist, David Kelly
The dubious circumstances of Kelly's death making Blair's future
shaky.

Bush's position is no better,
Though Saddam may be hiding in a sewer,
His WMD's still to be found,
To produce a new sexed - up dossier - regarding such weapons -
They have sent the honest, upright UNHCR's Chief six feet under
ground.

Iraq's Social fabric now torn asunder,
Making it difficult for American and British MNCs to pillage and
plunder

They are shamelessly appealing for UN Assitance,
To placate Iraq's Nationalist resistance.

Should not Bush & Blair - The Real International Terrorists -
By the International Court of Criminal Justice be tried,
For obstinately refusing by International Law to abide
Starving, killing and maiming innocent 3rd World men, women
And children in the name of Freedom & Democracy,
Outdoing the crimes committed by Saddam or ageing dictator,
Pinochet of Chile.

Lincoln A Silva

28, Pamankada Road,
Colombo 06.

Utterances from the Vanni

Colonialism and Neo Colonialism

Once upon a time,
They came from the West
Oppressed and exploited us
Through English education, civilisation
Westernisation et cetera.

We had cultivated rice to eat
They forced us to cultivate tea for their enjoyment.
We had life giving simple Christianity
Shared by St Thomas and lived by Persian traders

Missionaries forced us to accept power oriented
Christianity with guns and jobs.
We had vernacular languages for our life.
Colonisers forced us to have English education
Only with superiority complex.

Today we welcome them
To oppress and exploit
the poor of our country.
They rule us even today.
Because we feel that
tie and coat are essential
Cake and frock are necessary
English and computer are important
Cocacola and Air flights are basic needs.

That day they colonised
Only our lands
But today they colonise
Our minds also.

That day they took
Only our resources
But today we've been trained
In a way by them to sell
Ourselves
Politically
Economically and
Imitate their oppression
Within our land.

Fr. S. D. P. Selvan

Vavuniya
27.09.2003

I am Nearer to God

The more I be with poor
I attain to God
The more I be with victims of war
I am closer to God
The more I be with subalterns
I am closer to God.

The more I engage in
The process of social transformation
I am in the process of nearing to God.

Fr. S. D. P. Selvan

Vavuniya

We all need Conversion

We all need conversion
Not from one religion to another.
But from
Injustice to Justice
Evil to Good
Life after death to life before death mentality
Reign of Mammon to Reign of God
Westernisation to Inculturation.
Luxury life to simple life.

Fr. S. D. P. Selvan

Vavuniya

Value of the Voiceless Child

O Priest,
I made to understand that
You have an adults only church.

You have two hours worship for adults
which is not suitable for me
You have holy bread and wine to
share only with adults
not with me.

You have international conference
about us in 3 Star hotel
which does not mean anything to me.

O Jesus
Please teach the adults
to become like us
So that we all could worship and live with
equality and love
at least in your name.

Fr. S. D. P. Selvan

Vavuniya.

Signs of Mission of God Manger, Cross and Empty Grave

Jesus Christ was born in a manger
God identified himself with poor
Because he chose a manger to be born.
Therefore incarnation of God among
the poor physically and socially
is the mission of God.
God is with the victims of globalisation.
God is with the poor and the marginalised.
Where we are?

Jesus Christ was forced to carry the Cross.
God suffered with innocents on a Cross.
Because he was ready even to death.
Therefore incarnation of God among
The victims of violence and war
is the mission of God.
God is with the victims of war.
God is with women and widows.
Where we are?

Empty grave was the Sign to Jesus' Resurrection.
God helped innocents to resurrect from their situations.
Because he is the hope to hopeless humanity.
Therefore incarnation of God Among
The people who live under the
threat of the Gun
is the mission of God.
God is with the innocents
God is with the homeless and simple people.
Where we are?

Fr. S. D. P. Selvan

Vavuniya.
09.10.2003

Spirituality

When one prays about
His/Her food
Clothes
Shelter and
Security
He/She is not a spiritual person.

When one works for the
Food
Clothes
Shelter and
Security of the other
He/She is really a spiritual person.

Fr. S. D. P. Selvan

Church of the Holy Spirit
Vavuniya.
27.09.2003

THE IMPORTANCE OF AGRICULTURE FOR HUMAN DEVELOPMENT

✍ **Nimal Sanderatne**

There is a heightened new interest in agriculture. Recent governments have acted as if agriculture is no longer of significance as it contributes only around 20 per cent of GDP. Other sectors of the economy are more glamorous and the future development of the country is expected to be through the development of industry and services. There can be no doubt that the non-agricultural sectors of the economy must grow to resolve many of the country's problems. Yet without a robust growth in agriculture, the country's economic growth would be dragged down, there would be strains on the trade balance and above all poverty would continue to be a significant problem. The fact is that agriculture has been neglected for nearly two decades. This paper argues that there is still a vital role for agriculture.

Agricultural Performance

Let us first look at the country's recent agricultural performance. The poor performance of agriculture in the last decade impeded economic growth. Agriculture grew by only 2.5 per cent during the 1990-99 period. In 2000 it grew by only 1.7 per cent and in 2001 it declined by 1.7 per cent. There was a revival of agriculture in 2002 owing to an increase in paddy and tea output. Consequently, agricultural output contributed 13 per cent to the 5.5 per cent growth in 2002.

The only significant exceptions to this poor performance in agriculture in the last decade have been tea and coconut production. Tea production increased by about 30 per cent in the last decade. There was a big spurt in tea production after 1995. By 2000 it reached a peak 306 million kilograms. After a small decline in production in 2001, it reached a record 310 million kilograms in 2002.

The improved management on the estates after their privatisation resulted in significant gains in tea production on the estates. Even more significant, was that smallholder tea production increased by leaps and bounds and now accounts for over 55 per cent of total production. Improved prices for low grown teas, together with improvements in infrastructure for smallholdings, contributed significantly to the increase in production. The Iraqi war posed a threat to low grown teas, as there was a temporary collapse of the Middle East market. This has now been overcome.

In contrast, rubber production has been declining. Rubber production is only 54 per cent of that 40 years ago. In 2001 rubber production reached the lowest production ever of 81.8 million kilograms. In 2002 it recovered slightly to reach 82.8 million kilograms. The declining prices for rubber, especially the shock of the Asian crisis in 1996, dealt a severe blow to the industry. The area under rubber cultivation declined from about 200,000 hectares in 1990 to 158,000 hectares in 2000, as rubber lands are being converted to urban and industrial uses.

Most other food crops have fared badly. Subsidiary food crop production as a whole declined by 40 per cent between 1990 and 2000. This declining trend in food crops is attributed to the stiff competition from cheaper imports.

Over the years other export crops have been looked at as a means of significant potential export earnings. However, their production has declined from 33 million metric tons in 1990 to 30 million metric tons in 2000. Nevertheless, a number of new exports such as, cut flowers, foliage plants and fruits, increased their export earnings to exceed the combined export earnings from rubber and coconut.

The poor performance of agriculture in the last decade impeded economic growth. Agriculture grew by only 2.5 per cent during the 1990-99 period. In 2000 it grew by only 1.7 per cent and in 2001 it declined by 1.7 per cent. There was a revival of agriculture in 2002 owing to an increase in paddy and tea output. Consequently, agricultural output contributed 13 per cent to the 5.5 per cent growth in 2002.

Paddy production last Yala and Maha this year may give the illusion that paddy farming is on a growth path. In fact paddy production increases in recent years have not been very pronounced. Although the country achieved a record paddy crop of 2868 million metric tons in 1999, it was only 2 per cent higher than in 1995. Paddy production is expected to reach a new peak in 2003, adequate to meet the entire consumption needs of the country.

Crisis in Paddy Farming

It is on the paddy sector that I would like to focus on owing to its economic, social, cultural and political significance. Paddy cultivation dominates agriculture with around 1.2 million farmers cultivating about 550,000 hectares of land. About 750,000 hectares of paddy land is available for cultivation. In a single year about 850,000 hectares are cultivated in the two seasons—550,000 in Maha and 300,000 hectares in Yala. About 20 per cent of the population is estimated to be directly, indirectly, fully or partially dependent on paddy farming.

Paddy farming is in a state of crisis. The crisis paddy farmers face is well known as a "Cost -Price Squeeze". Costs of paddy cultivation have increased, while the price of paddy has not risen to compensate for the increases in costs. Foremost among the high costs of cultivation are the high labour costs. The wage rate in paddy cultivation is about twice that in the plantations. In fact in some areas it is even higher. Worse still, though the cost of labour is high, its productivity is low. This means the labour costs are even higher than indicated by the wage rate. The high costs of labour are perhaps the most important reason for the high costs of paddy production.

There are also other factors causing an increase in the costs of cultivation. The price of chemicals and fertiliser are also high. In the case of chemicals several research studies have pointed out that farmers use excessive amounts of chemicals. This too increases the costs. This may be partly resorted to offset manual operations that are costly and even not possible to undertake. The use of organic fertiliser is inadequate.

Paradoxically, in a country that has a high rate of unemployment, of about 10 per cent, there is in fact a shortage of labour. This problem must be faced. There may

Describing paddy cultivation as being in crisis is almost an understatement. There is the real danger of paddy farmers leaving paddy cultivation, as they cannot obtain an adequate income from their paddy land. This is partly owing to the very small size of holdings and the high costs of cultivation. About 80 per cent of paddy farmers cultivate less than a hectare of land. Even this does not quite capture the problem as about 50 per cent or more cultivate plots that are less than half a hectare.

be a need for mechanisation. In some areas the shortage of labour is so acute that farmers have even given up paddy cultivation.

One of the most important areas for action is the improvement of the institutional support for paddy farming. The extension service is hardly operative and definitely ineffective. What is needed is not the old style type of extension worker, who is hardly capable of giving advice in the contemporary context of paddy cultivation. The requirement is a strong link of the farmer to research. Many research studies have demonstrated that the cultivation practices of farmers are defective. This is particularly so with respect to soil preparation and use of chemicals.

Credit for agriculture is another unsuccessful institutional support. Most farmers resort to informal sources of credit. Efforts to increase the efficiency of institutional credit have not met with success. The availability of good seed paddy is limited. Therefore many farmers use corrupted high yielding seed varieties. May be farmers should be given incentives for the production of good seed under technical supervision.

The objective of agricultural policies with respect to paddy is clear. What requires to be attained is an increase in yields and lower costs of production. Strengthening of institutional support is the critical prerequisite. Average national yields at around 3.8 metric tons per hectare are only a third of the potential yields of about 10.5 metric tons per hectare. This is an outstanding issue. This yield gap has to be bridged to some extent. In irrigated areas, yields could be increased to around 6 metric tons per hectare in a few years, if the institutional structure is strengthened. This must indeed be the focus of the agricultural strategy.

Describing paddy cultivation as being in crisis is almost an understatement. There is the real danger of paddy farmers leaving paddy cultivation, as they cannot obtain an adequate income from their paddy land. This is partly owing to the very small size of holdings and the high costs of cultivation. About 80 per cent of paddy farmers cultivate less than a hectare of land. Even this does not quite capture the problem as about 50 per cent or more cultivate plots that are less than half a hectare. Farmers remain in paddy cultivation partly due to the lack of alternate employment opportunities and by becoming part-time paddy farmers,

using their surplus labour to be involved in other income generating activities.

Role of Agriculture

There has always been controversy regarding the role of agriculture in economic development. This is more so after the impressive industrialisation and economic growth in South East Asia in recent decades. The greater diversification of Asian economies, including those of Sri Lanka, has added to a lesser credence in agriculture as an engine of growth. **The Human Development of South Asia 2002 Report** argues the case for **continued development of agriculture as the only means by which poverty and human degradation could be reduced.** The message of the Report is strong and clear. **“.....high levels of human development cannot be achieved if development priorities do not focus on the occupation of the people- both farm and non farm- and where they live -rural areas.”**

It urges governments to support small farm agriculture through pricing policies, infrastructure development, and increased resources for scientific research and linking such research with extension. Attempting to reduce poverty through welfare measures, it argues, is both expensive and ineffective.

Despite a reasonable rate of economic growth in the 1990s, **South Asia failed to reduce its poverty. In fact the number in poverty increased from 485 million to 530 million. About forty per cent of the World's poor live in South Asia. South Asia remains the poorest region in the world next to sub-Saharan Africa.** Its social indicators have improved in the decade of the 'nineties, but they are deplorable.

Nearly half (46 per cent) of the population of South Asia are illiterate and 200 million people are malnourished. Two thirds of the illiterate are women. Of every one thousand children 69 die before they reach 5 years. Nearly one half of the child population is malnourished, a large proportion of children in the region is underweight, stunted and wasted.

Where human development indicators are concerned the Sri Lankan achievements are very different to those of most other South Asian countries except the Maldives. However, **Sri Lanka's poverty level at 28 per cent of the population remains unacceptable. And poverty appears to be hopelessly intractable.**

The significance of the Human Development of South Asia 2002 Report is that it focuses on the reasons for the persistence of poverty, poor human development indicators and the inability to raise the poor from their

misery. It exhorts that the economic development strategy adopted was unable to reduce poverty and household level food security. Although promoting economic growth and even increases in agricultural and food production, it was incapable of promoting the welfare of a sizable proportion of the population. As much as forty per cent of people in South Asia lack adequate food and are malnourished. This despite the bigger countries in the region having 70 million tons of wheat and rice in their go downs.

The report is of the view that poverty, hunger, malnutrition and the poor human development indicators that are largely a rural phenomenon cannot be resolved by mere overall economic growth, though overall growth is indeed vital. It argues for a new thrust in agricultural development that alone can address these issues. This thrust requires more resources into research, an effective linkage in research and extension and more effective marketing channels for agricultural produce. In other words it argues for **a much stronger institutional support for agriculture.** What has to be done in Sri Lanka is no different.

The fact is that Sri Lanka's agricultural performance, particularly in the food crops, has been very inadequate. While in South Asia agriculture grew at an average of 3 per cent, it was below 3 per cent in Sri Lanka. The slide continued in 2000 and 2001. This is a fundamental reason for the persistence of poverty in rural areas. It must be admitted that tardy economic growth in other areas of the economy also failed to provide a beneficial impact. The absorption of labour and new employment opportunities in industry and services were limited. In fact the situation would have been much worse if not for the release of labour into occupations in the Middle East and the remittances from these countries. The income from soldiers and Samurdhi would have also boosted rural incomes. That agricultural growth was inadequate to sustain rural incomes and employment is indeed very clear. It is also clear that the institutional support for rural agriculture was woefully inadequate and has perhaps deteriorated. The same requisites for agricultural development that South Asia needs are the need for our agriculture as well. These include improved institutional infrastructure, more resources for agricultural research and extension that should be coupled, improvements in pricing policy and marketing, reforms in land policies and a number of other areas to support small farm agriculture.

The fundamental issue is this. An economic strategy that focuses on the development of industry and services may generate economic growth. Such growth can assist in increasing employment and incomes and reducing poverty, yet its impact is likely to be limited. As in the case of South Asia in general, the employment opportunities in industry would be inadequate to absorb the increases in

the numbers entering the labour force annually. The country's per capita income would rise, but poverty in rural areas would remain high. It is not a case of either industry or agriculture, but a balanced and forceful thrust in all sectors of the economy without neglecting agriculture. **Sri Lanka has achieved fairly good human development indicators owing to the welfare measures in the past. Now these must be improved through sustained rapid economic growth, especially agricultural development.**

While overall economic growth and diversification are important factors in ensuring national food security, agricultural development has a vital role to play in ensuring food availability at household level. Increased agricultural production by improving incomes of rural households could enhance household access to food considerably, as a large proportion of the country's population is dependent on agricultural incomes, directly or indirectly. The improvement of agricultural productivity through technological change is an essential strategy in achieving the right to food of a significantly large proportion of the population.

Agricultural policy and performance has an important bearing on household food availability, both directly and indirectly. Since about one half of the country's households are rural and derive incomes from agricultural activity, the level of agricultural production, the productivity of crops, the cost structures of agricultural production, land tenure systems and prices of agricultural produce have an important bearing on the capacity of a sizeable proportion of households to be food secure. In Amartya Sen's terminology, these conditions in agricultural production affect the "entitlements" of farm and rural households. Increases in agricultural production, especially an increase in agricultural productivity, would enhance food availability of rural and poor households. **There lies a strong logic for a sustained thrust in agricultural production, not because of national food security concerns, but the capacity of rural households to access food.**

Mellor and Adams have pointed this out in their paper "The New Political Economy of Food and Agricultural Development". In their words:

Shipping food from more developed 'surplus' countries to still developing deficit' countries might seem to represent the easiest solution to the world's food problem...Such a simple-minded solution would, however, neglect one very important factor, namely the lack of purchasing power in many Third World countries. In this context it becomes advisable for many developing countries to place a far greater emphasis on agriculture than they have in the past. In most cases increased agricultural production can play several

important roles in the development process. **First**, it can help increase overall domestic food supplies. **Second**, it can boost overall rates of economic growth. **Third**, as part of accelerated growth, it can help increase the poor's access to expand food supplies. Accelerated agricultural growth increases the income and employment opportunities of rural producers. This is important - inasmuch as the bulk of the rural population in many developing countries lives in the rural sector. Expanded opportunities for these people therefore help to facilitate broad-based employment and income growth in other sectors of the economy (Mellor and Adams, 1986, pp. 289-290).

A strategy to enhance agricultural production is an equity approach to economic development and addresses the problem of household access to food more directly than through industrial development and exports. The latter strategies no doubt contribute to food security at the national level, but their contribution at household level could be more limited and certainly more indirect.

Mellor and Johnston in their paper, "The World Food Equation: Interrelation Among Development, Employment and Food Consumption" have argued that "Agricultural growth not only satisfies the need for food to meet nutritional requirements ... but fosters a favourable employment - oriented demand structure as well" (Mellor and Johnston, 1984, p. 568). They have argued that in "the face of population growth and limited land area land augmenting technological change (is) essential to agriculture playing its productive role". (Ibid.) Their observation that "The employment - oriented effective demand is most likely to arise from a small holder agriculture, which is also fully consistent with high rates of technological change, "is especially relevant to Sri Lanka at its present stage of agricultural development.

Increased agricultural production could be conceived of as an effective strategy for poverty alleviation, reduction in unemployment, increase in rural incomes and improvement in income distribution. All these improvements would enhance food availability. This is especially so as adequate alternate avenues of employment are not available in the country as a whole and in rural areas, in particular.

Rhetoric on agricultural development has never been in short supply. It is meaningful and effective actions that are necessary. **The recent bias against agriculture must be reversed if economic development is to be meaningful to the bulk of the country's population.**

About the Writer : *Dr. Nimal Sanderatne is visiting Senior Lecturer of the Postgraduate Institute of Agriculture (PGIA) University of Peradeniya and Chairman of the Centre for Policy Analysis (CEPA)*

MARKETING OF PADDY

△ J.B.Kelegama



Farmers protesting Colombo's Streets

The Report on Consumer Finances and Socio-Economic Survey, Sri Lanka 1996/1997 Part I of the Central Bank of Sri Lanka indicates that of the average per capita consumption of rice of 106,1 kg per year, 21.4 percent is consumption of own produce which is grown by the consumers (farmers) themselves while 78,6 percent is consumption of rice purchased in the open market.

Private Trade

The greater part of the paddy production any year is sold to private traders. Firstly, private traders operate almost everywhere; secondly their shops are open and accessible every day and almost at all hours; thirdly, they sell consumer goods on credit to the farmers between harvests and lend them money for medical, wedding, funeral and other ceremonial expenses without security and formality. Thus many farmers have an obligation to sell their harvests to the trader to settle all these debts even if the trader pays them a lower price than official and semi official agencies. There is no doubt that the private trader pays the producer a lower price. Although there are many private traders in a market place, there is little competition for they generally collude to offer the same price to the farmer. The private trader is in business to make money and it is understandable that he tries to maximise his profits by buying cheap and selling dear.

Further, it is also to be expected that the price he offers will change with the size of the crop; a bumper harvest results in low price and vice versa. This is the operation of the market forces of supply and demand.

The trouble is that the price paid by the private trader is considered too low by the farmer. Thousands of farmers in various parts of the country are complaining, protesting and even demonstrating against the price paid by the private traders - as low as Rs.10.00-11.00 per kg of paddy in the Polonnaruwa and Kurunegala Districts much lower than the Rs.13.50 per kg offered by the government. Farmers complain that paddy production is unremunerative at these prices; the fact is that the cost of production has risen over the years with the prices of inputs increasing: fertilizers, agro-chemicals, tractor hire, farm labour and the cost of living. Thus, the demand for State intervention to ensure a high price - at Rs.13.50 per kg — by the farmers island-wide- is understandable. Free market theorists and the IMF/World Bank believe that the marketing of paddy should be left to the private trade and the government should not intervene in the market. In fact, it is on IMF/World Bank recommendations that the Paddy Marketing Board was wound up some years back. Free market theorists argue that the market price of paddy is determined by supply and demand and is in order. They fail to see the imperfections in the market, the collusion

among private traders and the absence of competition and the travails of the producers who need money quickly and are compelled to sell even at a low price. "Besides, the low price discourages paddy production - but then this might be the aim of the free marketers: to give up paddy production and switch over to producing other commodities while importing rice at a much cheaper price". They do not say what the alternative commodities are and forget that all commodities are facing low world market prices. The Economist commodity price index, for example, dropped from 100 in 1995 to 75 in July 2003. The free market with free imports can destroy the entire rural economy undermining employment and income of the thousands engaged in paddy production.

The problem, of low price is nothing new. It has occurred every time there was a bumper crop. What is needed is not the wholesale take over of paddy marketing by the government but a rival organisation - government or other - to compete with the private traders in order to raise the producer price. If there is an organisation which offers to purchase at a guaranteed price, private trade will be compelled to offer a better price in order to prevent the farmers selling their produce to this organisation. Various attempts have been made by the government in the past to establish an alternative purchasing scheme for paddy, but none have been effective; they were halfhearted, piecemeal and abandoned after a few years.

Cooperatives and the Paddy Marketing Board

It was believed for many years that the cooperative societies could be built up to purchase paddy and offer competition to private traders, and many cooperative marketing societies or multipurpose cooperatives were set up to undertake this task. Cooperatives can and do offer competition to private trade - but only to a limited extent. Farmers sell only a small part of their produce to the cooperatives because the cooperatives as a rule do not sell consumer goods on credit and are not open every day of the week and every hour. The limited amount of credit they provide entail cumbersome formalities. Yet, some farmers sell their paddy to

Cooperatives were active in rice marketing in the past because they were agents of the Paddy Marketing Board to which they sold the paddy bought by them. They knew that they would not be left with paddy surpluses. The Paddy Marketing Board had special buildings to store the paddy and it was from these stores that paddy was issued to millers to convert paddy into rice. With the closure of the Paddy Marketing Board however the Cooperative societies have no central /apex organisation to sell the paddy purchased: some of them are left with surplus stocks.

cooperatives because they get a better price. Cooperatives were active in rice marketing in the past because they were agents of the Paddy Marketing Board to which they sold the paddy bought by them. They knew that they would not be left with paddy surpluses. The Paddy Marketing Board had special buildings to store the paddy and it was from these stores that paddy was issued to millers to convert paddy into rice. With the closure of the Paddy Marketing Board however the Cooperative societies have no central /apex organisation to sell the paddy purchased: some of them are left with surplus stocks. Consequently they have ceased to be active in paddy marketing.

The Paddy Marketing Board purchased through the cooperatives 4.5 per cent of the production in 1994. When there was a bumper crop in 1995, the government directed the Paddy Marketing Board to purchase as much paddy as possible to prevent a collapse in paddy prices. Thus the Paddy Marketing Board's purchases rose to 10.0 per cent of the total paddy production in 1995. Its purchases were so large that it faced problems disposing of them and some stocks were sold at a loss. Although the bulk of the farmers' paddy was sold to the private trade, the purchases by the Paddy marketing Board/cooperatives offered competition to the private trade and prevented to some extent paddy prices falling to low levels. The Paddy Marketing Board was closed down and the Food Commissioner's monopoly of import of rice was ended on the advice of the IMF to remove state intervention and to entrust the entire trade in paddy and rice to the private sector. Thus there were no active operations of the Paddy Marketing Board from 1996.

CWE and Farmers Companies

When the private traders colluded to purchase paddy at the lowest possible price in the absence of competition, the farmers protested and demanded State intervention. The campaign of the farmers was so strong that the government yielded and directed the CWE and Farmer Companies to buy paddy at a fair price from the farmers. Neither the CWE nor the Farmers' Companies were equal to the task. The Farmers' Companies were little known organisations in

their embryonic stage: it is difficult to see why they were set up when the country had a well established system of cooperative societies of farmers with experience in paddy marketing. Perhaps the explanation may be that as the cooperatives were under a separate ministry, the Ministry of Agriculture wanted to have similar organisations under its direct control. The result was a wasteful duplication of resources and dissipation of energies of farmers who had to participate in both. The CWE on the other hand, was a trading organisation geared to importing consumer goods and distributing them through its own retail shops and cooperative societies. It had little experience in paddy marketing but was pushed into the business by the government although it was not geared for it. It purchased only a small quantity of paddy from the farmers - too small to have an impact on producer prices. Further it operated only in some areas and its purchases were erratic. The quantities of paddy purchased by it were so small that it was reluctant to publish the figures. The overall result was that in the absence of competition from government; semi-government agencies and people's organisations the private trader bought the farmers' paddy at a low price.

This is the situation even today. The country is having a bumper crop again. The CWE and the farmers companies have virtually disappeared from the scene; so have some of the NGOs which purchased limited quantities of paddy then. The cooperatives are purchasing only a limited quantity fearing they will be left with unsold stocks in the absence of a central organization like the Paddy Marketing Board. Thus the farmers are at the mercy of private traders and are demanding state intervention in order to get a remunerative price for their paddy but the government has no sound scheme for the marketing of paddy.

Reactivate the Markfed

It is necessary to re-appraise, the entire marketing system of paddy, for it is clearly unsatisfactory. Ad hoc solutions to deal with bumper crops such as direct purchases by the Department of Agrarian Services are only palliatives. The country is going to have bumper crops from time to time and there should be well planned schemes to deal with them. The greater part of paddy will continue to be purchased by private traders but the farmers

Perhaps the most effective system would be to entrust the business of paddy marketing to a revived Paddy Marketing Board or in the alternative to the Sri Lanka Cooperative Marketing Federation (Markfed). Markfed was active in agricultural produce trade until it was relegated to the background by those advocating a free market economy.

of all areas are complaining that they do not receive a remunerative price from private trade. The cooperatives are the best mechanisms to compete with private trade; they are not government agencies but people's organisations and should not therefore be resisted by the IMF and its followers. What the cooperatives lack is a central organisation to dispose of their stocks. Perhaps the most effective system would be to entrust the business of paddy marketing to a revived Paddy Marketing Board or in the alternative to the Sri Lanka Cooperative Marketing

Federation (Markfed). Markfed was active in agricultural produce trade until it was relegated to the background by those advocating a free market economy. It is not dead but its operations now are on a limited scale. Being a cooperative society it will be able to mobilise and enthuse the cooperative societies in paddy marketing better than a government organization. Besides it cannot be opposed by the IMF as it is not a government agency.

Cooperatives in production and marketing is nothing new. The entire production and marketing of milk in India (the world's largest milk producer) are handled by cooperatives (Gujarat Cooperative Milk Marketing Federation which owns the AMUL brand) and the world's largest exporter of dairy products - New Zealand Milk of Anchor fame - is a people's organisation owned by 13,000 dairy farmers.

Export of rice to reduce the surplus needs to be seriously considered. As export rice needs to be of quality, suitable machinery and equipment should be imported produce rice free from impurities. This is not difficult. Vietnam and India, which were net importers of rice in 1998, became major rice exporters in 1998 - India the second largest and Vietnam the third largest rice exporter in the world after Thailand.

Private trade as well as Markfed should be encouraged to explore the possibilities of exporting rice. Export of rice while earning foreign exchange would tend to reduce the excess supply in the market and raise the producer prices.

(Abbreviated)
(Courtesy: *The Island*)

About the Writer: *Dr. Jayantha Kelegama is a distinguished economist and political analyst.*

Proposed "Land Ownership Bill" Some Key Points

✍ Sarath Fernando

1. This Bill is described as a move to "grant land to 1.2 million people who do not have an inch of land of their own". **This is not true. All these people have received land grants** either under the LDO (Land Development Ordinance in 1935) or later as grants given to settler farmers under irrigated settlement schemes. Some others received land under the "village expansion schemes" or under the land regularisation schemes, where unauthorised settlers' land has been regularised, when they have properly established settlements: this was done by holding land kachcheries.
2. **All these grants were made with restrictions against their selling this land. This was to prevent them losing land due to poverty, indebtedness and other emergencies.** This was a measure adopted in the recent history of Sri Lanka, to prevent the creation of a very large population of landless destitute or paupers. This has contributed to a lower rate of migration from rural to urban areas and it has also provided for some of them land based livelihoods.
3. **All governments up to 1977 had policies of protecting their small scale agriculture and provided them with various support schemes to keep them in their livelihoods.** Such measures have had a positive impact in keeping rural poverty and income disparities low. The ability of Sri Lanka to maintain a considerable level of food security and quality of life in the post Independence decades was a result of such policies, protecting the poor.
4. **Market oriented policies were pushed by the World Bank (WB) since 1977 which reversed these positive achievements,** considerably. In March 1996, the WB made its policy recommendations in the "Non Plantation Sector Policy Alternatives Report" which said that there was no "growth" in this sector since much of the rural agriculture is producing "low value crops" such as rice, vegetables etc. There for they recommended a shift from low value domestic food crop production to "high value (export) crop production". It also said that the small farmers were unwilling to shift away from rice and other domestic food crops. So, they recommended creation of a "free land market" as an essential immediate measure to achieve "fast growth on the non plantation sector"

The obstacles to a "free land market" identified by the WB in this report were, firstly, the existence of a large

land area granted by the Government where "free marketing of land" was legally prevented and there was much rural land that was jointly owned by the families. In such cases the individual members were not free to sell their land plots away. They needed clear, regularised "freehold titles"

The World Bank (WB) in 1996 wanted the government to intervene immediately to

- a) **grant " freehold titles"** to all those who had these restricted land grants. The idea was to facilitate their selling of these land plots quickly and their moving out of this type of "low value" food crop farming.
- b) to immediately initiate a process of **regularising individual land ownership** in the case of land where such restrictions to selling of land existed.

Thus, **it is clear that the intention of this proposal was to remove the protection that had been provided** in the case of earlier measures in relation to land grants and land ownership.

The thinking behind this is two fold, though not admitted openly either by the WB or by the policy makers. Firstly, **they need the land to be freed for investors and bigger commercial farmers, to be used for export crop production. The Government and WB now wants to expedite this process** since they have so far failed to attract foreign investments, the way they have attempted over the last 25 years. So, they feel much more incentives and attractions have to be provided. Land and other natural resources are the biggest offers that Sri Lanka could now provide, in addition to cheap labour, made still cheaper, by removing labour protection laws and by creating a much larger population of "landless destitute" who will be compelled to migrate to cities as paupers.

This obviously would create a much bigger population of people without any livelihood, without the biggest source of their food security, where much of their food needs were met by the rural agricultural sector and the natural environment where they could collect food, even when they did not have the money incomes to purchase food. Sri Lanka, according to "Samurdhi Movement" figures has 2.1 million families receiving less than Rs 1,000 per month (rupee =US \$ 0.33 /day)

This measure was suggested by the WB in 1996 with full knowledge that most of these rural farmers would quickly sell their land. This is not because the urban attractions in employment and living conditions for such

poor people would be better. It is simply because they would be compelled to sell their land due to desperate conditions of poverty, indebtedness and other emergencies.

The policies related to agriculture have also been adjusted to make it worse for the small scale rural producers. The situation related to paddy marketing is a clear illustration. Closing down of Paddy Marketing Board and the complete withdrawal of Government from paddy marketing, agriculture services and subsidies, production and distribution of good quality seeds, proposed privatisation and marketing of water, including irrigation, restrictions and non supportive policies in agricultural credit, continued promotion of TNC involvement in promoting use of, unnecessary, destructive and very expensive agro-chemicals and inputs, recent increase in fertiliser prices make the situation worse. Therefore, the intentions are very clear.

If we are to take this up as a rights issue, the following areas may be important,

1. Looking at the importance of the change of policy proposed and its possible consequences, this is a decision that should have been taken with very extensive public discussion and debate. **Firstly, the WB's recommendation in March 1996 should have been revealed to the public and they should have been allowed to respond.** These recommendations have not been publicised. Generally these are not even discussed in Parliament. **(The present Policy Reforms package, now named " Regaining Sri Lanka" and its earlier version " Connecting to Growth: Sri Lanka 'Poverty Reduction Strategy, should also have been revealed and debated. This was not done even in Parliament.** WB's Country Director Mr. Peter Harrold recently complained about this too.)
2. The formulation of the policy of "land titling" has been done since 1996, with participation of WB experts. We know that the WB's experts team, headed by a person named Ms. Jessika Mott has been visiting Sri Lanka and working on this for all these years. But, the public and the members of Parliament have been kept in the dark. What is worse is the fact that the Ministers responsible such as D,M Jayaratne of the previous government and Rajitha Senaratne of the present Government have been giving a totally distorted, intentionally misleading interpretation of the objectives of this policy.
3. Giving people the legal right to have ownership of land seems to be a progressive measure. All farmers movements have been demanding that farmers should be given land, and ownership and control over land is a right. It is argued that the people will improve their land and make them more productive when they have an assurance of ownership. It is also argued that the

possibility that these farmers will now have to lease out their land when necessary would be a positive measure towards improving their economy. However, the way it is done and the circumstances would lead to very different results, namely many, many farmers will be compelled to voluntarily lose them.

4. The PRSP, "Regaining Sri Lanka" says that rural to urban migration would be encouraged and it is assessed that the rural to urban migration would increase in the future. **It is envisaged that the Urban population would reach 50 % by the year 2010.** At present there is no such rapid increase in rural to urban migration. Therefore it is clear that this is an intention of the policy reforms package.
5. There is a massive allocation of funds in the new policy and the loan agreements reached in Tokyo in June 2003 for construction of super highways and other networks of roads, airports and ports. It is said that this is being done to improve "connectivity" connecting the rural poor to the fast growing national and international markets. It is said that this connectivity is an essential measure to facilitate the process of the rural poor, small scale producers linking up with the bigger markets.

It is difficult to see examples where such physical linkage alone reducing poverty and benefiting the poor. In fact there are numerous examples where it has worked the other way. But, if massive rural to urban migration is envisaged, it is obvious that these proposed highways and other infrastructure is being built not for the poor rural farmers, but for potential rich investors in commercial agriculture for export.

7. **Lastly, it is useful to look at the situation in terms of UN Human Rights Conventions. Is this not a violation of the Social, Economic and Cultural rights? There are many proven ways of improving the farmers economy, food security, and livelihoods, using ecological farming approaches.**

Use of Integrated Pest Management (IPM), paddy and other crop farming avoiding use of chemical pesticides, weedicides etc have proved to reduce cost of production by about Rs. 4,000 / acre

This is about a 1/4 th reduction in cost of production on 1 acre of paddy. There are other tested methods of reducing cost of production in rice and also other food crops. There is better possibility of applying this in small farming. The poor farmers are capable of doing it too, since these methods are not capital intensive. Government violates its responsibility of ensuring food security, right to livelihoods etc, since the Government has undertaken to do all that needs to be done in order to protect such rights.

About the writer: Sarath Fernando is the Co-Secretary of the Movement for National Land and Agricultural Reform (MONLAR)

TO ALL PEOPLE WHO CONSUME WATER

Will you allow your drinking water to be converted in to a Marketed Commodity in the hands of private traders?

A new Bill named "Water Services Reform Bill" was presented in Parliament on October 22nd 2003. This was given publicity in printed media on October 26th 2003 under the title "Draft Bill ready for Water Privatisation Licenses Grated to Privet Businesses to Market Water".

Making water a commodity marketed by the private sector is a proposal included in the Government policy proposals "Future Regaining Sri Lanka". This policy was agreed upon at the Tokyo donors' meeting in June 2003. This is an attempt not at providing people with good quality water, more efficiently but it is a part of the plans to sell away all natural resources of the country to national and international companies and to the largest water multinationals.

Under the Bill presented in parliament the responsibility of handing over water services would be given to a Public Utilities Commission to be appointed.

Our Common Heritage

Water is essential for survival, not only of all humans, but also of all living beings, the plants and animals including the micro organisms not visible to the naked eye. Therefore, the ancient rulers of country constructed reservoirs, some as large as the seas to retain water that falls from the skies. Our forefathers sacrificed their blood and sweat to build and protect these reservoirs for centuries. These are the most valuable components of our national heritage. So far no body ever asked the question as to "who owns the water that is collected in our reservoirs and lakes or flows in our rivers and streams". All living beings utilised this water as they needed.

Now, new laws have been formulated in order to hand over the ownership of this water to private businesses and to make it possible for them to "price" and sell water to the people. Under the proposed "Water Services Reform Act" the Government is attempting to claim ownershp to the water that falls from the skies. Further it attempts to give away this water to private companies to be sold to the people at prices determined by them. This is a crime against the people. Who gave them the authority to sell away the water that is retained in Kalawewa, built by King Dhathusena and Parakrama Samudraya built by Parakrama Bahu the Great and the water in our lakes,

rivers, streams and natural springs to companies to make profit? Has any Government or the World Bank the right to sell such valuable national assets?

Consequences of making Water a Commodity

This is a plan that would mean death and destruction to the poor. All those who thirst need water to drink. If they do not have money to buy water they will be compelled to steal it in order to quench their thirst. If they are to be fined to the extent of Rs 5,000 to Rs 20,000 for doing so (as stipulated in the Draft Act), it amounts to saying that those who cannot afford to buy water should die. This is a clear threat against the right to life of the poor, such as the farmers in the villages, the low income earners in the cities and particularly the 2.1 million families who are receivers of the poverty alleviation grants (receiving an income of less than Rs. 1,000 per month).

Therefore, we are facing a situation that challenges all people of the country to unite, leaving aside all differences and disagreements. All political parties of the opposition and others have a serous responsibility to set aside their conflicts in getting in to power, in order to launch a united resistance. Further, those of the United National Party who voted the Government into power have even a greater responsibility to prevent this injustice and destruction.

An Appeal

We appeal to, the Venerable Mahanayake Theras, the Bishops of the Christian Churches and all other religious leaders, the intellectuals and scholars, and people of all sectors of society to come together to prevent this extremely unjust and inhuman Water Privatisation Act.

We also would like to appeal all those to join in the public protest activities to prevent this injustice and destruction.

May all beings be well!

- Ven. Mahamankadawela Piyarathana Nayake Thera
Dveethiya Sangha Nayake of North Central Province Convener,
Alliance for Protection of National Resources and Human Rights

November 3rd, 2003

REGAINING SRI LANKA FOR WHOM?

T. M. R. Rasseedin

Sri Lanka is passing through one of its critical phases in history. The expectation that the two decades long ethnic conflict is drawing to a close seems to be misplaced. All what we see is the internationalisation of the conflict. This was starkly evident at the recently concluded Tokyo Donors' Conference where the government's blue-print for development, *Regaining Sri Lanka (RSL)* was placed for assistance. The makes no mention of a way out of the conflict and it is significant that the donors who pledged \$ 4.5 billion did so on condition that the money would be made available on the progress of the peace process.

The "Reganing Sri Lanka" Document is a follow-up to the "Poverty Reduction Strategy" paper said to be prepared by the previous People Alliance government on the line set by the International Financial Institutions. In actual fact this forms part 2 of the "Regaining Sri Lanka" document. The latter seeks to high-light the priorities set by the UNF government headed by Hon. Ranil Wickremesinhe.

Relief, rehabilitation, reconstruction alone will not bring about economic development. Conditions conducive for development need to be created and the attainment of peace in the country should receive utmost priority in the programme of the government- A solution to the ethnic problem needs to be found without delay. It should be found out of conviction and not out of calculation or political expediency. The *RSL* is deliberately silent on the vision of the future Sri Lanka State that needs to be addressed in a serious and sincere manner by the political leadership of the country.

Peace and development

"With 24 of the world's forty poorest countries mired in conflict, it is crucial to find a way to ensure economic development despite hostilities. But the focus should be on political decisions rather than economic strategies." argued Mark Malloch Brown, Administrative of the United Nations Development Programme. "There are no economic options in conflict zones, only political ones", he said.

Focusing on post-conflict situation. Brown argued that the international community must "Spend its way to peace". This means directing substantial cash flows to potentially risky situation to build up national government institutions and jump-start the process of rehabilitation. "Unless there

is peace dividend at the community level, people won't stick willi peace," Brown said.*

The *RSL* document seems to ignore both the options: that there are no economic options in conflict zones, only political ones and the fact that national government institutions need to be strengthened through cash infusion to jump start the process of rehabilitation and reconstruction. The policies enunciated therein are actually in the opposite direction. The document considers economic options as primary and political options secondary and that market-driven private sector development is the key as opposed to strong national government institutions.

Civil society groups have all along pointed out the importance and urgency of adopting a bi-partisan approach to facilitate a meaningful all-round consensus around a constitutional framework that would be acceptable to all communities inhabiting Sri Lanka. This necessitates a political approach that would involve the people on both sides of the ethnic divide. Without rooting it in the people and genuinely mobilising them the quest for peace will continue to be saddled with problems creating opportunities to outside powers involved in the peace process to take it in the direction that they desire.

Government seems to be unwilling for such a mobilisation of the people in the present context. The trade unions and civil society groups find themselves in an awkward position to support such a mobilisation in support of peace due to the anti-labour, anti-people economic development package contained in the *RSL* document.

Poverty reduction and economic growth are laudable goals - both important and necessary. However, the *RSL* does not seem likely to reduce poverty or increase growth as they are based on economic policies perceived by International Financial Institutions (IFS)s. The government's vision and strategy for economic development of this country rely heavily on private sector growth. The IMF insists a greater role for the private sector in nearly every State run enterprise or social service as part of its loan conditionality, (see IMF Press Information

* World Economic Forum-Economic Options in Zones of conflict- 27.01.2001 Annual Meeting 2001 promoting a Role for Business in Conflict areas-Mark Malloch Brown, Adminislrator of the United National Development Programme.

Notice No. 98/58, August 12, 1998. Also "Sri Lanka: Recent Economic Developments" IMF Staff Country Report No. 98/95 September 1998, Annex ii & iii pp 60-76)

An increased role for the private sector will mean spending cut-backs in general public services as well as social welfare and community services. Part 11 of *Regaining Sri Lanka* indicates that Government spending on general public services is set to contract by 1.5 percent of GDP between 2002 - 2006 from 5.6% to 4.1%, while spending on social welfare and community services is set to decrease by 0.9 percent of GDP from 3.7% to 2.8% (See *Connecting to Growth: Sri Lanka* PRS Part 11 RSL P.108). It is envisaged to privatise or restructure with private sector partnership a majority of government undertakings including services essential to the community.

The World Bank both in a 1998 Report on Sri Lanka's social services and a June 2002 poverty assessment sought to improve targeting of services to the poor, partial privatisation of social services and decreased government spending on the social sector. (See "Sri Lanka Social Services: A review of recent trends & issues" World Bank Report No. 17748-CE, April 1998, PP 5-9, and "Sri Lanka's Poverty Assessment", World Bank, 2002, 28-41, 57-60) The *RSL* & *PRSP* fall in line with World Bank advocacy and call for an increased role for the private sector in education, healthcare and social welfare programme.

Labour Reform

In the area of Labour Market Reform the aim is to bring about a flexible labour market in Sri Lanka similar to what the IMF and World Bank have advocated elsewhere. The argument put forth by the Government and the IFIs for their labour market reform is that current labour laws in Sri Lanka contribute to unemployment and impede productivity growth. However, no evidence or research indicating that labour protection laws generate higher unemployment or impede productivity is presented to buttress their argument. A recent study by consultants to the Government of Sri Lanka who were involved in the preparation of the recently adopted productivity policy found that between 1990 and 2001 while average minimum wage rates decreased in every sector (agriculture, industry and services) the overall rate of productivity grew by approximately 3 percent a year during the last ten years. The labour laws amending legislation that recently got passage in Parliament clearly seek to implement changes that erode the rights of workers and security of employment in direct contradiction to the views expressed by trade unions; in addition, these actions imperil the livelihood and living standards of workers. At a time when the vulnerability of employment to market forces and external threats caused by liberalisation of trade and investment policy is increasing rapidly, the Government is seeking to remove the few safeguards available to workers against involuntary and mass termination, without the implementation of any form of a "safety net" as proposed by trade unions. It is quite clear that the legislative changes

brought about and what is in the pipe-line are likely to exacerbate the twin perils of poverty and unemployment in relation to the most vulnerable segments of our society.

Land Law Reform

The land law reforms envisaged in the *RSL* the granting of official land titles to farmers with the view to encouraging them to sell their land. It is clear that through the land ownership law and the land use policy what is intended to achieve is to get the lands of the rural population to be sold and migration to urban area encouraged. It is anticipated that by the year 2010, 50 percent of the population will be living in urban areas. Currently a little more than 23% is urban. In other words a quarter of the population will be moving into urban areas. This enormous rural to urban migration will accentuate the problems of the poor and would not contribute in any tangible manner to reduction of poverty in the country.

The *RSL* also advocates an increased role for the private sector in the provision of clean water to the poor. The Draft National Policy on Rural Water Supply and Sanitation Sector underscores the importance of private sector investment and the introduction of a water pricing policy based on cost recovery. There are numerous instances world-wide where the private sector's provision of water has increased inefficiency, failed to provide the poor with clean water and the water provided has been priced out of the reach of the poor.

Taken as a whole the *RSL* and *PRSP* contain proposals that are anti-labour anti-people and anti-national as well. The increased debt burden; proposals for the privatisation of State - owned enterprises including services and utilities that serve the common good and the proposed reforms in labour laws, land tilling, land / water use policies and the utilisation of natural resources such as forests, fishes, minerals including objects of archeological, geological or other scientific interests will lead not only to a vast increase in sufferings and misery but also to increased social unrest in the country.

The main thrust of the *RSL* is to regain the Sri Lanka of 1977 vintage that witnessed the aggressive pursuit of unbridled neo-liberal economic policies that resulted in the collapse of the rural economy and nascent industries, proliferation of political patronage, criminalisation of society, widening of income disparity resulting in social exclusion, the penetration of foreign "aid" and the consequent debt burden and escalation of political violence and anti-Tamil programs.

The *Regaining Sri Lanka* document and the neo-liberal policies contained in it assures a return to those traumatic years.

About the writer: T.M.R. Rasseedin is General Secretary of the National Association for Trade Union Research and Education (NATURE) and Deputy President, Ceylon Federation of Labour (CFL)

REGAINING SRI LANKA FOR SRI LANKANS

✍ Tissa Vitarana

In the last issue of the Christian Worker, in the article titled "Regaining Sri Lanka for Imperialism", I sought to give the background to the "Regaining Sri Lanka" strategy of the UNF Government. Clearly it is part of a conspiracy led by the imperialist countries, with the USA at the head, directed primarily against the Third World, but really against the majority of the people of the whole world. It is being done in the interest of the multinational (transnational) corporations and the elites of each country that support them. The need for it arose from the deepening crisis of capitalism. The justification is being provided by Neo-liberal ideology. The executing agency is the International Monetary Fund supported by the World Bank. The approach: market fundamentalism.

It is a continuation of the open economy strategy of the UNP which has been in operation in Sri Lanka since 1977. The outcome of this strategy up to 2003 was outlined. Since then the "Regaining Sri Lanka" (RSL) document has been made public in May 2003 and a brief critical evaluation is made here as a prelude to discussing the basis of an alternate strategy to help regain Sri Lanka for Sri Lankans. This RSL document is mainly and substantially the Poverty Reduction Strategy (PRS) that was secretly developed under the direction of the IMF since 1998 when the previous PA Government was in power. Though it is claimed that the Government prepared it, as the Science Advisor to the Ministry of Science and Technology at that time I was unaware of this till the PRS document was made public in November 2001.

Critique of the "Regaining Sri Lanka" Programme

This brief critique of the main points of the RSL programme (RSLP) will be sufficient to establish that it cannot achieve most of its stated objectives that would be beneficial to Sri Lanka. Instead it is likely to achieve its hidden agenda, which is to help the multinational corporations that run the governments of the USA and other imperialist countries. But to give the RSLP validity a

pretence has been made of public consultations, specially of the PRS document. But even trade unions, peasant organisations and elected representatives of the people were excluded. The few NGOs that were consulted complain that their concerns had not been addressed.

The RSLP is a very cleverly prepared document that extensively describes the sad state of our economy and society, identifies the many shortcomings and comes out with a modern and apparently plausible course of action that holds out the prospect of a solution to our problems. The IMF has tried to hide the main weakness of capitalist development efforts, which is that little or no benefit accrues to the poor, by bringing in the so-called "poverty reduction strategy". It claims to be able to achieve rapid economic development and also to ensure that the poor stand to benefit, through a "fundamentally new approach". Is this true?

Increasing The National Debt Further

The approach is basically that of an open economy, which has been in operation for the last 26 years since 1977 without success (there has been a downward trend in the rate of economic growth). The RSL document itself discloses covertly but not openly that things have been made worse where it matters during this period. For example one of the main challenges identified in the RSLP is that of "overcoming the public debt crisis". There was no real public debt problem before 1977. In fact Dr.N.M.Perera had achieved a balanced budget by 1975, so that there was no internal public debt, and the external public debt had been brought down to the lowest level in the country's history by controlling the balance of trade.

But as a result of policies pursued since 1977, Government revenues have dropped sharply. Reducing taxes on the rich, lowering tariffs on imported goods and the privatisation of revenue generating State ventures have been the main causes. Government expenditure has risen due to the ethnic war begun in 1983 and due to gross

mismanagement of the State apparatus together with abuse of political power (jobs for the boys, corruption etc) and deliberately running down State enterprises to justify privatisation. Not surprisingly the budget deficit has soared. The cost of imports has risen by leaps and bounds with an adverse effect on the country's balance of trade, thereby increasing our foreign debt e.g. It grew from US\$ 1.16 billion in 2001 to US\$ 1.4 billion in 2002 under the UNF government. Clearly the "debt crisis" is a result of "open economy" policies, continuing which would make matters worse.

Under the RSLP the economy is to be opened further so that goods could come into the country with little or no duty or restriction. Therefore the total cost of imports will rise further aggravating the adverse balance of trade, and government revenues will drop further. To make the balance of trade favourable our export income will have to grow more. Up to now the export oriented growth effort, despite all the assistance given to foreign and local investors, has not succeeded except in the field of garments. That too is bound to drop after 2005 when the tariffs on imports and the quota abroad are removed.

Depress Rather Than Promote Industrialisation

There are very few areas in which Sri Lanka has a competitive advantage over other countries. Even there in accordance with the RSLP when no assistance is to be given by the Government with regard to tariff protection and subsidies there is little chance of success. While the RSLP correctly emphasises the need for infrastructural support, the entrusting of much of this to the private sector would raise rather than lower costs, specially in monopoly situations. To put it baldly the prospect for local export oriented industry is extremely bleak in the context of RSL policies, and there is no hope that it would either have a significant positive impact on the balance of trade or help to solve the employment problem. In fact the RSLP pays lip service to the importance of local small and medium enterprises (SME) in generating jobs, but does not provide the conditions required for their development. Nevertheless the RSLP identifies "increasing employment" as one of the four main challenges facing Sri Lanka that it hopes to successfully address by creating 2 million jobs,

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"in the next several years".

Capital Outflow Instead Of Inflow

We then come down to a real aim of the RSLP document. **Creating avenues for profitable investment for the large mass of capital available abroad.** The bulk (over 95%) of this international Finance Capital is speculative and seeks short term quick profits and will mainly be directed to the share market and property holdings. The RSL opens the door to speculative capital by permitting foreigners to buy land freely and to purchase even 100% shares in Sri Lankan companies. **By opening the Capital Account,**

the flight of capital, without Government knowledge and control, is being allowed thereby making it easier for **speculative capital. But as it is here today and gone tomorrow it is extremely unreliable and poses a danger to our economic stability,** as the East Asian and other crises have demonstrated. It will not make a significant contribution to the development of our economy or to solving our problems.

But what would be of benefit to our economy is the mainly export oriented foreign direct investment (FDI). This is long term, usually of higher technology and intent on making use of some competitive advantage that Sri Lanka offers (natural or human resources, location etc). It has the ability to effectively access markets abroad. However the conditions required for FDI already exist. It is not the absence of the proposed changes in the RSLP e.g. relaxing local labour laws (which incidentally are not in excess of ILO specified minimums) to favour the employer, that have prevented its entry to any significant extent. **It is the ethnic conflict and war, and so long as there is no lasting solution to this problem FDI will not come.** A ceasefire is temporary and will not suffice. Even then it may not come, because it is very selective and there are many alternative locations, total reliance on this to develop the economy is not wise.

The RSLP expectation is that local investment funds will come from the private sector which is being given massive tax and other relief. The local private sector has been notoriously prone to look for quick profits and has been reluctant to make long term investments. If the private

sector does not respond adequately, subsidised targeted State intervention will not be possible because the State banks are due to be privatised under the RSLP. Most countries that achieved significant growth did so by having a high level of domestic savings. **In Sri Lanka it is still around 17%, and it is doubtful that with RSL policies it would reach the basic minimum of 25% savings.** With the opening of the capital account under the RSLP, like in other countries where this was done, rather than achieving the desired domestic savings and inflow of FDI capital, the flight of capital abroad is the likely outcome, with disastrous consequences to our economy.

Inadequate Economic Growth

The success of the RSL strategy, the creation of 2 million jobs etc, depends on achieving an annual GDP growth rate of 10%. From 1970 to 1999 the average annual growth rate that Sri Lanka achieved was just 4.54%. During the open economy period from 1985 to 1997 it was only 4.42%. The only country which has achieved that mark over the 1985 - 1997 period was China (10.09%), while that of India was 5.83%. Given the limiting factors mentioned above, particularly the lack of capital, it is clear that the RSL target is just an empty dream meant to mislead a gullible government and public. Considering that GDP growth rate can increase without growth of the economy (e.g. spending more on consumption - chocolates, T.V.sets, motor cars etc. - sends the GDP up) from the point of view of developing new enterprises that would really generate jobs the outlook is even more bleak under the RSLP.

Adverse Impact On Local Industry And Jobs Of More Foreign Imports

Another real aim of the RSLP is to promote the sale in Sri Lanka of imported goods from foreign multinationals. This is to be done by reducing and even eliminating tariffs so that they will be available cheaper here. Many of the existing established industrial and agricultural enterprises faced with this competition will not be able to survive, as the cost of inputs are higher here e.g. the cost of electricity in Sri Lanka is one of the highest in the world. The RSL policy of privatising

these services will send the cost up further. In many countries abroad these inputs are often subsidised by the government e.g. in India farmers receive electricity free. **But the RSL policy is not to help local enterprises by subsidies.** If a local enterprise successfully competes against the imports, the foreign Multinational can afford to under-price it for a period till the local competitor is put out of business. In this situation can new local small and medium enterprises have any chance of establishing themselves ? In all other countries they were given a helping hand by the government for a period - tariff protection, subsidies, venture capital support, technology transfer facilities etc. But under the RSLP these are not being effectively provided.

Without a doubt the outcome of these RSL policies will be that practically **no new enterprises will take off to provide jobs, and that existing enterprises will collapse leading to massive job losses** among those already employed.

Weaken The Government By Reducing Its Income

The reduction of government revenue is part of the real strategy of the RSLP to weaken the government and make it impotent. Thereby IMF conditionalities can be imposed so that the market becomes the effective regulator of the economy, rather than the government. And as the Multinationals control the market they gain control of our economy. The reduction in the taxes levied on the rich - direct income tax reduced, stamp duty removed, capital gains tax abolished and the surcharge removed, tax amnesties to crooks (smugglers, bookies, brothel keepers, drug dealers, casino dealers etc), and duty cuts have resulted in a massive revenue loss of billions of rupees. In addition the privatisation drive has led to further loss of income. For instance the Sri Lanka Insurance Corporation, with estimated assets between Rs.30 and 40 billion, and with a net profit of Rs1.6 billion in 2001, was sold for a mere Rs.6 billion. In fact State sector enterprises which brought in 80% of State revenue in 1977 has dropped to less than 20% today.

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Poor To Carry The Burden

With the drop in State revenue IMF / World Bank pressure to balance the budget leads to drastic cuts in State expenditure. Health services, education, and the safety net (Samurdhi) payments among others suffer - leading to increased poverty, which this RSL programme is "designed" to reduce as one of its prime objectives. Revenue recovery is through increased taxation on goods and services, the VAT of 20%, which affects everybody, including the poor. This is an increase on the GST of 12.5%, and the Defence Levy of 6.5%, during the PA regime. Now an additional 10% has been levied on what the poor must have for

their survival - milk powder, sugar, chillies, onions, dried fish, and kerosene. Even the price control on medicines has been lifted. The RSL by insisting on a balanced budget without tax increases on the rich perpetuates this trend of increased burdens on the poor, and this includes eventual removal of the Samurdhi payment. Due to cuts in State expenditure proper education and health care, before long, will be available only to the rich, who can afford the expanding private sector. With the completion of privatisation of transport, concessions to children and the pensioners will end, and fare rises will add to their poverty.

Rural Impoverishment To Build Urban Slums

One of the major objects of the RSLP is the promotion of commercial agriculture in the rural sector, agribusiness, with encouragement for multinationals to move in with commercial crops for export. To enable them to buy land cheap and to obtain cheap labour a diabolical scheme is being implemented. On the pretext of providing "poor families with secure title to land", the Land Development Ordinance, the Land Grants Act and the State Land Ordinance are being amended to remove the restrictions that now exist to the "sale, lease transfer, sub-division and mortgage of State lands in rural areas". 1.2 million families now occupying and using State land (2 million acres) will "benefit". This includes the Mahaveli Project area.

The country will be faced with the twin problems of a break up of the cohesive fabric of rural society and the massive expansion of urban slums (an increase of the urban population to 50%, from present levels of 20%, is expected), with grave economic and sociological consequences.

The IFAD study on the "State of World Rural Poverty" states that Sri Lanka had the sharpest increase in rural poverty - from 13% in 1965 to about 46% by 1988, largely due to open economy policies. Implementation of the RSLP without a doubt will take poverty to heights beyond our worst nightmares.

Lacking ready credit facilities and marketing support, within a few cultivation seasons the peasants will lose their land to traders and rich farmers, from whom the consolidated land can be purchased by foreign agribusiness. The aim is that the landless cheap labour can be exploited both in the rural sector and in the urban sector, to which they will be forced to migrate. Their misery and increased poverty, specially with the inevitable failure of the expected industrialisation to occur, is not difficult to envisage. The country will be faced with the twin problems of a break up of the cohesive fabric of rural society and the massive

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Wage slavery

Under "Reforms in the Labour Market" the RSLP aims to provide a cheap and malleable work force to attract investors. It hopes to achieve this by removing the legal protection that exists for labour, deprive them of trade union rights and to eliminate security of employment. The aim is to make all employment to be on a hire and fire basis, with minimal or no compensation. Compulsory overtime working hours would increase the pressure on women in particular, so that their children will suffer. The idea is that when other RSLP policies swell the ranks of the unemployed a desperate labour force will stomach these violations of their rights. But already dissatisfaction and resistance is mounting, leading to a spate of strikes on labour rights, cost of living, absence of salary increases

and privatisation. **If the work force is deeply dissatisfied work output will fall.** Despite the democratic posturing is the real aim one of using force and terror to ensure a docile workforce, the setting up a ruthless dictatorship ?

More Foreign Debt For Infrastructure That We Can Build

In an attempt to attract foreign investment massive loans are being obtained from foreign bilateral and multilateral donors to develop infrastructure - expressways, airports, harbours, telecommunications, electricity etc. While the real object is to help foreign investors, the RSLP puts it down to its poverty reduction strategy - by connecting the poor in the villages to get the benefits of national and international markets (sic!), accessing hospitals etc. This justification becomes necessary as the re-payment of these loans together with the interest (incidentally the interest rates are higher than those normally payable in donor countries) is going to take the debt burden on every person in the country to well over Rs.100,000 , from the present level of Rs.87,000. The cost to Sri Lanka is about 5 to 10 times more than if we did the work using our resources. Further most of that money goes back to the donor countries through contracts, consultancies, equipment etc.

Natural Resources - Foreigners To Profit At Our Expense

The sale to foreigners of our natural resources or their commercial exploitation - phosphate and other minerals, water (this includes distribution rights to domestic as well as irrigation water and making it a commodity), forests, medicinal plants and our bio-diversity in general - are all envisaged. The RSLP is intent on making water a commodity not only in the urban areas, but also in the rural irrigation sector. The excuse is that the government lacks funds to develop water supply infrastructure. But this is false because in the RSLP itself provision has been made for government to obtain foreign loans for this purpose, which the people of Sri Lanka will have to pay. As they will also have to pay for the use of our natural resources the cost to the poor will rise, and so will their poverty.

No Food Security

Dependence on commercial seed requiring costly inputs is being encouraged. Eventually seed prices too will rise, adding to the cost of other inputs like fertiliser, increasing the burden on the farmer. These policies which are designed to drive the farmers away from cultivating traditional food crops will make the country dependent on imports for our essential food items including rice. Any

shortage of food worldwide will expose our population to starvation. Already more than a third of the population is suffering from malnutrition and these numbers will soar. **RSL policies will have a serious negative impact on national and household food security.**

The aim and outcome of the RSLP is clearly to force Sri Lanka into a state of dependence and extreme poverty, so that the IMF can "bail us out" and impose further conditions that will weaken the government further and increase our dependence, till ultimately we become a neo-colony that the Multinationals can rape. Our independence and sovereignty will be a thing of the past ! In the process the poor are being forced to subsidise the elite 10% of the population who flourish as agents of imperialism. As poverty increases the gap between the two will widen, leading to an inevitable rise in crime, drug addiction, prostitution and political strife.

An Alternative Strategy

Clearly the " Regaining Sri Lanka" document is not one developed by Sri Lankans in the interest of our country or its people. It is a document developed by the IMF and World Bank, with the assistance of some selected Sri Lankans, to pave the way for Sri Lanka, like other Third World countries, to be re-colonised. Based on Neo-liberal concepts (reviving Adam Smith's outdated 18th Century theories) developed countries led by the USA are seeking to find a way out of the deepening economic crisis of world capitalism. The Washington Consensus and their control of the IMF and World Bank has enabled US-led Imperialism to gain control of the globalisation process and to manipulate it to their advantage but to our disadvantage. The object is to intensify the exploitation of our economies by the direct economic, political, social and military control of our countries and our people.

International Opposition To US Agenda Mounts

What happened in Iraq was an open expression of this, the use of direct military means to gain control of 20% of the world's oil. The shock of this, after the East Asian economic crisis and the world recession of 2001, together with the increasing poverty and misery in most countries that follow IMF / WB dictates, has shaken confidence in pro-imperialist globalisation. The reaction is mounting worldwide and at various levels, from that of the masses to governments - the World Social Forum, the disruption of WTO meetings culminating in the recent successful protest of farmers and Third World governments at Cancun, and the decision of the Thai and Indonesian governments to stop borrowing from the IMF are all expressions of this.

There is opposition mounting worldwide to the US agenda. The successful confrontation of the developed countries by 22 Third World countries led by China, India, Brazil and South Africa at the Cancun WTO Ministerial meeting is an example. Another is the open criticism of the USA government's action in Iraq by leaders of both developing and developed countries as well as Kofi Annan at the recent UN General Assembly. In this context the fact that the Sri Lanka government delegation to Cancun, which included an American, shamelessly took the side of the developed countries, is a clear indication of the lengths to which the **UNF government is prepared to go in acting as an agent of USA led imperialism.**

Deepening Economic Crisis

As USA led imperialism is thwarted in its attempt to implement its agenda the crisis of imperialism gets deeper. The illegal capture of Iraq enabled the USA to gain control of its oil, but the resistance of the Iraqi people which includes destruction of the pipelines prevents the USA and Britain getting much of the benefits. In fact Bush has had to request a further \$ 82 billion to cover expenses in Iraq, thereby adding to the \$507 budget deficit of the US government for this year. The USA got rid of the Taliban regime in Afghanistan when a Venezuelan company was given the contract to construct the massive oil pipeline across the country instead of the US company, in which US Vice-President Cheney has a stake. Despite getting an executive of the US oil company as the President of Afghanistan the rising armed resistance across the country prevents construction of the pipeline. US and NATO forces have failed to bring the situation under control.

All the while the US economy deteriorates - the US Census Bureau Annual Report shows that the poverty rate has increased from 11.7% in 2001 to 12.1% in 2002 (32.9 million to 34.6 million people); according to the Economic Policy Institute by September 2003 "there are 3 million private sector jobs less than in March 2001"; corporate closures and mergers continue apace; the shift to genetically modified food crops in the USA has been plagued with problems and poor sales. As the sale of their products abroad are going down the US government is prevailing on Asian countries to revalue their currencies against the dollar in an effort to make US goods more competitive (is that why the SL rupee is appreciating ?). The failure to get WTO agreement for their protectionist policies and for unfettered entry of their capital to Third World countries has been a further setback to the developed countries. The USA and other developed countries are compelled to shift the emphasis to bilateral arrangements with Third World countries which they can manipulate to their advantage. Wherever possible it is by regaining colonial hegemony that the developed countries can hope to emerge from the crisis. Regaining Sri Lanka for imperialism is part of this worldwide process.

The UNF Government Betraying Sri Lanka

Besides its past actions, **the UNF government is moving quickly towards a bilateral arrangement with the USA** (and UK etc.) which will play into American hands and hasten the process of our subservience and colonisation. This has already begun through IMF domination and is being consolidated through the RSLP. Proper multilateral arrangements will have to await the democratic functioning of the WTO initially, and the IMF and World Bank subsequently. But this will require a hard and sustained collective struggle by the governments of all or most Third World countries together with the progressive peoples of the developed countries. Till then Sri Lanka should join the Group of 22 Third World countries led by China, India, South Africa and Brazil (hopefully the numbers will increase) and come to a collective understanding or an agreement that would ensure that we are not isolated in our dealings with the USA and other developed countries, and if possible we act collectively on a multilateral basis. Unfortunately the UNF Government has no intention of following such a course.

Replace the UNF Government

Therefore if we wish to regain Sri Lanka for Sri Lankans the most important step is to replace the UNF government with one that will not be subservient to the USA and imperialism and is truly national in outlook. One that will act in the national interest both within the country, by rejecting the "regaining Sri Lanka" programme of the IMF, and outside e.g. in international forums etc., by acting together with other Third World countries, on the lines indicated above.

The longer the UNF remains in power the more effectively will Sri Lanka be regained by imperialism, be re-colonised. In the process **there is every possibility of a move towards dictatorial rule, either by the military intervening, supported by US troops if necessary, or by Ranil Wickremesinghe getting elected President in 2005.** Our support for the peace process should not blind us to the fact that in order to be President, Ranil must have the support of the LTTE and the Tamil people. To retain that support he may avoid pressing for a lasting solution to the ethnic problem as this will force him to risk displeasing the LTTE when he tries to accommodate the wishes of the Sinhalese and the Muslims. He may be quite content to allow the LTTE to consolidate itself in the North and East through an interim administration. The extremist Sinhala backlash in the South led by the JVP that may well arise, rather than posing a problem, may be used as a means of dividing those opposed to the pro-imperialist globalising process. It would also provide a ready "terrorist" excuse, which in the post-September 11th era is being used in country after country to get rid of opponents to existing pro-US regimes e.g. Israel, Spain, Georgia, Indonesia, Philippines, Colombia etc.

Paramount Need For Mass Mobilisation

To constrain the UNF Government so long as it is in power, to eventually topple it and also to ensure that any succeeding government acts in the national interest, **MASS AWARENESS must be heightened to the level where the mass of people can be mobilised for direct struggle and to actively intervene to ensure that any governmental programme serves the people of Sri Lanka, and does not serve imperialism.** Each section of the masses should be made aware of the issues relevant to them arising from the implementation of the "Regaining Sri Lanka" programme (RSLP).

It is also necessary to have the broadest possible unity of the masses, at least in action. Isolated action, whether in the form of protests or as alternative developmental efforts, have had little impact on society as a whole or on the overall implementation of IMF policies. No doubt they have helped to raise mass consciousness and at times have been of benefit at a local level or to resolve individual issues and should be encouraged and supported. But they should not be allowed to detract from the need to generate broad mass struggles on a national or regional scale, and to prepare the masses to overthrow the UNF regime and to install a people friendly government in Sri Lanka.

Build Mass Unity For A Victorious Struggle Against Oppression

To achieve the maximum possible unity of the mass of people in the struggle against the UNF government and the RSL programme it is necessary **to fight the covert efforts of the ruling class to divide the opposition in a variety of ways.** Foremost among the divisive issues is the **ethnic problem.** Racism and racial consciousness has replaced class consciousness in society. This is evident among the Sinhalese, the Tamils and the Muslims to greater or lesser extent. A recent survey has shown that over 80% of the people desire a lasting peace through a process of dialogue. However more than 40% are not happy with the conduct of the ongoing peace process and are sceptical about the outcome. These doubts are being exploited by racist elements in all communities. The Sihala Urumaya and JVP in the South, the LTTE in the North and by some Muslim organisations. We cannot afford to have another racist conflagration. It would spell disaster for the country.

The main cause for this situation to arise is the conscious rejection of a multi-partisan or even a bipartisan approach to the peace process by the UNF Government. It is unfortunate that the Prime Minister rejected the offer made by the President and the PA to participate in the process. The fact that the President has

resisted the pressure from the JVP and sections of the SLFP to exploit racist sentiment and to oppose devolution and a federal solution suggests that she could be drawn into the process constructively. Unless the doubts of the people in the peace process are removed, by at least involving the President and the PA, the mounting hostility to the Government on economic issues could take on a racist form spearheaded by the JVP, with disastrous consequences to the country. Maximum pressure must be exerted on the UNF Government to do this. Further the core issues must be tackled and a measure of agreement reached on matters of principle, as a preliminary to working out any interim administrative arrangement.

While this is being done **other divisive issues like religion are also being raised.** There appears to be some organised provocation and reaction. The provocation is through religious conversion or through allegations of it being done. The Government is deliberately turning a blind eye. The people must be alerted to the dangers of being provoked and made not to act in a rash manner, and pressure must be exerted by the progressive clergy on those responsible to stop what may appear to be provocative acts.

The present **district-based preferential electoral voting system** has heightened caste, religious and racial differences and before they reach serious proportions the district must be replaced as the unit by a smaller electorate based on one or more divisional secretary areas, as part of the electoral reform. All divisive issues should be identified and avoided in a suitable manner.

Build A Political Force With An Alternative Governmental Programme

The next task is **to overcome the feeling that has been generated by Neo-Liberal ideologues and the media that to emerge from the mess that the country is in there is no way other than through pro-Imperialist globalisation, through the RSL programme.** To achieve this there must be **an effective critique of the RSLP.** This must be coupled with **active resistance** involving the masses to every anti-people anti-national move made in implementing the RSLP. But more importantly there must be a **governmental programme that is a credible alternative to the RSLP,** which can enthuse the people and give them hope for the future. Together with this there must be a **viable political force which is seen to be capable of giving the necessary leadership and capturing political power** from the UNF government and thereafter to implement such a programme. Let us look at these aspects a little closer in the next article.

AN ALTERNATIVE GOVERNMENTAL PROGRAMME

✦ Tissa Vitarana

Given below is the outline of a governmental programme that can be placed before the people as a viable alternative to the Regaining Sri Lanka programme that is now being implemented by the UNF Government:-

1. **Protect Sri Lanka's independence and national sovereignty** - The Government must act at all times in the national interest, both here and abroad. The role of the state must be strengthened. It must play a regulatory role within the framework of an open economy, acting in the national interest rather than according to the dictates of the IMF / World Bank / World Trade Organisation. The abolition of the Executive Presidential system and the restoration of democratic government with executive power vested once again in Parliament is an essential part of this process whereby the will and the interests of the people prevail. The military agreement with the USA must be rescinded.
2. **Work towards a solution of the ethnic problem and achieve a lasting peace as soon as possible** - The ongoing peace process must be taken forward effectively on the basis of a multi-partisan, or at least, a bipartisan approach which involves both the PA and the UNP. Shortcomings in the ceasefire MOU need to be corrected, and the Government must be firm in implementing it but yet retain the confidence of the LTTE. A lasting solution needs to be reached expeditiously. The political solution embodied in the PA's Constitution Amending Bill of August 2000 had received the prior approval of the UNP itself and the Tamil and Muslim parties. It can be the basis for discussion with the LTTE to reach an agreement on the required political solution based on devolution of power. The solution should ensure optimal regional autonomy to permit economic and cultural development within a unified and functionally

integrated country and a pluralist modern democratic State. During and after this process ethnic harmony must be consolidated in a way that a truly Sri Lankan identity and society is established in which all citizens have equal rights and opportunities. Suitable interim arrangements should be made as part of a final solution.

3. **Achieve meaningful national economic development** - which is not confined to GDP growth, but also includes striving to eliminate the conditions that subject people to poverty, taking into account current UN and international fundamental rights concepts regarding 'safeguarding the right to life' - this includes guarantees of employment or maintenance, adequate housing, nutritional sustenance, quality education and health care. The approach to be a balanced one, on the basis of walking on two legs, rather than attempting to hop on one (and inevitably falling) as at present under IMF direction -
 - (a) Emphasise not only Export Promotion but also Import Substitution (limited period of tariff protection and subsidies, while ensuring competition, to encourage local enterprises to meet the needs of the local market);
 - (b) Use both Market Drive and State Regulation of the economy (let market drive help to increase productivity and improve quality, and use planned development that is market guided according to market trends and responds to market signals);
 - (c) Promote not only the Private sector but also where required the Public sector enterprises (to fill any void that exists and also to provide necessary competition);
 - (d) Give the same encouragement to the local private investors as that given at present to those from

abroad (e.g. targeted BOI facilities) and supporting services like venture capital, as well as subsidies and tariff protection in selected areas which have a competitive advantage;

(e) Diversify - by actively supporting other industries besides garments, supporting industry and agriculture as much as services, supporting both domestic and commercial agriculture.

4. Adequate funds must be obtained for economic development. While striving to attract foreign investment the emphasis should be more on Foreign Direct Investment (FDI) rather than speculative Portfolio Capital, which can destabilise our economy and contributes little to sustained development. The Capital Account must not be opened. This will ensure that exchange flows in and out of the country are effectively controlled and flight of capital is not permitted. Foreign ownership of local enterprises should be restricted to a minority share, except when foreign technology, know how or market access is essential for survival and development. Encourage foreign investment in minority partnership with the State to better use natural resources, add to skills development, generate employment and promote high value added exports. Foreign ownership of land should not be permitted. While accepting foreign grants, great care must be exercised in obtaining foreign loans. The latter should only be considered when there is some essential contribution to development which would otherwise not be available. It is important to move away from the corrupting influence of the foreign loan dependence syndrome, and it should be recognised as part of the debt trap.

There must also be a drive to increase domestic savings to over 25% from the present level of 17%. State policies should be directed towards achieving this target, and State banks have an important role. Increasing State income through promotion of State enterprises and through taxation of the rich will also help. Remittances and investments from Sri Lankans working abroad should be promoted while looking after the safety and welfare of those working

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abroad. Unemployed and under-employed labour is also a source of capital that must be drawn into productive activity.

5. Reducing the level of foreign debt is a priority to escape from the debt trap and the clutches of the IMF. Export earnings by citizens should be maximised by giving them all the (BOI type) encouragement given to foreigners, and through effective collaboration with foreign investors. Expenditure on non-essential imports should be reduced by suitable selective tax measures and by encouraging local production for import substitution. The level of foreign borrowing must be minimised, specially for infrastructure development, which can be done by local expertise and labour using local resources. The outflows of capital should be reduced and under no circumstances should the capital account be opened

6. Balance the budget by increasing State revenue and reducing costs - Increase State income by maximising its income generation through the placing of the tax burden on those who can afford it and promoting income generating State enterprises. The IMF/WB policy of economically weakening it has to be consciously reversed. The present tax policy should be completely revised. State income should be maximised by ensuring that all those who are liable to tax are brought into the tax net and pay their dues. The tariff rates on imports that are non-essential, specially luxury items, should be placed at the highest possible level in terms of the WTO Agreement. To discourage import of luxury items further, an additional tax can be levied at the point of purchase by the consumer. The exemption of State officials (who are under paid) should continue, till such time as their salaries can be raised to a realistic level. The VAT on essential consumer items and services is burdening those who cannot afford it and adding to poverty and it should be removed, except where necessary. By reversing the step and reviving public ventures that were privatised irregularly or in a manner that harmed the national economy, and by developing new ventures that are profitable, State income can be raised further.

In addition, it is important to reduce State expenditure. Several measures are possible, eg: increase efficiency at all levels of the State apparatus; minimise wastage of stationery, electricity, telephone, travel etc; eliminate conspicuous consumption and minimise corruption with the example coming from the politicians and the senior officials; use local rather than foreign resources, expertise and skills whenever possible; achieve effective planning and coordination at the centre and the periphery.

These cost-cutting measures have to be rigidly enforced. This will leave money to be spent on public welfare and services, and for the State's role in development.

7. The State has to take responsibility for Infrastructure Development and Maintenance -

This is a responsibility of the State and it should retain ownership of all the key utilities that are monopolies essential for the economy e.g. water and its distribution, drainage, roads, railways including the rail services, airports, harbours, electricity and the import, refining and distribution of petroleum and its products. Provision of a free health service and education at all levels by the State must continue. These should be targeted to the poor and made more efficient and effective. An efficient transport system must be ensured by State regulation and healthy competition with the private sector. The same applies to other sectors like banking, insurance, post and telecommunications. The cost to the consumer should be brought down to the lowest possible levels by improving efficiency and productivity.

8. Reduce unemployment and underemployment by promoting the SME sector -

The State must consistently maximise support for a hitherto relatively neglected area - the local, micro, small and medium enterprises in the industrial, agricultural and service sectors. The interests of both the small producer and the consumer have to be looked after. They need to be actively supported by the State, not only with BOI facilities, but through upgraded organisations like the Industrial Development Board (IDB), which must look

Being an agricultural country with the bulk of the population living in the rural sector, promotion and expansion of the rural economy using the apolitical Grama Sabha concept has to be the basis of national development. A Grama Sabha is formed in each village at which all villagers elect a council that acts on their behalf and reports to them at least once a month. All State services for the prioritised development needs are channeled through the Grama Sabha

into all their needs - initial market surveys, venture capital and low interest credit, technology transfer, management skills, quality control, productivity, marketing locally and abroad etc. For instance, the DFCC and the NDB which were set up to provide venture capital have failed to do so and suitable alternatives have to be established. Supportive measures could include subsidies, maximal tariff and non-tariff protection, together with duty relief on raw material imports. However to improve quality and productivity there should be no monopoly rights so that there is free competition. The BOI facilities, subsidies and tariff protection should be for a limited period, and be targeted to industries in selected areas where we have a competitive edge or where import substitution is possible.

9. Strengthen and revitalise the Rural Sector -

Being an agricultural country with the bulk of the population living in the rural sector, promotion and expansion of the rural economy using the apolitical Grama Sabha concept has to be the basis of national development. A Grama Sabha is formed in each village at which all villagers elect a council that acts on their behalf and reports to them at least once a month. All State services for the prioritised development needs are channeled through the Grama Sabha. This policy should replace the RSLP one of running the rural sector down so as to obtain cheap labour for the cities, with all its harmful consequences. The small scale farmer should be protected. While increasing productivity in agriculture, animal husbandry and fisheries, the focus will be on developing related (processing and input) industries, promoting organic farming and generating bio-gas and bio-mass to provide energy (energy farms e.g. growing glycidia on bare or marginal high land). Producer cooperatives have a role.

The State must provide and organise the supporting services such as credit, water, power, infrastructure, inputs, technology, know how, managerial support, marketing (both local and foreign), together with suitable subsidies when necessary. It is important to ensure that the State officials performing these

functions, (24 of them are presently attached to the Pradeshiya Sabhas), properly serve the village. Funds should be allocated (based on the population and the magnitude of needs) to each Grama Sabha so that the people of the village decide on priorities and control and supervise the expenditure. Career progress of the State officials will depend on good reports from Grama Sabhas. A human resource development programme in the village or 'wasama' is also essential to provide the required skilled man power, and also the extension services e.g. for the promotion of organic farming.

10. The State must actively support rural agriculture (specially food items) and develop consistent national policies taking into consideration the needs of the farmer and the consumer. These policies, including those on tariff levels, must be adhered to and consistently implemented. The State must intervene, establishing suitable collecting and marketing systems, to ensure that the farmer gets a proper price to adequately cover costs and the consumer pays a fair price (this may require the Paddy Marketing Board or an equivalent organisation to be revived). Besides input support, and subsidies, easy and ready credit and provision of efficient marketing (including storage and post-harvest technology) have to be ensured. Local input (seed, fertiliser etc) production and organic farming together with integrated pest management (IPM) i.e. sustainable eco-friendly agriculture should be encouraged as State policy. Niche market opportunities abroad should be fully exploited. The use of synthetic chemicals in agriculture should be discouraged. Technology that economises on water usage should be encouraged.

Scientists have predicted a world shortage of food in the year 2005 and of water by the year 2020. We would be wise to achieve national self-sufficiency in essential food items like rice, yams, milk, eggs, fish, green gram, sugar, chillies, and onions. This would also lead to a considerable saving in foreign exchange eg: milk - Rs.10 billion, fish - Rs.5 billion, sugar - Rs.10 billion. For individual self-sufficiency the poor income families will have to be given a ration book at least for a prescribed period. They should be encouraged to produce their own requirements, maximising the use of all available land including home gardens.

Water and its distribution must remain in the hands of the State (as trustee for the people) and in its use priority should be given to domestic needs and agriculture. Besides covering distribution costs, it should be treated as a commodity, with full cost recovery, only in the case of private commercial

establishments. While not supporting the ulterior motive behind the cultivator getting title to State land, now that it is an established fact, the State must ensure that adequate rural credit is readily made available to ensure that they are not forced to sell or mortgage the land. Otherwise this would enable absentee landlords to get ownership of the land. The sale of land to foreigners must be stopped.

11. Revitalising the Plantation Sector is an urgent necessity. The decline of the plantation crops can have a considerable impact on Sri Lanka's foreign exchange earnings (tea accounted for 14% of export earnings in 2001). The higher productivity and earnings by the small-holders, despite exploitation by middlemen, may offer a solution for the estate sector. Each worker family on an estate could be given in charge of a particular extent (1 to 2 acres) of tea land and they are responsible for all activities (weeding, plucking etc) and the estate factory guarantees the purchase of the green leaf yield, after deducting the cost of input materials and overheads. The same could be done with rubber. This would provide the type of incentive that has produced results among small-holders leading to increased yields. It could lead to the desired rise in productivity.

Crop diversification on plantations, including energy forests, and value adding industries, would also boost incomes. Promotion of organic farming and restoring soil fertility are also important. The living conditions of the workers and their families and provision of services (health, education in their mother tongue etc.) all need to be improved. Some private plantation companies are charging unconscionable sums for managerial services and their efficiency is questionable. In addition their readiness to genuinely develop the estates and also serve the people working there is a matter of doubt. The whole question of management and ownership may need to be reviewed.

12. Reduce inequalities in society - by welfare measures and poverty reduction; effectively taxing the rich and not the poor; reducing conspicuous consumption. The economic gap between the rural areas or plantation sector as against the urban areas, and also between districts must be narrowed. The growing inequalities in society must be narrowed to avoid social unrest and the increase of crime. The poor must be given a ration of essential food items at subsidised rates through cooperative stores and selected private retail outlets, or as a food for work programme, till their incomes rise above poverty levels in a sustained manner.

The taxes on the rich that have been lowered by the UNF Government should be restored to earlier levels. The large number of tax dodgers should be brought into the tax net. The VAT which has contributed to rising prices, largely a burden on the poor and middle income earners, must be eliminated. Price control on medicines must be restored. Conspicuous consumption must be reduced by maximising tariffs and other taxes, and by the example set by the political leaders

13. The welfare State must be preserved while it should be geared to effectively promote and participate in national development.

The State must be responsible for and provide the essential infrastructure and regulate, and when desirable run, service either alone or together with the private sector. These include water supply and drainage, fuel, electricity, telecommunications, roads, railways, public transport (air, rail, bus), health, education, banking, and insurance. Ensuring the provision of an adequate service to the rural sector and the poor must be a particular concern of the State and its responsibility. In addition, where privatisation has led to adverse consequences the State will have to retrieve the situation e.g. the bus service. The private sector can compete in selected areas on the basis of its own investment, but without monopoly rights.

The administration of the State shall be made up of the Central Government and the Provincial Councils, with defined devolved powers, and the units of Local Government. The efficiency and discipline within the State sector has to be improved to private sector levels. The duties and responsibilities of the staff at all levels must be clearly defined, so that they can be made answerable for any breakdown in performance or errors and suitably dealt with. Auditing should not be confined to financial matters but pay more attention to output and performance assessment. Under-performance should lead to stopping promotions, bonuses etc while good performance should be adequately recognised and rewarded. Democratic governance should be broadened by involving the people served as well as the employees in decision making at enterprise / institution and regional levels. Selection criteria for recruitment and for promotions must be merit, and political interference or favouritism must not be permitted.

14. For national development the work force, both blue and white collar, must be contented and dynamic.

To ensure this workers' rights and privileges must be protected. They must be made to feel that they are

not mere cogs in a machine but active participatory contributors in the enterprise. Where possible their voice should be heard in matters of decision making. Ideally, they should directly benefit from increased profits made by the enterprise so that they have a vested interest in the success of the enterprise. At a minimum they should be rewarded for better performance. In-service education and skills enhancement should be promoted. However workers have to be aware of their responsibilities towards the workplace and discharge this effectively if the enterprise is to survive in a highly competitive society. Annual collective agreements at the work place should be respected.

15. For economic development there must be a dynamic science and technology capability established in the country

to give the necessary backup to industry and agriculture. This must be established forthwith by strengthening and upgrading the existing facilities, training the scientific personnel and giving them the payments, working and living conditions that they deserve (comparable with their counterparts abroad), and rewarding them suitably for original contributions (research etc.) that benefit national development. The Science and Technology (S&T) policy that was developed at the time of the previous PA Government should be implemented. It is the responsibility of the State to provide the S&T capability and it must not be left to the private sector. The technology transfer mechanisms that are now lacking must be established. In planning, S&T personnel must be consulted.

While the present drive in Information Communication Technology (ICT) should be intensified, a conscious effort must be made to ensure that it does not only benefit the affluent. It must reach the under-privileged as well and be available in Sinhala and Tamil. But it must be remembered that ICT is only a tool and that the development of modern science and technology at all levels is the key to development.

The rich base of traditional knowledge in the country needs to be tapped to benefit society. Herbal medicines, ayurvedic and other traditional medical practices, medicinal plants, pesticides of plant origin, traditional knowledge and practices in irrigation and agriculture should be scientifically investigated and used.

16. There should be properly drawn up national policies in all key sectors that are appropriate to Sri Lanka's short and long term needs, taking into

consideration the financial and other constraints that exist and making full use of our own resources. They should be formulated by local personnel who have the necessary knowledge and experience. Foreign expertise should only be considered when it is lacking here, and for this Sri Lankan expatriates should be preferred. International agencies and foreign governments must not be permitted to dictate to us, specially if it is against our national interest. Once finalised the policies should be implemented without delay. For instance an Energy Policy is lacking and needs to be formulated, while there is an Education policy it is yet to be implemented. Desirable new policies, like encouragement for alternate renewable energy, which is lacking today, need to be introduced and existing policies, like free education up to tertiary levels and a free State health service based on an essential drug list and other similar approaches, need to be protected. Instead of lip-service being paid to key activities, such as preventive health, these policies must be properly implemented.

17. Natural resources should be accurately determined and they should be exploited in our best long term interests with maximum local value addition, and with due consideration for the environment. They should not be allowed to be exploited in the interest of foreign multinationals to our disadvantage as was attempted in the case of the Eppawela phosphate deposit. Sri Lanka's bio-diversity and the environment should be carefully protected in a way that it benefits present and future generations.

18. Privatisation as an ideology will be given up and will be done only where it is considered absolutely essential in the national interest. All previous privatisations will be reviewed and if they have been done in an irregular manner or against the national interest, they will be reversed or suitably restored to productive activity. Those who have acted against the national interest should be suitably dealt with.

19. Protect our culture and values from the attack of

imperialism. Considering that our culture and values are under attack from imperialist globalisation, the State must actively intervene to fight the media blitz of consumerism that exploits violence and sex and uses blatant falsehoods to mislead the public. Consumer rights must be defined and protected by law. The State must encourage and provide facilities for the setting up of voluntary consumer rights organisations in each locality. The schools and media must stress only the positive aspects of Western culture and be critical of the negative aspects. While promoting all aspects of indigenous culture and inculcating respect for the diverse cultures that exist in the country, a national Sri Lankan identity and culture must be developed.

20 Promote gender equality and ensure women's rights. Women's rights should be protected in the workplace as well as at home. This extends to domestic employment here and abroad. Their exploitation by recruitment agencies and by their employers must be prevented by having standardised contract forms and the Labour Ministry should set in place mechanisms to quickly rectify any injustice done to the employees. Sexual abuse of women and children is on the increase. Special units composed of women should be set up by the Police to investigate and take action in the courts. Suitable deterrent legislation should be enacted and enforced.

21. The problems of the youth, and of organised crime, need special attention. In the context of a capitalist society in which money is god and selfish attitudes prevail, unemployment is increasing and there is a constant rat race, the pressure on children and youth to perform is immense. The majority who fail, and are unemployed or underemployed or lack jobs meeting their aspirations, are under psychological stress. Many fall a prey to addictive drugs, including alcohol (specially kasippu) and cigarettes, and to prostitution. The ethnic war has made guns available freely and the large number of deserters, lacking other skills, sell their ability to kill to the growing underworld

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and even to politicians. Robbery, violence and contract killings are on the increase and with this extortion and gang violence. The media contributes to the brutalisation of society. These youth are exploited by the growing under-world or drawn into the politics of violence.

While the long term solution is social change that generates a more stable environment with a different value system, immediate short term actions to reverse these trends are required. Reform which makes education less stressful and is directed towards developing reasoning and problem solving abilities and creativity rather than

memorising, coupled with job orientation (including self-employment) would help. Vocational and technical training facilities have to be expanded, both at secondary and tertiary levels. University education has to be expanded and improved. Employment opportunities have to be increased and proper guidance provided on accessing these. Youth must be involved in the process of revitalising the rural sector, (agriculture, animal husbandry, fisheries and related industry), the plantations and the SME sector. A large number of productive and satisfying jobs can be generated, with a high level of self-financing, which will ensure social justice and dignity for youth.

An intense educational and propaganda drive against the dangers of addictive substances together with strong deterrent punishment which targets the drug sharks more than the sprats is essential. There should be effective rehabilitation programmes. A systematic campaign by the Police has to be directed against organised crime, and all criminals must be brought to justice. Those involved, rather than being an accepted part of society as today, must be made the subject of public disapproval and ostracised.

This raises the question of minimising corruption in the Police and the Public service in general. Besides having properly constituted commissions to manage

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them, answerability to Parliament and to the public have to be ensured.

22. Media freedom and citizen's rights. - Enforce laws that protect the right to information and ensure the freedom and rights of journalists and others working in the media sector. Laws should also protect the right of citizens to privacy and not to be misrepresented by the media. Responsible journalism based on factual reporting and giving both sides of a story must be encouraged. Minority opinions should be given a place in the national press. Set up a speedy inexpensive mechanism, like an ombudsman, to settle disputes that arise.

23. Appropriate International Policies. The present UNF

Government has taken the country away from its traditional non-aligned position into one of complete subservience to the USA. It is shamelessly acting as the agent of the USA in dealings with other Third World countries as was witnessed recently at Cancun, sacrificing our national interest in the process. These policies must be reversed. The grant of military facilities in Sri Lanka to the USA must end.

We must continue to have good relations with all developed countries and strengthen our trade ties on a bilateral or multilateral basis, without surrendering our national interest. Our relations with Third World countries should also be the same. But in the context of the predatory role of the developed countries in relation to the developing ones in the capitalist world of today, it is necessary to join other Third World countries to fight for our rights and for justice. Specifically this fight should be directed towards democratising the functioning of the WTO, the IMF and the World Bank. The concept must be accepted that due to the unequal contest between the Powerful and the weak, **in a highly competitive world, it is necessary to have not just a level playing field (instead of that favouring the strong as at present) but one weighted in favour of the developing countries.**

The economic links with other Third World countries must be strengthened on a bilateral and a multilateral basis. This could extend to regional cooperation. In the South Asian region Sri Lanka should act as the bridge between India and Pakistan and also as the main access point to the common market. In our diplomacy priority should be given to achieving this role. Flexible economic cooperation agreements should be reached which maximise the use of barter arrangements and ensure stable markets for our products. We should also work towards mutually beneficial free trade agreements. The cooperation should also extend to the political and social levels. Closer ties should be forged with progressive regimes e.g. China, Vietnam, Cuba.

Towards an Alternative Ideology

The governmental programme outlined above is intended to get Sri Lanka out of its present plight where it is being made into a colony of USA-led Imperialism, and to enable Sri Lanka to be regained once again by Sri Lankans as a sovereign independent country in which we can determine our own destiny. Our struggle will have to be part of a struggle that the peoples of the Third World as well as those of developed countries are carrying out for economic and social justice. George Soros, the American multi-millionaire, has already predicted that capitalism is doomed unless a world body is created to regulate international finance. He intends it to be in the interest of international capital, the Multinational Corporations and Imperialism. But we must ensure that a world body that acts in the interest of the people as a whole is set up. We have to unite to exploit the contradictions of Imperialism and of the elites in our countries. The struggle will have both a national and an international dimension.

While it is true that the process of globalisation is being exploited by Imperialism to its advantage, it is not necessary nor will it be possible to return to the era of closed economies of the Second and Third Worlds e.g. the Soviet State or pre-1977 Sri Lanka. Globalisation is an inevitable historical process, that was evident in early capitalism and which Marx predicted would draw the world closer and lead to economic integration. But with the immense concentration of wealth in the hands of a few, Finance Capital, and the control of production by transnational oligopolies, formed when MNCs merge, the functioning of the world's economy is at the mercy of the greed of a few, searching more **PROFITS**. It meets the needs of the diminishing number who can afford to pay, rather than meeting the needs of the many who cannot. A decreasing number of rich are getting richer and having it

good, while an increasing number of poor are getting poorer in both developing and developed countries. The polarisation of society is increasing both within countries and between countries.

The world is heading inevitably to a period of bitter and bloody conflicts, both within and between countries. Attempts to control by force of arms the protests of the people and the resulting political instability is going to make matters worse. The only solution is to find a way for the immense wealth and power that is concentrated in the hands of the elite few to be brought under the control of the many to the latter's benefit. Whether this will be done democratically or whether it will need social revolution only time will tell. The United Nations and its organisations as well as the World Bank, the IMF, the WTO and any other financial regulatory body that is established have all to be truly democratic so that they properly reflect the needs of humanity as a whole. To achieve this, genuine representatives of the people, rather than the elites, have to come into power not only in the developing countries but also in the majority of developed countries or in the USA. The flouting of the authority of the UNO over Iraq by the USA emphasises the need for this. But Iraq itself may become the Vietnam that turns US public opinion against the Bush regime and the oil oligopolies, clearing the way for a people's regime.

In a competitive capitalist world there are contradictions among ourselves that Imperialism will exploit to divide and rule. They may be based on race, religion, tribe, language, caste or other. These can be minimised if progressive non-sectarian pro-people regimes can be established in Sri Lanka and in all other countries. They should not fall a prey to neo-liberal and pro-imperialist ideology. Instead there should be a humanitarian ideology that respects the primacy of the needs of the individual and the community rather than profit, in which the nation develops in harmony with the world and nature, and people's participation replaces exploitation and alienation. It is such a humanitarian ideology that needs to replace the inhuman neo-liberal ideology of Imperialism.

While I remain convinced that the future of humanity depends on a transition to socialism, which must of necessity be on a world scale, I shall not put that forward here because it is controversial and may detract from building up the unity in action that the situation demands. In my opinion what has been called socialism or communism in relation to developments in various countries is a misnomer, and socialism should not be judged on these experiences. But as history unfolds socialism will come perhaps in a form that differs from our imaginings. But without it the world is headed for barbarism.

Course of Action

In Sri Lanka, and every other country, a movement that draws in all progressive forces that accept such a broad ideological position must struggle to capture political power. It must mobilize the people on the basis of the political programme outlined above. The process of mobilisation will itself help to create awareness and readiness for struggle.

The people of Sri Lanka are used to changing governments through the electoral process and thereby getting the benefits of political power. The majority of them have gained confidence in and are committed to one political party or another and seek to achieve their requirements through the party to which they are affiliated. These loyalties run deep, and at times have a religious fervour. The movement to regain Sri Lanka for Sri Lankans must be seen as a viable and credible contender for political power if it is to get the support of a significant proportion of the people, or even to get a serious hearing. However potentially acceptable the "Governmental Programme" may be and even if it has the capacity to enthuse them it will not get the people's attention unless they feel it is likely to be implemented.

The getting together of concerned NGOs, however committed they may be, with the support of some trade unions and peasant organisations is unlikely to be anywhere near adequate to achieve the desired mobilisation. The Left parties with a socialist programme must also be drawn in. But the mass base of the traditional Left parties like the LSSP and the CP have contracted and would not be adequate for the purpose. Break away parties from the LSSP like the NLF and the DLF are cadre parties without any real mass base. The presence of all these Left parties would strengthen the movement and give it some momentum, provided they work together without sectarianism.

The JVP is a tightly controlled cadre party with a youthful mass base. It has a disastrous and violent past in which it has played a divisive role and weakened and

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undermined the progressive mass movement and objectively helped the cause of the Right. The JVP of today glorifies rather than rejects this past. This together with its enormous resources, which exceeds that of the SLFP, and its continued sectarian, racist, divisive and opportunistic role in politics has led to a parallel being drawn with known CIA funded organisations abroad. Though it pays lip service to some of the issues raised in this article, little confidence can be placed in its sincerity. Rather than strengthening this movement the JVP is more likely to try to use this movement to strengthen itself.

The LSSP and CP, together with the SLMP and DJVP, are partners in the People's Alliance (PA). They accept most of this "governmental programme". They are preparing to publicly canvas for

it within the PA with the objective of getting it accepted as the PA programme. This effort should be widely supported. It would open a public debate that would attract the attention of the media and the people. It would do much to increase public awareness of the relevant issues. If most, or some, of the key issues are accepted by the SLFP and the other PA partners and they are included in the PA programme for the next election the required mass mobilisation could be achieved. If the PA comes to power it will be under pressure to implement its programme. The pressure from the IMF and WB can be resisted on the basis that a democratic mandate has been obtained for its implementation. If the PA Government refuses to honour its pledges and gives into the IMF, the masses can be better mobilised to fight against such moves. On the other hand, if the attempt to gain PA acceptance fails it is likely to cause a split in PA ranks with the possibility of drawing in progressive sections from the PA, particularly the SLFP and from within its mass base, to form a new mass party that can effectively lead the struggle against the Imperialist conspiracy to make Sri Lanka a colony.

About the writer: Professor Tissa Vitarana teaches in the Faculty of Medical Sciences of the University of Sri Jayawardenepura besides being a leading member of the LSSP and President of the Suriyamal Peace Foundation.

A People's Petition

The Alliance for the Protection of National Resources and Human Rights has initiated an Island wide cammpaign against the "Regaining Sri Lanka" programme of the Government, with signing of petitions, Mass meetings and other cultural activities.

This campaign was launched with a meeting at Dharmagaveshi Hall Borella Sri lanka on the 27th August 2003 at 3.00 pm.

You are cordially invited to sign this petition reproduced below:

In June 2003, the Government of Sri Lanka and the World Bank agreed on a massive loan of Rs.450 Billion (US \$ 4.5 billion). This programme named "Regaining Sri Lanka" is said to be for the reduction of poverty in Sri Lanka.

An examination of this programme reveals that rather than reducing poverty, it would create disharmony among the people, make them destitute and lead to the expropriation of all natural resources by the powerful of this world.

Legislation for implementing these proposals is being prepared as a matter of urgency.

1. A bill enabling the release to the market of smallholdings held by 1.2 Million families has already been prepared. It would weaken the production of paddy and other local crops, facilitate the transfer of land to large multinationals for the cultivation of export crops and force the rural people into the cities as impoverished rejects.
2. The elimination of secure jobs in the State sector and the introduction of contract labour are being planned. The decline of the real value of salaries and wages, the abolition of retirement benefits and the contraction of the State sector has already started. Workers are being thrown out of employment by the closure of factories.
3. Women are being subjected to unscrupulous exploitation by legislating for night-work and forced over- time work.
4. It is proposed to throw out small fisherman, and transfer ownership of maritime resources to large multinationals.

5. All water resources of the country are to be handed over to foreign companies. People will be forced to pay for the water in their own wells and for irrigation water for agriculture.
6. It is planned to sell off all natural resources including wild life, and to hand over the rain forests to the United States.
7. All essential services including education, health services, State banks, insurance, postal seivices,electricity sypply and the railways are being handed over at bargain prices to local and foreign companies.
8. The multinational companies, which are being handed over all these on a platter, are to be further subsidized by the provision of expressways, ports, airports etc. The people who are being displaced by these projects from their traditional lands will have to bear the additional burden of repaying the loans taken for the provision of these facilities for their own exploitation.

Hence we demand of the Government of Sri Lanka that this disastrous programme be immediately abandoned.

Your Name

Your Organaisation

Your Address

Your Tel/Fax

For convinence, please forward to
MONLAR, 115, 1/58, Kotte Rd, Rajagiriya.



Petitioner – Painting by Stanley Kirinde

Sri Lanka Becoming a Pariah!

Protest Statement in Parliament
by Rev. Baddegama Samitha MP



On behalf of the Lanka Sama Samaja Party I wish to strongly condemn the statement made by the Honourable Prime Minister at the recent meeting of the General Assembly of the United Nations. He has condoned the illegal capture of Iraq by the United States of America which was done against international law and flouting the collective decisions of the UN Security Council. To make matters worse the PM has also supported the USA playing the role of international policeman so that it could act unilaterally against nation States, with no consideration for the rights and views of the countries of the world.

He has also condemned the United Nations for not acting against Iraq and has given this as the justification for the American action. All the world knows that the UN had the situation well in hand and that the UN inspectors requested two more months to conclusively determine whether Iraq had Weapons of Mass Destruction. It is in fact this illegal US action which threatened its existence

and undermined the role of the UN in resolving issues between nations in a peaceful manner.

In supporting the action of the USA in Iraq he is disagreeing with the view of the UN Secretary-General Kofi Annan, and that of most leaders of Europe and the Third World. He is in particular antagonising nearly all the Muslim countries, with possible adverse consequences for our trade and future relations with them.

The failure to find any such weapons by the USA clearly indicates that it was merely a pretext for carrying out a predetermined invasion, the objective of which was to gain control of the 20% of the world's oil that Iraq possesses. It is deeply disturbing to find that a Prime Minister of Sri Lanka is supporting the imperialist conquest of another Third World country to gain control of its raw materials.

The role of the UNF Government was also evident during the recent Ministerial meeting of the World Trade Organisation (WTO) at Cancun, Mexico. To the dismay of other Third World countries who were trying to act collectively to safeguard our interests, the Sri Lankan team by having in it an American, Jim Robertson, undermined these efforts. Not surprisingly Sri Lanka, instead of siding with the group of 22 countries led by China, India, South Africa and Brazil that espoused the cause of the Third World countries, took the side of the developed capitalist countries led by the USA. The latter were striving to steam roll an agreement which would have enabled developed countries to continue with the protection and the subsidising of their products, while not allowing the same right to Third World countries, and would also have enabled their capital to freely penetrate our countries and gain control of our economies. When other Third World countries protested and walked out Sri Lanka remained to support the cause of the developed countries.

There can be little doubt that the UNF government is acting without any shame as the agent of US-led imperialism, and doing so not only against our national interests, but also against that of other developing countries. Sri Lanka is becoming a pariah among other Third World countries as a result of the actions of the UNF Government. The LSSP demands a public apology from the PM and the UNF Government and calls upon them to immediately reverse these policies that are leading to the international humiliation of our nation and to the betrayal of our national interests.

Thank you

-From Hansard of 07 October 2003. The word 'pariah' was strangely expunged from the record on the order of the chair according to Hansard

The New Revenue Authority

✍ Lakshman Goonewardena

The Minister of Finance has been very anxious to to enact a new Revenue Authority for better administration. The intention is to coalesce the three revenue areas - Income Tax, Customs and Excise including the foreign aspects of the administration and enforcement to form one significant whole so that there are less loopholes for evasion. It has not been so far envisaged to have an administrative 'combine' of this kind. Earlier there have been mooted 'Revenue Authorities', but they were to be established in terms up a single set-up, like taxation without any relevance to customs or excise. This was to further the de - regulation process and to simplify tax administration and enforcement. This proposal does away with overlapping of functions that are burdensome to the trading section. This would also enable more effective co-ordination with less bureaucracy resulting in possibly increased collection of legitimate revenue.

This would also effect the tax amnesty programme. Earlier, tax amnesties were not successful, as the basic common drawback was that it was not 'across the board' amnesties, Further there was an overcharging freedom from foreign exchange violations. It was therefore 'once and for all' amnesties being fully operative across the board and wide in scope.

The making of returns was made easier and more simplified. It was also thought beneficial to strike a balance between 'consumption' and income-earning capabilities of taxpayers.

Tax revenue collection has also declined over the years in view of the complicated structure of the taxes. It is therefore very necessary to simplify the tax structure by

reducing, where possible, the number of taxes and by ironing out the incentives. It is crucial to protect local industries.

Taxes on Consumption

Earlier, The G.S.T. and N.S.L. were leviable. This resulted in enhanced operation of taxes on expenditure. The present proposal is to abolish both these taxes and replace it by a more plausible and direct Value Added Tax or VAT. The Minister has specified two distinct rate bands at 10 per cent and at 20 per cent. The tax at the retail level is 10 per cent whilst where there is manufacturing or industrial production 20 per cent rate could be leviable.

Earlier, under the previous regime, VAT had not been collected and there was a shortfall of Rs. 20 Billion. The collection was affected by continues trade deficits and part exemption at the retail level. The cascading effect of the G.S.T. and VAT also caused reductions in tax collections.

Tax Collection

Total tax collection amounted to Rs. 116.2 Bn. in 2000. The G.S.T. and NSL together accounted for Rs. 78.8 Bn. There has been a drop in tax revenue collections. In 2000, Income tax collections amounted to 2.2% of G.D.P. At about this time, there was a change-over to consumption taxes and continuous trade deficits was due to decreases in the volume of exports, decreased export prices and increased import volumes. Decreased exports and increased imports resulted in larger deficits. Imports increased owing to a huge

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expenditure on military hardware.

Total Collection of excise taxes amounted to Rs. 15 Bn, Rs. 6 Bn from cigarettes, Rs 3 Bn from liqueur and Rs, 5 Bn from petroleum.

Population figured increased to 19 Million, but income tax payers amounted to about 2 lakhs. There was a shortfall of VAT collection of Rs, 20 Bn. Total revenue also dropped to Rs. 94.3 Bn, The under-performance of VAT and corporate taxes were the main cause of the revenue drop. VAT collection during the first quarter this year amounted to Rs. 31 Bn.

The other aspect of the revenue drop is the fall in the currency and the consequent devaluation of the rupee against Sterling and the dollar.

Economic Effects

The world economy is expected to grow by 2.5% with strong growth in China and the Republic of Korea. The US Economy is expected to grow at about 2.5%. Europe has mostly gone into recession, but will grow subsequently at about 1.8%. The Japanese economy growth is low – about 0.8%.

The effect of inflation on the Sri Lankan economy is noteworthy. Whilst it was considerable in the years gone by, it has now come down to a single digit – to 9.5% from last year. In view of this, there is no inflationary impact on the tax revenue position.

The tax economy was in a state of collapse in view of weak enforcement. The tax department was also in a state of being mishandled by differing authorities in view of the complexity of the structural problems involved. Growth was almost frozen and there was a lack of policy initiatives. This was partly due to the political problems arising from the war.

In view of these considerations, the announcing of an amnesty programme was so well received. The amnesty is to conclude by and of August 2003, but was extended

The present amnesty intends to cough up black monies, which are in the hands of evading taxpayers. Part of the evaded assets are hidden in Certificates of Deposit, Gold, Foreign currency and bills of exchange. Another important area is the undervaluation of stocks and understatement of deficit balances. The recent floods and destruction of agricultural estate products have also brought about depressions,

earlier for some months in order to encourage tax payers to disclose hidden investments and bank balances that have not been disclosed. The merit of this amnesty is that there is no restriction as to the scope of the declarations being across the board. Taxpayers are encouraged to make voluntary disclosures and become less prone to evasion.

Corruption in the tax administration was another cause for the weak enforcement by taxpayers. The lack of technological expertise among tax officials is another crucial problem.

The Inland Revenue Department has about 400000 tax files. In addition to this, there is a clear-cut exemption among about 800,000 employees who

serve Government. The present amnesty intends to cough up black monies, which are in the hands of evading taxpayers. Part of the evaded assets are hidden in Certificates of Deposit, Gold, Foreign currency and bills of exchange. Another important area is the undervaluation of stocks and understatement of deficit balances. The recent floods and destruction of agricultural estate products have also brought about depressions,

It is left to the Minister of Finance, the Deputy Minister of Finance, and the Ministry officials to re-construct a new policy mechanism for enforcing clear-cut lines of amnesty declarations. This may be a good starting - point for the new Revenue Authority to organise a fresh structure for handling a revised policy on tax enforcement and administration.

It is unfortunate that budgetary policy has been announced over and over again, as no consistent policy had been earmarked earlier. We hope the budget to be announced next November will not be an abrupt reversal of what has already been enacted. Development in Sri Lanka is envisaged to rise by about 5.5%.

October 10, 2003

About the writer: *Dr. Lakshman Goonewardena is a Tax Adviser having served Inland Revenue in both Sri Lanka and Botswana*

Ethnic Conflict and Regaining Sri Lanka

The unduly long period since the appearance of the last issue of *Christian Worker* inhibits us from attempting here our usual detailed review of all the past events from May to the present time - the recounting of what would only be tiresome to our readers. We will therefore seek instead to concentrate on the more recent and even startling happenings in our land, resulting from the attempts made under the fatally flawed J R Jayewardene Constitution of 1978 to force Executive President Chandrika Bandaranaike Kumaratunga to 'cohabit' with a hostile Cabinet of Ministers of the United National Front (UNF) headed by Prime Minister Ranil Wickremesinghe that was formed after their General Election victory of December 05, 2001.

Background

This new Government came about with the second Peoples Alliance Government losing its majority in Parliament exactly on the completion of one year of its rule with the cross-over of renegades from the Sri Lanka Freedom Party (SLFP) which was the chief constituent party in the Peoples Alliance (PA). Instead of attempting to form an all-party or PA-UNP coalition government, President Kumaratunga thought it prudent to go for a fresh mandate to the country, [A PA-JVP (Janata Vimukti Peramuna) Memorandum of Understanding (MoU) designed to put the PA back on its election pledges which was in operation for 55 days failed to avert the crisis]. The UNP which ever since the formation of the PA Government in 2000 was attempting to bring about a shift in the balance of forces in Parliament in favour of the Opposition was able to cleverly engineer a Parliamentary coup through a series of MoUs signed between the UNP and the Tamil and Muslim political parties in the first instance and then with a dissident group of the PA Government led by G. L. Peiris and S. B. Dissanayake. A forced dissolution naturally created conditions unfavourable to the incumbent PA Government at the very commencement of a 6 week long election campaign, itself reportedly the most violent until then. (See *Christian Worker* 4th & 2001 & 1st Qr 2002)

The new UNF Government sought to continue the peace process originally commenced by President Kmmaratunga and designed to settle the ethnic conflict which had led to a wasteful near 20 years of fratricidal civil war with the Norwegian Government as facilitator, but sought to virtually by-pass and ignore the Executive President who was Head of State and the Government itself under the existing Constitution, instead of consulting with her on many vital defence and security issues beginning with the Cessation of Hostilities Agreement entered into with the rebel Liberation Tigers of Tamil Eelam (LTTE). Such an Agreement should rightly have been discussed with and signed by President Kumaratunga as "the Head of the State, the Head of the Executive and of the Government and the Commander-in-Chief of the Armed Forces" (Article 30 of the Constitution) but signed instead by Prime Minister Wickremesinghe and the Tiger Supremo Prabhakaran on February 02, 2002. Such mutual consultation may have served to more properly construct the terms of this Agreement or Memorandum of Understanding (MoU) with the Tigers before it was signed and ensured at least that it was not merely a ceasefire document between the two warring parties but one that would also defend civilian rights and interests which have since been violated with impunity by the LTTE. A study of the MoU would make it abundantly clear that it was one designed to serve the interests of the Tigers without any real concern for democratic and human rights, undermining thereby the credibility of the peace process itself, besides perhaps strictly not having legal standing since it was not signed by the President who alone has the power to declare war and peace (Article 33(e) of the Constitution though nobody would want to go to law on it. For this situation the Norwegians have to take responsibility commencing with the preparation of the MoU on the terms of the Ceasefire and sidelining the Executive President in the peace process, to delivering transmitters to the LTTE, turning a blind eye to large scale human rights abuses in the North and East, making it possible for Sinhala chauvinist elements to make use of such conduct to question the very meaning of the peace process the main outcome of which has

ostensibly been to strengthen the LTTE militarily and politically and further entrench and institutionalise its internal terror in the North-East and close the remaining political space for the Tamil Community. This is the obvious result of Norwegian and UNF Government's at least tacit acceptance of the LTTE's claim to be the sole, unquestioned authority in the North-East. How otherwise could they justify the inaction of the police and the army for the most part in the face of Tiger atrocities and violence on instructions given from above to "avoid rocking the boat" in the context of the Ceasefire? (See past few issues of **Christian Worker** for a recounting of past events. Also 2nd & 3rd Qrs issue for UTHR - J's comment on Norway's past role in the Middle East in Annexure to 'Yellow Pages' titled 'In the Shadow of Sattahip; The Many Faces of Peace': Norway's role here only discredited and delegitimised the Palestinian Cause).

Nor could the 'peace activists' in the NGOs be freed from blame. They have largely remained silent about human rights violations in the North-East and the systematic oppression of the Muslims in order to pamper to the Tigers in the name of 'peace' and 'dialogue' forgetful (perhaps deliberately) that true reconciliation and settlement of the ethnic issue through dialogue and the buiding up of a genuine people's peace movement would necessarily involve an element of conflict with the exposure of activities and violations by both the LTTE and the Government which would call for the independent interventiion of the people themselves in the process as against the taking of one side in the conflict.

President Kumaratunga's Action

The frustrations that must have been felt by the President at her increasing marginalisation and the usurpation of powers and duties that were rightfully hers under the Constitution resulted in her deciding to first refer this matter of her rights and duties to the Supreme Court for its opinion. When after discussion there, the Supreme Court reserved its opinion with a target period of 10 days to send its opinion to the President, the UNF Government obviously knowing which way the issue was going to be resolved on the arguments before the Supreme Court, decided to submit an impeachment motion against the Chief Justice Sarath Silva who at the time presided over a Bench of five Judges to give the President its opinion. If this matter was brought up in Parliament it could have seriously affected the opinion that was to be given. The only way the Impeachment could have been dealt with was through a

prorogation of Parliament - a device resorted to earlier by an UNP President R Premadasa after an impeachment was brought against him in Parliament. With prorogation of Parliament the impeachment motion lapsed and had to be reintroduced later if that was thought necessary.

Now, an impeachment motion against Chief Justice Sarath Silva had in fact been on the Order Paper of Parliament when Parliament was dissolved in 2001. After its election victory on December 5th 2001 - for almost 2 years the UNF Government did not think it fit or necessary to re-introduce it. It only thought it appropriate to introduce it when the Supreme Court reserved its opinion with a date of 10 days to send the opinion to the President. (It was even said that this action to impeach the Chief Justice was to be followed by an impeachment of the President herself).

The President in this instance acted swiftly and decisively. On November 4th she took over three Ministries of Defence, Interior and Information under her and then prorouged Parliament. "The step had been taken after careful consideration in order to prevent further deterioration of the security situation" a statement issued by her office said.

Under the present Constitution, "**The President may at any time, change the assignment of subjects and functions and the composition of the Cabinet of Ministers.** Such changes shall not affect the continuity of the Cabinet of Ministers and the continuity of its responsibility to Parliament" (Article 44 (3) of the Constitution). In taking over the portfolio of Defence, she had advisedly to take over the other two ministries of the Interior and Information too in the light of the experience



Troops take up position near Government Press , to prevent obstruction to printing of the Gazette announcement of the change of Ministries

had when she attempted unsuccessfully to take over the Development Lotteries Board only in May this year. On that occasion it was reported that the Minister of the Interior himself under whom the Police comes (and who is also Minister of Christian Affairs!) had himself supervised the storming of the Government Press by thugs to prevent the printing of the Gazette notification issued by President Kumaratunga taking over the Board.

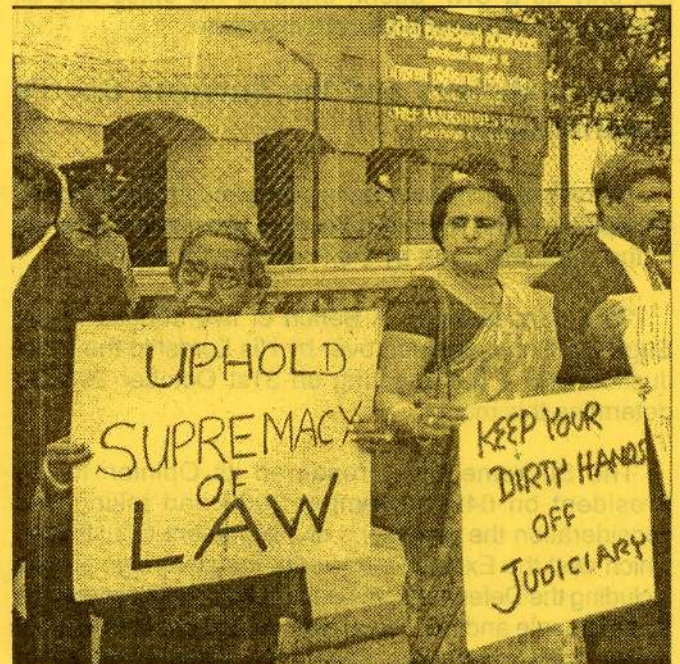
On that occasion too UNF Government spokesmen had loudly protested on the need for prior consultation before the attempted takeover which was well answered by the President's office when it pointed out that "it is odd for a government who fails to consult the President on such matters as the ceasefire agreement, reducing High Security zones and conceding territorial waters to a second naval force to insist on prior consultation on a lottery."

In any case Article 44(3) does not stipulate consultation of any kind unlike in the case of Article 44(1) which stipulates that "the President shall from time to time in consultation with the Prime Minister, where he considers such consultation to be necessary" (a) determine the number of Ministers of the Cabinet and the assignment of subjects and functions to them and (b) appoint from the Members of the Parliament, Ministers to be in charge of the Ministries so determined. Article 44 (2) states that the President may assign to himself any subject or function not assigned to any Minister no consultation again being necessary. Of course conventions and practices have also to be thought of in working a rigid written constitution (sometimes referred to as "the flesh which clothes the dry bones of the law" to make constitutions work,) but where such practices are not thought out or observed by those concerned one needs to go strictly by the words of the Constitution itself unless another interpretation is given by the Courts. Which is why in the case of the President's reference to the Supreme Court for its opinion, the Bench of five judges considering it have come to a **unanimous** decision that Defence is a prerogative of the President under the Constitution and that it is mandatory for the President to hold it. Significantly all the executive presidents- J. R. Jayewardene, R.Premadasa and D.B. Wijetunga have held this portfolio, in the case of the last named President, even after Chandrika Kumaratunga was elected Prime Minister in August 1994. President Kumaratunga was virtually coerced into parting with the Defence portfolio after the UNF victory of December 2001 with terror being unleashed on SLFP supporters, overt threats of bringing lakhs of people on to the streets and the shameless tirade against President Kumaratunga embarked on by the Chief Monk of the Gangarama Temple in Prime Minister Wickremesinghe's presence, after his swearing in (See *Christian Worker* of 4th Qr 2001 & 1st Qr 2002).

On taking over the three ministries referred to, the President also is said to have made preparations to declare a State of Emergency if there was obstruction to her move as in the case of the Lotteries Board referred to earlier. This however did not become necessary.

Lawyers Protest

The UNF Government's move to impeach the Chief Justice at a time when the Supreme Court was about to make a determination on a Constitutional provision referred to the Supreme Court by the Executive President drew an **unprecedented protest from the lawyers and judges**. Courts were in many places deserted with lawyers standing in picket lines outside their Court-house buildings on November 5th.



Lawyers standing in picket lines outside their Court-house buildings on November 5th. (Courtesy: The Island)

The UNF Government's attempted impeachment of the Chief Justice in the given circumstances only brought back memories of the dark days of UNP President J R Jayewardene when a former Chief Justice of that President's own choice Neville Samarakoon was hunted for impeachment after an outspoken speech made by him at a prize giving and when judges who had given judgements supportive of Human Rights were treated to hooting and the stoning of their residences by goons who arrived in State owned buses. And the recent thuggery shown last May at the Government Press was perhaps an indication of the repressive regime yet to be imposed on the country by the present Government in dealing with critics and opponents as was characteristic of those dark days under J R Jayewardene and his successor.

The existing constitutional crisis was hardly helped by the Speaker's ruling on 15 November that Parliament could be summoned during a prorogation. As pointed out by Prof. Laksiri Fernando, 'Prorogation' means suspension of sessions of Parliament, so 'Meeting during prorogation' is a completely contradictory statement. Prof Fernando has found this ruling to be "bizarre" and "the reasons given in that ruling baseless to say the least" (*Daily News* of November 27). The ruling has surely brought discredit to the Speaker and affected his own impartiality for he had made this 'ruling' without consulting the Leader of the Opposition or perhaps even the Prime Minister for that matter. This led to a howl of protests from the Opposition and its Leader who was taken completely by surprise, justifiably inviting the comment by an MP that the Speaker had not acted as Speaker of the whole House but only as a UNP agent, bringing his office and all Parliamentary procedures, into disrepute.

Defence Ministry and the Supreme Court's Determination

A Presidential news release of November 5th disclosed the opinion of the Supreme Court on two matters referred to the Supreme Court by the President for opinion.

"The release said:" A Bench of five Judges of the Supreme Court presided over by His Lordship the Chief Justice held a public sitting on 31st October 2005 to determine this matter.

The Supreme Court rendered its Opinion to the President on 04th November 2003 and taking into consideration the provisions of the present Constitution which vest the Executive power of the sovereign people including the Defence of Sri Lanka in the President elected by the people and that this power vested in the President under the Constitution cannot be transferred by or removed from her, answered the two questions as follows:

"a. The plenary Executive power including the Defence of Sri Lanka is vested and reposed with the President. The Minister of Defence has to function subject to this power vested in the President.

"b. The said power vested in the President relating to the Defence of Sri Lanka under the Constitution includes the control of the armed forces as commander-in-chief of the forces. The Minister of Defence has no legal authority to amend the existing Regulations under the Army, Navy and Air Force Acts as the power to frame Regulations is vested only in the President. Thus the said amendments framed by the Minister of Defence to the existing regulations are ultra vires, invalid and of no force or avail in law."

The news release further stated:

"The President invoked the consultative jurisdiction of the Supreme Court under Article 129 (1) of the Constitution and referred two questions for an opinion of that Court. The essence of the two questions are as follows:

1. Whether the powers vested in the Minister of Defence appointed by the President under the Constitution are subject to the overriding control and authority of the President and are subordinate to the plenary powers vested in the President under the Constitution relating to the Defence of Sri Lanka;

2. Whether certain amendments made by the Minister of Defence to Regulations framed under the Army, Navy and Air Force Acts encroaches upon the powers vested in the President relating to Defence and are ultra vires the constitution,

"The President referred these questions to the Supreme Court because the Minister of Defence had by certain amendments to pre-existing regulations interfered with certain powers vested in the President of determining whether certain senior commissioned officers of the armed forces had to retire if they were not promoted by the President to next senior rank. The Regulations which the Minister sought to amend had all been framed by President Jayewardene and President Premadasa in their capacity as President."

The Supreme Court determination consequent to the opinion sought by the President was an unanimous one and it would be in the interests of all concerned if Prime Minister Wickremesinghe and his Ministers accept this decision with good grace (even if some legal academics have thought the Supreme Court ruling questionable). It is surely time that they came to understand that the present crisis is not between the President and the UNF Ministers but rather a crisis of the Constitution

It has been repeatedly shown that Dr.N.M.Perera in the *Critical Analysis* he made of the bizarre 1978 Executive Presidential Constitution of J R Jayewardene, had pointed out the inevitable political crisis that must ensue when the President and the legislature are led by rival political parties. A reading of this work by Dr N M Perera should surely be made compulsory reading for all members of the Government Party in Parliament at least now that it is available in both Sinhala and English.

Apart from the many features in the Constitution that have created problems today and commented on prophetically by Dr.Perera in 1978 soon after the

promulgation of the Constitution of the same year, we select the following brief but acid comment: "Article 44 (2) is somewhat curious. By this he (the President) is not merely the residuary legatee, he can also assign any number of ministries to himself. No limit is placed on the number of such ministries that he can arrogate to himself. And any unscrupulous President of the future can quite in tune with the Constitution dispense with all ministers and appoint himself the sole Cabinet. And that would be the joke of the century."

The only course open to the Prime Minister and his Ministers is to accept that genuine efforts at cohabitation however difficult is the only way in which the Government could properly function and take the peace process forward. The alternative would be a recourse to another general election which with the present electoral system could only lead to a result similar to the situation where none of the two major political parties can by themselves secure an outright majority for themselves but have to depend on the votes of other smaller parties who may also be elected.

The Constitutional crisis calls for a complete change in the 1978 Presidential Constitution and the present electoral system. This was sought to be effected on August 5, 2000 when President Kumaratunga herself presented a draft Constitution on which a near total consensus had been reached between the then PA Government, the UNP and the Tamil parties in Parliament. In fact even after this Bill was tabled in Parliament (its original provisions having been watered down earlier by UNP amendments), PA Government speakers expressed willingness to accept any further suitable amendments that were brought in by the Opposition or individual members. It was unfortunate therefore that the UNP and Tamil United Liberation Front (TULF) should have backed out from supporting the Bill obviously influenced by the impending General Election with a vociferous Sinhala chauvinist minority in the South in the first case and the possibility of becoming targets of the LTTE gunmen in the other. The Bill was indefinitely postponed on the failure to obtain the requisite two thirds majority in Parliament. (See *Christian Worker* of 2nd Qr. 2000) giving credence to the LTTE claim that the Sinhala people or their governments were not prepared to share political power with the Tamils and that the answer is a separate State of Tamil Eelam. Short of such Constitutional amendments that could be effected, the only workable course is to effect a practical sharing of authority, and responsibility between the Executive President and the Prime Minister. In this situation the statement of the Lanka Sama Samaja Party (LSSP) and Communist Party of Sri Lanka (CPSL) issued on 15 December which characterise the position as a 'Breakdown of Government', offered the following constructive advice on the way out of the impasse:

"The Lanka Sama Samaja Party and the Communist Party of Sri Lanka feel constrained to intervene in the present impasse within the Executive on the handling of the Defence Ministry in the peace process. The prevailing situation can be described as a break down of Government. At the commencement of implementing the ceasefire MoU we urged on the Prime Minister a course of action which would give to the peace process the needed confidence among all concerned.

"We requested that a Parliamentary Select Committee headed by the Leader of the Opposition be set up to monitor the ceasefire. We also pressed on his attention the political reality that given the Constitutional powers and functions of the President no credibility can attach to a peace process that sidelines her. These suggestions though viewed with seriousness at the time were thereafter ignored.

"We cannot fault the President on the take over of the Defence Ministry. Whatever be the merits of this action we appreciate it as a last ditch stand by her in fulfilling her constitutional responsibility in safeguarding the security of the State. True to its character the highly personalised J. R. Jayewardene Constitution of 1978 creates problems for which it provides no solution.

"We do not see any useful purpose being served by reducing the entire matter to a question of law that bases itself on a Constitution which all progressive forces have rejected.

"It is important to realise that what is involved is essentially a political question that has to be resolved through political compromise.

"The Prime Minister who initiated the on-going peace process on the mandate received by him has to accept responsibility for taking forward the said mandate.

"We see no valid justification in the the position that he cannot proceed with the peace negotiations without having the Ministry of Defence under his control. We however see the need for him to work closely with the Defence Ministry in matters that arise in regard to the ceasefire and its monitoring.

"The President has perforce to honour this position and make mutually respected administrative arrangements for the Prime Minister to be assured of ready co-operation from the Ministry of Defence. In a context in which the President and the Prime Minister proceed on an agreed agenda in furthering the peace process there could arise no question of such co-operation being denied.

"We cannot dismiss lightly the gains from the ceasefire that have accrued to the people both in the North and the South.

"It has its shortcomings as seen particularly in the east and these are not what cannot be overcome through strict monitoring. The bona fide criticism the MoU and its monitoring has been subjected to is on matters that generally attach to all ceasefire understandings between warring factions in a country,

"It cannot be ignored that the ceasefire has had an undoubted beneficial impact on the people in the North too.

"For the first time the LTTE has been made aware that the democratic and fundamental rights of these people cannot be swept under the carpet-like ideology got up to justify the hegemonic position the LTTE claims for itself. The bold stand taken by the TULF President Anandasangari in the interests of democratic political rights of his party is to us significant evidence of this despite the attempts by others to suppress him. **Anandasangari's fearless call has to be read in a context in which civil society both in the North and elsewhere are awakening to the reality that the jack boot, even though of the LTTE, cannot be allowed to stamp out the political, fundamental and human rights of the people**". (Our Emphasis CW)

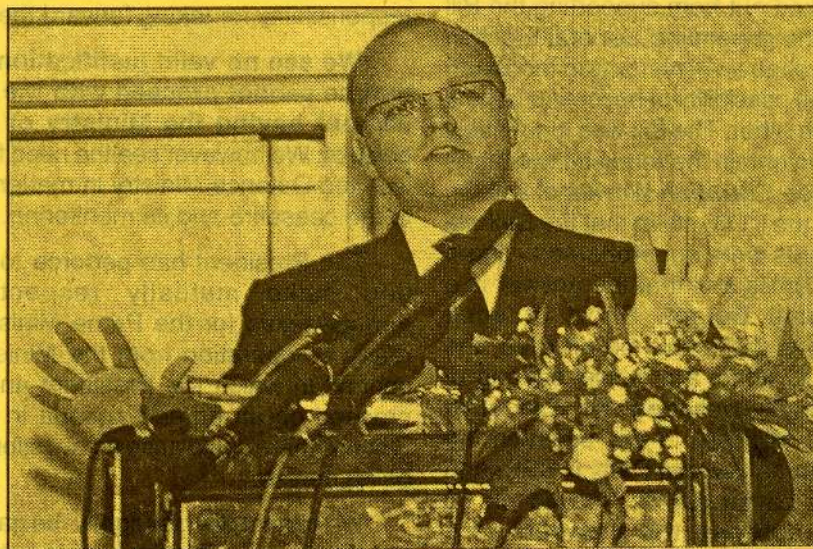
The Peace Talks

Our 'Comment/Review' in the 'Yellow Pages' of the last issue ended where the Tigers had decided to suspend its participation in the peace negotiations after its exclusion from the international donors' conference in Washington on April 14 in preparation for the major donor conference to be held in June which again the LTTE was boycotting despite the efforts made by many countries to coax, cajole or pressure them back to the negotiating table.

It seems necessary therefore at this stage to comment on these peace talks that Norwegian Deputy Foreign Minister Vidar Helgessen stated at the media briefing on November 15 "could have started tomorrow" if not for the political crisis following President Kumaratunga's assuming the portfolio of Defence and Internal

Security. He said that he would accordingly "go home and wait" till there is "clarity about who is holding responsibility on the side of the Government". Kethesh Loganathan of the Centre for Policy Alternatives (CPA) and Head of its Conflict and Peace Analysis Unit has seen in this announcement "instances of both perfidy and duplicity disguised as pragmatic diplomacy and political realism". How, he questions could peace talks have indeed started "tomorrow" when it is common knowledge that talks were not expected to commence before the end of the year. The Government Spokesman and Chief Negotiator Prof G. L. Peiris only indicated that the Government had identified gaps between the LTTE proposals and its own proposals for the setting up of an "interim administration" for the North-East and was prepared to negotiate. States Loganathan: "those in the know are fully aware that the Government itself needed time to sensitise public opinion to make it more favourable to the LTTE proposals. This was to enable the Government to concede to LTTE pursuit of legitimacy for its politico-military control over the North-East in the name of relief and development. The fact of the matter is that neither the Government nor the LTTE displayed too much haste in commencing negotiations 'tomorrow' as Norway has indicated. This is the political reality and Norway was certainly fully aware of this. Hence to assert that negotiations could have been commenced 'tomorrow' if not for the political crisis is a case of perfidy." (**Lanka Review**)

Loganathan further states that Norway's assertion that there was no clarity as to who was responsible for the Peace process is "somewhat surprising" - particularly so since "it was widely reported that at the two meetings the Norwegian delegation headed by its Deputy Foreign Minister had with President Kumaratunga, assurances were given by the President that she as the Head of State, Commander-in-Chief and Minister of Defence stood committed to implementing the ceasefire agreement. That she had some reservations about the manner in which the ceasefire agreement came into existence and on matters relating to its implementation and monitoring is another matter. Be that as it may, the President



Norwegian Deputy Foreign Minister Vidar Helgessen

(Courtesy: Daily News)

went public and issued strict instructions to the security forces to strictly observe the ceasefire and allow the LTTE cadres to engage in political activities in Government controlled areas. In fact, even the LTTE leadership demonstrated diplomacy in not wanting to be seen to be taking sides in the political crisis brewing in Colombo's political cauldron. As to what they thought about it in private is also another matter."

However this is not the only instance of Norwegian perfidy. From the very start, of the "Norwegian Facilitation" there have been problems about its personnel. First about the Special Envoy Eric Solheim who after his first meeting with Prabhakaran talked big until excluded at the request of the President. This was reacted to strongly by the LTTE who had found in him an ally. The then Ambassador John Westborg too who was on hand to meet LTTE negotiator Anton Balasingham and even went to the Wannu to collect Prabhakaran's signature to the Ceasefire Agreement. Disregarding norms of propriety and impartiality expected of an Ambassador whose country was involved in a peace process, Westborg accommodated the LTTE delegation in his official residence on their way to Thailand for the peace talks. What is worse, he with the obvious connivance of the Premier Ranil Wickremesinghe and his Peace Secretariat cleared through his Embassy sophisticated communication equipment imported by the LTTE and shipped to Colombo port to avoid paying Rs.2 Million as customs duty! (*The Sunday Leader* of 15 December 2002). President Kumaratunga could well have withdrawn recognition of Westborg as Ambassador and declared him 'persona non grata' as it is the President alone who can receive, recognise, and appoint Ambassadors under Article 33 (c) of the Constitution but instead wrote to the Norwegian Prime Minister protesting at the high-handedness of his Ambassador, who evaded the issue by stating that the President's Government had already clarified the matter"! Ironically the communication equipment deal was done without the President's knowledge or consent. It was also a highly sensitive and even complicated action and would have remained secret if Iqbal Athas of the *Sunday Times* had not exposed it in that paper. So also the Embassy's conniving with the UNF Prime Minister in sidelining the President in the Ceasefire Agreement and keeping her out of the process to the detriment of this country and its security. The ineffectiveness of Norwegian 'facilitation' or 'mediation' is seen in the LTTE's refusal to move out of the Kurunguppanjan camp set up by the LTTE in violation of the Ceasefire Agreement which the Norwegians themselves had ruled as a violation. So much for the



Eric Solheim

effectiveness of their 'facilitation"! It must also not be forgotten that the peace talks were fractured when the LTTE declined to attend the Tokyo Conference of June 10th 2003 on the ground that they had been shut out of the earlier conference in Washington DC because they were a proscribed body still in the USA. Despite all the international level pressuring and cajoling, the LTTE said it was not attending the talks. No criticism of their obstinate refusal ever came from the Norwegians even though they were quick to withdraw from the process and point a finger at the President when she acted as she was entitled to do under the Constitution. So much for the impartiality too then of their facilitation!!

With the increasing role of the USA in the peace process noted well in our last issue, the scenario is not very different from the that described there and in the Christian Workers Fellowship (CWF) May Day Message of 2003 (See Annexure 1 to this Review).

The course of the peace process that we have outlined in our last issue of *Christian Worker* has been succinctly spelt out and brought up to date in the University Teachers for Human Rights - Jaffna (UTHR -J) Special Report No. 17 of 7th October 2005. The Report states: "What we have in this country is a total perversion of the peace process by the LTTE. Instead of calming the situation and allowing the country to 'think peace', it has steadily stepped up the war-like rhetoric. It has used the military space provided by the ceasefire to conscript children under the very noses of the Army, to launch a massive military

build-up and to secure strategic deployment." Ironically while UNICEF has condemned the LTTE's recruitment of child soldiers it has a project indirectly funded by the World Bank with LTTE front TRO (Tamil Rehabilitation Organisation) to rehabilitate child soldiers recruited by the LTTE: this was admitted by World Bank Director in Colombo Peter Harrold. UNICEF's project with the TRO was opposed by Professor Harendra de Silva Chairman National Child Protection Society since the LTTE continues recruit child soldiers. (*The Island* 04.10.03)

As the UTHR - J Report notes: "the course of the/ peace process' tells its own story very clearly".

● "In December 2002 in Oslo, LTTE Spokesman Anton Balasingham claimed that the LTTE had embraced human rights norms as a basis for talks, and pledged to 'allow other political parties and groups to participate in the democratic politics.' Meanwhile in the East, murder and abduction of LTTE's opponents and child conscription intensified.

- In Hakone talks in March both the LTTE and the Government of Sri Lanka (GOSL) subverted Mr. Ian Martin's proposals for independent international human rights monitoring - the only way to effectively ensure that the rights under discussion would actually be protected.
- Having boycotted the aid pledging conference in Tokyo, the the LTTE also rejected the Tokyo declaration of 10th June 2003 that tied support for the peace process to human rights, democracy and pluralism.
- Four days later, as though to signal its contempt for the Declaration, the LTTE assassinated its most potent political opponent, T. Subathiran who was an embodiment of the principles outlined in the Declaration (See Annexure 2 to this Review). By this time, members of the international community were in a quandary. They had almost stopped talking about democracy and human rights, so intent had they been on encouraging the peace process.
- By mid July 2003 the LITE had successfully changed the terms of debate. It renewed its early demand for an Interim Administration for the North East on terms that would in effect confer on it unchecked power in exchange for continued participation in negotiations. It demanded control over not only economic matters, as proposed by the Sri Lankan Government, but also **policing and judicial services. The LTTE is not waiting for any constitutional settlement involving the whole of Sri Lanka. Its blueprint for hierarchy of councils reaching down to the villages, and having the leader at the apex is already in circulation.**

Indeed as early as June 11, the LTTE in an official statement issued from its Headquarters in Kilinochchi, reiterated its position that it would participate in the negotiating process only when the Sri Lankan Government puts forward a clearly defined draft framework for an interim administration structure for the North-East. The LTTE also rejected the offer made by Prime Minister Ranil Wickremesinghe of a "provisional administrative structure" within the laws of the land as a restatement of his previous position with a new terminology. The LTTE statement said they were "disappointed to note the Prime Minister's statement does not offer us anything new. The so-called 'provisional administrative structure' is the new name given to the Apex Council proposed by him for development and rejected by us as extremely limited and inadequate" the LTTE statement said.

The LTTE who reacted to the Tokyo Declaration of Donor Countries and international institutions declared

that the resolutions and declarations adopted by the donor community at the Tokyo Conference were not acceptable and had no binding obligations on the organisations.

"Regaining Sri Lanka"

It was really the Tokyo Conference referred to that endorsed and expressed its willingness to grant a massive loan of Rs.450 billion (US \$ 4.5 billion) to assist the Government's "Regaining Sri Lanka" document described as "a comprehensive programme to develop Sri Lanka on a balanced and equitable basis". In fact it is nothing of the kind! It is rather: a follow up to the 'Poverty Reduction Strategy' paper said to be prepared by the previous Peoples Alliance Government on the lines set by the International Financial Institutions (IFI) & (in reality a World Bank Document) which was claimed by the World Bank to be "the result of a three-fold analytical and consultation process from 1998 to 2001 involving a large number of Government agencies, donors, reserach institutions and NGOs." Furthermore it was claimed that this PRSP "has been extensively discussed, debated and commented upon by all the stakeholders involved in the process" though hardly anybody had seen it and certainly not any pro-people NGOs, academics or peoples organisations (as pointed out by Fr Paul Caspersz in his article 'Poverty Reduction and Poverty Inducement' in *Christian Worker* of 2nd and 3rd Qrs, 2002). Fr Caspersz said "the World Bank did convene a meeting of some pro-people people religious leaders but the notice given for so important a meeting was ludicrously (and perhaps even deliberately) short and no information was given after the meeting to the few who contrived to attend of the effects of their recommendations on the formulation of the PRS." The Alliance for Protection of National Resources and Human Rights has quite correctly challenged the World Bank for the lack of consultation that is alleged to have taken place and even invited the World Bank officials to a public dialogue when it met them on February 24 and handed over a letter to that effect. The Alliance pointed out that of the 108 projects listed therein, almost all of them were to provide expensive infrastructure to investors, others to privatise water, land, marine resources, minerals, forest, other biological resources and essential services such as health and education. The rest of the policies were intended to deprive the protection provided to labour and services and support provided to the rural poor. (see last issue of *Christian Worker*) In actual fact it is this PRS that mainly and substantially constitutes the 'Regaining Sri Lanka' document which only seeks to highlight the priorities set by the UNF Government as dictated by the IFIs.

We do not need to labour here with the contents of the RSL Programme since most of the articles under 'Comments' inside deal comprehensively with this. The text of the People's Petition also included here

summarises the items that are spelt out in the RSLP that have come under attack by mass organisations. Separate articles deal with the Land Ownership Bill by Sarath Fernando and the Water Services Reform Bill tabled in Parliament on October 22 both of which were sought to be hurriedly rushed through Parliament since the US \$ 4.5 billion loan was to be disbursed in instalments based on the progress made by the Government in establishing the legal framework necessary to carry out the necessary economic reforms in the RSLP.

Fortunately for the country and the working masses the **Supreme Court determined on 17 December that the Land Ownership Bill presented in Parliament was inconsistent with the provisions of the Country's Constitution** and that it could be passed only with a two-thirds majority in Parliament and followed by a public referendum. **The Speaker therefore announced that the Bill would be taken out of the Order Paper of Parliament. Only the previous week, the Water Services (Reform) Bill was also taken out of the Order Paper after the Supreme Court ruled that it was too was inconsistent with the Constitution.** This is a welcome even if temporary victory for the working masses who have demonstrated against these measures (See under 'Fellowship in Action' inside) for it is difficult to imagine that the measures pressed for by the World Bank and IMF will be abandoned by a UNF Government that is committed to implement them and obtain the massive loan promised at the Tokyo Conference.

We would invite our readers nonetheless to read the articles referred to inside. Other items covering the importance of Agriculture for Human Development by Dr. Nimal Sanderatne, Paddy Marketing by Dr. J. B. Kelegama and a comment on 'Regaining Sri Lanka' by T M R Rasseedin also deserve the serious attention of the reader.

But the major contributions in this issue are from Professor Tissa Vitarana who as a sequel to his article on our last issue titled 'Regaining Sri Lanka for Imperialism' now focuses on 'Regaining Sri Lanka for Sri Lankans' followed by 'An Alternative Governmental Programme' that would help to make this vision a reality. All this while, Governments

whether of the UNF or PA have tamely had to stomach recipes dished out by the IMF and World Bank in their efforts to obtain aid for 'development'. Here at last is an alternative programme that could be studied and developed on by the socialist oriented and progressive forces to counter the on-going shameless plunder and exploitation of our country and its resources.

In fact the servility shown by the UNF Government to US imperialism is well seen in the statement made by Prime Minister Ranil Wickremesinghe at the General Assembly of the United Nations where he condoned the illegal capture of Iraq done against International Law and flouting the collective decisions of the UN Security Council. What is worse, the Prime Minister also supported the role of the USA as an "international policeman" so that it could act unilaterally against Nation States without consideration for the rights and views of the countries of the world.

The Prime Minister even condemned United Nations for not acting against Iraq and has given this as the justification for the American action. The whole world knew that the UN had the situation well in hand and that the UN Inspectors requested two more months to conclusively determine whether Iraq had weapons of Mass Destruction. This illegal US action threatened and undermined the UN's role in resolving issues between nations in a peaceful manner. In slavishly supporting the American action our Prime Minister disagreed with the view of UN Secretary General Kofi Annan and that of most leaders of Europe and the Third World. In this he antagonised nearly all the Muslim countries with possible consequences for our trade



Muslims and several PA MPs in Colombo protesting the pro-US Statement on Iraqi invasion made by the Prime Minister in New York recently (Courtesy: *The Island* of 28, October)

relations with them. The failure to find any Weapons of Mass Destruction by the USA surely indicated that it was merely a pretext for carrying out a pre-determined invasion which was calculated to gain control of 20% of the world's oil resources that Iraq possesses. It was surely disgusting that the Prime Minister of our country should be supporting the imperialist conquest of another Third World country to gain control of its raw materials. **This action of the Prime Minister was denounced in the Parliament by the Revd Baddegama Samitha MP.** His statement in Parliament is also reproduced inside under 'Comments' in this issue. The Revd Samitha also exposed- the role of the UNF Government at the Ministerial Meeting of the World Trade Organisation at Cancun Mexico. (See item under 'World Affairs' titled 'Blow to World Economy as Trade Talks Collapse'). "To the dismay of other Third World countries who were trying to act collectively to safeguard our interests, the Sri Lankan Team by having in it an American, Jim Robertson, undermined these efforts. Not surprisingly Sri Lanka, instead of siding with the group of 22 countries led by China, India, South Africa and Brazil that espoused the cause of the Third World countries, took the side of the developed capitalist countries led by the USA. The latter was striving to steam roll an agreement which would have enabled developed countries to continue with the protection and the subsidising of their products, while not allowing the same right to Third World countries and would also have enabled their capital to freely penetrate our countries and gain control of our economies. When other Third World countries protested and walked out, Sri Lanka remained to support the cause of the developed countries!

"There can be no doubt that the UNF Government is acting without any shame as the agent of US-led imperialism, and in doing so not only against our national interests but also against that of other developing countries. Sri Lanka is becoming a pariah among the other Third World countries as a result of the actions of the UNF Government. The LSSP demands a public apology from the PM and the UNF Government and calls upon them to immediately reverse these policies that are leading to the international humiliation of our nation and to the betrayal of our national interests," said the Revd Baddegama Samitha. (See item "Sri Lanka becoming a Pariah" under 'Comments' inside) Small wonder that the Regaining Sri Lanka Policy of the UNF Government has in fact been correctly described in its content as "Regaining Sri Lanka for

Imperialism". (See Professor Tissa Vitarana's articles under 'Comments' inside for a detailed analysis) Regaining Sri Lanka for Sri Lankans therefore will mean a reversal of these servile pro-imperialist policies to which the UNF Government is committed. This will entail action directed even towards the capture of political power from the UNF Government and setting up of an alternative government that is capable of pursuing a credible alternative to the RSL Programme and not simply one that will continue the same old UNF policies under another label!

Continuing the Peace Process

To continue with our earlier recital of the peace process:

- By August the LTTE had brought a new diversion into the process by putting up a camp west of Mutur in an area declared by the SLMM (Sri Lanka Monitoring Mission) to be outside their zone of control and then ignoring repeated pleas by the Monitors to remove it.
- Along with the meeting of donors in Colombo on September 12 which the LITE again declined to attend, a well-coordinated "diplomatic blitz" was launched by the donor countries to persuade the LITE to re-start the peace process* All met LTTE political wing leaders in areas they visited. The Danish Ambassador visited the Vanni on 10-11 September, the Japanese Envoy Akashi, Amparai on the 13th and the Vanni on the 14th, the Norwegian Deputy Foreign Minister Vidar Helgesen and his Special Advisor Erik Solheim had discussions with various parties on the peace process from 17th to 19th September, the Canadian Ambassador visited Kilinochchi and talked to Tamil Chelvan on the 19th and the SLMM Head had discussions with Tamilchelvam on the 28th.

There is no doubt that they all raised the same issues, including killings with perhaps different emphases. What is more important is the impression that they make on the LTTE. During the period covering this diplomatic offensive from 7th to 28th September there had been in Batticaloa and Amparai Districts a record of 6 murders by the LTTE, 3 disappearances and one injured victim in hospital!

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The UTHR- J comments: "The LTTE media represented this intense courting of its functionaries by diplomats as the international community

'endorsing' their exclusive ideological claims... They see this as a special privilege granted to them for the sacrifices of their dead and hold it as an insult for anyone else, the Muslim leaders for example to think that they should sit with them as a party to the negotiations. Any information by diplomats about killings or child conscription do not register, Why should they, if they are not seen to be seriously meant?"

"....Although in general the war on terrorism led by the USA has tended to politically arm 'terrorist movements' rather than weaken them, in our context it has some impact in restraining the LTTE from embarking on war, as they had regularly done earlier. However it could not restrain them from terrorising the community locally and carrying out their agenda. That too because the UNP's appeasement policy, which was backed by the Norwegians, undermined even the small but significant degree of external pressure applied on the LTTE."

The Eelam Peoples Democratic Party (EPDP) complained in a letter to the Japanese Ambassador over its special envoy Akashi's negative approach to meeting Tamil democratic parties. It pointed out that members of Tamil opposition parties who were being decimated by LTTE assassins were excluded from the delegation Akashi met in the Amparai district to assess the situation despite earlier requests to the Japanese embassy. It must be remembered that the Ceasefire Agreement disarmed these Tamil parties leaving them open to Tiger bullets while giving the Tigers the freedom to operate politically in government controlled areas. These Tigers are supposed to be unarmed but the people know better in actual practice how they shoot down their opponents systematically.

UTHR -J states in its Special Report No.17 (Rewarding Tyranny: Undermining the Democratic Potential for Peace) that "when the international community came in, people did expect them minimally to ensure that human rights and democracy were enshrined in the process. When Sri Lankans see the international community more interested in keeping up appearances with the LTTE, meekly accepting the shifting of goal posts and leaving the process in shambles with mere token protests, naturally their worst fears are aroused!"

- The LTTE rejecting out of hand two of Ranil Wickremesinghe's draft proposals, produced their own as the basis for returning to the peace talks. "Interim Self-Governing Authority" (ISGA) proposed by the Liberation Tigers was released on November 1st according to which the LTTE will have plenary powers for the governance of the North-East, including powers in relation to re-settlement, rehabilitation, reconstruction and development, raising revenue, law and order and over land. The number of members of the ISGA will be

determined to ensure absolute majority of the LTTE appointees in the ISGA and subject to this condition Muslim and Sinhala communities in the North-East shall have representation in the ISGA. These proposals went far beyond the federal parameters set out in Oslo during previous talks between the parties and the Tokyo declaration by the international community. In fact it would approximate to a de-facto State in the guise of an interim administration. LTTE teams were reported to have visited various parts of the World including Scandinavia, Dublin and Paris to help finalise their 'Interim Administration' proposal)

- On November 4 President Kumaratunga took over the portfolios of Defence, Interior and Information citing serious security breaches including unchecked military build-up by the LTTE. In asserting her constitutional rights as Executive President to restore a balance, Chandrika Kumaratunga soon after, mooted the idea of forming a "a national Government of reconciliation and reconstruction". Several discussions were then had to come to some bipartisan arrangement to take the peace process forward, with a committee to sort out differences with Presidential advisor Mano Tittawela and UNP Chairman Malik Samarawickrema as its members. While the President has called on the Prime Minister to continue the peace negotiations, the Prime Minister has indicated that he would support the President in taking over the peace negotiations in his place in the absence her returning the defence portfolio.

The President even offered to share the Defence portfolio with the Prime Minister as a final proposal to break the political deadlock. This however was not found to be acceptable by the Prime Minister who has insisted on the return of the three portfolios taken over by the President and especially the Defence Ministry which he claims is essential for him to continue with the peace process.

The only beneficiaries from the impasse in the Southern political scene are the Tamil Tigers who shrewdly did not take sides in the political tug-of-war but whose political wing leader S. P. Tamilchelvan said they were "ready to negotiate with anyone who comes to power as long as he or she was a person ready to work towards an agreement on the political aspirations and expectations of people living in the unified North-East region with commitment and sincerity," but he ruled out the possibility of the Muslims being given an opportunity to be the third party to the peace process" (*The Island* of 22 December)

In these circumstances we can see no alternative to end the crisis and continue the peace process other than by the President herself taking over the conduct of the peace negotiations with the anticipated support of the Prime Minister as promised.

Defence and Security Undermined

In this situation we must draw attention to the sorry state of the country's security under the UNF Government which has deliberately downgraded the support needed for the defence and security of the country. It is not necessary for us on this occasion to recount the repeated violations of the Ceasefire Agreement by the LTTE: enough has already been covered in our last issue of *Christian Worker*. We need only point out that the former Defence Minister himself - Tilak Marapana on November 8 admitted in parliament that the LTTE strength in the areas surrounding the Trincomalee harbour had increased during the ceasefire period. Said Mr. Marapana: "...it is true that with the ceasefire and the MoU many opportunities have been afforded to the LTTE to strengthen themselves. But this I believe is the price we have to pay if we are to pursue the peace process to achieve a permanent solution of the problem. We knew that when we signed the MoU. As I have said before, when we entered into a ceasefire our aim was to solve the problems we had with the LTTE not by the use of force but through negotiations. If that is our aim, then we must try to give the peace process a genuine chance without once again dragging the country to a burdensome war. But this is not to say that we should tolerate the LTTE to get stronger and stronger and be suddenly surprised by an attack which we are unable to withstand. We have to act judiciously, be mindful all the while and take every new factor into consideration to face any eventuality in the future. In that respect I welcome debates of this nature which draw the attention of every one to the problems which have ensued consequent to the ceasefire." The Minister was replying to a motion brought against the Government over the security situation in the country.

Moving the motion the Leader of the Opposition Mahinda Rajapakse said that the government has failed its duty towards people by undermining the serious threats posed by the LTTE. He said that government is silent against LTTE's strengthening its cadres and gunning down Muslims in the East.

"The President following her consultations with security chiefs of the area has warned the government about these threats. What action the government has taken in this regard?" he queried.

Opposition Leader told the House that President Kumaratunga has sent two letters to PM dated 2003.09.12 and 2003.10.06 on the serious threat posed, to the Trincomalee harbour and naval base and to the lives of Muslims living in the East. He tabled the two letters to be included in Hansard. Mahinda Rajapakse said that the LTTE had set up 13 camps to the South of the Trincomalee harbour and given the past track record of the terrorist outfit this would be a serious security threat. "Tamilselvam

had once said that they were ready to remove these camps if the government says its a hindrance to the peace process. But the government is inactive and did not have power to request the LTTE to withdraw these camps" he said.

"Why can't the government make this request and ensure the safety of the harbour and the Muslim people's lives in the East?" he queried. Rajapakse further said that the security of the entire country has deteriorated and violence is on the rise. He called upon the government to take swift action to ensure the safety of the people so that the public of this country live without fear.

Seconding the motion, JVP Parliamentary group leader Wimal Weerawansa said that LTTE has increased its number of camps to the South of Trincomalee harbour. "It is no secret that there are 13 LTTE camps. The government has allowed the deterioration of the security of the East. The Govt is not concerned about the security of the people." he said,

Today, the government has no dignity. It humiliates itself by making presentations to save their imperialist masters. Prime Minister Wickremesinghe has justified the US-led Iraq invasion at the UN General Assembly while other independent nations have condemned it.

Weerawansa blamed the government for letting the masses live in danger by allowing the LTTE to strengthen itself. "The government's hands are tied by the ceasefire agreement. Meanwhile the LTTE has imported armaments, built up its cadre strength and established camps in strategically important places" he said.

Tamil organisations who were against the LTTE were disarmed and now at the mercy of the LTTE.

During the ceasefire LTTE has strengthened its international relationships. LTTE has procured arms and set up supportive cells in Colombo, he said,

The government of the day does not have any interest in security. The government's approach to security matters is flawed because because the government sees any interest or concern expressed by others as an attack on the government, said PA National List MP Lakshman Kadirgamar in Parliament.

"The LTTE is not going to let their guards down. So why should we?" MP Kadirgamar queried participating in the adjournment debate by the Opposition Leader on the security in the East. "The plain fact is that the Trincomalee harbour is under serious threat especially from the LTTE artillery." he told the Parliament.

"The government took umbrage at the fact that certain disclosures were made about the grave threat to the

harbour as a result of LTTE dominance of the Southern rim. The government has accused senior service officers of lying although the government had plenty of prior notice and information many months ago that a serious situation was developing around the Trincomalee harbour."

Explaining the eminent threat posed by the LTTE camps to the South of Trincomalee harbour, Kadirgamar said that the heavy artilleries namely the 122 mm howitzers are reported to be shifted to South of Trincomalee. "130 mm or 152mm artillery also could reach the port if they manage to bring them to Peraru jungles. 120mm mortar, 85mm and 122mm artillery having a range of 6,750 m, 11,500 m and 15,406 m respectively are suspected to be located in Kandal Kadu and Koonativu with Kadiraveli being a possible area where weapons will be moved in the event of an attack. 85 mm and 122 mm artillery can reach most targets in the Dockyard if guns are in situ," he said,

"105 mm Multi Barrel Rocket launchers (12 barrels) having a range of 6,900 to 9,000 m and is believed to be located in Kadiraveli area. This weapon could hit Dockyard at extreme ranges or easily transported well within the range if barrels are isolated. 122mm, 130mm, 152mm artillery have ranges of 15,406, 27,150 and 17,404 respectively could be brought to the Kuburupeddi or Peraru jungles. 130 guns could hit Dockyard at maximum range if brought to the said location."

"The 81 mm mortar which has a range of 5,000 meters can cover most of the harbour entrance area when fired from Sampur," he told the House.

Quoting from a report on the security in the Trincomalee area by a team of specialists from the Pacific Command of United States which was made in October 2002, Kadirgamar said that "the Southern rim of the Trincomalee harbour should be cleared of all LTTE establishments as otherwise the Sri Lankan Navy could be levelled meaning destroyed by artillery fire."

He further said that we must pay special attention to the needs of India. "India has a legitimate interest in the territorial integrity of Sri Lanka and especially in the security of the Trincomalee harbour.

The government must make its position clear as to whether it considers today the provisions of the Indo-Lanka Accord valid in respect of India's concerns."

He further said that all of us have to be concerned regarding the security of the country while proceeding with complex negotiations for peace.

R. Sambandan (TNA - Trincomalee) said that the issue of LTTE camps in Trincomalee was a distortion of facts.

"I state from the floor of this august house that not a single LTTE camp has been constructed in government controlled areas," he said.

He said that the issue of LTTE camps in Trincomalee is a "sexed up" version of reality presented to public by "imaginative journalists."

He blamed 'anti-peace' imaginative journalists for spreading rumours and said that 22 journalists from the South were taken to Kinniya camp by the LTTE to show the exact position. "The SLMM made a genuine mistake in their determination. The Kinniya camp is in LTTE territory. The nearest army camp is 14 kilometres away in Wan-Ela." (From *The Island*)

We challenge this statement of LTTE stooge MP Sambandan as being downright dishonest and reproduce below the UTHR - J's position as the correct one taken from UTHR - J Bulletin No. 33 issued mid-December.

The Dark Secrets of Kurangupanjan

"Kurangupanjan (where the monkey jumped) came into the news when the LTTE established a camp during the middle of the year. The Sri Lanka Monitoring Mission (SLMM) declared it to be an area under government control under the terms of the MoU. The LTTE refused to move. The area lies a little to the South of the predominantly Muslim town of Kinniya, South of Trincomalee. The local Muslims complained that the LTTE established a camp dominating an area where they along with some Tamils had their paddy (rice) fields, where the LTTE presence prevented them from cultivating. It appears that this was one of the reasons why the LTTE camped there.

Credentials of R.Sampandan MP

"Mr Sampandan, was a known supporter of President Kumaratunga's constitutional draft proposals of 2000. At the end of that year the LTTE murdered TULF's new MP Nimalan Soundranayagam. Sampandan flipped. When the MPs answered the LTTE leader's invitation to meet him in April 2002, Sampandan according to persons present, abased himself by standing up for the LTTE leader's entrance and refused to sit down after he sat. Individual stories of other party men are hardly different, Other international efforts too are underway to make Tiger rule look a five star democracy." (UTHR - J Bulletin) No. 33

"The Centre for Policy Alternatives (CPA) took a group of journalists to Kurangupanjana on 8 October along with Tilak, leader of the LTTE's Political Wing in Trincomalee, and his assistant Bimal. It was a PR exercise that went awry for the LTTE. Tilak denied that the area was one where Muslims had ever lived. An old ruined building which Tilak claimed to be their kitchen, turned out to be very definitely the remains of a mosque. The journalists had found this out from a young LTTE boy who had answered a query truthfully. Despite being obliterated by bullets, the name on the ruin of a school 150 yards away was clearly read as Bharkat Nagar Muslim Vidyalayam. The Muslims had been displaced in 1990.

"The LTTE clearly wanted civilians especially Muslims, out of the area. The reason as we discovered later was the existence of training camps in the area, some of them at least having very young children. A camp for girls was nearer Alankerni, a Tamil village close to Kinniya with at least 30 girls. The majority was very young, but there were also big girls as old as 19 or 20. Most of the girls were abducted and brought in their school uniforms, which were promptly and symbolically burnt. First it was continuous propaganda. The bolder children made their escape attempts early. Many others were afraid and kept putting it off...

"Occasionally some made their escape across Uppaar to Kinniya and thence to Trincomalee. Given the sensitivity of the goings on, the LTTE moved to obstruct the normal movement and economic activity of Muslims in the area. We pointed out in our recent special report 17 that exacerbating cleavages between Tamils and Muslims and provoking Muslims into violence is the LTTE's principal modus operandi for dealing with the Muslims. Any violence by the Muslims is used as a pretext for massive and crippling reprisals. This is the context behind the recent violence aimed principally against Muslims in Kinniya. We will deal with it in Bulletin No. 34 that will appear shortly.

"We have all along argued that child conscription is inseparable from destroying the society politically and killing all opposition....."

The full story of the setting up of the LTTE camp at Manirasakulam or more correctly at Kurangupanjana is gone into fully by Iqbal Athas in *The Sunday Times* of August 5 2005 reproduced at the end of this review as Annexure 3. This is a most important situation report by Iqbal Athas titled 'Tiger Trap for Trinco Siege' which will serve beyond all doubt to explain the position fully to our readers.

Presidential Commissions and Security

Readers may remember our reference to a Kandy police raid on the safe house run by military intelligence

at Athurugiriya a few weeks after the UNP victory in the General Election of 5 December 2001 which resulted in some Long Range Reconnaissance Patrols responsible for successful attacks on some leading LTTE cadres while operating as "deep penetration" units in Tiger areas being arrested, humiliated by being thrust into remand cells and exposed cruelly to public gaze (*Christian Worker* of 4th Qr. 2002) Despite disclosures of their identity to the police, a relentless campaign against these heroes of the army were continued by sections of the media, permitting also the LTTE to hound these operatives and their informants. Until now according to Iqbal Athas 44 persons enlisted as intelligence operatives, policemen, civilian informants and members of Tamil moderate parties have been assassinated. There have been 51 attempted killings and 19 abductions. LTTE Chief Peace Negotiator Anton Balasingham complained on numerous occasions of what he called "deep penetration" units of the Army.

Now after an year and 11 months the Report released on December 11 of a one man Presidential Commission of inquiry that probed the matter has declared the raid "a total betrayal and absolute treachery to the nation." It has concluded that Superintendent of Police in charge of "special operation" in the Kandy division Kulasiri Udugampola "backed up with political patronage" stalled these covert operations and "betrayed this gallant unit". It was a retired judge of the Appeal Court D. Jayawickrema who made this finding, Iqbal Athas headlined his covering of this Commission Report "Military Secret sacrificed on the Altar of Politics." (*The Sunday Times* of Dec. 14). The alleged reason for Udugampola's conduct was the information given that a DMI unit was being trained to attack the UNP leadership and their election campaign by using thermo baric weapons. The Commission held that Udugampola's action was "illegal, immoral and in violation of all the rules and regulations of the police." Strangely the Army Commander or Director of the DMI was not consulted before the raid. The Commission also dealt with the political aspects of the raid. It apportions blame on the Government, the Prime Minister and Ministers for allowing a "situation where Mr. Udugampola was immune to any supervisory procedure and behaved as a supreme commander." It has also held the Prime Minister, former Defence Minister and former Interior Minister responsible for the raid on the Athurugiriya safe house.

It is in this backdrop that President Kumaratunga took over the Defence and Interior portfolios, along with Information, with the UNF demanding them back on the ground that the peace process cannot proceed without them.

It is now nearly two months since the President took over these portfolios and not much appears to have changed substantially in the defence establishment since then.

Though the LTTE repressive apparatus was working harder than ever beneath the surface to prepare the ground for the LTTE's brand of democracy and cow and accustom people in the North-East for this sort of future regime, in some respects things appeared to be better than normal with the SLMM getting fewer complaints. One factor that troubled the surface of calm was the sudden upsurge in the killings of Muslims in late November. However that was sought to be blandly explained away by alleged "third party" involvement in an Interior Ministry statement (the same explanation given by the SLMM earlier to avoid implicating the LTTE over a naval adventure - See last issue) In the present instance it was dismissed by the President herself. Obviously there has been no re-orientation of the personnel involved to free them from the old UNF habit of thought and action in appeasing the Tigers



Members of the Patriotic National Movement march to demand arrest and punishment of those named in the Aturugiriya Presidential Commission Report

(Courtesy: The Island)

to keep the "peace process" going! In the new set up what can we again make of the Information Ministry which is now under the President herself permitting the Sri Lanka Rupavahini Corporation to allow the satellite link up of the LTTE leader's Birthday/Martyrs Day Address to Europe? Perhaps because it contained statements in the LTTE's willingness to negotiate an end to the war without any conditions? Such statements were made even earlier but always gone back on! In her efforts to come to some arrangement to settle the on-going tug-of-war with the UNF, President Kumaratunga appears to follow a policy of 'accommodation' to both the UNF and LTTE!

Iqbal Athas remarks that that if President Kumiratunga's objective in taking over the Defence and Interior portfolios was to protect national security interests (besides the recent Supreme Court ruling), her media staff do not seem to be fully conscious of this important fact for in releasing the 29 page report of the Aturugiriya Commission to the media, they have also made available a five page portion which deals with "measures required to enhance the safety of informants of the Directorate of Military Intelligence" (DMI) quite a few of it confidential and even sensitive measures to be followed by the DMI and not to be released

also to hostile forces like the LTTE - surely a counter-productive action! The President unfortunately has always been ill served by her staff and advisors whom she picks up, most of whom consist of opportunists and adventurers of all kinds bent on advancing their own interests. This includes her Presidential Security Division (PSD) who have been guilty of several misdemeanours in the past. If she cannot have a disciplined and dedicated armed personnel who can set an example to other such personnel in the State services, how can she hope to impress and improve on the quality and police and security forces who certainly need correction and who are now under her charge?

As regards the Presidential Commission Reports, what earthly use do they serve if there is no follow up and implementation? It was

President J.R.Jayewardene's technique to appoint commissions when he wished to have an issue buried and forgotten. While this policy may be good enough for his nephew who is the present Prime Minister, we expect correct behaviour in this regard from President Kumaratunga. We cannot forget of course that when the Commissions on Disappearances produced their report President Kumaratunga wanted over 200 security personnel interdicted pending inquiry into their behaviour, only to be told by her Deputy Defence Minister whom she once described as being the most corrupt Minister in her Cabinet that she should not do so if she was to prosecute the war! Since then we have heard nothing about the follow up of Presidential Commissions. This is something that we have repeatedly commented on in this column and in articles especially by M.C.M.Iqbal a Secretary to Presidential Commission on Disappearances appearing in *Christian Worker*. (An article on Disappearances in the North in which he too again was involved appears in the present issue under 'Human Rights'). We hope that the Athurugiriya Commission Report discussed will at least be the start to action beginning with placing on compulsory leave of those on whom indictments could be made. And we do hope even at this late stage that justice will be done

to remedy or ease the trauma of those who have lost their loved ones through involuntary disappearances as Mr. Iqbal himself urges in his present article inside under 'Human Rights'.

Lanka Shies Away from Anti - Corruption Plan

Asian countries have raised questions about Sri Lanka's non-participation in endorsing an Action Plan for the Asia Pacific region to fight corruption, at the fourth regional meeting of the Asian Development Bank (ADB) and the Organisation for Economic and Co-operative Development (OECD), sources at Transparency International (TI) told the **Daily News**. Sri Lanka had also failed to make any contribution to the development of the UN Convention against corruption, the sources said. The fourth meeting of the ADB and OECD Initiative is being held in Kuala Lumpur, Malaysia from December 2 to 15, with the participation of national representatives from countries in the Asia Pacific Region. Sri Lanka is also participating through the Attorney General's Department, they said. TI Sri Lanka Executive Director J.C. Weliamuna, a participant at the meeting, said the Action Plan on Fighting Corruption in the Region had been endorsed by 21 countries including India, Pakistan and Bangladesh. Sri Lanka was the only exception.

Responding to Asian representatives who raised the issue of Sri Lanka's non-participation in ratifying the Action Plan, ADB's Head of Governance Department Jack Jacob is said to have expressed his "bafflement" to the House about Sri Lanka's position.

Jacob is reported to have told Asian representatives that the ADB had informed the Sri Lankan Government about the process of ratification of the "Action Plan on Fighting Corruption in the Region" throughout the year.

But so far they have not responded "favourably" to the initiative, he had said adding: "We hope they would respond favourably to the initiative." Commenting on Sri Lanka's position vis-a-vis UN Convention of anti-corruption, Weliamuna said Heads of States, ministers and national representatives from more than 130 countries will sign it with the exception of Sri Lanka, when they meet in

Merida, Mexico to celebrate Anti-Corruption Day.

Transparency International (TI) Sri Lanka had noted its regret that Sri Lanka has been one of the few countries that failed to make any contribution to the development of this Convention.

Despite TI's request to the Sri Lankan Government to engage in the drafting process of the Convention, it has been more or less overlooked, Weliamuna complained.

Weliamuna said it will be important for the country if the Government takes the initiative to ratify the Convention and display its commitment to fight corruption. **Daily News** 8 December

Violence and Government Thuggery : Public Servants Under Attack

We have noted that violence is rife in the country not the least helped by the conduct of government MPs and other personnel. Only in mid-December newspapers reported the attack on Divisional Secretary of Bulathsinhala P. D. Siriwardene by Kalutara District UNP MP Lakshman Wijemanne and his supporters, leading to a boycott by these officers of all meetings convened by the Ministers. This assault took place at a meeting where Minister of Labour & Employment Mahinda Samarasinghe was present. The UNP MP had attempted unsuccessfully to get the hospital authorities to issue a report to state that the Divisional Secretary was under the influence of liquor according to a report in **The Sunday Times**. This was said to be the fourth major incident when a Divisional Secretary (formerly known as Additional Government Agents) had been attacked or threatened by politicians this year (2003).



Bulathsinhala residents protesting against the assault on Divisional Secretary P.D.Siriwardena by Kalutara District UNP MP and his supporters

(Courtesy: The Sunday Times)

Although the Prime Minister was said to have appointed a 3 member committee to investigate the alleged assault, the President of the Divisional Secretaries Association, thanking the Prime Minister for his action, stressed that the Association's decision to boycott functions attended by politicians and refrain from carrying out their duties would stand.

We have in past issues pinpointed the increase in violence and the link up of the underworld with some of our politicians. Fortunately some of these actions of thuggery have resulted in public outcry and protest and we do not here seek here to give a list of these actions. Nor do we intend to list the crimes of the LTTE and their violations of the Ceasefire Agreement - including continuing child recruitment, systematic killing of political opponents, attacks on Muslims and the like. Readers who would wish to have details are referred to UTHR - (J) Special Report No.17 and Information Bulletins 33 and 34 which meticulously record events in the North-East which have been verified as true. The last named bulletin is titled "Tiger Manipulation of Tamil-Muslim Relations and the creeping siege of Kinniya and Mutur." Following on the LTTE's new camp at Kurangupanjan mentioned already in the earlier UTHR-J Bulletin 33 already mentioned, systematic action to create an LTTE equivalent of a "Weli Oya" created by the Sri Lankan State - an exclusive area under Army control, the LTTE's exclusive zone sought to be carved out for itself includes areas between the Mahaveli river and Uppar Salt River to the West. Their expansion affects large tracts of Muslim land previously cultivated by Muslim farmers which lie now fallow or cultivated by Tamil farmers who pay rent to Muslim owners.

This Bulletin No 34 examines the LTTE's continuing manipulation of disputes between Muslims and Tamils to fuel violence as it seeks to expand its territorial and political hold on the East by forcing out Muslim civilians. The LTTE's technique has been to torment the Muslim community into violence and then use any Muslim response to its provocation for well calculated retaliation. The end result is that the LTTE has been able to drive away Muslim civilians, cripple the community, and expand its exclusive territorial control with unmistakable military implications. It is in this context that the Acting IGP's fantastic explanation for the killing of Muslims there pointed to a mysterious "Third Party" responsible for the murders (*Island* 28 November). Had he resisted political pressure to appease the LTTE he would not have failed to see the truth.

It is understandable that in this scenario there should have been the demand among some sections of Muslims for a de-linking of the Northern and Eastern provinces. Indeed the 1987 Indo-Lankan Accord merged these provinces but subject to there being a referendum among the people of the Eastern Province to ascertain whether they wished the linking of the provinces to continue or not. The demographic character of the Eastern Province on figures based on 2000 census are as follows: (See box)

	Muslims	Sinhalese	Tamils
Ampara District	245,089	231,771	110,180
Batticaloa District	113,473	2,439	195,319
Trinco District	137,453	103,853	112,007
Total	496,015	338,063	417,506
percentage	39.6%	27.0%	33.2%

The above figures prove beyond doubt that the LTTE claim of an exclusive Tamil homeland in the Eastern Province is false and fictitious, for the Muslims and Sinhalese combined have a two third majority. Nor could the Muslims claim it as their exclusive homeland. It can only be the common homeland of all these three communities as is the rest of Sri Lanka. In fact the proper working out of communal harmony here can even be a model for the whole of Sri Lanka. That would indeed be an object worth striving for.

In this connection it is significant to note that after years of prejudice and unfair discrimination including deprivation of citizenship from 1948, the upcountry Tamils of recent Indian origin were accepted as Sri Lankan citizens by an unanimous vote of Parliament on October 07.

Other Tamil Parties

The only liberating light seen at present however in this totalitarian effort of the Tigers to impose themselves on the people of the North-East, is to be found in the non-LTTE Tamil parties now being systematically butchered by LTTE hit squads since the former were disarmed on the Ceasefire Agreement while allowing the Tigers freedom to do 'Political Work' and all else in the Government controlled areas ostensibly without arms but in practice with arms in defiance of all the rules! And the opposition to the LTTE hegemony boldly and defiantly shown by Tamil United Liberation Front (TULF) President V. Anandasangari whose life is in danger in consequence. He has defied all LTTE attempts to get him out of the TULF Presidency through his Parliamentary and other

colleagues in the TULF's Central Committee. The UTHR (J) Bulletin No.33 describes the sad scene in the TULF Central Committee as follows:

The TULF: Dead Finally ?

"Another drama in which the words flowed excruciatingly for six hours, but had no connection to the hidden menace lurking below, was the TULF Central Committee meeting on 30th November. Its main purpose was to remove the President Mr. Anandasangari. A similar attempt last July failed miserably and Anandasangari's position seemed unshakeable. Anandasangari earned popularity and respect among the people as the one Tamil leader who stood up to the LTTE. He accepted their role in negotiating a political settlement, but maintained that no one had the right to the claim of being the sole representative of the people.

"The LTTE redoubled their efforts to remove him. Other party members were regularly summoned to the LTTE HQ in Kilinochchi and browbeaten with veiled threats to get rid of Anandasangari. So the CC members came to the meeting and let fly with words, some of Anandasangari's staunches! allies having turned his bitterest critics. Anandasangari was accused of improprieties and deemed unfit to be the party leader. The MPs should know if their electoral practices had anything to do with propriety or their conduct with honour.

"The affair was a matter of walking corpses who hobbled in to place the formal seal of death on their party. In a final act of suicide, these corpses showed infinitely more feeling and anger against their lately esteemed leader, than they showed for the killers of their murdered friends and colleagues. The LTTE began the physical destruction of the TULF by killing nearly 10 of its senior leaders. The majority of the survivors were ready to grovel. Their rancorous public utterances came to lack any feeling or content. The moment a colleague was killed by the LTTE, the more rancorous they became in attacking the 'Sinhalese Government'. Privately they told their friends that they did not know what grim fate awaited them the next day."

Anandasangari who as President chaired the meeting, upheld a point of order raised that the president or other main office bearer could not be removed by a resolution of the committee according to the TULF

constitution, but only by the general membership who appointed him. He has also thereafter secured a writ from the courts on the TULF secretary preventing him from summoning meetings without his permission 'Sangari' has thus frustrated the latest attempt of the LTTE to oust him and reduce the TULF into their pliant tool. He stands out defiantly as a beacon of hope to his people whom the Tigers seek subdue into virtual slavery.

Sri Lanka's Sovereignty at Stake

The internationalisation of our ethnic conflict while it has certainly helped to avoid direct civil war poses serious dangers to our sovereignty as a independent country. We drew attention to this already in our last issue and pointed to the increasing role of USA in our peace process. We even drew attention to the apparent aim of the US to install itself as the godfather of the LTTE as its pet war lord in the North as well as of the powers in Colombo. (See also Annexure 1: May Day message of the CWF) The abject servility of the UNF Government as seen in the utterances of our Prime Minister at the United Nations and the conduct of the Government to the USA at the Ministerial Meeting of the World Trade Organisation in Cancun, Mexico only serves to confirm our worst fears.

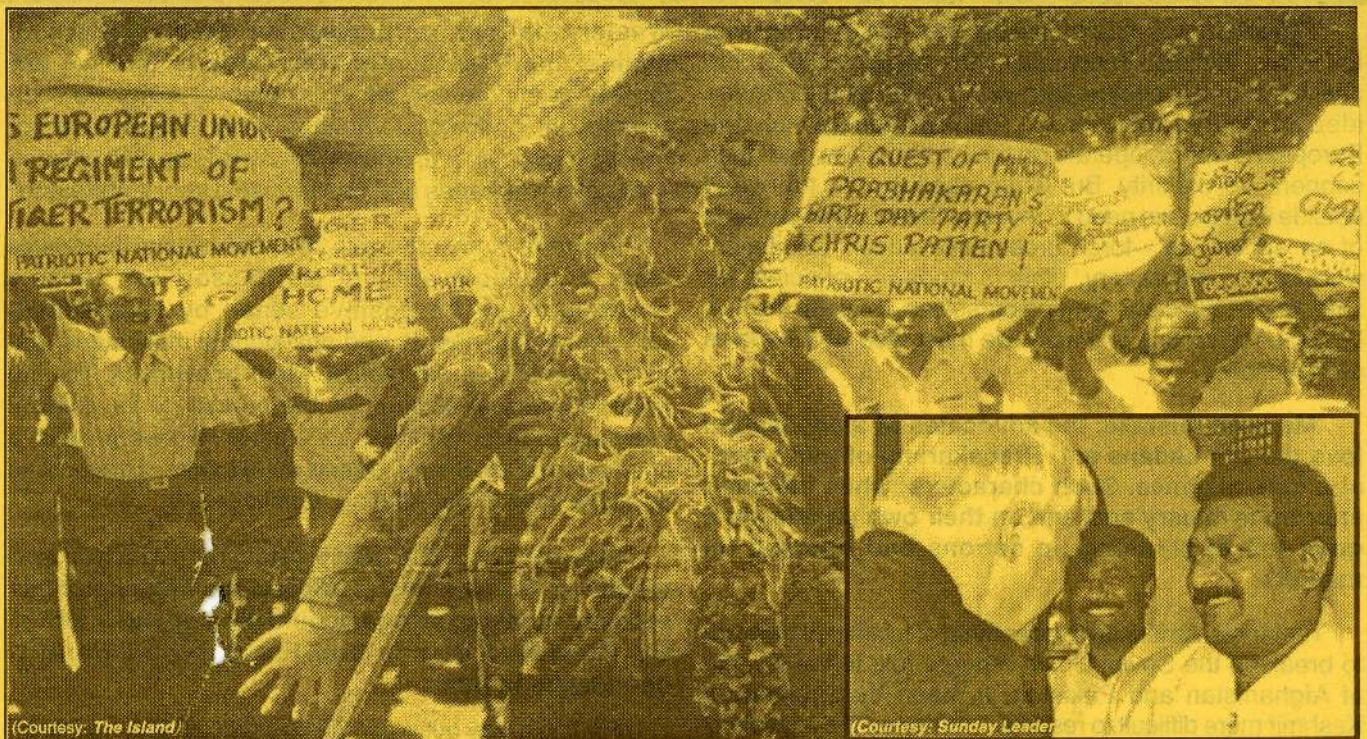
We have already referred to the international community's active involvement in our peace process but with the troubling message to accept their version of reality and this would include the "Regaining Sri Lanka" Programme endorsed at the Tokyo Conference and their soft-peddling of LTTE misdeeds.

The situation is seen well in the visit of European Union's External Relations Commissioner Christopher B Patten to Prabakaran on his birthday on 26th November

amidst a strong protest in Colombo the previous day including the burning of his effigy in the vicinity of the Hilton Hotel where he was staying. Significantly as pointed out by Dr. Nalin Swaris, Patten chaired the Commission to reform the overwhelmingly Protestant Ulster Royal Constabulary to make it more adaptable to the Roman Catholic population of Ulster. These reforms were implemented within the framework of a clear demand that the IRA should disarm and demobilise. With no open criticism of the LTTE's flagrant violations of the Ceasefire Agreement and no demand to disarm, Patten's visit only provides legitimacy of Tiger role in the North-



V. Anandasangari MP



An effigy of European Union External Affairs Commissioner Chris Patten being burnt by protesters against his visit to meet LTTE Leader Prabhakaran.

East. This visit comes after representatives of donor nations had visited the Vanni to beseech the LTTE to attend the peace talks, "In striking contrast to the Government of Sri Lanka's fawning before donor nations, the LTTE has behaved in a manner that befits a Sovereign State-in-becoming and refused to give into these donor blandishments and declared its intention of accepting any aid only on its own terms and conditions," observes Nalin Swaris quite correctly. In his article titled "Tiger Supremo takes the Moral High Ground" in *The Sunday Leader* of November 30, D. B. S. Jeyaraj mentions that that the LTTE leader apparently said 6 times in a 90 minute conversation with Patten that the LTTE would not resort to war,

But says Jeyaraj "this is being given an exaggerated spin. This does not mean that the LTTE will not resort to war under any circumstances. It only means the LTTE will not strike the first blow. If however the Tigers feel that war has been thrust upon themselves then there will be retaliation". Patten is reported in *The Island* of 27 November to have said "We cant expect any fudging between political ends achieved by violence and political ends achieved by the ballot box." But Patten also told Prabhakaran: "if the international community have any evidence that those accusations (regarding the issues of child recruitment, target assassinations of political opponents) are justified they would clearly call into question the good faith of the LTTE." However Patten

could have got the picture from the Amnesty International in his own country or from the SLIM or UNICEF in Colombo. We can only surmise that Patten and others like him including the Norwegian Deputy Foreign Minister Vidar Helgesen are not looking for evidence or want to see it even if it is given!

In this connection the following excerpt from UTHR (J)'s Bulletin No.33 is very pertinent:

"While the LTTE leader gets off very lightly, when the President acts according to the Constitution on a matter of informed concern, or makes an observation about the MoU that many scholars and commentators have long made, she is given the rap. No strictures are made against the Norwegians, several of whose actions have been questionable. We are being told, 'You obey or we will withhold the gold.' Meanwhile Prabhakaran can commit the most heinous crimes through his agents even as he smiles and shakes hands with eager foreign dignitaries who have chosen to be blind.

"The message is not in Patten's words of little substance in Colombo, but in the unofficial birthday visit by a European minister.

"If we are puzzled about what all this means, the following passage from 'A Disputed Legacy' by Johann Hari in the *Times Literary Supplement* (28th March 2003) gives food for thought:

"Robert Cooper, a former leading foreign policy adviser to (Prime Minister Tony) Blair, has explained that 'the challenge of the postmodern world is to get used to the idea of double standards.' Among themselves, the Europeans may cooperate on the basis of laws and open cooperative security. But when dealing with the world outside Europe, we need to revert to the rougher methods of an earlier era - force preemptive attack, deception, whatever is necessary.' This is Cooper's principle for safeguarding society; 'Among ourselves, we keep the law, but when operating in jungle, we must also use the laws of the jungle.'

"Make no mistake: the advocates of globalisation love the Bin Ladens and Prabakarans of this world, at a safe distance. Such characters, while inflicting enormous misery and ruin on their own people, do a good job of breaking up nations and opening up markets.

The Anglo-American sponsorship of Islamic extremism to break up the Soviet Union brought ruin to the People of Afghanistan and Pakistan. It made the problem in Kashmir more difficult to resolve. It furthered the legitimacy of the destructive forces in India that broke up the historic Babri Masjid and unleashed violence in Gujarat. Now they would like to see India broken up into Mini States ruled by such obliging despots as Haider Aliyev of Azerbaijan. What could they have against Prabakaran?

"We have become playthings. Sri Lankan sovereignty is being taken very lightly, even as

Western nations reinforce their own sovereignty against the Third World. The irony is that we are largely to blame for our own loss of controls. The South Asian notion of sovereignty - that outsiders cannot question what a sovereign nation does to its own citizens - ultimately degrades and fractures that very sovereignty.

"President Kumaratunga's 2000 Constitution proposals were a laudable attempt to reassert Sri Lanka's sovereignty in the positive sense by establishing democratic safeguards and sustainable institutions that at the same time addressed Tamil grievances. Having undermined that attempt in the course of its political campaign, once the UNP took power it tried to take a shortcut to peace and prosperity in Sri Lanka, disregarding its obligations to the nation's Tamil citizens.

"This opened the floodgates to mischief and meddling. Prime Minister Wickremesinghe has been reduced to taking refuge behind the dubious merit of US President Bush's and the European Union's confidence in him.

"Finding a way out is going to be difficult. But the lesson of experience is surely that it has to begin with an assertion of values and an honest attempt to come to terms with the past. It would make a big difference once the people of the North-East are convinced that the Government will give them a fair deal, treat them equitably taking into account what they have suffered; and protect their rights, whoever tries to do them harm." (Our emphasis - CW)

"We are not preparing for war"

Speech on 27 November LTTE Heros Day-Pirabaharan

"Our organisation, as well as our people, do not want war. We want peace and we want to resolve our problems through peaceful means. We are deeply committed to the peace process. It is because of our sincere commitment to peace that we are firmly and rigidly observing ceasefire... There is absolutely no truth in President Kumaratunga's accusation that we are preparing for war by procuring weapons, recruiting on a large scale and strengthening our military machine. We are engaged in the task of maintaining peace but certainly not preparing for war. It is true that we have been recruiting on a small scale since we needed manpower for our administrative structures. The President has distorted and exaggerated this matter and is trying to create fear among the Sinhala people that we are preparing



Latest portrait of Prabakaran with pistol and cyanide capsule. Behind him LTTE flag and a map of so-called "Eelam"

for war," Mr. Vellupillai Pirapaharan, the leader of the Liberation Tigers of Tamil Eelam (LTTE) said in his annual statement commemorating the LTTE'S Heroes' Day on 27 November 2003.

The LTTE leader also denied allegations that the recent proposals submitted by his organisation to establish a Self Governing Authority for the Northeast constituted the foundation for the creation of a separate State.

The LTTE leader also warned that "if the Sinhala chauvinistic ruling elites continue to deny the rights of our people and oppose reconciliation and if the conditions of oppression continue we have no alternative other than to secede and form an independent State invoking the right to self-determination of our people."

-Tamil Times ■

Iqbal Athas, *The Sunday Times* says:

".....it is not only President Kumaratunga who has voiced concerns over guerrillas strengthening their military machine. Former Defence Minister Marapana has publicly declared the fact when he spoke in Parliament. And Premier Wickremesinghe's actions in seeking a Defence Co-operation Agreement with India further belie the urgency of this situation. So does the abiding interest declared by India.

"It is not only the preparations during the ceasefire that have sought to strengthen the guerrilla military machine. Even the Interim Authority (ISGA) which the LTTE is seeking contains proposals that seek to further enhance their military capability. Take for example the demand for ISGA to control marine and offshore resources of the seas adjacent to North-East in addition to the power to 'regulate access.'

"This includes the Palk Straits where, at present its demand clearly makes way for the sea going arm of the guerrillas, the Sea Tigers, to gain legitimacy and dominance in the seas off the North-East. Such a development would see the emergence of a third navy in the region, besides that of India and Sri Lanka. This goes beyond a mere strengthening of a military machine.

"If that is achieved, the LTTE will become the only entity in this world to have a Navy. All others who possess a Navy are Sovereign States.

"The many facets of the strengthening of LTTE's military machine have been revealed from time to time in these columns. It has not only included a stepped up recruitment of cadres after the ceasefire. There has been smuggling in of military hardware. A political and military infrastructure that existed in the Wanni has now been extended to the east with the help of the UNF Government.

"Mr. Prabhakaran said "it is true that we have been recruiting on a small scale since we needed manpower for our administrative structures." He avoids all reference to recruitment of children, a matter that has been officially acknowledged by the UNICEF and other international agencies. It is well known that these children were not involved in helping "administrative structures." They had been trained to handle weapons and were very much a part of the LTTE armed strength.

"A group of children were released at a much-publicised ceremony in Kilinochchi. However, it later transpired that more children were forcibly recruited in the Batticaloa, district.

"During the 'Maveerar' day address Mr. Prabhakaran admitted "our merchant ships were attacked and destroyed by the navy in international waters.' This is the first time that the LTTE leader has officially admitted that his organisation ran merchant ships. What were they carrying? Where is their cargo manifest and who did the cargo belong to? To which ports were they sailing to and from where?

"He was referring to the Sri Lanka Navy's sinking of two other in June this year. The Navy said they were carrying military hardware.

"A third vessel said to be carrying huge engines, artillery shells, missiles and other military items got away. This was after a member of the Sri Lanka Monitoring Mission (SLMM) telephoned his head office from one of the Navy gun boats heading to detect the suspect ship. The head office in turn had checked with Tiger guerrilla leadership in Kilinochchi.

"This led to President Kumaratunga's request to Norwegian Premier Kjell Magne Bondevik to recall the head of the SLMM retired Maj. Gen. Trygve Tellefsen. He was recalled to Oslo for consultations. It is unlikely he will return to his post.

"These developments have now spurred the Sri Lanka Navy into action. The Commander of the Navy, Vice Admiral Sandagiri is busy with detailed plans to step up the Navy's preparedness to meet any threats. His Chief of Staff, Rear Admiral Mohan Wijewickrema was locked in intense discussions this week with Rear Admiral Sanjiv Bhasin, Assistant Chief of Staff of the Indian Navy who is in charge of Personnel and Human Resource Development. India has increased its slots for training of Sri Lankan armed forces personnel. Assistance to the Sri Lanka Navy to enhance its capabilities through training is a priority area.

"However, since the take over of the defence portfolio, President Kumaratunga's pre-occupation with matters political has somewhat neglected areas concerning security. Many cannot be spelt out for obvious reasons.

"That includes the all important area of intelligence where chaos, confusion and internecine rivalry now reigns. Like the UNF Government, the fact that the PA under whom the subject of defence has now been brought under, continues to ignore this very vital area, to say the least, is most reprehensible."

Sunday Times
30 November 2003

A Critical Juncture

We have indeed reached a critical stage in our country's history. Faced by the obduracy of her Prime Minister in arriving at a workable arrangement with her in governance and egged on by opportunist sections within the SLFP, President Kumaratunga has for some time now been playing with the prospects of an alliance with the Janata Vimukti Peramuna (JVP) which has hitherto been always stalling on the issue of the settlement of the ethnic issue based on a devolution of power which the JVP has found to be unacceptable, though formulas are still being said to be worked out to bring the JVP position closer to that officially held by the PA.

It is difficult to think of any proposal to settle the country's problems without a clear perspective of how precisely this national or ethnic question could be satisfactory resolved since this would be basic and of the highest priority in any national programme. Of course if Chandrika Kumaratunga could do to the JVP what she was able to do for the SLFP in changing its character as a Sinhala chauvinist party, it would certainly be of benefit to the country. If the JVP for its part in such interaction is able inject some idealism and radicalism into the SLFP ranks (Anura Bandaranaike notwithstanding) and rid that party of some of its undesirables this too could be a positive achievement, though fears have been expressed of SLFP ranks being infiltrated.

This SLFP link up with the JVP was at first coupled with attempts to win over sections of the UNP to overturn the Government in the same manner as was successfully managed earlier by the UNP. No clear alternative programme has been advanced until now for this apparently opportunist electoral adventure. Our last issue too referred to the public meetings that have been had protesting UNP policies by this SLFP-JVP combine. While the Mahajana Eksath Peramuna (MEP) has joined these meetings the official left wing of the PA led by the LSSP and CPSL have not been there since positions contrary to that of the PA on the ethnic conflict have also been tolerated at such meetings which drew big crowds but could have given mixed signals to the people when chauvinist statements were voiced by some JVP and SLFP speakers. However the big public response was undoubtedly due to the present sorry state of the country and its people after 2 years of UNF Governance and need to counter the government policies.

The JVP walks to save the Motherland

The JVP was able to organise two specially effective demonstrations against the UNF Government's proposal to offer an Interim Administration to LTTE in the North and East in August and September. On August 25 the massive JVP protest which kicked off from Galle opposite



As JVP's Wimal Weerawansa speaks, SLFP's Anura Bandaranaike approvingly applauds

the historic Dutch Fort wended its way to Colombo on foot a distance of 72 miles in less than 72 hours with politicians from the SLFP too such as Anura Bandaranaike, Mangala Samaraweera and Arjuna Ranatunga greeting the processionists and joining them on the way. The demonstration ended at Lipton Circus at a gathering said to be over 100,000. *The Island* of 29 August reported of this meeting:

"As JVP parliamentarian Anura Dissanayaka sprang on the roof of a double cab to address the gathering organisers played the patriotic song composed by former Education Minister I.M.R.A. Iriyagolle and sung by the late Sunil Santha titled "Uthura Nagenahira, Batahira Dakunada Eka Kodiye Sevane" (North South and the East West will for ever be under one flag). The Government of that day belonged to the late Prime Minister Dudley Senanayake who directed the then Radio Ceylon to play this song over its beams as the first song of the day immediately after the broadcast of "Pirith" in the morning to give the people of this country a patriotic feeling.

"The Town Hall moved to attention and emotion as the song was played when a crowd of over hundred thousand people stood in attention displaying their patriotism to their Motherland as every word in that song inspired feelings towards their nation.

"Parliamentarian Anura Dissanayaka told the massive crowd 'Come what may, the JVP will brave all odds to sacrifice everything that they have including their lives to safeguard the unitary character of the nation'"

(Reproduced from *The Island* 29 August)

The second demonstration whose avowed objective was also to "safeguard the Motherland " sometimes described as a "National Patriotic Movement" began from Kandy on September 27 reaching Colombo on October 1.

However a protest strike called by the JVP's All Ceylon Trade Union Federation for October 21 was not successful as a majority of the trade unions belonging to the SLFP and left did not join in the strike.

However one big unified meeting of the PA was that held at Colombo Town Hall grounds on October 24 to protest against economic and other policies which placed burdens on the poor, while giving concessions to the rich, effecting privatisation of public assets, seeking to deprive workers of their rights and the rural poor of their welfare support and above all, moves to sell our independence and sovereignty to US led imperialism and transnational corporations in the guise of conforming to IMF and WB conditionalities. This meeting was preceded by an ill-advised street demonstration since it was held on Deepavali Day which was sacred to the Hindus, Although it was not a public holiday and many Hindus were at their work places, the President was urged to cancel the demonstration but this went unheeded we are told for astrological reasons! Most of the agitation on mass issues however was led successfully during this period by the Alliance for the Protection of National Resources and Human Rights which has been briefly covered by the ('Fellowship in Action' column inside). Hard on the heels of the October 24 Deepavali Day demonstrations came the cowardly and unfortunate attack on

the Sinhala - Tamil Cultural Event held in Colombo on October 29 - 30 at the New Town Hall premises. This arts festival was titled 'Sinhala-Damila Kala Ulela' which was intended to highlight the commonalities of the two divided communities according to the organisers, a collection of politically active groups' even though some deprecated it as 'Pongu Tamil' under a new cover. Four persons were injured including 2 journalists when rampaging mobs numbering around 100 armed with poles, knives and bicycle chains attacked the participants. A doctor and two journalists from Hiru FM and Sinhala weekly *Lanka* were

injured and rushed to hospital. Clashes then erupted when the organisers fought the hostile mob who then withdrew,

Sihala Urumaya prominent activist Kamal Deshapriya Media Spokesman for their Party was said to have precipitated the rumpus when he started shouting 'Koti, Koti' during the speech of University Lecturer and writer Dr. S.Yoganathan. Around 150 participants were from Jaffna, Trincomalee and Batticaloa. A Sihala Urumaya protest demonstration continued in Vihara Maha Devi Park

Thereafter followed the troubled period when the President for security and other reasons took over the three ministries referred to already.

As a counter and protest against the move, the UNF organised a large crowd to give a hero's welcome on November 7th at the Airport to Prime Minister Wickremesinghe on his return after a high profile official tour of the USA which included a meeting with President George W. Bush. A previously organised JVP organised demonstration of "patriotic forces" followed by a public meeting at Campbell Park Colombo the same day was over-shadowed in consequence.



Prime Minister Ranil Wickremesinghe returns from US to a hero's welcome

(Courtesy: *Tamil times*)

The rest of the story has already been related and is too well known to bear repetition.

Attempts at Religious Disharmony

Since then however the country has barely escaped from what could have been by all reports a religious conflagration which thanks to President Kumaratunga's firm handling with strict instructions to the police and security forces, was averted.

In fact some churches mostly belonging to more recently arrived Evangelical Christian Sects had been attacked on the ground that they were engaging in 'unethical conversions.' The number of such attacks had been going on for some time though mostly unreported in the press (the total number until December 31 is said to be around 50, according to Fr. Noel Dias Senior Lecturer, University of Colombo). The World Vision office too had been stormed by a group that included Buddhist monks belonging to the National Bikkshu Front in the course of which some personnel had been manhandled and equipment damaged to make their protests against 'unethical conversions' perhaps more effective and dramatic.

Although the Roman Catholic Archbishop of Colombo in an unecumenical and even unethical move had sought hard to distance only his own Church publicly from the "Fundamentalist Sects" involved (was he so naive as to think that attacks on the latter by disruptive forces were not going to be extended to all others in the guise of "Protecting Buddhism"?), it was reported that a Roman Catholic and a Pentecostalist Church had been attacked on Sunday 28 December by a mob of around 100 at Puwakpitiya in the Padukka police area and buildings and other property damaged though so one was injured as the Services were over. (*Daily News* 30 December). The sudden death of popular Buddhist Monk Revd. Gangodawila Soma Thera in Russia where he had gone to receive an honorary doctorate at the International University of Fundamental Studies in St. Petersburg had led to widespread rumour and speculation about an alleged Christian Conspiracy that aggravated the situation. Rumour was not fully dispelled by even a postmortem held in Colombo by a panel of the country's three leading JMOs and other medical specialists who reported death due to heart failure and the verdict thereon by Gampaha Chief Magistrate who held that death was due to natural causes, ruling out all suspicion of foul play. The monk's funeral on December 24 drew a mammoth crowd at which one speech made by a Buddhist monk could have been considered inflammatory. The police kept good control over the crowd and churches in the vicinity and elsewhere preparing for their midnight services. The President over the Television, radio and press came out strongly against the attacks on churches and ordered the IGP to deploy special police teams to prevent such incidents in the future.

She said stern action would be taken against anybody who tried to create violence, provoke people towards violence or conspired attacks on religious places. She also appealed to the people to protect religious harmony and especially the Sinhala Buddhists of this country to desist from joining any extremist forces who were seeking to use violence against churches. The President's strong

action was in sharp contrast to that of Prime Minister Ranil Wickremesinghe who made no statement at all on this issue. His inaction was rather reminiscent of the celebrated conduct of his uncle J R Jayewardene when it came to the racial holocaust of July 1983. What the consequences would have been if the President had not earlier taken over the ministries concerned can only be imagined! Whatever her faults and failings, it would appear that at present on our political scene, Chandrika Kumaratunga remains the only personage with leadership qualities that can take the country forward in resisting divisive tendencies of race and religion and in safeguarding our sovereignty as a Sri Lankan nation.

Unresolved Issues

We are faced today with an unresolved ethnic conflict and connected to that an uncompleted peace process which if not ended can only bring destruction to our people. Despite all the efforts of the President to effect a sensible compromise: among the more recent proposals has been the offer to share the Defence portfolio and also form a Joint Peace Council co-chaired by the President and the Prime Minister to carry on the peace process and an Advisory Council on peace comprising representatives of all political parties, leaders of all religions, professions and others interested in seeking a negotiated settlement of the national question to assist the Joint Peace Council. So far the UNF Government has even failed to respond to the LTTE proposals on its Interim Self Governing Authority (ISGA) or is perhaps deliberately dodging to do so openly in typical Ranil Wickremesinghe style to avoid antagonising the majority Sinhalese community while putting all the blame on the President. Meanwhile all sections of the community have urged the Prime Minister and President to get together to take the peace process forward by coming to a consensus.

Prime Minister Wickremesinghe has however thus far remained intransigent. Whether the Prime Minister will ultimately be forced into some compromise to enable the peace process to be continued either in his own interests or at the behest of his US masters, remains to be seen. In the alternative, we would suggest (if the country is to be spared another General Election) that the President seriously consider taking over the peace negotiations herself, with competent advisers of course as against toadies who would want only to satisfy her whims, now that the Prime Minister has repeatedly offered her the task of doing so with the promise of his support and the LTTE for its part has stated that it was prepared to deal with whoever was in control. However in the interests of all concerned it is vital that south Sri Lanka presents a position that it is acceptable to most sections by consensus for ultimately it is Parliament who will have to ratify the settlement. It is surely time that at, least the two

major parties were able to arrive at a consensus on what could constitute a basic solution to the problem. On this it is President Kumaratunga who can take the lead since the Prime Minister's track record shows him to be rather unstable personality.

The second important issue is the WB-IMF conditionalities that are sought to be imposed on the country which would be detrimental to our people's interests and to Sri Lanka's sovereignty itself. While the President and the PA government in the past have tended to go along with the UNP policies on this matter but desisted from implementing them under left and mass pressure, the PA and the President need to be more discerning and even courageous in striking out for an Alternative Governmental programme as urged by Profesor Tissa Vitarana in his article under 'Comments' inside (This is surely something that should have engaged the attention of the left within the PA and prompted them to present such an alternative to both the rest of the PA (mainly SLFP) and the country).

The abject servility of the UNF Government to US-led imperialism in the hope of getting massive loan aid to implement "economic reforms" so detrimental to our interests in terms of the "Regaining Sri Lanka" programme, needs to be corrected and resisted on the basis of such an Alternative Government Programme that must be presented to the country to help give our people some hope in this despondent climate (It is precisely this issue of an Alternative Programme as against those that are being imposed on the third world in the interests of capitalist globalisation, that will be engaging the attention also of the World Social Forum that meets in Bombay in January 2004). Will President Kumaratunga have the political will to face both these issues resolutely even if it comes to resisting the world's biggest super-power and self-appointed global policeman, by relying on our people and the support of the Third World and anti-imperialist movements the world over? Only in this manner could we satisfactorily resolve our Ethnic Conflict and regain Sri Lanka for ourselves as Sri Lankans. Failure to rise to the occasion can only result in our becoming a virtual colony of the United States of America to be dominated and plundered in the manner so vividly described by Dr. Mervyn de Silva in his 'Comments' article in the present issue.

SRI LANKAN DEMOCRACY TODAY IN THE LOCAL AND GLOBAL CONTEXT

A Background Note

Political intrigue and cross-overs have complicated and aggravated the political instability (1994-2003) which is more or less inbuilt in the autocratic constitution of J R Jayewardene. By this unique and bizarre Constitution, unexpected political developments have emerged. The quite unwanted and unnecessary contradiction between (a) a popularly-elected Executive President and (b) a 'hung' Parliament based on the most distorted system of proportional representation and preferential voting for candidates district by district has effectively denied the two major political parties an absolute or even a two-thirds majority in Parliament and enabled splinter parties (both communal and opportunistic) to dictate terms thereby, in the process of legislation and formation of governments. This is most evident in the period between 1994 and 2003. The bizarre Constitution of 1978 has exaggerated the political importance of the personal contest between the Executive President, Chandrika B. Kumaratunga, and the Prime Minister Ranil Wickremesinghe beyond sensible and justifiable proportions, thereby frustrating the popular mandate received by the latter in the 2001 General Elections to end the twenty-year old Eelam War and usher in "Peace and Prosperity" to the whole Sri Lankan People irrespective of their ethnic and other divisions. Unlike the autocratic Presidency of J.R.Jayewardene, Ranasinghe Premadasa (1978-94) and the weak but democratic Presidency of D.B.Wijetunge, the Presidency of Chandrika B. Kumaratunga combines the weaknesses of all the past Executive Presidents. (1978 - 1994).

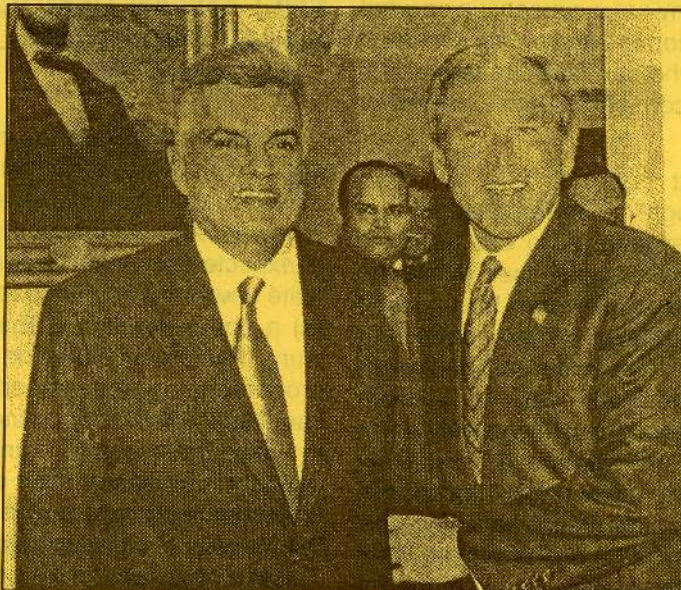
Her capricious style of governance in the absence of proper political advisors is mostly characterised by vacillations, doubts, hesitancy, incompetence and delays, thus sowing political confusion and engendering political instability in the ruling classes, to which she herself belongs. As a result the political situation seems to border on anarchy, demoralising both government and opposition. This is likely to lead to the most undesirable political disorientation by giving undue importance to the minor parties such as Tamil National Congress (TNA) Sri Lanka Muslim Congress (SLMC), Ceylon Workers Congress (CWC) and the Janata Vimukthi Peramuna (JVP) in the Parliament. This situation has



President Chandrika Bandaranaike Kumaratunga

31st December 2003

also prompted the US Ambassador in Sri Lanka to declare his neutrality between the two major political parties - the UNP and the PA (mainly SLFP). It has also impelled Indian Diplomacy to throw its weight behind the President (CBK) being motivated by the Geopolitics of the Indian ocean as well as by the threat of Tamil separatism spreading from North Eastern Sri Lanka to Tamil Nadu in India.



PM Ranil Wickremesinghe with US President George W. Bush
(Courtesy: Daily News)

Also, the situation has degenerated due to the excessive demands of the Tamil Tigers, bordering on their original objective of Eelam, causing grave fears and anxiety in the Sinhala people. A General Election in Sri Lanka at this juncture, will no doubt unleash all the powerful forces of Sinhala Buddhist chauvinism and pose a serious challenge to the multi-ethnic and comparatively secular-democratic UNF Government. This Government has appeared to neglect the Sinhala masses in the South, by leaning too heavily on the minority communal parties, ie. the Tamil National Alliance with 16 seats, the Ceylon Workers Congress 4 seats and the Sri Lanka Muslim Congress 10 seats to maintain its Parliamentary majority around 125 - 130

The UNF Government (2001 -2005) has also demonstrated its utter subservience to American Imperialism, the World Bank and the International Monetary Fund at the expense of the masses, who have been forced to swallow the bitter pill through privatisation, price increases, inflation and wage-stagnation by the government's excuse of restoring economic stability and growth by 5%per annum. In reality, the UNF Government has directly benefitted the foreign and local capitalist class by



Prime Minister Ranil Wickremesinghe With US Deputy Secretary of State Richard Armitage in Washinton
(Courtesy: Daily News)

extravagant concessions of tax-cuts and low interest rates, as well as a host of special incentives to promote the investment of foreign domestic capital, in order to create employment for the jobless old and new workers. However, the global crises of capitalism stemming from the tremendous leaps forward of technology and the productive forces on the one hand, and the massive concentration of capital in the hands of the multi-national and trans-national corporations, on the other hand, inevitably

causes mass unemployment in the first world of advanced industrial nations in North America, Western Europe and Australasia.

The global economic crisis due to falling profit rates and fluctuating share markets has impelled the migration of capital to the second world (ex-communist States in Eastern Europe and Russia) and the Third World (Asia, Africa and Latin America) in search of cheap labour, low-cost infrastructure, under-valued raw materials oil reserves to escape global deflation.

The UNF Government faces an uphill task of winning the support of the Sinhala Buddhist masses to its capitulationist policies in relation to the LTTE and its neo-

colonialist approach to the discredited World Bank & IMF in the sphere of the economy. Selling 'peace and prosperity' to the Sri Lankan people in the context of the crises of global capitalism and western imperialism is likely to be a most difficult challenge to the UNF Government who may increasingly find it difficult to keep its democratic pretensions in the face of mass opposition.

Spectre of Economic Depression and Imperialist World War!

May Day Message of the Christian Workers Fellowship (CWF)

Coming so soon after the illegal and naked aggression of US led imperialism on the hapless people of Iraq, it is not only with a deep sense of outrage but also with firm resolve that we join with the working people the world over in raising high the Red Standard of the Workers that symbolises common humanity and our commitment to freedom and justice.

We have in the years past, experienced illusions caused by the tactical withdrawal of British Imperialism from its colonies in Asia, Africa and elsewhere from 1948. Despite this, the capitalist economic base of Western Imperialism has remained intact, helped today with the super-technology marketed and exported by the transnational monopolies who control the United States of America. The contradictions of the global capitalist market economy arising on the one hand from the massive concentration of capital in North America and Western Europe and the mass unemployment and poverty of nations elsewhere on the other, has resulted in the fear of global depression, poverty and mass uprisings, driving US imperialism to resort to military and industrial preparations for the Third World War officially termed "the war on global terrorism". This means in reality a war against all anti-capitalist movements and anti-imperialist States which revolve around the so-called "axis of evil" ie. Iraq, Iran, North Korea and many more including Syria, Libya, Cuba and eventually Russia and China.

But whereas the old style British imperialist colonialism at least theoretically respected the "rule of law" and used it as a rationale, the 'New Labour' of Tony Blair recognises no such limitation. Led by US Defence Secretary Donald Rumsfeld's "Shock and Awe Super Power" in the world the United States of America headed today by 'born-again Christian' George W Bush, the US – UK Coalition's foray into Iraq, shows plainly that their agenda is the domination and plunder of the rest of the world with no concern whatsoever for humanity.

Coming to Sri Lanka, the two main issues affecting us and the working masses, are the unresolved ethnic or national question and the World Bank – IMF Programme which is sought to be forced down on our country. While both these issues need to be faced in a manner which would preserve our self-respect as a people, we cannot forget that affecting them both is the hidden hand of US Imperialism.

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Our Peace Process

In our peace process too the role of the USA has become increasingly evident. It is no secret now that it is US military power and its readiness to use it, that has kept the rebel Liberation Tigers of Tamil Eelam (LTTE) in check as a part of the professed US "war on global terrorism".

While the internationalisation of ethnic conflict has helped to make the United National Front (UNF) Government to rely increasingly on the USA as its main ally in the resolution of the conflict, there is the grave danger of the Government abdicating its own sovereignty on this question. This issue must properly be resolved by Sri Lanka alone, with a consensus to be reached between the two major Southern parties – the United National Party (UNP) and the Sri Lanka Freedom Party (SLFP) both of whom are responsible for the impasse into which we have fallen.

The international community must of course help, but should not come in as an arbiter for this can only make a mockery of our independence and sovereignty.

Furthermore it must be recognised that foreign powers will come into our peace process only to further their own interests. Under a previous US Republican Administration in the mid-1980s, President Ronald Reagan sent General Vernon Walters, a friend of South American Dictators as his Special Envoy to President

Jayewardene. The situation in our country became inextricably worse. Now we have former Covert Veteran Operator in Vietnam Richard Armitage as US Deputy Secretary of State dealing with Jayewardene's successors.

Today, the US wants the LTTE to 'renounce violence'. It is not being called upon to respect democracy or human rights. Indeed, it is only very grudgingly the child conscription by the LTTE was taken up at negotiations. The LTTE's attack on its political opponents, abductions and murders are simply being swept under the carpet. The police and the Sri Lanka Monitoring Mission (SLMM) just ignore them. However, the LTTE attempt to cow the Muslim population into submission by terror as evidenced recently in the rampage at Mutur on April 17, will never be an easy exercise. It brings into sharp focus the need to respect the rights of Muslims and Sinhalese too, especially in the East of the Island.

Ironically, it is this peace process that even now is being held up as a model for other similar situations! We may see a parallel in other US protégés – the warlords of Afghanistan, who have in an appropriate sense 'renounced violence' – meaning they would co-operate with the US – but are allowed to violate the rights of ordinary people with impunity. The message the US wants the LTTE leader to hear may be read: 'Become our pet warlord, or we will destroy you (and much else.)!' **The aim of US policy in Sri Lanka appears to be to install itself as the godfather of the LTTE as well as the powers in Colombo.** Note the shameful lack of protest from the UNP and PA right wing to the rape of Iraq! So much for our self-respect as a nation!

WB – IMF Programme

As regards the other main issue – that of the WB-IMF 'conditionalities' which the government is committed to implement, the true role of the IMF and World Bank has been exposed in a book produced in 2002 and titled ***Globalisation and its Discontents*** by Professor Joseph Stiglitz winner of the Nobel Prize for Economics in 2001 who was the Chief Economist at the World Bank and its Senior Vice-President for 3 years (1997-2000). Having also visited many Third World countries including China often as an economic adviser and gained first hand knowledge of their situations and problems, he states: 'I have written this book because while I was at the World Bank I saw first hand the devastating effect that globalisation can have on developing countries, and especially the poor within those countries..... Part of the problem lies with the international economic institutions, with the IMF, World Bank and WTO which help set the rules of the game. They have done so in ways, that, all too often have served the

interests of the more advanced industrialised countries – and particular interests within those countries (like MNCs and banks) rather than those of the developing world."

In our country, the United States with the compradore bourgeoisie led by the UNP and the private media, was able to successfully manipulate political factions to defeat the PA at a premature election in December 2001 and capture power in Parliament, setting the stage for intensification of the process of globalisation according to IMF/WB/WTO dictates.

World Crisis of Capitalism

However it has to be recognised that the USA and the world economy is heading for a recession. The national debt of the USA is \$5.3 trillion. In contrast, the national debt of all Third World countries taken together is \$ 2.3 trillion – less than half that of the USA! The annual rate of development of the world economy is showing a downward trend though with fluctuations (2.0% from 1992 – 1999 and 1.0% in 2001).

The 2002 ILO Report states there is a steep rise in unemployment world rates. UN and WTO Reports highlight the global increase in poverty and its impact on human health. The income of the richest 362 persons in the world in equivalent to the total income of the 45% of the world population. According to the UN, half the world's population live below the poverty line of 2 US dollars per day in terms of the criteria determined in 1985. According to the UN Human Development Report of 2002, the poorest 10% of the world's people had only 1.6% of the income of the richest 10%. The gap between the rich and poor countries was 60 times in 1992. This has increased to 75 times within a decade. The situation within countries is equally grave.

World-wide protests have erupted in the developed countries against Capitalist globalisation and not a single international conference of either IMF, World Bank, WTO, World Economic Forum or of the G7 has been spared from those protests. Lula de Silva the veteran trade union leader who won the Presidential Election in Brazil the largest country in South America is a product of anti-globalisation protests.

Everywhere the call for an alternative economic system promotive of human development has been raised as a counter to capitalist globalisation. In Sri Lanka the UNF Government is bent on pursuing the IMF Agenda. In an attempt to bridge the Budget gap, hasty privatisations are being carried out which result only in a fraction of the true value of the enterprise being realised, the latest being the income earning Insurance Corporation of Sri Lanka (having a net profit of Rs.1.7 billion in 2001). The only result of

Our Vision and Perspective

such actions will be the further dropping of the State's annual income. It is well known that Argentina which got into deep economic crisis from following IMF policies, resorted to extensive privatisation including even the sale of cemeteries, but was not able to emerge from the crisis. Though the UNF government's efforts to modify labour legislation to permit employers to hire and fire at will has suffered a temporary set back, such moves have however not been abandoned. Efforts are being made to undermine the pension scheme and also give private capitalists access to EPF and ETF funds.

Fears have been expressed of our ending up as a colony of America – a move facilitated through the right given to foreigners to buy land at will and also buy 100% shares in any Sri Lankan company and the grant of rights to the US military to make use of our facilities (air, land and sea). The global corporations can therefore get control of our economy directly and also indirectly through the market and with the help of the US military protect their assets. The increase in the power of the IMF/WB/WTO will result in their dictating policies to the government. It is the National sovereignty and independence of Sri Lanka that is now at stake!

It would become our task in this situation to help expose the dangers confronting our people, and along with the workers' movement and mass organisations to mobilise resistance to US imperialism who is utilising the peace process for its own purposes. Towards this objective, it should be our endeavour to ensure that a proper peaceful resolution of our ethnic issue is reached through a consensus between the political forces of the south represented by the President and Prime Minister in the first instance and the resumption thereafter of the on-going talks with the LTTE, to ensure peace with justice through a negotiated political settlement.

As regards the US controlled WB – IMF programme that is sought to be imposed on us, to work towards the devising of an alternative programme of human development to be placed before our country to counter the effects of capitalist globalisation. This is in fact the crying need expressed also in the anti-capitalist movements that are becoming increasingly vocal the world over, showing up the present order based on the global market economy as being irrational and destructive.

This sharing of food done sacramentally at this Service must be translated socially, economically and morally to help us build the sharing society which Jesus called the Kingdom of God/Dharma. The Mass is both the symbol and foretaste of that Reign of Dharma and thus becomes a powerful dynamic for social action to transform our society and the world.

At this May Day Workers Mass we affirm our faith in the social order as it should prevail in accordance with the workings of the Dharma of all faiths. The demonic forces of Mammon (oppressive rule and power of global capital) is reflected today in the debasement of human beings and all natural resources and their conversion into mass commodities. Consumerism, vice and corruption and the ever-widening gulf between rich and poor – are challenged at this Service with the vision of an alternative, just rational and truly human social order based on a global planned economy.

For the Mass is basically an action about material wealth, food and the sharing of food. The anarchy of the capitalist global market is exposed and contrasted with the action at this Mass when Bread and Wine as symbols of God's earth and human labour are presented at the Altar to be blessed and **shared by all** in Holy Communion as the Body and Blood of Christ, for the **whole of humanity** (not just Christians) is the family and mystical body of God.

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Let us then go from the Mass strengthened and resolved to do all we can in this critical period in the world to advance the Reign of Dharma through struggle for the emancipation of humanity from this unjust and oppressive social system.

May 01, 2003

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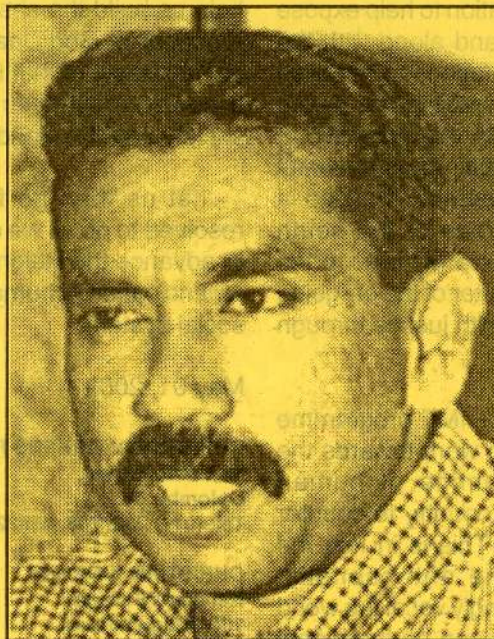
Date of Release: 15th June 2003

The Murder of T. Subathiran : Sri Lanka's End Game

The murder of **Thambirajah Subathiran** (Robert) may signal the end of Sri Lanka's peace process, yet many in Colombo and the wider world will not even recognise his name. The papers would carry short notices describing him as the deputy leader of the Varatharajaperumal wing of the EPRLF, an insignificant political force by conventional assessments. But the LTTE scrutinises its enemies very minutely, and undoubtedly came to a very different conclusion.

Subathiran was among the few remaining bold and assertive members of the beleaguered democratic scene in the North-East of Sri Lanka. Always under pressure, the democratic hope, which that movement represented, has been driven to near suffocation by LTTE repression, compounded by Norwegian arrogance and the myopic opportunism of the UNP. Though cruelly deprived of the opportunity to do greater things for his people, Subathiran's courage and his services to the Jaffna Municipal Council as a firm and clear democratic voice will be remembered. He advocated constructive cooperation with the TULF dominated Council.

During his period as councillor, two mayors, Sarojini Yogeswaran and Sivapalan, were murdered by the LTTE. Subathiran played a key role in defying the LTTE's threats and giving his fellow councillors the heart to carry on. Those who knew Subathiran were deeply struck by his large humanity and readiness to cast aside narrow loyalties for the greater welfare of the people. This was part of the Marxist inspiration the group's pioneers had imbibed. Subathiran was a pillar of strength to the last mayor, Mr. Sellan Kandaiyan, in standing up to the LTTE's intimidation and attempts to take over the functions of the Council. This brought him into direct confrontation with the LTTE and its agents, where he was firm and assured, but always a polite voice



Thambirajah Subathiran (Robert)

of reason. Every society in crisis produces individuals, who will, to the last, stand up for truth and justice against hopeless odds. Subathiran will surely not be the last of them in the Tamil community.

In the run-up to the recent donor meeting in Tokyo, which the Tigers decided to boycott, LTTE attacks on Tamil opponents reached alarming proportions. The Tigers have targeted not only active members of opposing groups, but also hundreds of individuals who had left these groups long ago, had young families and were leading civilian lives. Subathiran himself was struggling to help the community cope as the pressure intensified.

- On 12th June, two days before Subathiran was killed, the LTTE attacked former EPRLF member Nagamuttu Nagendran (35) in Chunnakam, Jaffna, with swords and knives. Nagendran, a father of five, screamed, and the assailants ran away leaving the victim with one hand severed and the other hanging limp.

- On 6th June the LTTE cut with a sword and badly injured reserve police constable Sathasivam Sarvananda (31), a father of two, in Thimilativu, Batticaloa.

- In the night of the same day, 6th June, the LTTE threw a grenade at two former TELO members in Kallady, Batticaloa, returning from a temple festival. One of them, Velusamy Samuel (30) was killed with his one-year-old daughter Naveena.

- The following morning (7th) Ramasamy Vijayanathan (33), a former EPDP member who was watering plants at a restaurant in Thirugnanasambandar Street, Trincomalee, where he was working, was shot dead by LTTE gun men.

- On 10th June, the LTTE shot dead Subramaniam (32), father of a child, at Maharambaikulam, Vavuniya.

- On 12th June, the LTTE threw a grenade into a Muslim restaurant in Valaichenai, which was open during an LTTE-ordered *hartal* injuring six persons. Haniffa (60) and Meerasaibo were admitted to Batticaloa Hospital with severe injuries.

- On 12th June, the LTTE shot and injured Sivasegaram Vijayasegaram (Arasan), a former member of the EPRLF, now employed as a UC driver, in Chelvanayakapuram, Trincomalee.

During this period, it fell to Subathiran to go around the North-East and visit party offices, in which local members lived under siege, to keep up their spirits. At dawn, on 14th June, Subathiran was killed by sniper fire from the direction of Vembadi Girls' School while exercising on the flat above the EPRLF(V) office. One bullet struck his shoulder and the other bullet had caused internal bleeding in the chest.

Shortly afterwards party members went to the school with the Police and examined a three storey building from the upper floor of which it is possible to have a view of the flat on the EPRLF(V) office 200 yards away. The classrooms were locked. In one classroom, which the watcher opened for them at their request, they found the window netting cut to make space for the barrel of a rifle, a table placed near the window with the sand bag on it to keep the rifle steady, and some biscuit packets and an empty 1.5 litre bottle of soda. The Police have arrested the watcher. Party members had seen Easwaran, the LTTE's area leader for Nallur, in the Vembadi Girl's School grounds the previous afternoon. This had been denied by a school watcher with whom they checked immediately.

EPRLF-LTTE Relations – A Tragic Story of a Struggle Destroyed from Within

The LTTE had been killing members of the EPRLF by stealth and deceit from 1985, reaching epic proportions

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upon the departure of the IPKF in 1990. Those who survived were refugees in India for a time, where in June 1990 the LTTE gunned down several of its leaders, including the charismatic Padmanabha.

Like Subathiran, many in the group were committed democrats. Having suffered severely at the LTTE's hands, they attempted to do political work behind the cover provided by the Indian Army. In the fight to prevent the LTTE from wrecking any political process under the Indo-Lanka Accord, democratic ideals were

compromised. There was an orgy of killing and counter-killing. Subathiran's father Thambirajah too was arrested and killed by the LTTE during this period.

Several of the group's survivors painfully evaluated their experience and decided to return to Sri Lanka and do political work avoiding any operational links to the State forces. They started publishing their paper '*Puthiyakannottam*' (*New Vision*). This was a difficult period. The massive killing of Tamil civilians by the Sri Lankan Army in 1990/91 gave the LTTE a new legitimacy in the eyes of the world. As the Army got bogged down, the Tamil Press in Colombo, and even many former militants from groups decimated by LTTE terror, and politicians like Kumar Ponnambalam who had been very critical of the LTTE, gravitated towards the LTTE's ultra-nationalist slogans. For many of them, resisting the LTTE's terror appeared futile and unrewarding.

The EPRLF reestablished its Jaffna office in 1997 and obtained 15% of the vote in the 1998 municipal elections, a creditable performance for a party that could not go out and canvass. The party found itself in deep crisis in 1999 when its General Secretary Suresh Premachandran made a deal with the LTTE and walked out with nearly all party's money and property held by him in trust. At this time the LTTE's terror too became more intense. But most members of the group stayed with Subathiran.

It is misleading to judge the significance of a party by counting votes in a skewed environment crushed by terror. Anyone familiar with the scene knows that the people long for a way out of the death trap set by the LTTE, but cannot, for the fear to express it concretely. Privately, at

least, there is tremendous appreciation of people who stand up to the terror and give hope of an alternative. On the contrary, those who have joined the TNA have not done so out of any faith in the LTTE's politics, and their role is to ensure that the Tamil people are crushed. Not surprisingly, they were the cheerleaders of the UNP-Norway peace process.

No one with any passing knowledge of the LTTE can call the fate to which the Norway-sponsored cease-fire MoU subjected the non-LTTE groups, an innocent misjudgment. It was sheer cynicism. The arms these groups had for their protection were removed and the LTTE was allowed into the government-controlled areas with practically no checks. **To say that the LTTE was unarmed was convenient fiction; the public knew otherwise. The SLMM and the UNP remained silent as abductions and killings of persons opposed to the LTTE accelerated.** The Government even helpfully distracted the public from the LTTE's killing of Tamil members of the Sri Lankan Army, by surreptitiously pinning on the victims the label 'Tamil informants'.

Amidst murder and the abduction of children for use as combatants, the Government and Norway got the rest of the world to praise the peace process. When confronted with violations by the LTTE, they simply said that there was no evidence - evidence for which they never looked. Members of non-LTTE groups who tried to draw the attention of Norwegian or SLMM officials to their plight, found themselves effectively rebuffed, sometimes the annoyance of the officials reaching the point of rudeness. To the Norwegians, those insisting on building and preserving democratic norms were a nuisance.

Conclusion

The peace carnival is now all but over. It bought the LTTE nearly an 18 month free run to conscript children, draw up hit lists, spy and carry out its fatal missions, before returning to war. For its trouble, the Government seems to be satisfied with post-dated cheques from donors supposedly worth four and a half billion dollars.

The question is whether, even at this extremity, the international community is prepared to make people and their well-being central to the process? Has the Government, which created a nightmare in the name of peace, learnt enough to deal with what is coming without inflicting further horrors on the Tamil people? Does the Opposition command the statesmanship to be restrained in its quest for power, and to guide the Government through the initial crisis while ensuring that the ordinary Tamil citizen is treated with fraternal concern?

Peace groups in Colombo, who under prodding from their overseas 'partners' praised appeasement of the LTTE in the name of peace a grand idea, have had some much belated afterthoughts about democracy and human rights in the North-East. With active encouragement from the LTTE, its agents and the TNA, they pushed for third party mediation and international involvement. The reason: neither the Tamils nor the LTTE can trust a Sinhalese government!

Now, suddenly, the LTTE does not want to talk to its Norwegian and Japanese interlocutors who were paying regular pilgrimages to the Vanni and begging it to go to the Tokyo Conference. Even the bizarre sideshow of the

LTTE's well publicised binge murdering democratic opponents, and civilians, did not appear to dampen their enthusiasm or the strength of their entreaties. All this pleading did not help to allay the LTTE's fears that someone, at the Tokyo Conference, might extract from it a pledge, even a merely formal one, to respect democracy and human rights. Against that risk, even the prospect of Tokyo's multi-million dollar cheques turned sour.

The signs are that the carnival is coming to a close and the country faces, barring a miraculous reprieve, the terrible cruelties of war. Tolerating human rights abuses by the LTTE in various forms during the process has not yielded any opening for the people to assert their will. It rather reinforced totalitarian control so that the LTTE may once more force the people towards a war they do not want.

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A press statement: ■

Tiger trap for Trinco siege

Situation Report by Iqbal Athas

Over the centuries the north eastern port city of Trincomalee has been steeped in history. The Cholas; the Pandiyans, the Portuguese, the Dutch, the French and the British have all left their footprints.

In more recent times, for the British, Trincomalee was their first possession in Sri Lanka. During World War II, it was home for the British Far East Fleet after the fall of Singapore. During this time it was bombed by the Japanese.

Yet, Trincomalee remained a British naval base, long after Sri Lanka's independence in 1948. When they withdrew in 1957, the Navy took over. It became their largest base.

The international significance of Trincomalee diminished somewhat after World War II with developing naval technologies. But with one of the world's deepest natural harbours and naval infrastructure it has always remained a strategically important facility.

In the early eighties, possible military use of the port and the oil tanks there by the United States fuelled fears in neighbouring India. It came in the backdrop of the growing rapport with China, then the only supplier of military hardware to Sri Lanka.

The UNP Government at that time was negotiating to lease out the tank farm to a US company. Piqued by the move and in the aftermath of the 1983 ethnic violence, a deeply concerned Government in New Delhi turned a blind eye to Tamil militant groups operating guerrilla training camps in the southern Indian State of Tamil Nadu. What followed thereafter was a near two decade long separatist war. The Liberation Tigers of

Tamil Ealam (LTTE) eliminated all other rival groups in their armed struggle to establish a so called separate State of Tamil Ealam. They declared that Trincomalee would be the capital city of that new nation.

When the ruling United National Front (UNF) signed a Ceasefire Agreement with the LTTE on February 22 last year, that officially marked the end of a phase of hostilities of Eelam War III. That fierce phase accounted for the largest losses in human and material terms.

The UNF was keen to undo what their own political predecessors did. They leased out the tank farm to State owned Indian Oil Corporation (IOC) - a move that ensured not only an Indian presence but also cleared their apprehensions. Since then, two fully equipped frigates of the Indian Navy have been patrolling the international waters, off Trincomalee

The importance of Trincomalee continues after the ceasefire as both a naval, political and economic centre. It still remains the life line for some 40,000 troops and policemen deployed in the Jaffna peninsula. It is only a few hundreds who travel in and out of the peninsula by aircraft daily. The bulk moves about by ships from Trincomalee after traversing along the main Alpha Eight highway. Military supplies and provisions for their sustenance take the same route. Hence crippling Trincomalee or choking Alpha Eight, like denying oxygen to a dying person, can be fatal to the troops holding the peninsula.

This is why the recently set up LTTE camp at Manirasa-kulam (or more appropriately at Kuranku Panchaan Kulam), just four kilometres south of an existing army camp, assumes greater significance. In mid



(Courtesy: Sunday Times)

June, villagers tipped off the army that a new guerrilla camp was being set up just four kilometres away.

An Army officer who went to the scene found construction work under way whilst armed guerrillas gave protection. He reminded the guerrilla leader on the spot that such activity in a Government controlled area violated the Ceasefire Agreement. His protests were brushed off. As the officer got in to his vehicle to return to camp, guerrillas opened out with 40mm grenades. They, however, missed the troops who were standing close by.

The Army lodged a protest to the Sri Lanka Monitoring Mission (SLMM). After a probe the SLMM ruled that the guerrillas should dismantle the camp and withdraw from the area. Weeks have passed but they are staying put. This week, the over enthusiastic State and sections of the private media reported the LTTE would pull out within 72 hours, only to draw a denial within hours from the guerrilla hierarchy in Kilinochchi. Fortification of security at the camp, located near a village where Muslim residents were re-settled after the ceasefire, continues.

But a development that sent tremors down the UNF, hierarchy over the issue came from S. Prabakaran alias Pulithevan, the deputy head of the LTTE Peace Secretariat. Mr Pulithevan, now spends as much time in Colombo as he does in Kilinochchi. Unlike his guerrilla colleagues who are disciplined to lead frugal lives, Mr Pulithevan seems exempted from that strict LTTE code.

He has often preferred the luxury of Colombo's five star hotels or deluxe apartments. He had read reports early this week in the Colombo Tamil media. One report had attributed remarks to Defence Secretary, Austin Fernando, that the Government would resort to military action to oust the Tiger guerrillas from Manirasakulam.

Such remarks, he thundered, amounted to a warning to abrogate the ceasefire. In such an event, he clarified from UNF leaders, whether those remarks were an intimation, as stipulated in the Ceasefire Agreement, to give two weeks notice for abrogation. He was assured that was not the case. Defence Secretary Fernando issued a denial that he made such remarks. Needless to say the prompt response pleased his good friend, the guerrilla peace broker.

In another unrelated development, there was also a prompt response through a press release over Jaffna Security Forces Commander, Maj. Gen. Sarath Fonseka, going on overseas leave: On Thursday night posters had come up at Lipton Circus. They suggested that Maj. Gen. Fonseka was being sent out on leave so the High Security Zones in Jaffna could be dismantled. "The absence of Maj. Gen. Fonseka in the office will not affect HSZ.... and the stand of the Army on High Security Zones remains the same," said the Op Hq of the Ministry of Defence.

The LTTE camp at Manirasakulam, now set to remain despite all the protests, is endemic of the gradual transformation of the landscape around Trincomalee. Tiger guerrillas have opened up new military camps, re-occupied ones they abandoned and set up a string of satellite camps around bases that existed. The map on page xxxiii tells the story of this changing environment. Newly recruited cadres have been trained and moved in. New weaponry and communications equipment have been widely distributed.

This rapidly developing scenario in and around Trincomalee is signalling a marked shift to the military balance. The Tiger guerrillas are continuing to become stronger militarily whilst the ground they dominate are expanding. This is in the backdrop of the Security Forces being plagued with desertions, hit by lack of resources and forced to maintain an inactive profile lest they be accused of sabotaging the peace process.

They are yet to receive even the three months requirements to replenish their dwindling stocks of ammunition and other items. The long term impact of this change may lead to a virtual siege of Trincomalee - a move that will threaten not only Sri Lanka's but now India's own interests.

This is the most disturbing, if not the worst impact, the Tiger guerrilla actions in the east during the 17 month long ceasefire has brought about. In the neighbouring district, of Batticaloa, recruitment and training of cadres had gone on at such a hectic pace. According to one intelligence source the guerrilla strength is now around 9000 cadres as against a Security Forces strength of just over 6000. In the adjoining Ampara district, training camps in the Kanjikudichiaru jungles are said to continue.

That these developments have caused serious concern at the highest levels of the security establishment is no secret. A development which reflects this phenomenon clearly and comes as a warning to the government took place at a meeting of the Security Forces and Police top brass last Wednesday, Lt. Gen. Lionel Balagalle (Army Commander) who is acting Chief of Defence Staff chaired a session with Vice Admiral Daya Sandagiri (Commander, Sri Lanka Navy), Air Vice Marshal Donald Perera (Commander, Sri Lanka Air Force) and Deputy Inspector General Indra de Silva (representing T.E. Anandarajah. Inspector General of Police).

They were discussing a letter that had ended up with the Army for action. Having established two "Police Stations" in the east, one at Sampur, (Trincomalee District) and another at Palugamam (Batticaloa District), the LTTE has now planned to open a "Police Headquarters" for the East at Kokkadicholai (Batticaloa district). Staff had been trained in the Wannu and had to be moved out through Government controlled areas. V. Bavan of the LTTE Peace Secretariat wrote to Hargrup Haukland, acting head of the SLMM. He

forwarded the letter to John Gooneratne, acting Director General of SCOPP (Secretariat Co-ordinating the Peace Process in the PM's Office). From the latter, it went to Defence Secretary Austin Fernando who had called for Army action. This is what Mr. Bavan said:

LTTE -PEACE SECRETAR1AT

Kilinochchi 29-07-2003

Acting HoM SLMM

Dear Sir,

Subject: Transportation clearance of LTTE policemen

24 newly trained LTTE policemen will be going by bus to Batticaloa for their duties on Friday 1st of August. They will cross the Omanthai check point around 12.30.

They will be in civil dresses and carry uniforms in their bags individually. Please make the necessary arrangements for their journey. Mr. S. Tamilarasan is the OIC of this police team.

—V.Bavan

Here is the case of the LTTE requesting permission from the Government of Sri Lanka for the passage of its "policemen" from the north to the east. Firstly, the so called police are not officially recognised. In fact, the latest proposals on a provisional administrative council (exclusively revealed in **The Sunday Times** July 20) specifically leaves out recognition for such an organisation besides the subjects of land, security and revenue.

The Sunday Times learnt a lengthy discussion ensued at the JOH meeting of top brass. Whilst agreeing that they should not impose any measures on the movement of LTTE leaders that would be construed as an obstruction to the peace process, they felt the latest request was different in nature. Whilst not recognising the LTTE "police" in a response to be sent to them, it was felt that some reciprocal measures had to be sought.

Giving effect to the decision of the top brass at the JOH meeting was the Army's DGGS (Director General of General Staff) Maj. Gen. Chula Seneviratne. He wrote (on behalf of the Army Commander) directly to the acting Head of SLMM with copies to Defence Secretary Fernando and the SCOPP. Excerpts of what Maj. Gen. Seneviratne said on July 30:

"In the above referred letter LTTE has made a request to transport 24 LTTE members through Omanthai Entry Exit Point, and the cleared area into Batticaloa uncleared area. The Army will not only conform to the LTTE movement but will certainly assist to facilitate unhindered movement through the entry Exit Point and escort the LITE members

through the cleared area in vehicles belonging to the Sri Lanka Army.

"We will also be willing to accommodate any timings given by the LTTE at their convenience. However, carriage of weapons and uniforms will not be permitted. Catering for this need the Security Forces will provide security for the LTTE members throughout the entire journey from Entry Exit Point Omanthai to Entry Exit Point Mankerni / Chenkaladi in Batticaloa as done in the past. It is stressed further that Army will make all necessary arrangements for the safe and unhindered movement of LTTE members from Omanthai to Batticaloa.

"However, in reciprocation, it is requested that an undertaking is obtained from the LITE that they abide by the ruling given by the SLMM regarding the vacation of the Manirasakulam camp immediately. It is also necessary that the LTTE be informed to permit SLMM monitors to inspect the newly constructed bunkers in the Welioya area violating the MOU. The accomplishment of above will enable the implementation of the LTTE proposal to move their members to Batticaloa.

"It is expected that LTTE leadership will be convinced once properly briefed, the importance of seeing the problems on the ground, since we have to work together to achieve success in the Peace Process. It will be of immense value in building confidence between the Security Forces and the LTTE which has been eroded to some extent during the past due to the blatant violations reported."

In other words, to allow 24 LTTE "policemen" to pass through controlled areas the Security Forces and police top brass unanimously insisted through the Army that the guerrillas should (1) permit the SLMM to inspect a LTTE bunker line which the Army complains had been put up after the ceasefire. It says this bunker is within the line of control and thus violates the ceasefire agreement. (2) The LTTE should dismantle its camp at Manirasakulam and withdraw from this Government controlled area.

The acting head of SLMM Mr Haukland, after consulting the LTTE, responded. He wrote to Defence Secretary Fernando (with copy to Army Commander) on July 31 saying "SLMM is very pleased with your decision to provide Army escort for the transport of 24 LTTE policemen while travelling in GOSL controlled area on Friday August 1."

Dealing with the two requirements set out by Maj. Gen. Seneviratne, Mr. Haukland said "...the newly constructed LTTE bunkers will be inspected on Wednesday the coming week." As for dismantling of the Manirasakulam camp, he pointed out that "the LTTE has so far not responded positively to SLMM ruling..." He added "I have tried to reach Tamilselvan to discuss the matter with him, however, it has not been "possible to get in touch with him."

"Taking into consideration the above mentioned," Mr Haukland said "I strongly recommend that the LTTE road movement on the 1st of August 03 should go ahead with army escort as planned. SLMM will monitor the road movement throughout."

The Sunday Times learnt Defence Secretary Fernando heeded Mr. Haukland's request. He is learnt to have asked the SLMM to ignore the requirements set out by the Army. After he overruled the Army, which took the decision with the concurrence of the Navy, Air Force and Police, arrangements were being made by the SLMM with Army in Wannai when procedural snags arose. The latter said no. They had no orders.

Immediately thereafter, Brigadier N.A. Jayasuriya, Director of Operations, wrote (on behalf of Army Commander) to Mr. Haukland reminding him of the requirements set out in Maj.Gen.Seneviratne's letter. "Please be informed that the Army cannot agree to the movement unless LTTE agrees to the pre-conditions stated above," he said. The letter (dated July 31) was also copied to Defence Secretary Fernando and Maj. Gen. Susil Chandrapala, Security Forces Commander (Wannai).

By Thursday night (July 31) strong pressure moves were afoot for the Army to back down from its major demand. It was pointed out that the issue of the LTTE camp at Manirasakulam was being discussed at the political level with the LTTE. Hence, it was pointed out that the Army should not stand in the way. Once again the UNF government was going out of the way to please the LTTE.

Brigadier Jayasuriya telephoned Mr. Haukland on Thursday night to convey the Army's latest position. It was followed by a letter from Army Commander Lt. Gen. Balagalle the same night. Excerpts:

"We wish to place on record our appreciation for persuading the LTTE to heed to our request for the SLMM to inspect bunker line in Welioya. This conforms to one of our requests set out in our letter.

"As for the other, the LTTE withdrawal from Manirasakulam, we have taken note of your fresh assurance. We also note that in your renewed attempt you have so far not been in a position to make contact with Mr. S. P. Thamilchelvan. However, since the matter is being pursued by you further we feel confident you may be able to persuade the LTTE.

'In view of the above we have agreed to escort the 24 LTTE members from Omanthai Entry/Exit Point to Chenkalady Mankerni Entry/Exit Point in Batticaloa.

"However, due to your intimation reaching us only at around 2000 hours today we regret to inform that it will be difficult for the Field Commanders to arrange for the escorts

tomorrow. Hence we could carry out this task on Saturday 02 August 2003."

However, on Friday morning the 24 LTTE "policemen" turned up at the Omanthai entry / exit point and had to be 'turned away'. They passed through yesterday.

The Tiger "policemen" reached Batticaloa where their "police" infrastructure for the east is being developed. In the meanwhile the LTTE Manirasakulam camp not only remains. Their Political Wing leader, S.P. Thamilselvan, told the media in Sampur (Trincomalee) on Friday the area has been under LTTE **"for a long' time an it was unjust for the SLMM or the Army to ask the LTTE to remove the camp.**" The **Tamilnet** said he flew into Sampur in an Air Force helicopter from Batticaloa. Earlier, he arrived in Batticaloa from the Wannai also in an Air Force helicopter.

Excerpts from the; **Tamilnet** report: "Mr Thamilchelvan said the LTTE camp at Kurankupanchan had been there for a long period but the government troops did *not know the existence of i the camp for several years, as they couldn't go close to the LTTE held area during the war.*"

"We do not want to make a big issue out of this Kurankupanchan camp issue. But a section of the media and elements bent on disrupting the present peace initiative are using the camp issue to the maximum to achieve their ends," Mr. Thamilchelvan said.

"According to him, the Sri Lanka Monitoring Mission had believed the information supplied by the Sri Lanka Army at the First instance without verifying facts.

"Col. Pathuman interjected. It is like asking us to leave our own house which has been in our control for a long time. We have the deeds. There is no need for us to leave Kurankupanchan area.

"It is advisable for the parties concerned to leave the matter aside, said Mr. Thamilchelvan. Col. Pathuman pointed out that the SLA has recently established a temporary camp just 4 km away from the Kurankupanchan LTTE camp after this issue gained media attention."

The LTTE also plans to open more camps in the Trincomalee district and argue the Army has been doing the same in other areas. These developments make it manifestly clear that the LTTE are pursuing their strategic aim of dominating Government controlled areas in the eastern province. This has always been an area in which Tamil community is in the minority in this tri communal province.

Therefore the LTTE have to dominate the eastern province if they are to secure these territories as part of the so called Eelam. The eastern province remains the strategic plum for this.

Courtesy: **Sunday Times** of August 3, 2003 ■

POISONED CHALICE

Wherever it is prescribed, a dose of IMF medicine only compounds economic crisis

✍ George Monbiot

For how much longer should we give those who run the global economy the benefit of the doubt? The International Monetary Fund has made the same "mistake" so many times that only one explanation appears to remain: it is an engineering disaster.

The crises over which it has presided in Thailand, South Korea, Russia and Argentina are well-documented by Joseph Stiglitz, the former chief economist of the World Bank, among others. But we have, until now, lacked a comprehensive description of the way it worked in Eastern Europe. A new book by the economist Pongrac Nagy* shows for the first time how the IMF smashed Hungary.

The Case of Hungary

Communist economic management was hopeless: coercive, unaccountable, incompetent and wasteful. So when Hungary began to democratise in the late 1980s, it was plain that a new economic system was required. There were a number of options for transition. But before anyone had considered them, Hungary's naive and trusting new government was persuaded by the western powers that it had no alternative but to turn to the IMF.

Unless a country's economic policy is approved by the IMF, it cannot obtain foreign capital. Post-communist Hungary needed foreign capital for just one purpose: to help repay its enormous external debt. It could have applied, as many other countries had done, for debt relief, but the IMF, in the face of substantial evidence, told it that this would deter foreign investors. The only option was to implement the policies the IMF recommended.

It has just one set of policies. Governments must impose restraints upon the supply of money

and credit, open the door to foreign capital, privatise State assets and cut public spending. It justifies these demands by persuading them that they are suffering from unmanageable debt and galloping inflation.

So in 1990 the IMF told Hungary that it was undergoing an inflationary crisis. Prices, it pointed out, had risen by 17% in 1989. In truth this rise was caused not by inflation (demand outstripping supply), but mainly by policy changes, such as the introduction of VAT and the abolition of subsidies. The IMF insisted on pretending that it was caused by excess demand.

The best way of reducing demand, the IMF maintained, was to restrict the amount of money the banks could lend. So between 1990 and 1996, the Central Bank ensured that the credit made available to businesses halved. The immediate and predictable result was that interest rates soared (to 50%) and businesses all over Hungary collapsed. As workers were sacked and wages were cut, consumer demand crashed. **The IMF, Nagy writes, had "artificially plunged the Hungarian economy into its greatest-ever depression in peacetime"**. Between 1990 and 1993, Hungary's gross domestic product fell by 18%.

It has just one set of policies. Governments must impose restraints upon the supply of money and credit, open the door to foreign capital, privatise State assets and cut public spending. It justifies these demands by persuading them that they are suffering from unmanageable debt and galloping inflation.

Far from curing inflation, this treatment caused it. Between 1993 and 1996, prices rose by 130%. This was not because demand was rising, but simply because it wasn't falling as fast as supply. But the IMF, once more, treated this new problem as if it was caused by runaway demand. It insisted on further economic restriction, which, predictably enough, pushed Hungary further into depression.

To ensure that Hungary serviced its debt, the IMF demanded that it cut every possible public service,

and privatise every possible State asset. Entire economic sectors were flogged swiftly and cheaply, with the result that foreign corporations acquired complete market control. To ensure, in the government's words, "the desirable reallocation of income ... towards the business sector", Hungary was then obliged to introduce one of the most regressive tax policies in the world: 43% of government revenue came from taxes on consumption, but just 20% from income tax and 14% from business taxes.

IMF Deception & its Consequences

All this was carried out, as all IMF programmes are, in conditions of total secrecy and institutional deceit. The lie the IMF tells is that it simply approves the "letter of intent" written by a government, in which the new economic policies are contained. This story relieves it of all responsibility for what happens. But the letter of intent is actually written by the IMF, and simply signed by the government. It is massive and detailed, and guides the economic and political life of the nation for between one and three years. It is entirely confidential. The only sight the people of Hungary have ever received of IMF policy was a leaked letter from a senior IMF official to the finance minister. His demands precisely matched the policies the government was implementing.

One-and-a-half million people (almost 30% of the workforce) lost their jobs. The incomes of those who stayed in work declined by 24%; pensions fell by 31%. By 1996, most people were living on or around subsistence levels. Public services shrivelled. Between 1989 and 1998, the crime rate rose by 166%. This, we must remember, was the result of a process almost universally described as "the triumph of capitalism".

Then, in 1996, suddenly, without announcement or explanation, the policy changed. The banks were permitted to start issuing credit again and the recession, as a result, came to an immediate end. Over the next four years, industrial production climbed by 45% and gross domestic product by 21%. Wages and pensions began to rise again.

The lie the IMF tells is that it simply approves the "letter of intent" written by a government, in which the new economic policies are contained. This story relieves it of all responsibility for what happens. But the letter of intent is actually written by the IMF, and simply signed by the government. It is massive and detailed, and guides the economic and political life of the nation for between one and three years. It is entirely confidential.

The experiment, in other words, could not have had a clearer outcome. you apply the IMF's medicine and the economy collapses. You stop, and the economy recovers. It has been repeated often enough for us to trust the results. In Thailand, South Korea, Indonesia, Russia and Argentina, the IMF's financial liberalisation and forced restrictions led to economic crisis, which was relieved only as those restrictions were lifted. Those nations which refused to take the medicine, even though they were confronting almost identical Conditions (Malaysia, China, Poland) prospered while their neighbours collapsed.

Results suit the Rich Sponsors

So why, knowing what the results will be, does the IMF keep applying the same formula for disaster? It can hardly be through lack of expertise. The truth is that the results happen to suit its sponsors very well. While the IMF works mainly in poor nations, it is controlled, through its one-dollar, one-vote system, entirely by the rich. As a result, as Stiglitz says, its programmes reflect "the interests and ideology of the western financial community".

Desmond Tutu once remarked that: "When the missionaries came to Africa, they had the Bible and we had the land. They said 'let us close our eyes and pray'. When we opened them, we had the Bible, and they had the land." The Hungarians were handed the Bible of economic orthodoxy by its missionaries. Through deceit and secrecy, the IMF ensured that their eyes were shut. By the time they opened them, foreign banks and corporations owned the economy; the public sector was giving way to foreign capital; structural unemployment had produced a pliant and desperate workforce. The IMF, in other words, had engineered the theft of an entire nation. How many more times does this need to happen before we can see what the game is?

From Command to Market Economy in Hungary under the Guidance of the IMF, Akademiai Kiado, Budapest.

Courtesy: *The Guardian* (London) UK, Tuesday August 19 2003

Robin Hood in Reverse

THE 2002 Farm Bill in the USA

✍ Anuradha Mittal

THE 2002 Farm Bill can be best described as welfare with a difference, robbing the poor to pay the rich. While the Bill is a big bonanza for large producers of favoured crops such as corn, soybeans and cotton, small family farms are shortchanged.

Vast industrial farms require costly equipment, increasing the capital intensity of agriculture. As costs rise, prices fall in markets flush with surplus. As prices fall, farmers need subsidies, which are available to big growers and agribusiness only. Land values and cash rents increase. This encourages heavy borrowing. Rich landowners get richer and young farmers cannot afford to get started. An agricultural bubble economy is created. Inevitably it crashes as subsidies fail to keep pace with falling crop prices. Farms go bankrupt.

Under the 2002 Farm Bill, huge subsidies - \$248.6 billion - will go not to farmers who resemble John Steinbeck's Joad family, but (among others) to 14 members of the Congress that crafted the Bill, to wealthy corporations like Westvaco, Chevron and the John Hancock Insurance Company, to Time-Warner entertainment executive Ted Turner, ABC correspondent Sam Donaldson and billionaire David Rockefeller of Chase Manhattan Bank. Most family farms will get nothing but a tax bill.

With American markets already saturated, the US is aggressively pushing to open up foreign markets - with great success. A quarter of American farm sales are exports already. Yet evidence from the past two decades shows that exports have not delivered on their promise. Low commodity prices have only increased the profits of processors, exporters and seed and chemical companies.

Already saturated

Not only does the Bill act as a welfare programme for agribusiness, with taxpayers footing the bill - it also robs the world's poor. The US is forcing poor countries to remove subsidies and lower tariffs - while shielding itself from foreign competition by increasing its subsidies and maintaining tariffs.

Take just one example - cotton. America is the world's largest exporter of cotton, even though it is an inefficient and high-cost producer. Many US cotton growers receive half their income from the government. These subsidies further depress prices by encouraging production, thereby crippling growers in Third World countries. This costs

African countries \$250 million each year, according to a World Bank study published last February.

For decades the US has been the champion of free trade, pushing others to open their markets for manufactured goods and to stop subsidising their farmers. Back in the 1980s and 1990s the US pushed hard for reduced agricultural subsidies in the Uruguay Round of trade negotiations. At the World Trade Organisation ministerial meeting in Doha in November 2001 the US renewed its anti-subsidy commitment.

Just six months later it lavished an 80-per-cent aid increase on its own farm sector. Nobel Prize winner in economics, Joseph Stiglitz, described the new Bill as 'the perfect illustration of the Bush administration's hypocrisy on trade liberalisation'.

These double standards have unleashed a wave of indignation. Even other rich countries are worried. Canada is fighting the Farm Bill at the WTO and through the North American Free Trade Agreement (NAFTA). Saskatchewan Premier Lorne Calvert has warned that if Canada doesn't take action now its farm economy will deteriorate to the point where the country may no longer be able to feed itself.

So now the European Union (EU) - which spends more of its budget on agriculture than on any other programme - is no longer the stand-out sinner. The Japanese, too, have reason to feel relieved. In the EU 40 per cent of farm income is subsidy; in Japan it is 63 per cent.

The 'world market' in agricultural products simply does not exist. What does exist is an international trade in surpluses of grain, cereals and meat dumped primarily by rich countries and corporations. Behind the faces of trade negotiators are powerful transnationals such as Cargill and Monsanto - the real beneficiaries. Fundamental change to this repressive trade regime is essential.

Who will pay the farm bill when it falls due? American taxpayers have some nasty surprises coming. But the ultimate cost will be the tragic demise of small family farms around the world.

About the writer: Anuradha Mittal is Co-Director of agricultural policy NGO Food First based in the US.
Courtesy: New Internationalist

Representatives of over 20 key public interest groups have signed a letter to Prime Minister Ranil Wickremesinghe requesting him to look into the circumstances leading to the sudden decision of Justice Mark Fernando to prematurely relinquish judicial office. The list is headed by the most eminent legal names in the country, religious dignitaries and academics. We set out below the CRM statement on this issue.

PREMATURE RETIREMENT OF JUSTICE MARK FERNANDO

CRM distressed and disturbed

The Civil Rights Movement (CRM) is distressed and disturbed at the news that Justice Mark Fernando, the most long-serving judge on the Supreme Court, intends to retire from the Court prematurely.

Justice Fernando was appointed to the Supreme Court bench on 4 March 1988 and his contribution to the law during his over 15 years on the bench has been remarkable. Justice Fernando's judgments are clear and compelling in their analysis. They reflect that deep attachment to values of fairness and equality, to freedom of expression and freedom from torture and arbitrary arrest, unaffected by changes of political climate, which the public have the right to expect of any judge.

Mark Fernando's judgments in the field of fundamental rights have naturally been of particular interest to CRM. In one case relief was given to a member of the SLFP, whose freedom of expression was infringed when the police forcibly stopped him from beating a drum in participating in the jana gosha, an Island-wide cacophony of protest against the government's policies¹. In another, the complaint of a Wild-Life ranger succeeded, on the basis that the assault on him by private individuals (a State Minister and a Member of Parliament) inside a police station and in the presence of police officers amounted to "executive or administrative action"². The UNP mayor of Nuwara Eliya who seized 450 copies of the paper "*Yukihiya*" came within the ambit of "executive or administrative action" since she did this while purporting to exercise her functions and while acting under the colour of her office³. Relief has been granted to a regular participatory listener of a programme of the Sri Lanka Broadcasting Corporation, who complained that the programme was abruptly stopped in mid-broadcast when a government Minister was criticised during a phone-in interview⁴. A petitioner wrongfully detained under the Prevention of Terrorism Act succeeded on the basis, inter alia, that a remand order made by a magistrate without the suspect being brought face-to-face and without asking him what he has to say was not a "judicial act" but "executive or administrative action" for which the State was liable. In striking down an emergency regulation which postponed five Provincial Council elections, Justice Mark Fernando held that the right to vote was part of the

free expression guarantee provided in the Constitution, defined the nature and scope of the immunity granted to the President, and explained the powers and duties of the Commissioner of Elections in the context of maintaining his independence and ensuring elections". Very recently, he recognised the right to life as a fundamental right although not expressly provided in the Constitution, and that a third person may assert the rights of a deceased person and claim relief⁷. In another case, which was not a fundamental rights petition, but a regular criminal appeal in a case of culpable homicide, Fernando J relied on the "fair trial" provisions of the Constitution, to hold that failure of the prosecution to disclose an eye-witness statement supposedly made to the police, was an additional ground for setting aside the conviction⁸.

Statements in these judgments particularly welcomed by CRM, which for many years has been producing in three languages a series called *The Value of Dissent*, include "**Stifling of peaceful expression of legitimate dissent today can only result, inexorably, in the catastrophic explosion of violence some other day**", and "**...democracy requires not merely that dissent be tolerated, but that it be encouraged**". CRM has also observed with pleasure Fernando J's tendency to have regard to the Directive Principles of State Policy, and Fundamental Duties in the Constitution, and to international human rights conventions, in arriving at his findings. As we know, Directive Principles and international conventions do not confer any enforceable rights in national courts, but consideration of these norms have contributed to the fundamental rights jurisprudence in this country. Of fifteen Sri Lankan cases published in the Commonwealth Human Rights Law Digest, eight are judgments of Justice Mark Fernando.

Justice Mark Fernando's contribution to the law naturally goes well beyond the field of fundamental rights, though this is the area with which CRM is most familiar. An instance of clear public importance which came to our particular attention at the time was his ruling that a Provincial Council, in this instance the North-Eastern, is empowered to run a bus service within its Province⁹. Resolving an awkward problem of statutory interpretation, as the Thirteenth Amendment appeared to mean the

opposite (ie "without" but not "within"!), he quoted a US judge who said "The meaning of a sentence may be more than that of the separate words, as a melody is more than the notes". Fernando J continued: "In the symphony of devolution, the three Lists apportion to the Government and the Provincial Administrations their respective parts, and the single discordant note in List I, item 8 must be set right by a harmonious construction."

There are many equally noteworthy features in "statutory determinations" on constitutionality of Bills made by benches of the Supreme Court in which Justice Fernando was a member, such as the determination striking down various provisions of the proposed Postal Corporation, which again concerned a vital public service. In such cases the determination is issued as the judgment of the Court without being ascribed to any particular judge.

This is not the first time in recent years that CRM has felt troubled about developments relating to the judiciary. It made representations to The President on *the role of the judiciary* in November 1995, in relation to certain issues that had been raised in connection with decisions of the Supreme Court on the issue of liquor licences. It wrote to her again in September 1999 *on the forthcoming vacancy in the Office of Chief Justice*, suggesting considerations that should affect an appointment.

It is not in the nature of CRM to speculate as to the reasons for Justice Fernando's decision to depart early.

Speculation on this subject is rife among lawyers, human rights activists, and members of the general public, and this is only to be expected. Regrettably, the speculation is not all of a nature that can be readily-dismissed.

CRM reiterates its profound concern and unease at this most disturbing and unacceptable state of affairs. It suggests that a serious and non partisan examination of the laws and the constitution, while taking care not to interfere with the principle of the independence of the judiciary, might be of help to see whether any legal or constitutional reform is called for in the light of recent experience.

Suriya Wickremasinghe

Secretary
16, September 2003

1. Amaratunga v. Sirimal and Ors [1993] 1 Sri L.R. 264
2. Faiz v. AG and Ors [1995] 1 Sri L.R. 372
3. Deshapriya and Another v. Municipal Council, Nuwara Eliya and Ors [1995] t Sri L.R.362
4. Fernando v The Sri Lanka Broadcasting Corporation and Ors [1996] ISri L.R., 157
5. Weerawansa v. The AG and Ors [2000] 1 Sri L.R 387
6. Karunatilaka and Another v, Dayananda Dissanayake, Commissioner of Elections and Ors [1999] 1 Sri L-R. 157
7. Kottabadu Durage Sriyani Silva v, Chanaka Iddamalgodu, OIC Police Station, Paiyagala (SC (FR) 471/2000)
8. Wijepala v The AG [2001] 1 Sri L.R. 46
9. S.C. No 7/89 (Special) decided on 22.2.1990

A Shameful Episode in the Courts

Concern over the unhappy state of the country's judiciary which perhaps led to Justice Mark Fernando's premature retirement and has surfaced from time to time in happenings (see item under 'Human Rights' in our last issue) took an alarming turn with the conduct of Colombo's additional Magistrate Ananda Gamalatharachchi on the Unduwap Poya (Full Moon) public holiday of December 8.

It has been the practice that when an acting magistrate is available on such public holidays to entertain only applications and reports made by police or other government officers and to remand or grant bail to suspects who are produced. On December 8 however Ananda Gamalatharachchi, purporting to function as an acting magistrate is said to have discharged Chairman Sri Lanka Cricket and Chairman Sri Lanka Telecom Tilanga Sumathipala from the very serious charges made against him in terms of the Immigration and Emigration Act on the ground that there was no evidence to charge or remand him. This was reported to have been done in the absence of the accused and even the case record, without any representation from the Attorney General's Department but purely on a motion submitted by the accused's lawyers after 1 pm (though the closing time for motions is 10 am on such days.) and in the presence of two CID Officers summoned for the purpose. This was done regardless of the fact that the Attorney General's Department had stated that there was a prima facie case against the accused.

Barely twenty four hours after this shameful episode, the Colombo Magistrate Court Lawyers Association adopted a resolution calling on the Chief Justice and other judges of the Judicial Service Commission (JSC) to take appropriate action against the acting magistrate after an inquiry, labelling this incident as " a mockery of justice".

It was fortunate however that in this instance the Chief Justice acted swiftly within 48 hours to interdict Gamalatharachchi. It was *The Sunday Leader* of December 14 that highlighted this episode and we quote the following from the editorial comment of that newspaper which has been by no means supportive of the Chief Justice:

"To his credit, the Chief Justice Sarath Silva acted swiftly and decisively by interdicting Gamalatharachchi on the spot. We have often had our differences with the Chief Justice, but we must give credit where it is due: his actions last Tuesday to preserve the dignity and impartiality of the judicial system were exemplary and precisely what was needed to restore public confidence in the judiciary."

"No one could have predicted the Chief Justice's swift and severe action in the case, sending a clear signal to all law officers who will be involved in this case in the future that the highest standards of jurisprudence and ethics would have to be maintained...."

The Sunday Leader has reported that as a sequel to the incident charges were promptly filed by the Attorney General against Sumathipala in the Colombo Magistrate's Court.

America's Socio-economic Policies And the Sad Tale of Conditions inside.

✍ Mervyn D de Silva

"The price good people pay for their indifference to public affairs is to be ruled by evil men."

-Plato

Fully equipped with a galaxy of sophisticated military-oriented satellites orbiting space, and armed with a huge undisclosed arsenal of highly lethal nuclear and biological weaponry with a world-wide range, the United States of America leaves no stone unturned in trying to impose a hegemonic economic cultural paradigm on the rest of the world. Its goal is to maintain and sustain the status quo of the so-called "american dream" for its people.

Mind Boggling Arsenal of Weapons

How mind boggling and frightful is the destructive potential of the arsenal of weapons this unipolar power holds in stock can be easily be gauged by the fact that the destructive capability and designs of the nuclear bombs the American government dropped on the civilian cities of Hiroshima and Nagasaki more than fifty years ago, even after Japan had in fact surrendered, are in the opinion of the mioi military - industrial complex fossilised obsolesces.

Such were the bombs that killed 70,000 innocent Japanese instaneously and 210,000 soon after in the city of Hiroshima, while 100,000 were killed instantaneously and 200,000 immediately after, in the city of Nagasaki. Do, or do not, these horrendous acts raise fundamental questions in retrospect in the minds of the American people as to whether they, the people, are sufficiently informed and aware of, **their** responsibility in supporting **their** government's role in maintaining a world order now, on a mode that is justifiably highly criticised, and on a path that is morally flawed since toppling the Soviet Union. And, the more focussed question that should occur to them is, whether their country and government with such relatively short history compared to the Third World Countries and Europe (simplistic ally named "old Europe"), has the required wisdom? Whether it has the intellectual endowment and ability to match its military might to undertake the task of playing the role of mid-wife to the birth of global peace by discharging its responsibilities equitably and in accordance with hallowed conventions and international law ?

"Violent Peace"

Humanity is now in a terrible mess. We live in a world of crises, a deeply divided world, with divisions deliberately or, perhaps, unwittingly, embedded in a stupid caricature of "world order" enforced mainly by the political, economic and awesome military power of the Western States led by America. Do you realise that what is being germinated in the "favourable" medium provided is, a form and style of "violent peace". It has nothing to do with genuine peace but merely assists in conspiring against peace itself.

What the world needs most at this juncture of our history is, a fundamental change in thinking that will open the doors for genuine and sincere dialogue, a genuine search for truth, and genuine progress, fashioning a sustainable socially just, and peaceful new world order. Essentially such an exercise cannot proceed bereft of revisits to religious, cultural and intellectual value systems that have been elbowed out by the modern popular culture - its egoism, consumer and entertainment ethos reigning supreme and drowns all else.

Global Moito -Cracy

The materialist American culture, more compelling than the materialism found in Communism, has no space and sympathy for values. It is values that constitute true quality of life, the supreme quality of life, which resides in religion, knowledge and culture.

The United States, notwithstanding its military might, is the least qualified to play the role of world leader, or to take the lead in initiating a paradigm shift by searching for a viable alternative to the current dominant system. Perhaps, it cannot, and will not, as it is also the fountain-head of global monito-cracy to use the term given by Madron and Jopling (London School of Economics). Its unfitnes to lead because of its own decay within is well portrayed in the lament of Michael Ellner:-

“Just look at us. Everything is backwards; Everything is upside down Doctors destroy health, lawyers destroy justice, Universities destroy knowledge, Governments destroy freedom, major media destroy information and religions destroy spirituality.”

Nevertheless, the United States moves determinely towards their neo-liberal free-market final solution and uses its military forces under various ruses such as “democracy”, pre-emption, and regime change, to implant econo-nic and social policies that benefits it. But, the astounding degree of hardship, hunger,pain, affliction, illness, violence and social pathology which is as much a part of its economic paradigm (controlled by finance capital) makes it no model that should be copied, as the statistics given below establishes. The figures which are for any one year reveal a casualty list that runs into many millions.

Table 1 : The Inside Story: (A Compilation by the Author)

1. Poverty:-

- * **Low Income**
35,000,000 below the officially poverty line but, according to some economists the actual figure is 46,000,000.
- 80,000,000 below “comfortable adequacy” (US Labour Department)
- 12,000,000 in poverty’s rock bottom suffering in hunger and malnutrition.
- * **Homeless**
2,000,000 Living in steets or make shift shelters
- * **‘Debt Trap’**
160,000,000 Not because of luxuries, but for purchasing necessities

11. Unemployment:-

- * **Jobless**
7,000,000 Varies with business cycles
- * **Contingent jobs**
6,000,000 Jobs structured to last temporarily 60% want permanency
- * **Contract Jobs** Part-time work
15,000,000
- * **Un accounted**
3,000,000 because unemployment benefits have run out or never qualified or joined armed services.

111: Labour Work Conditions :-

- * **Permanenet work related disabilities:**
5,000,000 includes maiming, paralysis, impaie impaired vision, damaged hearing.

- * **Work related diseases:**
100,000 black and brown lung cancer, tuber colosis
- * **Killed on the job:**
14,000 90% men.
- * **Pro-mature death:**
100,000 from work related diseases
- * **killed by toxic substances :**
60,000

IV. Health :-

- * **Without Insurance Protection:**
40,000,000
- * **Injury related to hospital treatment:**
1,000,000
- * **Unnecessary Surgery**
2,000,000 10,000 die as a result
- * **Adverse reaction to medical treatment:**
180,000 14,000 die from overdoses of legal prescription drugs.
- * **Psychiatric and psychotherapeutic patients:**
15,000,000 or one (1) out of every 10 americans
6,800,000 under treatment - non-medical sources
80,000,000 counselling life-time
- * **On regular emotion controlling medical drugs:**
37,000,000 Or one (1) out of every 6 americans
2,000,000 non hospitalised
200,000 subject to electric shock treatment
5,000 die from psychoactive drug treatment

V. Alcohol and Tobacco :-

- * **Serious drinking problem:**
10,000,000 and, is rising
- * **Die prematurely alcohol abuse:**
125,000
- * **Die of tobacco related diseases**
473,000 53,000 are non-smokers

VI. Special diseases:-

- * **AIDS:**
1,000,000 over 250,000 die.
- * **Diabetes:**
16,000,000 has risen from 11,000,000 in 1983 sedantary life styles,
- * **Cerebral and physical handicaps:**
3,000,000 disproportionated number of them are poor withno access to treatment.

VII. Children:-

*** Child Labour**

900,000 some are less than 7 years and work 10 hours a day in violation of child labour laws.

*** Malnutrition**

4,500,000 quantity and quality.
4,000,000 unattended learning disabilities.

*** Physical Torture**

2,900,000 subject to serious abuse, neglect, torture, starvation - 39,000 are permanently disabled.

*** Killed by Parents or, Grand Parents:**

500,000

*** Run away from Homes:**

1,000,000 because of abusive and violent treatment. 83% of sexually abused are from white families,

*** Missing and Vanish:**

150,000 about 50,000 vanish

*** In orphanages/adult prisons:**

1,000,000 Victims of all crimes mainly, sex abuse

VIII. Elders:-

*** Live with families:**

1,800,000 abused or forced confinement under-fed and beaten

*** Live in Nursing Homes:**

1,246,000 endure conditions of extreme neglect and fith.

IX. Crime and Drugs

*** Armed robberies, burglaries and arson:**

13,000,000

*** Rape:**

700,000 One (1) every 4\$ seconds

*** Domestic Violence:**

2,000,000 - 4,000,000 second largest cause of death to US women.

*** Drugs and addiction:**

31,450,000 use marijuana
6,500,000 use heroin, crack, speed, PCP cocaine

*** Fire Arms:**

23,000 are murdered
85,000 wounded 38,000 die including 2600 children.

*** Suicides:**

27,000 commit suicide, 5000 attempted

*** Motor Accidents:**

45,000 killed
1,800,000 non fatal injuries
1,500,000 suffer permanent impairment

*** Arrests:**

5,500,000 are arrested for all offences

X. Behind Bars :-

5,100,000 are behind bars or on probation/parole, each week 1,600 more people go to jail than leave.

Compiled by Author; Sources, internet, e-mails & Michael Parenti.

The United States is the richest country in the world with a constellation of 170 -billionaires, 250,000 -decamillionaires, 9,000,000 millionaires with the combined net worth of just three of its richest men exceeding the total GDP of 48 of the poorest countries. Further, taking a lion share the US along with the industrialised countries, representing only 20% of the worlds population gobbles 85% of global GDP equal to more than 18 trillion US dollars.

Yet if things are so bad and rotten inside, why is America relentlessly using the IMF, World Bank, WTO and even the UNO to foist its economic, social and cultural policies of neoliberalism and globalisation (unregulated) ?

Let the people of Asia, Latin America and Africa cry out loud and strong to America "physician heal thyself" and demand from their leaders that people are put before profit and that they end the abuse and plunder of the free-market which is at the bottom of all the hunger, pain and desperation throughout the world.

" The world stands in need of liberation.

There are those who have eyes but refuse to see their inhumanity to men.

There are those who have ears but refuse to hear the cries of men in agony.

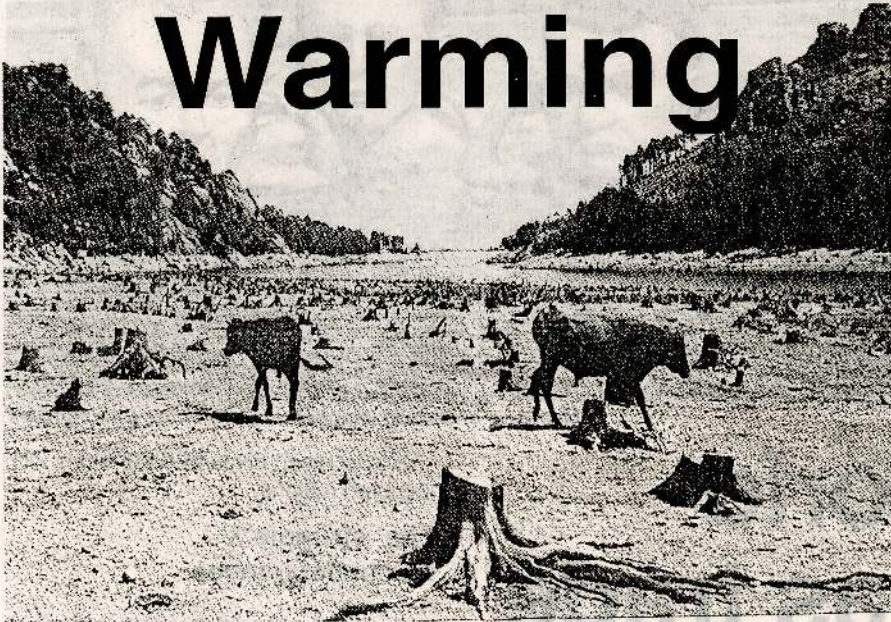
There are those who have mouths but refuse to speak against the injustices done to men.

There are those who have hands but refuse to reach out in the cause of suffering humanity"

(An adaption by Author)

About the writer: Dr. Mervyn D. de Silva is a former Member of Parliament and one time Advisor to the Ministry of Plan Implementation.

Global Warming



One of Europe's leading scientists yesterday raised the possibility that the extreme heatwave now settled over at least 30 countries in the northern hemisphere could signal that man-made climate change is accelerating.

"The present heatwave across the northern hemisphere is worrying. There is the small probability that man-made climate change is proceeding much faster and stronger than expected," said Professor John Schellnhuber, a former chief scientific adviser to the German government and now head of the UK's leading group of climate scientists at the Tyndall centre.

According to Prof Schellnhuber, "the parching heat experienced now" could be consistent "with a worst-case scenario [of global warming] that nobody wants to come true". He warned that several months' research would be needed to analyse data before scientists could say why the heatwaves are so intense this year.

"What we are seeing is absolutely unusual," said Prof Schellnhuber. "We know that global warming is proceeding apace, but most of us were thinking that in 20-30 years time we would be seeing

hot spells [like this]. But it's happening now. Clearly extreme weather events will increase."

Other climate scientists across Europe suggested the present heat wave was perhaps the most intense experienced and linked to global warming.

We have not seen such an extended period of dry weather [in Europe] since records began," said Michael Knobelndorf, a meteorologist at the German weather service. "What's remarkable is that these extremes of weather are happening at such short intervals, which suggests the climate is unbalanced. Last year in Germany we were under water. Now we have one of the worst droughts in human memory."

Antonio Navarra, the chief climatologist at Italy's National Geophysics Institute, said the Mediterranean region was 2-3C warmer than usual this summer.

Temperatures across parts of Europe have been a consistent 5C warmer than average for several months, but the heatwaves have extended across the northern hemisphere. Temperatures in some Indian States reached 45-49C (113-120F), with more than 1,500 people dying as a direct result. There have been near-record

temperatures in Canada and the US, Hawaii, China, parts of Russia and Alaska.

The intense heat in some places has given way to some of the most severe monsoon rains on record, a phenomenon also consistent with climate change models which predict, extremes of weather. The heat waves are fuelling concern that climatologists may have underestimated the temperature changes expected with global warming. According to the UN's intergovernmental panel on climate change (IPCC) — the consensus of the world's leading 2,000 climatologists — the expected increase is up to 5C over the next century.

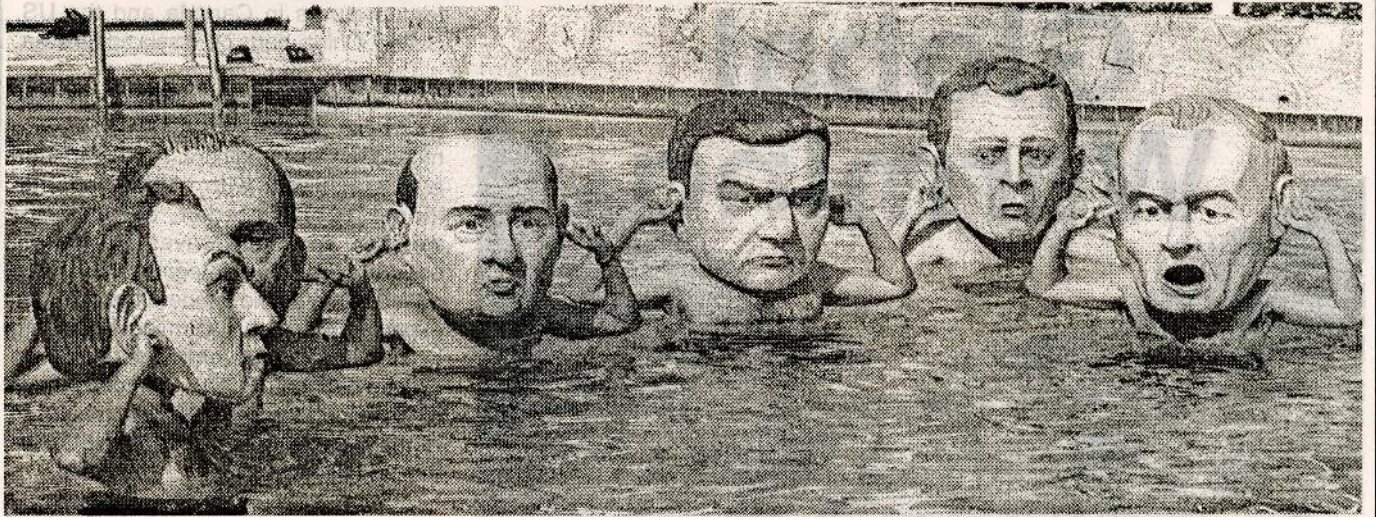
But a recent conference of leading atmospheric scientists in Berlin concluded that the IPCC's models may have underestimated the cooling effect of atmospheric soot, the airborne industrial waste of the past. The upper limit of global warming, they suggested, should range between 7C and 10C, which would severely affect food and water supplies, traumatise most economies, and fundamentally change everyday life.

Changing environmental conditions could bring new strains of diseases to UK shores. The health protection agency yesterday warned that the Asian tiger mosquito, which can carry the West Nile virus, has been found in some British ports. "We need to work out whether it can survive here," said a spokesman.

The UN's World Meteorological Organisation warned last month that extreme weather events would become more frequent "Yesterday Ken Davidson, director of the WMO's climate programme, said: "The world is seeing a change in general conditions and in extremes. We are trying to understand if it's getting more frequent."

Climate scientists at the British government's Hadley centre last week said they had new evidence that the heatwave affecting Europe and North America could not be explained by natural causes, such as sunspots or volcanoes, but must be partly due to man-made pollution.

From *The Guardian* of 6th August



Members of Oxpam lampoon leaders of the G8 countries

Blow to world economy as trade talks collapse

by Larry Elliott, Charlotte Denny and David Munk

The fragile global economy received a damaging blow last night when trade talks in Cancun collapsed after a walkout by African countries protesting at the west's failure to open its markets to the poor.

In scenes reminiscent of the World Trade Organisation's disastrous Seattle meeting four years ago, a day of acrimonious wrangling ended as the chairman, the Mexican foreign secretary, Luis Ernesto Derbez, was unable to get talks restarted after Kenya lost patience and left the negotiating table.

The breakdown came after the EU had refused to back down on its insistence that poor countries should pay for a better deal on agriculture by agreeing to new global deal on foreign investment.

The Kenyan delegate, George Oduor, came out of the closed meeting saying: "It means that the conference is ended now."

WTO ministers issued a terse statement admitting that the negotiations had broken down and that trade officials would have to try to bridge the gulf between rich and poor countries back at the organisation's Geneva headquarters over the coming months.

Cancun was intended to bring fresh political impetus to the talks, which have made little progress since they were launched in Doha in November 2001. Last night's breakdown virtually rules out the prospect of the Doha round finishing on schedule by January 1 2005, and raises the possibility of the talks dragging on for years.

Robert Zoellick, the US trade representative, said: "Whether developed or developing, there were 'can do' and 'can't do' countries here. The rhetoric of the 'won't do' overwhelmed the concerted efforts of the 'can do'. 'Won't do' led to impasse."

Mr Zoellick said that after the setback in Cancun, the US would redouble its

efforts to reach bilateral trade deals with favoured nations.

The struggle & its consequences

Five days of brinkmanship in Cancun had been dominated by a struggle between the WTO's traditional powerbrokers, the EU and the US, and a new group of militant developing countries flexing their negotiating muscles for the first time. Led by Brazil, India and China, they are counting on yesterday's breakdown to put them in a stronger position when negotiations eventually restart.

"This is the first time we have experienced a situation where, by combining our technical expertise, we can sit as equals at the table," said Alec Erwin, South Africa's trade minister. "This is a change in the quality of negotiations between developing and developed countries."

The failure of the talks is a particularly hard blow to Britain. The trade secretary, Patricia Hewitt, had been talking up the chances of a deal hours earlier after the EU agreed to tone down its demands.

Ms. Hewitt said: There was a deal to be done, and it is bitter disappointment that we haven't reached agreement."

With the world economy already fragile, analysts fear the collapse could further damage business confidence. Chances of real progress are seen as slim for at least the next year, given approaching elections in the US, India and France, three of the WTO's key members.

Development campaigners said no deal was better than a bad one for poor countries.

"The blame game will start right away, but as far as we are concerned, Pascal Lamy [Europe's chief trade negotiator] is chief suspect number one and two," said Duncan Green, policy analyst at the Catholic Agency for Development, Cafod. "He opposed the interests of developing countries right to the end and this is the price we have to pay."

Oxfam said the refusal of the EU and US to cede any ground to developing countries on agriculture—and Europe's attempt to force a global investment and competition treaty on to the table—had forced poor countries to walk out.

A small group of countries—the EU, US, China, South Africa, Brazil, India, Malaysia and Kenya—had been locked in terse discussions for most of the day in the hope that a deal which they agreed to could be rubber-stamped by other members.

Countries from Africa and the Caribbean were infuriated by this tactic, arguing it went against assurances they had received after Seattle that they not be excluded from the real decisions.

Under pressure from other African countries, the Kenyan delegation left the talks at midday, blaming the EU for insisting on talks on the so-called Singapore issues, four new negotiating areas including investment and competition which poor countries say they are not ready to discuss.

When Mr Derbez reconvened the meeting after lunch, Europe's offer to withdraw investment and competition, the most contentious issues, was rejected by Botswana, speaking for the poorest countries.

"Lamy, the great negotiator, pushed the talks over the brink," said Matthew Lockwood, of Action Aid.

"You ask me who is to blame, said Kenya's Mr Oduor. "I would say it is those who have been trying to manipulate the process. Those who have been trying to manufacture consensus. The EU and the US, we believe ourselves, are to blame. The Singapore issues were at the centre of the deadlock, all of them. The

developing countries say that they are not ready for any of them.

Talks in Cancun had centred on five areas: agricultural subsidies, industrial tariffs, market access, investment and competition rules, and special help for the poorest countries. Sources said progress was minimal in many areas, and Mr Derbez ran out of time to bring the opposing camps together.

In the final hours it was the African countries' refusal to accept talks on the Singapore issues which proved the deal-breaker, but the Cairns group of agricultural exporting countries was also reported to be refusing to reopen talks on agriculture, believing the deal on the table was too favourable for the protected markets of the EU and the US.

Dumping, access and tariffs: Issues that could make or break WTO talks

Five issues that could make or break the WTO talks:

Farm subsidies

Poor countries are asking the west to cut the more than \$300bn a year it hands out to its farmers, encouraging them to produce mountains of unwanted produce, which is then dumped on world markets.

State of play: deadlock

The EU has refused to accept a date for the phasing out of export subsidies and the draft text, while capping the most trade-distorting domestic payments, allows western countries to continue other payments unchecked.

What it means:

Dumping will continue, with poorer farmers having to compete against heavily subsidised produce in the west.

Market access

Poor countries want the rich to cut tariffs on agriculture and textiles, particularly on processed products which attract punitive import duties. In return the west wants access to developing markets for its own goods.

State of play: some progress

The west has made some concessions, but in exchange poor countries would be forced to agree to cut their own trade barriers. The poorest countries—not expected to strike tit-for-tat bargains—have won only vague promises of greater access.

What it means:

Poor countries are liable to be flooded with cheap food imports, including the dumping of subsidised food.

Emerging issues

The EU wants new talks on foreign investment, competition, policy transparency in government procurement and trade facilitation, but is facing fierce opposition from poor countries who fear that new investment rules could tie their hands. In setting rules for foreign multinationals.

State of play: deadlock

Investment is still in the draft text, despite massive opposition from poor countries.

What it means:

Multinationals would get new rights and governments would have less power to regulate them.

Industrial tariffs

The EU and US want lower barriers to exports of their manufactured goods.

State of play: the poor lose

The proposed tariff-cutting formula would force poor countries to make deeper cuts than the west, which already has low barriers.

What it means:

Premature trade liberalisation in developing countries could undermine local industries.

Cotton

Cotton has emerged as the issue which best symbolises the damage western subsidies inflict on poor farmers. Four west African countries—Burkina Faso, Mali, Chad and Benin—have asked Washington to cut the \$4bn it spends each year subsidising just 25,000 US cotton farmers, which is more than the value of their combined harvest.

State of play: no progress

The draft text contains only a vague promise of further consultations, no mention of any deadline for phasing out export subsidies nor any compensation for west African producers while the subsidies are still in place.

What it means:

Western subsidies will continue to depress world prices and destroy the livelihoods of millions of west African farmers.

—The Guardian

JESSICA LYNCH CAPTURES SADDAM

Ex-dictator demands back pay from Baker

Greg Palast

15.12.2003

Former Iraqi strongman Saddam Hussein was taken into custody yesterday at 8:30p.m. Baghdad time. Various television executives, White House spin doctors and propaganda experts at the Pentagon are at this time wrestling with the question of whether to claim PFC Jessica Lynch seized the exponentate or that Saddam surrendered after close hand-to-hand combat with current Iraqi strongman Paul Bremer III.



Saddam Hussein after his capture and thereafter (right)

Ex-President Hussein himself told US military interrogators that he had surfaced after hearing of the appointment of his long-time associate James Baker III to settle Iraq's debts. "Hey, my homeboy Jim owes me big time," Mr. Hussein stated. He asserted that Baker and the prior Bush regime, "owe me my back pay. After all I did for these guys you'd think they'd have the decency to pay up."

The Iraqi dictator then went on to list the "hits" he conducted on behalf of the Baker-Bush administrations, ending with the invasion of Kuwait in 1990, authorized by the former US secretary of state Baker.

Mr. Hussein cited the transcript of his meeting on July 25, 1990 in Baghdad with US Ambassador April Glaspie. When Saddam asked Glaspie if the US would object to an attack on Kuwait over the small emirate's theft of Iraqi oil, America's Ambassador told him, "We have no opinion.... Secretary [of State James] Baker has directed me to emphasize the instruction... that Kuwait is not associated with America."

Glaspie, in Congressional testimony in 1991, did not deny the authenticity of the

recording of her meeting with Saddam which world diplomats took as US acquiescence to an Iraqi invasion.

While having his hair styled by US military makeover artists, Saddam listed jobs completed at the request of his allies in the Carter, Reagan and Bush administrations for which he claims back wages:

- 1979: Seizes power with US approval; moves allegiance from Soviets to USA in Cold War.
- 1980: Invades Iran, then the "Unicycle of Evil," with US encouragement and arms.
- 1982: Reagan regime removes Saddam's regime from official US list of state sponsors of terrorism.
- 1983: Saddam hosts Donald Rumsfeld in Baghdad. Agrees to "go steady" with US corporate suppliers.
- 1984: US Commerce Department issues license for export of aflatoxin to Iraq useable in biological weapons.

- 1988: Kurds in Halabja, Iraq, gassed.
- 1987-88: US warships destroy Iranian oil platforms in Gulf and break Iranian blockade of Iraq shipping lanes, tipping war advantage back to Saddam.

In Baghdad today, the US-installed replacement for Saddam, Paul Bremer, appeared to acknowledge his predecessor Saddam's prior work for the US State Department when he told Iraqis, "For decades, you suffered at the hands of this cruel man. For decades, Saddam Hussein divided you and threatened an attack on your neighbors."

In reaction to the Bremer speech, Mr. Hussein said, "Do you think those decades of causing suffering, division and fear come cheap?" Noting that for half of that period, the suffering, division and threats were supported by Washington, Saddam added, "So where's the thanks? You'd think I'd at least get a gold watch or something for all those years on US payroll."

In a televised address from the Oval Office, George W. Bush raised Saddam's hopes of compensation when he cited Iraq's "dark and painful history" under the US-sponsored Hussein dictatorship.

Saddam was also heartened by Mr. Bush's promise that, "The capture of Saddam Hussein does not mean the end of violence in Iraq." With new attacks by and on US and other foreign occupation forces, the former strongman stated, "It's reassuring to know my legacy of darkness and pain for Iraqis will continue under the leadership of President Bush."

While lauding the capture of Mr. Hussein, experts caution that the War on Terror is far from over, noting that Osama bin Laden, James Baker and George W. Bush remain at large.

Greg Palast is the author of the New York Times bestseller, "The Best Democracy Money Can Buy."



US soldiers take positions during an operation in Baghdad.

The Iraq War – Wrong Prognosis

✦ Ajit Roy

If the by and large completed Anglo-US bloc's Iraq war has proved soothsayers on both sides of the firing line fairly wide of the mark about its progress and outcome, it has confused them no less in postulating the post-war scenarios. On the one hand, if the astounding technological performance of its war machine and the deadliness of its non-nuclear 'mother of all bombs' have dazed everyone, Pentagon's expectations of a cakewalk victory and Iraqi people's welcome bouquets have been dashed to the ground. On the other hand, the pro-Iraq commentators' prophecies of a 'Stalingrad' at Baghdad and 'Vietnam' in Iraq have proved to be equally elusive. The thousand-strong Arab jihadis, reported to have poured into the country from across the borders, practically evaporated into thin air without causing much annoyance to the invading hordes.

Facing the Truth

Atrocities in this war were truly one-sided: civilian mass casualties in Baghdad

and other cities, not sparing even fleeing refugee families and foreign journalists in the Palestine Hotel in the capital, with the child victim, Ali, as the most poignant symbol. The Anglo-American axis is guilty of a series of war crimes, apart from the more fundamental crime of aggression against a sovereign country, without any justification under the international law and the sanction of the UN.

The Saddam Hussein Government, on the other hand, for some inexplicable reasons, even failed to carry out the elementary defensive operations like the blowing up of the multiple bridges on the twin rivers, breaching the dams and dykes, and most importantly, destroying the strategic international airport in the capital. Whether this was due to a top secret deal by Saddam himself or a betrayal by some of his top aides may come to light in the future.

The Anglo-American axis powers' ostensible reasons for their aggressive actions, such as, the mission of finding

out and destruction of Iraq's weapons of mass destruction (WMD) as the main casus belli, and provocative firings at the US tanks from the lower floors of Palestine Hotel as the reason for firing canon balls at the suite occupied by foreign journalists have been exposed by events as utterly baseless. Other lies like Tony Blair's accusation of the Iraqis' execution of a British POW or the Americans' shifting the blame for the devastation of a suburban market area in Baghdad to a misguided Iraqi missile have been proved to be the proverbial victimisation of truth in the course of war!

Side by side with widespread violence against the peaceful civilian population, invading forces' benign blessings to the relentless looting of public and private properties in areas under their occupation, including the robberies and destruction of the priceless relics of the ancient civilisations in the Baghdad museums, have exposed the invading forces' thoughtless insensitivity to civilised values.

Various subterfuges and prevarications on Washington's part before and during the Iraq war are only superfluous embellishments on the fundamental fact of real life in the world today, which is the USA President, George W Bush's declared policy to assert, protect and extend his right to pre-emptive action, economic, political and military, in the

country's perceived self-interest in any part of the world. It is to the credit of George W Bush that he has mobilised the British Parliament's support in implementing this policy.

Thus, Bush, himself a tenant of questionable legitimacy in Washington's White House, launched and conducted a war without any authorisation of the US Congress/Senate initially and the US Security Council thereafter, leaving a trail of war crimes and human misery in the event.

The fond hopes of a re-enactment of the 'Stalingrad'/Vietnam on the one hand and the expectations of a Parisian welcome in the streets of Baghdad on the other were based on a total misconception of the social-historical reality in Iraq today. Saddam Hussein's Baath Party socialism was incapable of ideologically inspiring and cementing the unity of the Iraqi people. It was also far from the fierce anti-fascist patriotism of the Soviet population and the radical anti-imperialism of the Vietnam people's liberation struggle, as Saddam Hussein's opulent living style and brutal dictatorship were different from Ho Chi Minh's Gandhian simplicity and humane populism. The Americans, for their part, were foolish to expect the liberators' welcome from the Iraqi people who have a ringside view of the USA's unreserved patronage to the Israeli brutalities on the Arab population of Palestine.

As there can be no ideological vacuum, Saddam's dictates of 'socialism' and 'secularism' notwithstanding, the Iraqi people have, at least passively, imbibed the Islamist inspiration which has for the present helped them to paper over the historical Shia-Sunni divide and to present a united opposition to the Anglo-American invaders. The invading army's indiscriminate terror against the civilian population and condonation of the loot and vandalism as also their callous indifference to the human sufferings all around have stimulated the initial non-cooperation which is slowly growing into active confrontation.

**Where do we stand today?
Where do we go from here?**

There seems to be a broad agreement today over the worldwide spectrum – from the Right to the Left, from the imperialist to the democratic poles – in answers to both of the questions. It is very widely believed that with the collapse of the Soviet Union and its associated power bloc, the USA has

emerged as the sole super power. With enormous technological, military, political and economic resources concentrated in its hands, the USA has become the supreme arbiter of the world today. The Iraq war is supposed to have proved the utter impotence of the other contending powers, Russia, China, Germany, France and so on, independently and collectively. More important, the climate of terror and intimidation, created by the USA's actual/potential striking powers, it is held, have made it nearly impossible to think of any effective oppositional mobilisation in the international power structure.

To take an example of contemporary thinking from nearer at home, a leading Kolkata daily recently editorialised to deplore the Lok Sabha resolution on the Iraq war in the following terms:

The emergence of a unipolar world, after the collapse of the Soviet Union and socialism, has radically altered international relations ... the Iraq war has ... shown the irrelevance of any kind of protest against US policy ... International relations knows (sic) only the play of power. It does not recognise morality and ideology. (The Telegraph, 13 April 2003).

A second look at the world scene today may perhaps induce an altogether different line of thought. This may be formulated in a very crisp form as below:

- i) While it did act in the past as check upon the US on many critical occasions, the Soviet Union itself behaved in the same reprehensible manner in some cases, as in Hungary, Czechoslovakia, Afghanistan, etc.
- ii) For the first time after the lapse of about a century, a global mobilisation of popular forces, and on a much broader scale than ever before, took place on the international political stage to confront a domineering force. This has been possible basically because the cause of the deep schism in the ranks of the people created by the rise and operation of the so-called Stalin phenomenon has disappeared from the world stage.
- iii) Indeed, in contrast to the tame agreement of all the nations represented in the UN and the Security Council with the oppressive and inhuman terms imposed on Iraq after the 1991 war, **the USA could not mobilise even a simple majority in the Security Council behind its**

second draft resolution. While House/Pentagon failed even to browbeat the Chief UN Weapons Inspector Blix to fall in line. **This time, the USA's traditional client states in the region, Turkey, Saudi Arabia and Jordan, also refrained from extending unqualified support to the aggression.**

A Countervailing Force

Indeed, the most striking feature in the world today is the emergence of a real countervailing force to the USA's global dictatorship – more decisive than its late super power rival. It is the united mobilisation of the world people. The full potential of its striking power is yet to be developed in the form of global strike actions against the US-led war machine, including militant actions by the scientific-technologica personnel.

The US pretenders to world domination are really much more vulnerable than is generally realised. The USA has been the world's largest debtor for more than half a century, which has been permitted to call the shots by some strange irony of world dispensation! The USA has to draw external credits of about \$ 2 billion a day now to meet her external deficits. By tightening the economic screws, the victims of US domination can turn the table against it! Indeed, Iraq itself showed the way when it decided to swap its \$ 10 billion reserves for Euro.

The key strategic link in the contest with the US super power, however, is the battle to wean its British camp-follower away from it. A beginning has already been made and significant success registered as the voting by over a hundred Labour MPs in the House of Commons against the Government resolution on the Iraq war and the resignation of key Labour Party officials in the ruling establishment proclaimed before the world.

The *coup de grace* to the monstrous offspring of the world history has to end will be dealt by the American people themselves when exasperated by its economic policies and mismanagement of the economic crisis, fed up with its brazen corruption and humiliated before the world by its half-literate and semi-barbarian crew in the seat of power in Washington, they will find a way to repudiate them!

About the writer: Ajith Roy is a veteran Marxist of India and editor of Marxist Review.

Who'll be the Next U.S. target in the Middle East?

Questions over the evidence behind the US and UK governments' dossiers listing the reasons for the Iraq war find a resonance around the world - including in the Middle East. The following article gauges the reactions of ordinary Syrians and Lebanese who fear evidence matters little when powerful nations decide to go to war.

Reem Haddad

The Arab world is waiting and watching carefully to see what the United States will do next in the Middle East. The US, it is widely believed, will find some excuse to attack Syria, or perhaps Iran.

'Maybe they will create a Saddam Hussein look-alike, plant him in Syria, and attack,' says Omar Dalal, a Syrian national who works as a grocer in Lebanon. 'Or maybe they will plant some weapons of mass destruction. Or maybe they will create some other excuse. Or maybe they'll go for Iran first. Who knows?'

Omar is half-joking but his scepticism is real. He recently went to Syria, fearing a US attack. 'I rushed to be with my family in case something happens. But nothing did. So I came back to Lebanon.'

One concern among Arabs is the way the US and UK governments may have used intelligence reports on Iraq's alleged weapons of mass destruction (WMD) programme to make their case for war in Iraq. Both governments face mounting criticism over claims that they may have spiced up the evidence in their so-called 'dodgy dossiers' on Iraqi weapons.

People in the Middle East now fear that other such dossiers - dodgy or otherwise - will make an appearance in the region.

Excuses and Pretexts

'I don't think there is any policy based on principles,' says Farid Khazen, professor of politics at the American University of Beirut. 'The US administration went very far to come out with all kinds of excuses and pretexts to go to war [in Iraq].'

While the Syrians are wondering if and when they will be targeted, many Lebanese are convinced that the main reason to attack Syria is to abolish the Lebanese Shiite militant group, Hizbullah. The politico-religious party is credited with helping end Israel's 22-year occupation in south Lebanon. But Hizbullah's continued existence remains a thorn in Israel's side.

Syria is the main power broker in Lebanon, backed up by some 15,000 troops deployed in the country, and is seen as a staunch supporter of Hizbullah.

'[US President George W] Bush knows that Syria does not control Hizbullah,' protests George Jabbour, a member of the Syrian parliament and political analyst. 'Hizbullah is a Lebanese party. It makes its own decisions.' However, he adds, 'if the US wants to use military power against Syria it has all sorts of excuses to do so.'

Diplomats in Beirut say that Israel has compiled a list of grievances against Hizbullah, including its periodic attacks against Israeli forces, its alleged missile build-up in southern Lebanon and its alleged assistance to the Palestinian intifada (uprising).

The file was shown last year to US officials to enlist their diplomatic support against Syria and Lebanon. Analysts and diplomats believe the dossier could be made public to justify a military campaign waged by Israel against Hizbullah.

According to Sateh Nouredine, a columnist for Lebanon's As-Sqfir daily newspaper, 'They [Israel] have said themselves several times that they have given information about alleged weapons

in Syria to the Americans. Their objective is to deteriorate any relations between Syria and the US.'

Another potential 'dodgy dossier' looms ahead in the ongoing row over the mystery of Iraq's supposed arsenal of weapons of mass destruction. The BBC reported on 10 July that senior sources in the British government say they no longer expect to find these weapons in Iraq.

Commentators in the Middle East think it's only a short step from there to accusing Syria of hiding Saddam Hussein's WMD. Before the Iraq war, several reports emerged in the US and Israeli media suggesting that WMD had been trucked across the border for safekeeping in Syria to avoid the recently returned UN weapons inspectors. Some Israeli newspapers speculated that the WMD had even travelled as far as Lebanon and were in the hands of Hizbullah, a claim that remains unproven.

'At one point the scenario towards Iraq was being repeated with Syria,' Nouredine says. 'The Americans were saying that they have evidence that Syria has hidden weapons. But in the last few days, the Bush administration seems to be more careful with these accusations.'

But analysts warn the US may still choose to renew its verbal attack. 'It is an option that the US may use if need be,' Khazen says. 'We cannot rule it out.'

In early July, the US Congress deferred for a second time the Syria Accountability Act, a bill that would impose sanctions on Damascus unless it fulfils a number of demands. The demands include withdrawing support for Hizbullah and militant Palestinian groups, withdrawing its forces from Lebanon, ending its alleged chemical and biological weapons programme and making a greater effort to strike a peace deal with Israel.

Although no specific reason was given for the move, diplomats in Beirut and Washington say the Bush administration is giving Syria one final chance.

'We're not seeking cosmetic changes in the region; rather we're looking for substantial changes in the political makeup of the entire region and Syria must take measures to implement key changes in its policies to coincide with recent developments and facts on the ground,' US Assistant Secretary of State

for Middle East Affairs William Burns said.

US unholy ambitions

Burns said members of the US Congress were very concerned about Syria's policies in the region and that Washington shared this concern. How things progress from this point on depends on Damascus, he said.

'We are not afraid of this because we know that we have clean hands,' said Mohamed Aziz Chukri, professor of international law at Damascus University. 'We don't need a bill of health from the US administration. There are things that we have to do, should do and are doing - for example, political and economic reforms. But the Americans have no business interfering. These are pretexts to justify their rather unholy ambitions [in the Middle East].'

'There is a lingering concern but we have become accustomed to the American heat,' he added.

And since the US has now turned its attention to Iran, focusing on the Islamic Republic's alleged nuclear programme, Syrians feel they are off the hook - at least for the time being.

- Third World Network Features

About the writer: *Reem Haddad is a freelance Lebanese journalist who was formerly with the Daily Star in Beirut.*

The above article first appeared in Panos Features (July 2003, 'Who's Next? Dodgy Dossier Fear Haunts Middle East').

Free Aung San Suu Kyi !

Christian Worker is pleased to note that detained National League for Democracy leader, Aung San Suu Kyi is in good spirits and has suffered no injuries as earlier reported, after her motorcade was attacked.

We support calls for an immediate investigation into the events, which led to the recent violence. We also demand that Suu Kyi who was placed under house arrest on 30th May be released at once and allowed to pursue her democratic goals in a country where authorities have scant respect for human rights and political freedom.

All we want is our freedom

Traveling across Burma, I ask people why they want democracy. Very often the answer is, "We just want to be free." They do not have to elaborate. I understand what they mean. They want to be able to live their lives without the oppressive sense that their destiny is not theirs to shape. They do not want their daily existence to be ruled by the orders and whims of those whose authority is based on might of arms.

When I ask young people what they mean by freedom, they say that they want to be able to speak their minds. They want to be able to voice their discontent with an education system that does not challenge their intellect. They want to be able to discuss, criticize, argue; to be able to gather in the thousands or even hundreds of thousands to sing, to shout, to cheer. Burma's young people want to play out the vitality of their youth in its full spectrum of hope and wonder — its uncertainties, its arrogance, its fancies, its brilliance, its rebelliousness, its harshness, its tenderness.

What do the women of Burma want? They tell me that they want to be free from the tyranny of rising prices that make running a household an exhausting business. They want to be free from the anxiety that their husbands might be penalised for independent thinking — or that their children might not be given a fair chance in life. Many—too many — long to be free from having to sell their bodies to support their families.

The farmers and peasants I meet want to sow and plant as they wish, to be able to market their product at will, unhampered by the coercion to sell it to the State at cruelly low prices. They struggle daily with the land. They do not want unreasonable decrees and incomprehensible authority to add to their burden.

And what about those of us in the National League for Democracy? Why are

we working so hard to free our country? It is not that we see democracy through a haze of optimism. We know that democracy is a jewel that must be polished constantly to maintain its luster. To prevent it from being damaged or stolen, democracy must be guarded with unremitting vigilance.

We are working so hard for freedom because only in a free Burma will we be able to build a nation that respects and cherishes human dignity.

As I travel through my country, people often ask me how it feels to have been imprisoned in my home

— first for six years, then for 19 months. How could I stand the separation from family and friends? It is ironic, I say, that in an authoritarian State it is only the prisoner of conscience who is genuinely free. Yes, we have given up our right to a normal life. But we have stayed true to that most precious part of our humanity — our conscience.

Here is what I want most for my people: I want the security of genuine freedom and the freedom of genuine security. I would like to see the crippling fetters of fear removed, that the people of Burma may be able to hold their heads high as free human beings. I would like to see them striving in unity and joy to build a safer, happier society for us all. I would especially like to see our young people stride confidently into the future, their richness of spirit soaring to meet all challenges. I would like to be able to say:

"This is a nation worthy of all those who loved it and lived and died for it — that we might be proud of our heritage." These are not dreams. These constitute the reality toward which we have been working for years, firm in our faith that the will of the people will ultimately triumph.

Aung San Suu Kyi
Boston Sunday Globe
March 9, 2003



Aung San Suu Kyi

Reproduced from Seeds of Peace (Thailand)

REPORTS OF COMMISSIONS AND COMMITTEES ON DISAPPEARANCES WHAT NEXT?

✍ M.C.M.Iqbal

The Committee of the HRC

Another inquiry into disappearances of persons has just been concluded and a report has been submitted to the Human Rights Commission (HRC) by the Committee of Inquiry into Disappearances in the Jaffna Region - appointed by the Human Rights Commission of Sri Lanka. The Report which was submitted on the 28th of October 2003, after having inquired into 281 complaints of disappearances between 1990 and 1998 in the Jaffna Region received by the HRC. It analyses the different reasons why such persons had been taken away, by whom and the whereabouts of such persons. The Report puts the blame squarely on the army in respect of the majority of the disappearances saying that there is clear evidence that they were responsible for the arrests of 245 of them and had found no evidence on where they are detained or that such persons are alive somewhere. The LTTE too has been found responsible for the disappearance of 25 persons from amongst the list of 281. Of the remainder, 2 had been shot dead by the army, one had been taken by the navy, the rest had disappeared without a trace. The Committee had gone beyond its terms of reference and recommended ways in which such disappearances could have been prevented and suggests that such measures be adopted, at least to prevent

the reoccurrence of such incidents in the future. The need to provide reparations to the victims has also been stressed with a plea for the NGO community to get involved in the process.

The Presidential Commissions

The four Presidential Commissions on Disappearances set up earlier by the President, too, had made similar recommendations. They were more concerned with the disappearances in the regions other than the Jaffna Region because only a fraction of those affected in the North had access to these Commissions which were appointed at a time when the North was under LTTE control and virtually cut off from the South due to lack of communication facilities. All these Commissions and the Committee of HRC saw one common factor in the human rights scenario of Sri Lanka, namely that the Police and the security forces are afflicted with the malady of impunity. The undesirability of letting this malady breed had been highlighted and the need to stem the proliferation of this disease had been stressed more than adequately by all the Commissions of Inquiry and the Committee. Yet, this scourge continues and could be seen from the widespread prevalence of torture, deaths in custody and violations of fundamental rights by the Police of our country.

The role of the Police and Security Forces

Though the scale of disappearance has diminished considerably, violations of other fundamental rights of individuals persist despite utterances at different fora both by State and humanitarian agencies calling for an end to such incidents. The State is to blame for not effectively dealing with indiscipline among the police and security forces personnel.

The Commissions on Disappearances have recommended that in addition to legal action against the perpetrators, disciplinary action should be taken against them for violating departmental regulations. For instance, in the few complaints of disappearances that the police had contemporaneously recorded the entries had been made in Minor Offences Registers (to them the disappearance of a person had been a minor offence!); soon after Commissions of Inquiry were appointed the IGP had issued a circular directing all Officers-in-Charge of Police Stations to preserve all Information Books and records pertaining to the relevant period, but the Commissions found many had not complied and but had destroyed all implicating evidence. Yet, no action has been taken against such officers. In some of the cases filed against police officers responsible for causing disappearances, the officers had been interdicted from service in keeping with government regulations. **But, subsequently by a circular issued by the IGP all such officers had been reinstated in their posts and even promotions given in spite of court cases pending against them.** These instances clearly indicate that the Police Department is not keen to maintain discipline amongst its ranks and try to improve the image of this institution which has descended to a very low level. No wonder the UN Human Rights Commission has recently passed a stricture on the performance of this Department!

The performance of the security forces is not second to that of the police forces. The security forces chiefs in the respective areas where gross violations of rights had taken place, cannot be freed from blame. They are guilty of either condoning

violations by their cadres or had given to orders them to indulge in such acts. Consequently they have to bear 'chain of command' responsibility for the events that brought disrepute to the country.

The contents of the Report of the Committee of the Human Rights Commission, a summary of which was made available to the invitees, has had a mixed reception. Some called it a forthright document while others such as the perpetrators of such incidents and their supporters have called it a biased report. This is in spite of the Report pointing its finger both at the security forces and the LTTE for violations of the rights of individuals. In an effort to complete the picture this report has listed over 36 instances of grave acts of violence in all parts of the country in the past which resulted in the death of a large number of civilians at the hands of the LTTE and the security forces.

The UN Human Rights Commission

The United Nations Human Rights Committee has had its deliberations recently on Sri Lanka's Fourth Periodic Report on the human rights situation in Sri Lanka. The issue of human rights violations by state agencies and the question of impunity of the perpetrators were discussed. The steps taken by the Government to prevent future violations and the prosecution and punishment of persons responsible for disappearances, torture and other violations of the rights of individuals had been scrutinized. It has passed a stricture on the human rights record of Sri Lanka based especially on the inability of the government to effectively check the widespread prevalence of torture at the hands of police officers.

Inadequacies in the law

In spite of the recommendations of the Commissions of Inquiry into Disappearances, causing the disappearance of a person is still not a criminal offence in our statute books. Until 1994 even inflicting torture was not a penal offence. Despite the passing of the Convention Against Torture and other Cruel, Inhuman and Degrading Treatment Act No. 22 of 1994, not a single person

One of the important recommendations made by all the Commissions or Committees of Inquiry into Disappearances is the need for the establishment of an independent Public Prosecutor. No steps whatsoever have been taken by the State to make this a reality.

has been convicted for the offence of torture so far. The Asian Human Rights Commission has been systematically documenting acts of torture in Sri Lanka since 1994. It has submitted a report to the UN Human Rights Commission Stressing the need to address the problems in policing and prosecuting perpetrators. Political interference with police functions has been found to be one of the main reasons for persons being tortured at Police Stations and is also a factor that stands in the way of effective prosecution of the perpetrators.

The Torture Act provides for an imperative seven years imprisonment on any person convicted of torture. The definition of torture given in the Act is very wide — even a slap on a suspect by a police officer is treated on the same plane as a suspect being hung upside down and assaulted mercilessly. This has inhibited indictments by the Attorney General on perpetrators of torture. Though the need to have different grades of torture is understandable, the State has taken no steps to change the law to make it overcome this inhibiting provision of the law and make it effective.

One of the important recommendations made by all the Commissions or Committees of Inquiry into Disappearances is the need for the establishment of an independent Public Prosecutor. No steps whatsoever have been taken by the State to make this a reality.

That even the President who appointed the Commissions of Inquiry into Disappearances had not been serious about the issues involved and the recommendations made is seen from the fact that none of the four Reports of the Commissions have been placed before the Parliament for a full discussion on them to enable the Parliament to take action on the recommendations contained in them and to raise public awareness of the issues.

The Reports of the UN Special Rapporteur on the Independence of the Judiciary has criticised the Judiciary of Sri Lanka as being biased adding another dimension to the already slurred human rights situation in Sri Lanka.

The case of Tony Michael Fernando, a torture victim who had been sentenced to jail, and the case of a senior Judge of the Supreme Court wanting to retire prematurely have been highlighted in this report. All these indicate that Sri Lanka has to go a long way before we could call ours a country where human rights violations are minimal and a victim could readily vindicate his grievance, if any, through easily accessible judicial remedies.

What next ? Punitive action or restorative justice

This brings us back to the question of the perpetrators of disappearances and the families of the victims who have waited in anguish for long years hoping to see that justice is done to them. They live with a heavy heart having lost their dear and near ones at the hands of the police or security forces personnel who have caused their disappearance. With the long years that have gone by and the memories of the details of the incidents fading from their minds, the chances of the perpetrators being convicted in a Court of Law are remote. In the circumstances one has to think of other options available to wipe out this blot from the minds of people concerned and the history of this country. Greater importance needs to be given to symbolic forms of healings such as erection of monuments/award of meaningful reparations and the payment of adequate compensation which has to manifest from the State's acknowledgement of wrong doing. This is

what is still lacking in our country. In spite of over 60,000 persons having gone missing, according to unofficial sources, and nearly 30,000 according to official sources, a general acknowledgement of guilt on the part of the perpetrators, is still to come.

Conclusion

The concluding part of the Report of the Committee on Disappearances is very relevant here, I quote - "All that can be said at this stage is that these and many other tragedies need to be addressed on an all island basis with a view to healing and reconciliation, without prejudice to any steps that may be taken to secure justice. There should be no blanket amnesty. Rather, a balance needs to be struck between what Bishop Tutu, in his foreword to the report of the South African Truth Commission, referred to as 'retributive and punitive justice' and 'restorative justice which is concerned not so much with punishment as with correcting imbalances, restoring broken relationships, healing harmony and with reconciliation".

Kofi Annan, Secretary General of the UN had stated as follows:

There can be no healing without peace; there can be no peace without justice; there can be no justice without respect for human rights and the rule of law".

Now that our country is slowly and cautiously moving in the direction of peace, we may need to leave the past behind and move forward. Perhaps an acknowledgement by the perpetrators of violations of rights of individuals - be it state or non-state actors, will give an impetus to the healing process. The establishment of a Truth and Reconciliation Commission at a future date could facilitate such an acknowledgement and provide solace to some of the families of the victims and an opportunity for the perpetrators to get their guilt off their mind and clear their conscience

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FROM CRISIS TO CATASTROPHE

- Sunday Times

The situation in the Eastern Province is fast becoming anarchic. The government's and the SLMC's knee-jerk reaction has been to panic and attempt some patchwork mending by appointing untrained home-guards and reserve policemen almost en masse.

But the very root of the problem stems from the unofficial message sent down to the police not to upset the fragile truce with the LTTE in order not to precipitate any violence. As a result, the police prefer to err on the side of caution and do nothing. This has given the upper hand to the LTTE at the expense of the Sinhalese, Muslims and Tamils not willing to cow down to the LTTE.

The situation in the rest of the country is just as bad. The Minister for the Interior has uttered the truth - but nevertheless what a damning thing it is to say. When asked by pressmen this week, about the escalating crime rate and deteriorating policing in the country, and why policemen cannot be deployed on effective crime-busting operations, he laments saying "see what happens to policemen themselves." He cites incidents this week, one when a constable escorting a murder suspect in the South was ambushed and shot dead, and another when the last living witness in the Kumar Ponnambalam assassination case was assassinated, bringing two murder cases to a grinding halt.

On the other hand, what has the Minister for the Interior— who wears a second hat as the Minister of Christian Affairs - to say at what happened earlier this month when a Christian priest who owned some property in the Mount Lavinia Police area complained about encroachers on this bare land? He complained to the local police, but no action was taken. Next scene: He is delivering a sermon in his Church when a police party from Kelaniya turns up and takes him away right in front of his

congregation, to a car dealer, and is forced to settle the dispute. No action has been taken upto this date against this high-handed action of the Kelaniya police.

In the Olitha Premathiratne police obstruction case, it took a month of Sundays before indictment was filed. In the Jayalath Jayawardene Jnr, case of assault of a policeman by the son of a Minister - it was after some hesitation that police action led to a prosecution.

The Police created a Legal Division at a time when the Attorney General took up a questionable position not to appear for police officers accused of Fundamental Rights violations. Since then, that Legal Division has become a mere post-office to channel so many other files relating to offences by policemen, and against policemen, to the over-worked, under-staffed Attorney General's Department, for necessary action. This Division needs more teeth.

The Independent Police Commission on the other hand, is yet to make an impact and a name for itself. The Minister, the IGP, and the AG are not naive to be ignorant of what's happening in the interior of this country, and the fact that we are close to anarchy in many ways. It is yesteryear's Chicago style bedlam, with drive-by shootings, and children getting shot in crossfires, and mothers being run down at bus stops.

But all of the potentates of police and law enforcement must get together to instil some fear in both criminal elements and errant policemen.

The brave cops must be encouraged in their challenging assignments, while some confidence, yes, some confidencee, must be restored to an increasingly frightened and jittery people of the North, South East and West.

The Editorial of the *Sunday Times* of 24 August 2003.

On August 17 The Sunday Times issued an article, in response to the AHRC Statement "Sri Lanka; Legal Reforms and Human Rights", on the rule of law in Sri Lanka and the functioning of its National Human Rights Commission (NHRC).

The text of the article is given below.

Biting the Victim and not the perpetrators?

 Kishali Pinto Jayawardene

Custodial violence has been for long, a serious human rights issue in both Sri Lanka and India. The contrasting manner in which national mechanisms have dealt with this problem is however, interesting. While the extent of police brutality in India is grave, a strong response to this is manifested by State monitoring bodies, activists and judges.

In this country however, the problem is yet, unrecognised in its severity. Consequently, the death of a lottery award winner in police custody recently, occasioned no real shock. Probably, if and when this case goes to court and judgement is delivered, this too will pass, like many of its kind before, largely unremarked except as a passing sensation.

In India, one case in point was *D K Basu v. State of W.B.* [(1997) 1 SCC], where the court laid down certain mandatory requirements to be adopted by authorities in all cases of arrest or detention. These included the warning that all personnel carrying out arrests and interrogations must bear clear identification with name and designation. At the time of arrest, an arrest memo should be prepared containing the time and date of arrest, which had to be signed by a witness and countersigned by the arrestee.

Upon arrest, a friend or relative of the arrestee should be informed of the arrest and the place of detention. An entry should be made at a diary in the place of detention regarding the arrest, recording also the name of the friend or relative of the arrestee who had been informed.

The arrestee should meanwhile, be examined at the time of arrest and any injuries present on the person should be recorded in an inspection memo to be signed by the arrestee and the officer effecting the arrest. Thereafter, the arrestee should be subjected to medical examination every forty eight hours during his detention by a doctor from the approved panel of doctors and copies of all the aforesaid documents should be sent to the concerned magistrates.

Importantly, the Court took note of the fact that these directions may not be complied with by police officers at the ground level. Consequently, it was expressly ruled that failure on the part of any police officer to comply with these requirements shall, apart from making the official concerned liable for departmental action, also render him liable for contempt of court.

Even more interestingly, the Court directed that these requirements laid down in the aforesaid matter be forwarded to the Home Secretary of every State. The Secretaries were obliged to circulate this to all police stations under their charge. All State Governments were moreover directed to file affidavits to ascertain the extent of compliance of the directions issued by court.

The situation in Sri Lanka

In Sri Lanka, the approach to this problem has been far more lackadaisical. While we have had extremely progressive judgements of the Supreme Court on individual cases, these have remained confined to the law for the most part.

In the process, monitoring bodies that have been set up in this country to deal with rights abuses, share a large part of the blame. This is increasingly a serious concern as appropriately reflected upon in its second publication on "Sri Lanka; Legal Reforms and Human Rights" by the Asian Human Rights Commission which has thought it fit to specifically concentrate on National Human Rights Commissions in general and the Sri Lankan Commission in particular. Its critique is biting, concluding that the performance of the Commission hereto has been dismal and disappointing.

It gives specific reasons for this indictment. In one statement, for example, issued along with two domestic community based organisations, Janasansadaya and Niveka, the point is made that such rights commissions are supposed to be watchdogs, monitors, advocates and promoters of rights. It is from these basic expectations that the National Human Rights Commission (NHRC) of Sri Lanka, set up under Act No 21 of 1996, is measured and found to be wanting.

Following extensive work with torture victims in Sri Lanka, eight particular complaints are made by these organisations with regard to the manner in which the NHRC has been functioning so far.

These complaints are based following assessment of actual practices followed by officers of the NHRC, which have been monitored by these community based organisations.

Firstly, NHRC officers are accused of often violating principles of international and national law in dealing with torture cases by allowing perpetrators to escape criminal punishment by paying small sums in compensation. Such sums, in certain instances, are as small as Rs 1,000/=. This, as correctly pointed out, runs contrary to the rationale behind the enactment of the Torture Act No 22 of 1994, according to which torture is a crime punishable with a mandatory prison sentence of seven years and a fine. Damagingly, as a result of such settlements, victims are prevented from pursuing criminal cases.

Secondly, recorded instances of the manner in which NHRC officers have dealt with complainants, indicate that victims are often pressurised to accept settlements. In one striking example, a complainant who had been thrown into a river by a police officer was told by the inquiring officer that he really did not have a case and that it was consequently better for him to accept a small payment and be done with the matter. Thirdly and even more seriously, NHRC is accused of taking a soft attitude towards police officers who violate human rights. The hard allegation is, indeed, that there are close links, if not collusion, between commission officers and offending police officers.

It is also pointed out that the investigations proceed more on labour tribunal lines rather than engaging proactively in the process of investigations and that complaints are trivialised in a manner that violates international standards (as well as pronouncements of the Sri Lankan Supreme Court, for that matter), when acts of torture that do not have evidence of physical injury are rejected.

The AHRC complaints will be difficult to refute, given that they arise from consistent monitoring and actual involvement with victims unlike the abstract papers and theories that litter the offices of Colombo's non governmental organisations.

In this sense, it could be justly and fairly said that standard setting by Sri Lanka's NHRC, particularly in respect of the physical life and liberty rights, has been inadequate during the seven years of its existence. In the minimum, evolving consistent procedures for the police, for example, in respect of arrests and detention much along the lines expounded in the Basu Case and examining in the process, the substantial case law of the Sri Lankan Supreme Court in this regard, would have been extremely useful.

As for now, whether the NHRC would play a much more pro-active role in terms of its mandate under Act No 21 of 1996 than what we have seen so far, remains a question yet unanswered.

The Sunday Times of 17 August.

Anthony Fernando Honoured, Released from Prison

On October 17, Anthony Fernando whose human rights case was covered in the last issue of *Christian Worker* walked out of prison sentencing for speaking loudly in Court and persisting with his fundamental rights application by objecting to Chief Justice Sarath Silva hearing his case since he had been cited as a respondent in the application.

Immediately after his release, Fernando was mobbed by the media and supporters who were present to welcome him.

As mentioned in our last issue Dato Param Cummaraswamy the UN special rapporteur in the independence of judges by the Chief Justice hearing a case against himself. Meanwhile Anthony Fernando was awarded the Human Rights Defenders Prize by the Asian Human Rights Commission on October 15.

A Campaigner against Disappearances in Sri Lanka Wins Prestigious Kwangju Human Rights Award

Since 2000, the Kwangju Human Rights Award is presented yearly in honour of the 1980 Kwangju uprising in which the Kwangju people fought against the military takeover of their country and 240 Kwangju citizens were martyred for the cause. The award is presented to a person who embodies the Kwangju spirit, and this year's 2003 recipient is Dandeniya Gamage Jayanthi. Since 1988, Jayanthi has devoted herself to fight for the cause of those who have disappeared in Sri Lanka and has become a symbol of that struggle. She is also a trade unionist and prominent woman activist.

The declaration of the award states, "The judging committee of the May 18 Memorial Foundation determines to award Dandeniya Gamage Jayanthi

(Sri Lanka), who is a representative of the Family Members of the Disappeared, as a winner of the fourth Kwangju Prize for Human Rights in 2003." More than 30,000 people disappeared in southern Sri Lanka between 1988 and 1992 in addition to the large number of disappearances in the northern and eastern part of the country.

Jayanthi's Background

Jayanthi lost both her fiancé and a brother during the disappearances in the South; neither were connected in anyway with rebel activity. In fact, Jayanthi's fiancé Ranjith was associated with the Legal Aid Centre for workers in the free trade zone (FTZ). Ranjith, who was employed at Floral Gres, intervened with the commissioner of labour to find redress for the employees who had lost their fingers during work. Needless to say, the employer was quite displeased about his interventions.

In October 1989, Ranjith faced dismissal. He was scheduled to meet the disciplinary committee at 4 o'clock in the afternoon on Oct.

27. The disciplinary officer was to be a member of the opposition party at the time and now a member of Parliament, Jeyaraj Fernandopulle. For the first time in the life of the FTZ, permission was given to invite a representative of the workers. Mr. Lionel from the Legal Aid Centre was to represent Ranjith.



Dandeniya Gamage Jayanthi

On Oct. 27, Jayanthi went to work after seeing Ranjith for the last time. Ranjith and Lionel were on their way to attend the disciplinary hearing on a motorbike. Ranjith, however, did not return home that night. Their bodies, burned, were found at a road junction. The employer had allegedly conspired with a senior police officer to have them killed. Jayanthi's search for justice began with this incident. After having made a complaint about the

disappearance of Ranjith, Jayanthi herself became a target of the police and was forced into hiding. She was hunted in the places where she was hiding, and many people feared that they would not be able to save her. However, after a strong trade unionist came to take up her case, it was possible to foil the assassination attempts. Now their labour organisation, Kalapaye Api, meaning We of the Zone, fights for the rights of workers in the FTZ in Katunayake where extreme forms of abuse of workers' rights exist.

Monument for the Disappearances

Even in the difficult days known in Sri Lanka as the Period of Terror, she gathered a small group of people to fight for the cause of the disappeared and to demand justice. In 2000, Jayanthi was responsible for the erection of Monument to the Disappeared at this site with a **Wall of Tears** behind on which are displayed photographs of those abducted and or killed in the Gampaha District. Every year people gather at this Monument to remember their dear departed ones whose lives were so cruelly ended.

AHRC Human Rights Defenders Award

is awarded to

**Michael Anthony Emmanuel Fernando,
Sri Lanka**

on the 17 October 2003

*in recognition of great price paid for
freedom and defense of rights*

*Those who contribute most to the
expansion of liberties and human rights
are those who are willing to make a sacrifice
for defense of such principles;
society owes an obligation to
recognise and honour such persons*



Asian Human Rights Commission

Rights of the Victims of Crime

- The victims of crime have the right to make complaints by telephone or any other speedy means as quickly as possible. This right implies that the Complaint-receiving mechanism in the police must be efficient, fast and professionally competent.
- The victims of crime have the right for speedy investigation into crimes. This implies that the police investigators must visit the scene of the crime immediately, and all evidence must be collected without delay. The Investigators must be educationally qualified and professionally trained persons of integrity who will not initiate an investigation due to extraneous reasons or pressures.
- The victims of crime have the right for their cases to be filed in court as soon as possible.
- The victims of crime have the right not to have cases dismissed due to the negligence of prosecuting officers. For example, if the police do not attend court on the dates required, fail to display items of evidentiary value, or do not file reports in due course they violate the victims rights.
- The victims of crime have the right for their cases to be handled by educationally qualified and professionally competent prosecutors. In the cases of serious crimes the victims have the right to proper services from State Counsels under the Department of the Attorney General. The Department's workload should not be an excuse for delaying the filing of cases before High Courts. The rights of the victims of crime outweigh administrative problems. These administrative problems should be dealt with in a manner that will not be detrimental to the rights of the victims of crime.
- The victims of crime have the right to see that those officers who act in a way to deny them justice are punished. This implies that State must pay compensation to the victims of crimes where criminal investigators and prosecutors, due to their negligence, prevent the victims of crimes from obtaining justice.
- The victims of crime have the right to have actual criminals arrested and prosecuted and not be bluffed by the arrest and prosecution of innocent persons as substitutes for actual criminals.
- The victims of crime have the right that the police be free from links with criminal elements. They must not be corrupt and must be absolutely committed to maintain law and order.
- The victims of crime have the right to a disciplined police force under the control of competent high-ranking officers. The police must wear their uniforms and other identification marks, for example, their numbers and names. They should at all times be polite and act in a manner required of public servants.
- The victims of crime have the right not to be compromised by illegal police activities. They have the right not to feel that due to their complaints people have been tortured or otherwise treated inhumanely. They have the right not to feel guilty for having initiated cruel acts such as torture, extra-judicial killings, disappearances and illegal arrests done in their names by errant law enforcement officers.

AHRC- Hong Kong, Peoples Against Torture, Janasansadaya
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The proposed Compensation Under Termination (Amendment) Act No. 12 Of 2003.

An attempt to dupe and diddle workers

The UNF government amended the Termination of Employment of Workmen (Special Provisions) Act of 1971 on the promise of enacting, by law, a social security safety net for those employees who lose employment as a result of the amendment coming into force.

The justification for "labour reforms" is stated as being "conducive to economic development, mobility of labour and employment generation" This conclusion is without any factual basis. Despite the existence of the Termination Act during the last 33 years (since 1971) there is no empirical evidence that it has retarded economic development or employment generation. All the glossy publications of the B.O.I issued since 1977, the commencement of the open economy, indicates a steady growth in the inflow of F.D.I and employment generation. Hence there is no justification whatsoever to amend the T.E. Act. The only party that benefits from such adhoc amendment are the employers.

When this Amendment was discussed in Parliament the Minister of Labour did not disclose the compensation formula to the House. He kept it a secret. When he was pushed by Members of the Opposition on this issue this is what he stated: "I can assure the Hon. Members of Parliament who are very keen on these three bills and I appreciate their keenness, and say that **the formula which we will be granting will be a bonanza** as far as

the workers of this country are concerned. So therefore I am sure that they will benefit rather than be at a disadvantage." (emphasis added)

The Ministry of Employment & Labour has now put out a scheme prepared by the IMF - conditioned bureaucrats of the Treasury and is seeking to market it under the dubious title: "Compensation under TEWA (Amendment) Act No. 12 of 2003." Under the proposed scheme the government is virtually throwing the workers of this country from the "frying pan to the fire".

Imagine the plight workers who lose employment as a result of retrenchment or closures when at the moment the Commissioner of Labour, on the available evidence, could award compensation of 50 months' salary where as under the proposed scheme it would be limited to 25 -30 months' salary.

It will be noted that the quantum of compensation is virtually halved and on the basis of current minimum wages ranging between Rs. 3000- 3500 p.m (about 35 US Dollars) workers who lose their jobs will have to beg, borrow or steal to survive.

When the quantum of compensation is virtually halved from 50 months to a maximum of 25 or 30 month salary, one wonders what sort of "bonanza" the Minister was referring to (Hansard of 8th January 2003 Page 411).

Standardisation of T.E.W.A payments" is another argument put forward to justify the formula. Standardisation does not mean halving the compensation that workers of this country enjoyed for over 3 decades. The flexibility allowed to the Commissioner of Labour under the existing law permitted him to award compensation after considering the financial capacity of the Employer and the prospects of finding alternative employment. Standardisation does not mean depriving workers of certain rights they had enjoyed for the past 30 years.

The issue of a fixed formula for compensation has been commented upon by the Supreme Court in recent times. **It is the view of the Supreme Court that a fixed formula for compensation is neither feasible nor practicable.** Hon. Justice Vythilingam in the case of C.T.B.vs Wijeratne (1975 N.L.R page 481 stated as follows "Although the I.D. Act provided for the payment of compensation in lieu of reinstatement it does not lay down, the basis on which it is to be computed. He added that it is a matter which is within the Tribunal's discretion and that no definite rules should be laid down to fetter that discretion as the quantum awarded depends on the particular facts and circumstances of each case." Yet again on the same subject the Hon Justice Sharvananda stated, "when awarding compensation flexibility is essential." Circumstances may vary in each case and the weight to be attached to any particular factor depends on the context of each case" (Caledonian Tea and Rubber Estate vs Hillman 1979 - I.N.L.R page 421). These comments would apply with equal force to compensation under the Termination Act. These words of wisdom of the Supreme Court have been ignored by the powers that be to the detriment of the working class. These amendments do not help the workers at all. **They will enable the Employers to get rid of workers by the payment of a pittance of a compensation.**

Unemployment Benefit Scheme

The proposed Unemployment Benefit Scheme (UBS) has inherent contradictions as 3: 1 states that workers covered by T.E.W.A are eligible for compensation whereas 3:2 states only

workers with a salary not exceeding Rs.20,000/- p.m will qualify for unemployment benefit. Today all workers irrespective of salary or status get the protection of the T.E. Act. All employees including Managing Directors and top executives are covered by the Act. Hence to state that only those with a salary of less than Rs.20,000/-p.m will qualify for UBS is not understood. Moreover a salary of Rs.20,000/- p.m is paid to most production workers and non - executive ranks in leading private sector firms and banks. Production workers at Unilever and Subordinate Grades in Banks draw more than Rs.20,000/= p.m Hence, this cut-off point needs clarification since today all employees irrespective of rank or salary are covered by the T.E.W.A Act.

Yet another contradiction is seen at Clause (V)(I): Employees in receipt of a salary of Rs. 3000/= or less" There are thousands of workers in the unregulated sectors where salaries range between 2000 - 3000 p.m. What is the rationale in excluding such disadvantaged groups from the unemployment benefit?

The reasons given at 3 : 3 for exclusion of certain categories are not logical. A social safety net should give coverage to

all employees affected by the labour reforms, and the cut off points of RS. 20,000/= p.m and + 3000/= pm are artificial and introduced by persons ignorant of the salary levels in the private sector. Unions demand universal coverage under the U.B.S for all workers affected by the labour reforms. All workers presently covered by Termination Act should get protection under the social safety net.

Implications of U.B.L.F

Already employers are complaining about contributing to two different funds E.P.F & E.T.F. The creation of yet another found- U.B.I.F is going to complicate matters further. Yet another institution with additional staff would be required. This is an absolute waste of resources and a duplication of institutions. Let the present rate of contribution to E.P.F be increased by a reasonable percentage and the extra funds generated could be utilised to pay unemployment benefits. Yet again there will be a tax on the employee's monthly earnings which means reduced take-home pay in the context of the struggle most workers undergo to exist. E.P.F. records reveal that over 90% of our workers are paid less than Rs. 5000/= pm. It would be unconscionable to tax them to

finance a social safety net.

The scheme on the whole is complicated. The intention seems to be to confuse the stake holders especially the unions and their members. A more straightforward and simple formula easily intelligible to the average worker should be formulated. The unions suggest a simple formula, which would not adversely affect displaced workers.

It is useless comparing the system operating in other countries since such countries have introduced comprehensive social security schemes and the availability of alternative employment is not a serious problem. The economic social and political conditions are far different, and lets not blindly follow systems in those countries. The simple formula as retrenchment compensation could be:

Between 1- 3 months wages for each year of past Service or actual salary up to the date of retirement whichever amount is less, subject to a maximum of 50 months salary. This is the scheme in vogue today and employers are quite familiar with its implications. There is no need to beat about the bush.

Board of Investment (BOI) that administers the Zone, workers were too frightened to vote. Just 17 workers out of a 399 workers voted. A panel of international observers declared the referendum to be flawed and clearly outlined management tactics of instilling fear in the workforce.

This was the first referendum to be held under the Industrial Dispute Act in a FTZ enterprise in Sri Lanka. The result of the referendum one council for the Workers Unions and employees.

Since that time the union's complaints to the Labour Department proved futile. The action of the government agency, BOI helped the management to bust the union. The management was determined to prevent the formation of any trade union in its factory. It had the backing of all employers in the FTZ, the inaction of the Labour Department, its indifference to the serious situation that was developing and the union's unsuccessful attempts to resolve the dispute through negotiation

Government Castigated over Jaqalanka Dispute Request for GSP status on hold.

The dispute that arose at Jaqalanka Ltd factory in the Katunayake Free Trade Zone on the question of payment of the annual New Year Bonus in April this year was allowed to snowball in to a major confrontation between the union on one side and the company and Government on the other. The dispute assumed the character of at test case for the Right to Organise and Collective Bargaining in Sri Lanka.

The refusal on the part of Jaqalanka management to pay the bonus this year-

a privilege the workers had enjoyed at the Company since its inception 28 years ago, precipitated a strike by workers in protest and thereafter a branch of the FTZ Workers' Union was formed to negotiate with the management.

Management said they would recognise the union based on the result of a referendum, if it proved 40% membership. The referendum was held on 9th July 2003, but due to management harassment and intimidation in the run up to the poll with official connivance of the

locally brought about a situation which compelled the union to mount an international campaign to bring pressure on the management and the government to resolve the dispute.

During this time the Government of Sri Lanka had applied for special trade concessions under the Generalised System of Preferences (GSP) with the EU and US. The FTZ Worker's Union had taken up the issue of the denial Freedom of Association and the Right to Collective Bargaining at Jaqalanka Ltd factory with the global unions. The International Confederation of Free Trade Unions (ICFTU) the International Textile, Garment and Leather Workers' Federation (ITGLWF) the Clean Cloths Campaign (CCC) and Unions in Japan, Italy joined together in solidarity with the FTZ Workers' Union and internationalised the issue of denial of basic trade union rights in Sri Lanka. Both the ICFTU and ITGLWF filed petitions on the matter with the ILO's Committee of experts on Freedom of Association and the Right to Collective Bargaining which is required to inquire into complaints of this nature.

The management cried foul and sought to mislead and confuse the general public by sounding warnings of an international complacency to destabilise Sri Lanka's apparel industry and faulted the union for tarnishing the image of Sri Lanka internationally. What is being forgotten here is that it was the intransigence of the employer and the indifference of the government authorities that contributed to such a situation.

The Minister of Employment and Labour intervened in a bid to assure the global unions that his Ministry was taking action to investigate allegations of anti-union intimidation at Jaqakania Ltd. The ICFTU replying the Minister's letter of 24th September point out:

"We have been informed that on 18th September 2003 workers met with Auditors from the "Colombia" company and spoke to them about continuing threats and difficult working conditions. The following day the section manager called on those concerned to resign saying that the other workers were "going to hammer them". This same manager also tried to provoke the other workers into

going on strike to demand their dismissal. Even more disturbing was the threat made to the FTZWU branch Secretary who was reportedly told by the Production Manager that "because of the present situation in the country anything can be done for as little as 600.00 - 1,000,000 SLRs. Someone can shoot you and nobody would know who did it !

"Given the situation described above the ICFTU believes the only course of action now is to ensure the immediate recognition of the Free Trade Zone Workers Union as the collective bargaining agent of Jaqalanka Ltd. We would therefore urge you, Minister, to intervene in order to bring this about, and to take every step to safeguard the lives of the branch union members who received death threats after voting in favour of the union in the 9th July referendum".

"You will be aware Minister, the Government of Sri Lanka has an obligation to respect these principles, enshrined in ILO Conventions 87 and 98 to which your government is a signatory. You will be aware that the ICFTU lodged a formal complaint with the International Labour Organisation against the Government of Sri Lanka for violation of the above Conventions on 21st July 2003. further to the intimidation surrounding the 9th July union certification election. The latest threats made to members of the FTZWU, a copy of the present letter, as well as a copy of your faxed letter of 24th September 2003 will be brought to the attention of the ILO Committee on Freedom of Association, as supplementary information to this complaint.

Please use your good offices to ensure the respect of trade union rights at Jaqalanka and the exercise of freedom of association in the Free Trade Zone in general. **We trust that there will be no further need for us to complain to the ILO against your government".**

This happened at a time when the Government of Sri Lanka had applied for trade concessions under the GSP (Generalised System of Trade Preferences) with the EU and the US. The dispute relating to Jaqalanka Ltd was on the issue of Freedom of Association and Collective Bargaining based on ILO Core Convention No. 87 and 98 both ratified by

Sri Lanka and the company concerned and the Government should have known that the EU and US were bound to take serious note of this dispute when deliberations on the GSP take place.

Trade negotiations between EU and US came to a halt as a result and the matter came to be spotlighted at the recently held WTO Ministerial Meeting at Cancun, Mexico.

The relentless international solidarity campaign mounted by global unions on behalf of FTZ Workers' Union has had the desired effect. The upshot of all these activities was that the FTZ Workers' Union has won recognition as the union representing the concerns of its members at Jaqalanka Ltd. This is a significant victory for workers in Sri Lanka.

Private sector workers denied wage increase

The Government announced in its budget for 2994 a salary increase of 10% or Rs 1,250 whichever is higher for employes in the public service. The increase is to take effect from January 1, 2004. Unions in the public sector have already lodged their protest against this paltry paymennt and have demanded the full implementation of Tissa Devendra Commission wage proposals.

Unions in the private sector are now planning an agitational campaign to win a wage increase commensurate with the cost of living. Sensing the mood of the private sector employees it is learnt that the Govt in seeking to increase minimum wages through the Wages Boards. Such a steps would not help ease the burden of overwhelming section of private sector employees as they are not affected by decisions of the Wages Boards. Consultations are already underway among major private sector unions to get up a campaign to win a wage increase for private sector employees.

It is learnt that unions in the plantation sector too are having discussions among themselves as to how they could bring relief to the plantations workers to make ends meet in a situation of spiralling cost of living which has affected them meagre earnings.

Women's Lives and Livelihoods in a Ceasefire Situation in Sri Lanka

✦ Sepali Kottegoda

The ethnic conflict in Sri Lanka which took place over a period spanning almost 2 decades, saw more than 60,000 persons killed or disappeared and an estimated 800,000 persons displaced in the north and east of the country. In 2002, it was found that of the 800,000 displaced persons in the north and east, 91,000 internally displaced persons, mostly women and children lived in 264 welfare centres around the country while the rest have sought refuge with family and friends.¹ The South of the country and especially in what are called the 'border villages' (the areas adjoining the Sri Lanka government controlled areas on one side and LITE controlled areas on the other, has also suffered as a result of the ethnic conflict together with the aftermath of the civil strife in the early 1990s. In February 2002, the two warring factions, Government of Sri Lanka (GOSL) and the Liberation Tigers of Tamil Eelam (LTTE) signed a memorandum of understanding (MOU) to come to a ceasefire agreement and to engage in talks to resolve the issues that have led to and arisen from the ethnic conflict.²

Sri Lanka has a history of high literacy rates (87.2% for females: 903.4% for males), a sex ratio of 0.97 males to females and low maternal mortality rates among other indicators in the South Asian region largely as a result of State subsidised basic health and education services for over 5 decades. Sri Lanka was one of the earliest countries in South Asia to obtain universal franchise; there is comparatively less gender discrimination in access to schooling or health care and there appears to be fewer obstacles to higher education and skills training for women when compared to other South Asian countries. However, a closer examination of the situation of women in Sri Lanka shows, for example, show

clearly that equal access to education does not by itself indicate better life chances for women. The labour force participation of women is almost half that of men (in 2002, this was 32.5% for women compared to 67.2% for men) and the unemployment rate of women more than double that of men (in 2002 14.8% for women compared to 7.3% for men)³ Clearly, gender roles and expectations play a major role in the social and economic mobility of women in the country.

North-East Situation

These trends have been consistent in the country for several decades in most parts of the island although the statistics above do not cover the large part of the north and east of the country where the reality of a protracted and destructive war indicate certain notable features in the frequency and type of work women are able to obtain. The overall economy of the north and east has been adversely affected as a result of the war. Agriculture which had been the main economic base in the area has been seriously affected especially in the north.⁴ It has also been found that the health status and access to basic health services has seriously declined in the north and east of the country over the past two decades with women feeling its impact most heavily. (see table in next page)

The war has had a significant effect on the lives of especially women from the north and east as a consequence of often repeated displacement. Many women have emerged as household heads in the aftermath of the death or disappearance of their male partners.⁵ This trend has been noted both in the north and the east as well as in the south eastern regions of the country. Many more women now take

on the mantle of being the chief provider for their house-holds especially in situations where most social and other services provided by the GOSL have not been functioning for a considerable period of time. Many women now negotiate with government and other bureaucracies by themselves and, look after all aspects of the welfare of their families. It is still a matter of debate, however, whether these roles and responsibilities of women are acknowledged in drawing up and implementing public policy by the government and other agencies.

The change in the role that women living in conflict areas is also notable in the increased number of women who have taken to fishing as a livelihood in the eastern province. Fishing is traditionally a male occupation. They now take up activities such as marketing of produce by themselves where in earlier times; it was the men who took on such activities.⁶ Women still look for daily paid work as agricultural labour as informal sector workers where they would work in groups to clear and prepare the fields, engage in planting and also take part in harvesting. Women earn on average Rs.100-125 per day (compared to the male daily wage of Rs. 250 per day). A typical workday begins at 8.30 and finishes at 6.00pm.⁷

A new trend that has been noted in the area of women's employment is the interest and attempts by women from the northeastern districts to migrate to West Asia to work as housemaids. While out of an estimated 171,000 persons who left Sri Lanka for employment in West Asia, almost 70% were women, migration to West Asia has not been an option which has been available to women in the north and east of the country until the advent of the ceasefire in February 2002 and the ensuing relaxation of security measures which had severely curtailed civilian movement from the north to the south.⁸ As a result, however, of the long period of non-accessibility to the north and east, government bodies such as the Sri Lanka Bureau of Foreign Employment which is specifically geared to facilitate better access to employment in West Asian countries has yet to set up a comprehensive facilities in these areas. Hence, reports from these areas indicate that many prospective migrants from these

areas are extremely vulnerable to exploitation by unscrupulous job agents,

Violence

Violence against women remains one of the most disturbing issues for women in Sri Lanka and it has become clear that cuts across ethnic, religious, class or regional boundaries and marital or social status (mothers/ grandmothers, daughters, sisters). Out of a total of 1096 incidents of violence against women recorded by the Women's Rights Watch in 1999 from reports in the press, 129 women were murdered within their homes, and 145 adult women were raped; others acts of violence included incidents of rape and murder, non-domestic murders, assault (domestic and non-domestic), sexual harassment and attempted murder.⁹ Women living in the conflict areas of the north and east and especially female-headed households, have been particularly vulnerable to sexual and physical violence from both the armed forces as well as civil society over the years.

Currently, the peace negotiations being undertaken by the GOSL and the LTTE are taking up issues of economic development, relief, rehabilitation and resettlement as key areas of concern. As yet, there does not appear to be major changes in the type of range of employment that is available to women in these areas or in the area of addressing specifically the aspects of violence against women. The GOSL draft Bill on Domestic Violence (2002) has been a welcome intervention but is still to be finalised and passed by Parliament. It is expected, that should the ceasefire continue to hold, and a lasting peace is negotiated to the satisfaction of all parties, the economic capacities and social security of women would see much improvement.

1. Sri Lanka: Assessment of Needs in the Conflict Affected Areas of the North East. Draft for Comment. Government of Sri Lanka. April 2003.
2. Consequent to the signing of the MOU, government and the LITE set up three sub committees which have both an advisory and implementation capacity at the level of policy formulation and implementation. The sub committee on immediate humanitarian and

relief needs (SIHRN) and the sub committee on gender issues (SGI) have been invested with key areas of policy development. A needs assessment prepared by the secretariat of SIHRN deals with eight sectors - protection and resettlement; health; education; housing; infrastructure; agriculture; livelihoods and capacity development.

3. Department of Census and Statistics. (2002). Bulletin of Labour Force Statistics, Second Quarter, 2002. Colombo. P. 2
4. Assessment of Needs in the Conflict Affected Areas of the North East, prepared for SIHRN with the assistance of the United Nations Development Fund, the World Bank and the Asian Development Bank.
5. Kottegoda, S. (1996). 'Female Headed Households in Situations of Armed Conflict: A Note on Some Issues of Concern.' 'Nivedhini', December. Women's Education and Research Centre. Colombo.
6. 'Suriya Women's Development Foundation, Batticaloa.
7. Personal Interviews with female-headed households in Vavuniya. June 2003.
8. Asian Migrant Centre/Migrant Forum in Asia (2003) Asian Migrant Year Book 2002.
9. Women and Media Collective (1999). Women's Rights Watch Year Report 1999. Colombo.

Health Status Indicators in Conflict Affected North and East of Sri Lanka.

Indicator	Sri Lanka	North and East
Underweight 0-5 years		
Average	24.9%	46.2%
Male	29.0%	50.2%
Female	29.8%	42.3%
Low Birth Weight	16.7%	25.7%
Home Deliveries	4.0%	19.4% (31.4% in Batticaloa & 38.45 in Mannar)
Maternal Malnutrition		48%
Use of Contraception (ever used)	84.7%	51.3%
Current Use of Contraception	70.0%	36.2%
Total Fertility Rate	1.9	2.6%

Source: SIRN, Needs Assessment Survey, 2003.

Courtesy: Asian Women Worker's Newsletter (Committee for Asian Women - CAW - Thailand)

A morning in the bathroom with Christ and radio 4

✍ Hans Billmoria

Friday, 17 October 2003, the fog lay heavy on Scottish coastal towns and cities. Dundee was no different. The sun had not yet begun its work. I stood in a cold bathroom brushing my teeth, listening to the morning news on radio 4, when during the 8 O'clock bulletin; the newsreader spoke of a serving general in the American military, a man whom some call evangelical (he, and those like him are unworthy of the term), who wore his uniform to churches (in America), with the battle cry that America's just and righteous war was the Christian war against Satan. I gurgled my disgust, foaming at the mouth and my wife put her head around the door to check if I was alright. I wasn't. I gesticulated to the radio and made her listen. When the sound bite was over, she smiled sadly and closed the door. Leaving me to spit out the foam, spit out the bitterness I feel towards Christians, like the good general.

We Christin believe that the Christian-Islam divide is exclusively part of the neurotic make up of the suicide bomber, or mere paranoia that fuels Islamic fundamentalists. Too long we have ignored the disturbing voices from within our communion who see the Anglo-American assault on Iraq, and the war on terror as a whole, part of a modern day crusade preparing the world for Christ's return. The apocalyptic, transcendent Christ lives on at the expense of love, forgiveness and acceptance that the immanent Christ, the Christ who determines our very being, asks of us.

Faith as against the Church Institution

The fog outside had begun to lift, but the weight of my conscience grew heavier; what had begun with the dew of misconstrued, malignant evangelism soon grew saturated with John Humphries'

interview with the Archbishop of Canterbury, Rowan Williams. I was now in the shower, and as the water rained down, I listened with disappointment to Rowan Williams' Tony Blair like performance. I wished for the water to flood my conscience, to run down my insides, to be sucked in by my pores, because within, which no doubt has physiological explanations, disappointment gave way to disgust, and the words from the interview made me feel dirty inside. There was a metaphorical retching that was called for at the very least, but I couldn't bring myself to switch it off. I was listening to words (from a man I greatly admired), that wrote upon me with sharp nib, on the inside, tattooing me. It hurt. I wasn't disappointed because he would reject Canon Robinson; I wasn't disgusted because he pressured John Jeffrey; I was

betrayed because in the interview he sacrificed faith for the church.

To many, this would be admirable. He has fulfilled his role as the Archbishop of Canterbury, the figurehead, and fought for the different Anglican bodies to remain in communion. If he chose to exercise what he believes about homosexuals - which he incidentally, evaded to elaborate upon repeatedly, although Humphries put the question of individual conscience to him with great care - then he could possibly have been the Archbishop who triggered the fragmentation of the Anglican Communion. If he chose to exercise what he believes about homosexuals - that they have equal status in the eyes of Christ - then he could possibly have been the Archbishop, who heralded an age of acceptance, progressiveness (although I loath the word, it isn't progressive to accept homosexuals, it is fundamentally Christian) and reinterpretation of the writings of ancient cultures, poets and devout men, a.k.a. the word of God.

Hard Questions

Both these resulting hypotheses maybe unrealistic and reductive, not taking into account the complex nature of the relationships within the Anglican Communion; theologically, culturally, and economically. The question we have to ask is -does it matter? Does it matter if the Anglican Communion disintegrates? Thousands, maybe millions of those who warm church pews every Sunday, may cry that it does! Yet if the Communion is going to endure, merely on the swallowing of consciences so that they lay deep within, where they give light but faintly, a lamp under the bed; on the suppression of faith in a Christ that accepts and loves homosexuals and lesbians as much as he does heterosexuals, and transsexuals too; on the cultural and conservative views that alienate Christ's other children (he died for humankind, not for the conservatives, literal interpreters, Calvinists, Charismatics and Christians alone); is that enduring Communion worth it?

Is not a Communion that is willing to be in communion with difference, a sign of true endurance and worth?

Homosexuality is looked upon as decadent. A symbol of Western values - promiscuity! A church that calls for

Yet if the Communion is going to endure, merely on the swallowing of consciences

....on the suppression of faith....

....that alienate Christ's other children (he died for humankind, not for the conservatives, literal interpreters, Calvinists, Charismatics and Christians alone); is that enduring Communion worth it?.....

....Is not a Communion that is willing to be in communion with difference, a sign of true endurance and worth?

acceptance of it therefore, is also decadent. Yet, maybe, this view is because the church, in the West, or in general, has been afraid to afford real equality and acceptance to homosexuals, lesbians etc. It has been mumbled, whispered, tucked away in obscure paragraphs of reports commissioned on human sexuality. Homosexuals have remained forgotten, an embarrassment. If there was complete acceptance, if the churchman recognises the homosexual as a fellow child of God, and not just the prostitute of the gospel, who incidentally, was of equal worth, if not more, in Christ's eyes, then there would be no need for Jeffrey John's supporters to cry that he was a celibate!

This equality means that homosexuals should be allowed to marry in the church, should be allowed to raise families, and should be allowed to lead complete lives in Christ, without being concerned with who they are sexually. But the charge of promiscuity will not fade - homosexuals have multiple partners, their relationships are unsustainable, they are decadent and depraved. Two quick thoughts, for my shower is over, and I'm towelling off.

1) Maybe multiple partners, unsustainable relationships etc, were a result of society's attitude towards them. Forced to remain in the closet, they had to operate surreptitiously inside the closet. Thus those who didn't have the courage to come out didn't have the support of a societal structure, in order to sustain that relationship: to hold hands on the streets, to kiss in public, to enjoy a romantic candle lit dinner in a nice restaurant, to bring home their partners to meet the family.

2) Are multiple partners, unsustainable relationships, and sexually decadent or depraved lifestyles exclusively homosexual?

Whatever is expected of a heterosexual in the church should be expected of a homosexual. That is equality, fellowship, but also acceptance of difference. It is to allow men like Jeffrey John, men of God within, to become Bishops be they celibate or not!

A Plea

To the Archbishop, and all like him, men in positions that can effect change, this article makes but one plea, follow Christ within you, never deny him. The church as an institution has, often, from the Pauline era, with devastating consequences for humanity. But we as individual temples of Christ must never give in to the re-Pharisee-ing of the church of Christ. — I am dry. I will stop.

About the writer: *Hans Billmoria is a Sri Lankan who is presently a Post- Graduate Research student in the Dept. of Philosophy at the University of Dundee in Scotland.*

Editor's Note :

While echoing the writer's disappointment and even disgust at the pressuring of Canon Jeffrey John (even committed as he is at present to a personal lifestyle of sexual abstinence) to withdraw from his appointment as Bishop of Reading, the comments of Bishop Richard Harries of Oxford who made the original selection is important. He said "I want a diocese that is able to show everyone including gay and lesbian people, that they are beloved of God." Speaking to the BBC of Canon Jeffrey as being a symbol for many of gays and lesbian people in the church. Bishop Harries said, "We will have a much more honest debate about the subject. My hope is that in two years

he will have won the hope and trust both of the House of Bishops and the people in his episcopal area." He further stated that "What I was looking for was a person in the catholic tradition with a good knowledge of church growth. That is where we need the impetus at the moment." In fairness to Archbishop Rowan Williams of Canterbury it must be remembered that in his comments on Canon John's withdrawal he said "Canon John's withdrawal should not be taken to mean that the Church can now stop being concerned about how it discerns the will of God in this area of ethics. Later this year, a significant study guide to the debate in the Church of England on issues in Human Sexuality will be published. I hope that this will be fully used to deepen our understanding. Whatever the difficulties we cannot afford to ignore or foreclose the necessary work. And this will involve people at every level in the Church's life.... Let me add that some of the opposition expressed to Canon John's appointment has been very unsavoury indeed. A number of letters I received displayed a shocking level of ignorance and hatred towards homosexual people. Our official policies and resolutions as Anglicans commit us to listening to the experience of homosexuals and recognising that they are full and welcome members of the Church, loved by God.... We need now to give ourselves the proper opportunities honestly to think through what has happened and to find what God has been teaching us in these difficult days."

Bishop Gene Robinson



Bishop Gene Robinson waves to the assembled congregation after being consecrated as the first openly gay Bishop in the Episcopal Church in Durham, New Hampshire, November 2, 2003. 54 Episcopal bishops participated in the ceremony at which Canon Robinson joined their ranks and assumed the symbols of office, including his mitre - a gift from his boyfriend and his two daughters.

After separating from his wife in 1986, Canon Robinson has lived openly with a male companion, Mark Andrew, for the past 13 years. He has said that God had called him to acknowledge himself as a homosexual.

(See next page for story)
(Telegraph Group: Reuters)

Mixed feelings as first openly gay Bishop is consecrated

Over 3,000 people, including 54 bishops and ecumenical guests, gathered today at the Whittemore Center - part of the University of New Hampshire, Durham - to celebrate one of the most controversial and momentous occasions in the history of the Anglican Communion.

The Rt Revd V Gene Robinson, an openly gay man, was consecrated as Bishop-coadjutor of New Hampshire this afternoon in a three-hour long ceremony that involved choirs, bell ringers, brass bands and thunderous applause, but also heard the witness of some Episcopalians who were not so happy with the first openly gay bishop to be consecrated in the Anglican Communion.

There is always a point during a consecration service when people are asked whether they know of any just reasons why the person should not become a bishop. Before any objections were raised the Presiding Bishop of the Episcopal Church, USA (ECUSA), reminded everybody that "the people who are to speak are our brothers and sisters in Christ and there should be no public responses voiced from the congregation".

One of the objections was read by Meredith Harwood, a parishioner of St Mark's Episcopal Church, Ashland, NH. "To press forward with this consecration will be to turn our backs on Almighty God," she said. "This is the defiant and divisive act of a deaf church.... The vast majority of Anglicans worldwide have told us not to take this step which many of them see as a scandal, yet we are deaf to their cries." She concluded her speech by saying, "We must not proceed with this terrible and unbiblical mistake which will not only rupture the Anglican Communion, it will break God's heart."

The Rt Revd David Bena, Bishop Suffragan of the Diocese of Albany, read a statement that endorsed the "assessment of the Primates of the Anglican Communion". Part of the statement, which was signed by 38 bishops from the Episcopal Church, said, "All Christians, and bishops in particular, are called to guard the unity of the faith and of the knowledge of the Son of God... It is impossible to affirm a candidate for bishop and symbol of unity whose very consecration is dividing the whole Anglican Communion."

After the pronouncements had been raised, Bishop Griswold said that, as there were no objections other than those which had already been debated extensively at General Convention and at other times, the consecration would proceed. He added that "one of the African Primates at the meeting in Lambeth Palace [two weeks ago] had said that the Holy Spirit can be doing different things in different places and I think that's precisely what we are doing here."

During the sermon the Rt Revd Douglas Theuner, VIII Bishop of New Hampshire, expressed his confidence in Gene Robinson's consecration to the episcopate saying, "Because of who you are Gene, you will stand as a symbol of the Church like none of the rest of us can. Because of your presence, the episcopate will be more of a symbol of unity than it ever has been."

Bishop Theuner continued by describing what he called "defining moments in the Christian life. "When an abused woman attends a bible study in a local church and feels enough love and support there to realise that she is a child of God filled with worth and value... that's

a defining moment in Christian life. When a young man unsure of his sexual orientations reads 'The Episcopal Church welcomes you' on a sign outside a church and enters that church and finds out through the love and acceptance of its members that the church really means what the sign says, that's a defining moment in the Christian life."

It is biblical interpretation that is the driving force behind the entire altercation regarding human sexuality, and the conservative debate is grounded firmly in the belief that the Bible is clear on homosexual practice, not to be altered or interpreted in light of cultural developments. Many societies in the West are coming to terms (however uneasily) with the presence and participation of homosexual people in the church and in society but countries in the southern hemisphere are far more uncomfortable with the matter.

Questioned by an interested news editor, the Sub-Dean of the Anglican Cathedral in Harare said, "It is the Bible that decides on the way forward because it is the final authority or reference point on this matter. Bishop Robinson must be expelled from the Church and no Anglican must pull out of the Church in protest."

The American Anglican Council issued a strong statement shortly after the consecration asking for people to redirect their financial giving "to ministries or organisations that call Jesus Lord". The statement also included such lines as "Heresy has been held up as Holy" and "Blasphemy has been redefined as blessing".

On the other side of the dispute the Revd Colin Coward, Director of Changing Attitude - a national organisation of Bishops, Priests and Lay People in the Church of England calling for the full participation of lesbian and gay people in the Anglican Communion - said that "Gene Robinson's ministry will inspire lesbian, gay, bisexual and heterosexual Christians with new confidence that we have a full place at the communion table of our Lord. The highest offices of the church can be open to lesbian and gay people without pretence." He added that "a new honesty is present, undermining the secrecy of 'don't ask, don't tell' policies and the fear

of discovery and abuse which many lesbian and gay Christians live with."

Outside the hall protestors gathered from both sides of the issue. One person told ACNS that "Gene Robinson is living his life in defiance of the Lord God almighty". Marshall Greenleaf, a student from the University of New Hampshire, said that he felt it was about time that people came together and accepted one another.

The Revd Richard Kirker, General Secretary of the Lesbian and Gay Christian Movement, said, "Despite all the furious debate this ordination has stirred, what strikes me as I speak to people here, is the admiration and love felt by all who know Gene Robinson. Even those who are troubled by his sexuality are full of praise for him as a Man of God, pastor and teacher."

He added, "We Christians have so much to unite and inspire us, let us seize the moment and let our love for each other triumph over our divisions." Bishop Robinson told the congregation this afternoon that, although he felt deeply honoured, he urged compassion towards church members angered and upset by his consecration. "Our God will be served if we are hospitable and loving and caring towards them," he said, fighting back the tears. "If they must leave, they will always be welcomed back into our fellowship." ■

Statement from the Archbishop of Canterbury

[ACNS Source: Lambeth Palace] The Archbishop of Canterbury, Dr Rowan Williams, has issued a statement following the consecration of Canon Gene Robinson as bishop coadjutor of New Hampshire. The text is below.

"It was recognised fully at last month's meeting of Anglican leaders that the consecration of Gene Robinson as Bishop in New Hampshire would have very serious consequences for the cohesion of the Anglican Communion. That meeting requested the setting up of a Commission which would examine these consequences in depth. Last week the membership of that group was announced and I look forward to being in close touch with it as its work develops.

"The meeting also encouraged me to be in discussion with the leaders of the provinces concerned about provisions made for those alienated by decisions which appear to go against Catholic order or biblical teaching. Such discussion has already begun.

"The divisions that are arising are a matter of deep regret; they will be all too visible in the fact that it will not be possible for Gene Robinson's ministry as a bishop to be accepted in every province in the communion.

"It is clear that those who have consecrated Gene Robinson have acted in good faith on their understanding of what the constitution of the American church permits. But the effects of this upon the ministry and witness of the overwhelming majority of Anglicans particularly in the non-western world have to be confronted with honesty.

"The autonomy of Anglican provinces is an important principle. But precisely because we rely on relations more than rules, consultation and interdependence are essential for our health.

"The Primates, meeting last month expressed its desire to continue as 'a communion where what we hold in common is much greater than that which divides us'. We need now to work very hard to giving new substance to this, and to pray for wisdom, patience and courage as we move forward." ■

Another Eames Commission

Archbishop Robin Eames of Ireland, appointed to head the commission - similar to the task he accepted in 1988 when the issue was the ordination of women - was cautiously hopeful. Noting that "we are moving into unknown territory" when asked whether a split was inevitable, he said, "I don't think you can prevent a realignment. I sincerely hope we can prevent what you call a split."

"We're still here, because we looked at ways in which the pastoral guidelines could be accepted across the world to maintain the highest possible degree of unity - and I believe we can do it again," he said.

He also said that the Robinson consecration and the approval of blessing same-gender relationships in the Diocese of Westminster in Canada "do not represent the mind of the Anglican Communion as a whole."

Archbishop Peter Akinola of Nigeria and Archbishop Benjamin Nzimbi of Kenya expressed strong opposition to the consecration.

As he has in the past, Archbishop Njongonkulu Ndungane of the Province of the Church in Southern Africa, struck a much more conciliatory note, offering his congratulations to Bishop Robinson and offering prayers for him.

Some express joy with consecration

Other voices were delighted with the consecration. Dean Colin Slee of Southwark Cathedral in London said that Anglicans should rejoice that "at last there is an open and honest consecration of a homosexual bishop within the church. There have been many before but they have not been honest or open."

"His ministry will inspire lesbian, gay, bisexual and heterosexual Christians with new confidence that we have a full place at the communion table of our Lord," said the Revd Colin Coward, director of Changing Attitude, a British organisation of Anglican bishops, priests and lay people that promotes a more open attitude in the church.

"This consecration is God's way of making the church come to terms with homosexuality," said Christopher Ssenyonjo, a retired Ugandan bishop. "Bishop Robinson did not elect himself, he was elected by others. To me it seems God inspired them to vote that way."

-Anglican Communion News Services (ACNS) ■

Nothing New

A columnist in the *Times* of London pointed out recently: "The Anglican Communion has been out of communion with itself since at least 1989 when the American Church appointed Barbara Harris as its first woman bishop. What's one more schism among such friends?" (ACNS) ■

'Engaged Buddhists' take on world

To some, "engaged Buddhism" may seem like a contradiction in terms. Traditionally, Buddhists have sought to avoid suffering by disengaging from desire, training themselves through meditation to look past the world of illusion to the spiritual reality beneath.

But during the past few decades Buddhists have been re-examining the teachings of their religion and finding a basis for social action, for confronting war, racism, exploitation, commercialism, and the destruction of the environment. One of the world's leading engaged Buddhists, Sulak Sivaraksa, currently a fellow of the Harvard Yen-ching Institute, spoke on March 14 in a symposium called "Buddhism, Globalisation, and Social Change." Also on the panel were Venerable Yifa, a Taiwanese Buddhist nun and director of the Greater Boston Buddhist Cultural Center; Charles Hallisey, associate professor of Buddhist studies at the University of Wisconsin, Madison; and Janet Gyatso, the Hershey Professor of Buddhist Studies at Harvard. Christopher Queen, lecturer on the Study of Religion, was moderator.

"There's been a sea-change in the Buddhist tradition," said Queen, who has edited several books on engaged Buddhism. "Buddhists have gotten up off their cushions, recognizing that collective sources of suffering in the world must be addressed by collective action."

Engaged Buddhism is a global phenomenon, taking many different forms, said Queen. *Prominent* members of the movement include B.R. Ambedkar, who brought Buddhism to the "untouchables" of India; Thich Nhat Hanh, the Vietnamese Zen master, known for his activism against the war in Vietnam; and A.T. Ariyaratne, founder of the Sarvodaya Shramadana rural development movement in Sri Lanka,

Precepts Re-interpreted

Sulak, the founder of the International Network of Engaged Buddhists, is Thailand's leading dissident and public intellectual. The author of many books and

articles, he has been jailed and exiled several times by Thai authorities for speaking out about state policies on environmental justice and human rights. He has been twice nominated for the Nobel Peace Prize and in 1995 received the Right Livelihood Prize from the Swedish Parliament.

In his talk, Sulak spoke about nonviolence as the master precept of Buddhism and discussed the ways in which Buddhism's other precepts are related to this master teaching.

For example, he said. Buddhism forbids stealing. "But if you let a few collect wealth at the expense of the poor, that is worse than stealing."

Similarly, Buddhist teachings condemn sexual misconduct. Yet in Thailand today, where many young women are forced or tricked into lives of prostitution from which they find it difficult to escape, the responsibility for this activity falls on those who organize and profit from the sex trade, not on its powerless victims.

"We must interpret the precepts in a modern way," Sulak said.

Yifa, who earned a law degree from the National Taiwan University and a Ph.D. in religious studies from Yale University, has been a nun at Fo Guang Shan Monastery in Taiwan since 1979. She has been an administrator at Fo Guang Shan Buddhist College and at Hsi Lai University, Rosemead, Calif., a visiting scholar at the University of California at Berkeley, and a faculty member at National Sun Yat-Sen University.

In her talk, she discussed the establishment and subsequent decline of women's monastic orders in Buddhism. Only in China did these orders persist, and today only in Taiwan can they be said to flourish.

Yifa faced opposition from her middle-class family when she announced her intention to enter Fo Guang Shan Monastery in Taiwan. Her current research focuses on women in Buddhism. Her book on monastic rules and institutions, *The Origin of Buddhist Monastic Codes in China* (Hawaii University Press, 2002), discusses all aspects of life in Buddhist monasteries during the Song Dynasty (960-1279 A.D.).

Hallisey described his students' adverse reaction when Sulak came as a guest lecturer to one of his classes and spoke on the Buddhist view of democracy. Westerners, and especially Americans,

believe they invented democracy, and find it difficult to hear a person from a different culture criticize their beliefs and practices, he said.

The Western view of democracy emphasizes the freedom to acquire — the right of citizens to obtain justice under the law, economic opportunity, the ability to speak freely, etc. But Buddhists are more likely to stress the

freedom to give, characterized by "generosity on one person's part toward another, the ability to give others the freedom to be themselves."

From this viewpoint, introspection is of paramount importance in a democratic society. "We must look into ourselves and see if there is democracy in our hearts," Hallisey said.

Gyatso's talk focused on the question of women's monastic orders in Buddhism, taking up the issues that Yifa had raised, but from a more scholarly perspective. She discussed Buddha's acceptance of women in monastic orders, but only if they were governed by "the Eight Heavy Rules," which make the most senior nun subordinate to the most junior monk.

"That is the situation Buddhism faces today — how to handle challenges to authority brought by the feminist critique. Just as we haven't attained full democracy, we also have not attained gender equality," she said.

The Harvard University Gazette
March 20, 2003
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Sulak Sivaraksa

'Engaged Buddhists' take on world

To some, "engaged Buddhism" may seem like a contradiction in terms. Traditionally, Buddhists have sought to avoid suffering by renouncing worldly desires, training themselves through meditation to look past the world's illusion of the spiritual reality beneath.

But during the past few decades Buddhists have been re-examining the teachings of their religion and finding a basis for social action, for confronting war, racism, exploitation, environmentalism, and the destruction of the environment. One of the world's leading engaged Buddhists, Sulak Sivaraksa, currently a fellow of the Harvard-Yenching Institute, spoke on March 14 in a symposium called "Buddhism, Globalization, and Social Change." Also on the panel were Venetia Yita, a Taiwanese Buddhist nun and director of the Greater Boston Buddhist Cultural Center; Charles Hallisey, associate professor of Buddhist studies at the University of Wisconsin, Madison; and Janet Gyatao, the Harnsey Professor of Buddhist Studies at Harvard. Christopher Queen, lecturer on the Study of Religion, was moderator.

"There's been a sea-change in the Buddhist tradition," said Queen, who has edited several books on engaged Buddhism. "Buddhists have gotten up off their cushions, recognizing that collective action is possible."

Engaged Buddhism is a global phenomenon, taking many different forms, said Queen. Former members of the Buddhist Peace Movement in the United States, Buddhist monks in Vietnam, the Vietnamese Buddhist monk Thích Nhất Hạnh, the Vietnamese Zen master known for his activism against the war in Vietnam; and A.T. Ariyaratne, founder of the Sarvodaya Shramadana Buddhist development movement in Sri Lanka; and Sulak, the founder of the international Network of Engaged Buddhists, is Thailand's leading dissident and public intellectual. The author of many books and

articles, he has been jailed and exiled several times by Thai authorities for speaking out about state policies on environmental justice and human rights. He has been nominated for the Nobel Peace Prize and in 1985 received the Right Livelihood Prize from the Swedish Parliament.

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For example, he said, Buddhist monks stand "But if you let a few corrupt wealthy at the expense of the poor, that is worse than stealing."

Similarly, Buddhist teachings condemn sexual misconduct. "In Thailand today, where many young women are forced or tricked into lives of prostitution, we must actively to rescue them from their situation."

"We must interpret the precepts in a generous way," he said.



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CWF's National Programme

The devising of a three year national programme for the CWF referred to in the last issue of *Christian Worker* has since been finalised with the co-operation of the CWF's far flung branches and was now to be presented for funding to likely donors. This programme is aimed towards CWF nearing self-reliance at the end of the three year period, though the present climate is not exactly one that is readily conducive for funding by most donor agencies. However the CWF intends to pursue its modest proposal that would also be properly managed and maintained with the recruitment of a competent staff although covering several areas of the country. Meanwhile CWF work in branches has been conducted by its members on a voluntary basis, even if on a low key due to financial constraints.

Easter Programme

The Easter Programme was held on April 19 at Kamkaru Sevana Ratmalana starting at 9.30am till early evening followed by the Easter Eve Observances and the First Mass of Easter. This was originally a three day Holy Week Programme from Holy Thursday to Easter Eve but now reduced to a day's programme because of financial difficulties. However the one-day programme held in the last few years has been successful and helped to strengthen and deepen the spiritual dimension in CWF's life. The Easter Programme this year also held at Ratmalana commenced with a Study-Reflection-discussion on "The Displaced Jesus" - a theme so relevant to our present conditions. It was led by Mahinda Namal editor of *Kithusara* (a paper popular in social conscious Christian circles), Fr. M. Sathivel who has widely visited and made contact with displaced people in different parts of the country and the Revd Dr. Jayasiri Peiris from the Theological College of Lanka. The reflections made provoked a lively discussion among those present. The Easter Eve Observances that followed in the late evening with the Vigil and Festivals of Fire and Water were climaxed by the First Mass of Easter. While there was a strong lay involvement in the service the First Mass of Easter was concelebrated by Fr. Jayasiri Peiris, Fr. Marc Bilimoria and Fr. Hilary Peiris OMI.

May Day Mass

Our May Day Mass this year was celebrated on May 1st morning at 9am in Polwatte at the Stanley Jansz Plyground in Alvis Place commonly known as "Mattie Park", preceded by a procession of witness. A special feature this year was the participation in the procession of the Revd Baddegama Samitha. MP - the country's first Buddhist Monk elected from the South to Parliament-who joined the Bishops and clergy in walking through the streets of the Polwatte 'village' with the people chanting the Workers' Litany to the traditional pilgrim chant in Sinhala led by drummers and as dancers workers children who had come out of our Ratmalana pre-school, with present children of the pre-school carrying lotus flowers to offer, preceded by the traditional cultural insignia - sesath, pandam (torches) and incense burners accompanying the processional cross at the head of the procession followed by the Red Flag and implements of work. When the procession neared the park the processionists were also joined by the Muslim Governor of the Western Province Alavi Moulana, a former trade unionist and a friend of the CWF. The Workers' Mass commenced in the park with the lighting of the traditional oil lamp by women representing the CWF branches in different parts of the country followed by the censing of the lamp (as symbol of God's presence) and the people to the singing of the Magnificat (Mary's Song of Liberation). The readings included an English Bible Reading read by a woman, a Buddhist text in Sinhala read by the Revd. Baddegama Samitha and the Gospel brought up in a procession and sung in Tamil by a woman. CWF's May Day Message excerpts of which were read out, replaced the sermon. The message was distributed to those present in 3 languages. (See Annexure 1 to the political comment in the 'Yellow Pages' inside for the text).

It may be worth mentioning that one of the reasons why the Mass this year had to be held outside St. Michael's Church (the previous years venue for the Mass) was the prejudiced and unenlightened opposition to the inclusion of "non-Christian" prayers and readings in the Mass - although this had been the practice for many years - with a whole line of Anglican Bishops consenting to this usage, even when the Mass was held inside the Church! The opposition came from the new Vicar of St. Michael's backed

by his "Worship Committee". Significantly The *Ceylon Churchman* the official Magazine of the Anglican Church complimented the CWF for having had the Mass outside in a park close to people and everyday life and commended the Mass as an uplifting and creative act of worship in its editorial that month.

After the intercessions of the people, the Ministry of the Sacrament commenced, Bishop Kumara Illangasinghe of Kurunegala presiding over the concelebration of the Mass with Bishop Andrew Kumara and leading clergy from the mainline Churches. It began with the Exchange of Peace (Greeting of Love) shared by clergy and people and the bringing up in procession of the offerings of bread (a common 'roti') and wine preceded by children with lotus flowers to offer and dancers, reinforced thereafter by the Red Flag of Labour and implements of work. After the Eucharistic Prayer of the Mass (drawn up by lay people in language meaningful to people also of other faiths) came the elevation of the Sacrament and prostration, the ceremonial and music used being very indigenous in character. After the Communion which followed, the Red Flag and implements of work were received back by the workers and carried out to during the singing of the Sri Lankan equivalent of the Internationale thus linking this Mass with the struggle of the masses for liberation. A fellowship breakfast followed to which members of the Sinhala congregation of St. Michael's Church made their contribution in kind. Our members and others present after a time of fellowship left to join in the May Day demonstrations and rallies held later that afternoon in the city.

Agitation over Mass Issues

Our members were also kept busy both in Colombo and at the provincial level by agitation over the 'conditionalities' imposed by the WB-IMF to which the UNF government was committed in implementing. (See articles under the 'Comments' inside). Most of this agitation was led and co-ordinated by the Peoples Alliance for the Protection of National Resources and Human Rights which the CWF too had joined as a constituent body. Several meetings were held by the Alliance to discuss the organisation of this agitation on mass issues such as that held on June 17 at the Dharmagaveshi Hall in Baudhaloka Mawatha Colombo,

There were also two discussions on globalisation led by the Revd Canon Francois Houtart a distinguished sociologist

and political analyst at the Cardinal Cooray Hall in Tammita Negombo at and at the Ecumenical Institute for Study and Dialogue in Colombo from July 28 and 29 respectively. Several of our members were present.

August 12 saw the 50th Commemoration of the August Hartal of 1955 at Colombo's Public Library Hall and at Ambalagoda.

On August 15-15 four official delegates from the CWF participated in a 'Peoples Forum' on the theme "Spirituality and Culture of Peace beyond Globalisation" organised by the Christian Conference of Asia and National Christian Council. The CWF contributed a statement on the theme for this meeting which was greatly appreciated. This statement will appear in our next issue. Several members of CWF in addition to the official delegates were present at the sessions.

On August 27 the Alliance for the Protection of National Resources and Human Rights initiated an island-wide campaign against the "Regaining Sri Lanka" Programme of the Government (See articles under 'Comments' inside) with a meeting held at the Dharmagaveshi Hall in Colombo followed by the signing of the Peoples' Petition in different parts of the country accompanied by mass meetings and cultural activities to bring home the message to the people of the dangers to them in the WB - IMF dictated Government Programme which was sought to be imposed on the country. Our branches and members participated fully in these activities.

On September 17 we participated in a picket and demonstration in front of the Fort Railway Station in Colombo. This was followed by a meeting on September 18 in Ratmalana at our Centre where the unions in the area with the support of CWF sought to organise a 'Workers' Fellowship' for solidarity and mutual support in the face of the dangers threatening the workers. (The CWF had sponsored such an organisation in the early 1970s with effective results though that organisation ceased with the brutal suppression of the 1980 strike and workers organisations by the UNP government of President JR Jayewardene,

On September 19 our members joined in the mass picketing to protest against the "Regaining Sri Lanka" programme at Ja-ela and on September 24 with a picket again at the Fort Railway Station. This was followed

by another meeting at Ratmalana to further the 'Workers Fellowship' we had started. On October 10 our members joined in the agitation against the Express Highway Programme which sought to displace residents, commencing from Wattala and covering the entire Gampaha district.

October 11 - 12 saw an organised campaign to collect signatures for the 'Peoples' Petition' in the Katunayaka area.

Some of our members participated also in the Annual General Meeting of the Movement for the Defence of Democratic Rights (MDDR) held on November 6 and a meeting of the Anti-war Front on November 14 at Marga. December 3rd saw mass picketing again at the Fort Railway Station followed by a demonstration that proceeded towards Kollupitiya and ended with a meeting at the CMU Hall there

The 'Govi' Celebrates its Tenth Anniversary

The Govi Nipayum Alevi Sanvidhanaya of Badulla has completed ten eventful years of service to the farmers in the dry zone areas of the Uva Province. It was started in May 1993 with the object of promoting socio-economic and cultural upliftment of the most marginalised sections of the farming community in the Uva Province, by organising marketing facilities for their produce. The trade liberalisation policies commenced after 1977, leading to the free adoption of free market policies and the gradual abolition of "Guaranteed Price" schemes hitherto enforced by the Government adversely affected the farmers. The international market forces were expected to guarantee the internal food security of the country. The farmers were left in the lurch. The timely formation of the "Govi" in 1993 provided the much needed "safety net" to the farmers. The 'Price Leadership' given by the "Govi" in purchasing the farmers' produce, such as dried chillies, green gram, soya beans, cowpea, sesame etc at prices favourable to the farmers, enabled them to earn higher incomes.

"Fair Trade Policy and Service Orientation."

The "Govi" has also followed a policy of "fair trade" which was beneficial to the producer as well as to the consumer. The produce purchased from the farmers at prices favourable to them were directly

supplied by the "Govi" to the State owned Co-operatives Federation and the Marketing Federation which supplied consumer goods to the Multi-purpose Co-operative Societies for sales through their outlets to the poor rural and urban people at affordable prices. The "Govi" could obtain higher prices for these products from the open market but its desire to serve the poorer sections of the community through the co-operative network compelled it to sell these products to the State owned Cooperative organisations.

The most distinguishing feature of the "Govi" from other commercial organisations is its inherent service orientation. Where other commercial organisations are propelled by the profit motive and profit maximisation, the 'Govi' is functioning as a "not for profit" organisation. Its main objective is to perform equally useful services to the producers and to the consumers: paying the nest possible price to the producer and selling it to the consumer at the most reasonable price. Only a marginal difference in price is maintained to cover the management costs.

Nutritional Programme

The other noteworthy contribution made by the "Govi" during the last ten years was the commencement and continuation of a nutritional programme to reduce the incidence of protein malnutrition among the poor and middle classes. The production and marketing of protein rich soya milk as a beverage and soya milk based products such as soya ice cream, soya yoghurt, soya curd (Tofu) and soya pulp based pastries and soya flour mixed bakery products (the full spectrum of items from bread to cakes) has caused homeowners' goodwill from the customers in the Badulla town and the surroundings. The popularity of these products among the consumers and the continuous demand manifested in the market compelled the organisation to produce products twice a day. In order to meet this customer need the organisation had to build a new bakery in its own premises costing approximately Rs.500,000/- without depending on rented out old bakeries. The organisation is today equipped with a soya milk and milk based production unit, pastry production unit and a bakery. The soya food produced at these production units are sold to consumers largely through 2-3 sales outlets run by the organisation. Soya pastries and bakery products are sold through selected private agencies as well.

May Day Workers' Mass 2003

The production of vegetable seeds for sale to farmers at a reasonable price was another objective pursued by the "Govt". In order to realise this objective the Govt purchased nearly 20 acre of land at Kudaoya and preparatory work such as the construction of a water tank laying pipe lines etc were undertaken. However, after most of the preparatory work was completed to commence the seed production programmes, the government announced its intention to establish an "Elephant Corridor" connecting Udawalawe and Yala wildlife sanctuaries facilitating the elephants to move from one sanctuary to the other and the property purchased by the Govt happens to be situated within the area earmarked for the 'Elephant Corridor'. Hence this project had to be postponed until the acquired properties are paid compensation and a property suitable for this purpose is found.

The organisation commenced its activities in 1993 with 4 employees. Today, the "Govt" provides gainful employment to 35 employees whose monthly remunerations are generated by their own productive and marketing efforts. The employees are made to realise that their salary increments have to be earned through productive effort. This growth in employment could be considered as an indicator of the magnitude of the growth the organisation has achieved during the last few years.

The further growth of the organisation and for payment of higher salaries to the employees it is evident that the organisation should diversify its activities. With this in view arrangements have been made to produce value added products. Instead of selling in bulk the produce purchased from the farmers, the organisation intends to commence a "dry product" line in addition to the existing "wet product" line. This would be done by converting the dried chillies, condiments, cereals and lentils etc into powder and flour and to market these in packeted form thus adding more value to these products.

For the commencement of this new production process and for establishment of a sales centre for these products, the organisation has planned to build a two storied building of approximately 700 square feet. The work of the ground floor is planned to commence early next year and the production would hopefully commence in June 2004. This construction has been estimated to cost approximately one million rupees. ■



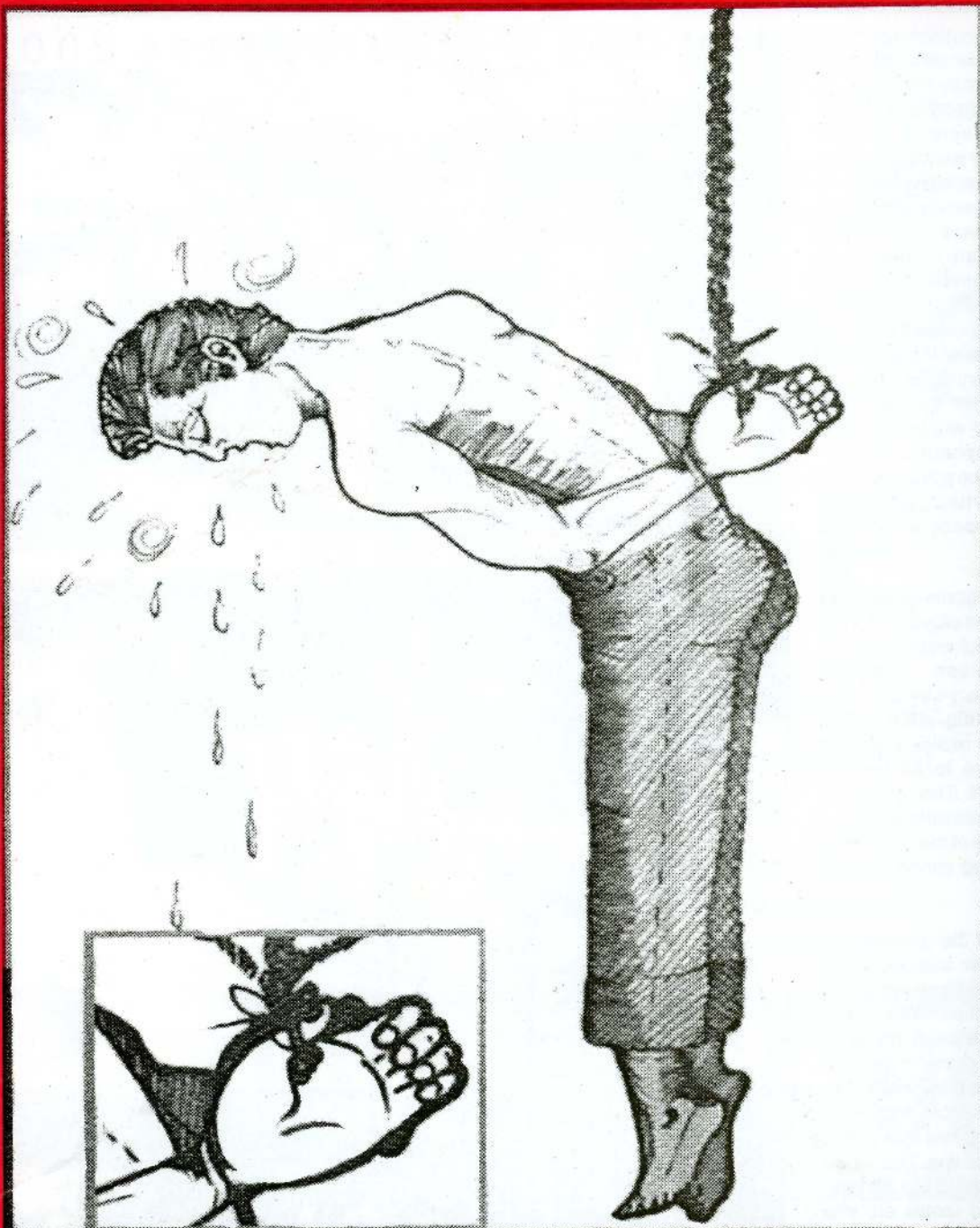
Clergy join in Street Procession



Lamp Lighting before the Mass



Congregation Scene



**Hanging by the thumbs
commonly used by the police in
Sri Lanka results in the permanent
loss of the victims' use of their arms**

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