

# TAMIL GUARDIAN

No. 335 ISSN 1369-2208

WEDNESDAY NOVEMBER 01, 2006

free fortnightly

## The Tamils are in a familiar predicament.

PAGE 6

### Child Protection

The LTTE's administration outlaws child labour and recruitment of minors into the military and police. [NEWS 4](#)

### Offensive planned

Sri Lanka's military is massing troops and weaponry and conducting exercises outside LTTE controlled areas. [NEWS 4](#)



### Demerger difference

Sinhalese celebrate amid Tamil rage after the Supreme Court ruling. [NEWS 5](#)

### International Paradox

The more successful Sri Lanka's Army is, the less international support there will be for a negotiated solution. [COMMENT 6](#)

### Humanitarian Crisis

Jaffna faces starvation as the de-facto blockade continues. [NEWS 8-9](#)

### Doubtful tie

Sri Lanka's two main parties seal a pact. But few are convinced. [NEWS 10](#)

### Aanivaer touches

A new Tamil film sets new standards for professionalism in production - and the tackling of the conflict. [CINEMA 11](#)



### No panacea

'The Indian constitutional model did not have to address strong secessionist sentiments' [NEWS 15](#)



A woman holds the photograph of a 'disappeared' family member during a demonstration in Colombo. Hundreds have disappeared. Report p2. Photo Lakruwan Wanniarachchi/AFP/Getty Images

## Peace process turns on A9

PROSPECTS for further negotiations to end Sri Lanka's conflict rest primarily on one thing: the Colombo government's willingness to open the A9 highway and lift the blockade on the northern Jaffna peninsula, home to over 600,000 Tamils.

The crunch came over the weekend as negotiators of the government of Sri Lanka (GoSL) and the Liberation Tigers of Tamil Eelam (LTTE) met in Geneva to end the spiralling violence that has claimed up to 3,000 lives this year.

The LTTE took up the humanitarian crisis confronting Tamils in many parts of the Northeast, but particularly the Sri Lanka Army (SLA) controlled Jaffna peninsula which is cut off from the rest of the island.

But the government flatly refused to do so, arguing there were security implications.

The talks promptly broke down despite the efforts of Norwegian facilitators to cajole and reportedly even strong-arm the protagonists into agreeing to meet again.

"We took up the humanitarian crisis in Jaffna as the urgent priority issue," the LTTE's political chief, Mr. S.P. Tamilselvan, said after the first of the two-day talks, the first formal meeting between the two sides since February.

"The Sri Lankan government was not prepared to relieve the population from the unfolding humanitarian catastrophe," Mr. Tamilselvan said.

"Not enough food is moving. It is an extremely vulnerable situation,"

*Continued on page 2*

## GENEVA TALKS COLLAPSE IN FIASCO

PAGE 3

**CARLTON LEISURE**  
Worldwide Travel & Tours

**WEST LONDON**  
299 RAYNERS LANE  
HARROW, MIDDX, HA5 5EG  
020 8426 1266

**EAST LONDON**  
7 STATION PARADE  
EAST HAM, LONDON, E6 1JD  
020 8586 7675

**SOUTH LONDON**  
233 MITCHAM ROAD  
TOOTING, LONDON, SW17 9JG  
020 8672 5757

**CENTRAL LONDON**  
68 GREAT PORTLAND ST.  
LONDON, W1W 7NG  
020 7636 7636

**NEWBURY PARK**  
742 EASTERN AVENUE  
ILFORD, ESSEX, IG2 7HU  
020 8554 4200

web: [www.carltonleisure.com](http://www.carltonleisure.com) email: [info@carltonleisure.com](mailto:info@carltonleisure.com)

COLOMBO  
fr£280+TAXES

MADRAS  
fr£225+TAXES

AUSTRALIA  
fr£399+TAXES

TORONTO  
fr£289+TAXES

For Worldwide Tour Packages  
Tour hotline 020 8429 2797

FROM PAGE ONE

# Peace process turns on A9 ...

*Continued from page 1*

the head of the UN's child agency, UNICEF's mission in Sri Lanka, Joanna Van Gerpen, told Reuters.

The LTTE has said it is ready to resume negotiations as soon as the government opens the A9, allowing the movement of people, food and other supplies into and out of the northern peninsula.

Since the signing of the now frayed truce in 2002, Jaffna had been supplied through the A9 highway, which passes through the huge swathe of LTTE-controlled territory the Vanni.

The road was closed mid August when heavy fighting erupted between the two sides' across their frontlines at Muhamalai. The Sri Lankan government has since refused to reopen the road.

Analysts say this is because the military wants to recapture the LTTE-held southern part of the peninsula and doesn't want to dismantle its substantial military buildup in the middle of the peninsula astride the highway.

Indeed, the SLA has already launched an abortive offensive against the Elephant Pass area. Over 130 soldiers were killed and over 500 wounded before the

**'We know that airlifting and shipping food for so many people will not be a success. Half the stuff goes to the armed forces.'**

offensive, which came barely two weeks before last weekend's talks, was called off.

Meanwhile hardships and frustration have been worsening amongst the 600,000 Tamils who live under the domination of 40,000 Sinhala troops.

"If the government delays reopening the A-9 road, I tell you there will be riots ... more killings, violence and kidnappings," Samuel Vethnayagam, a retired land surveyor, told Reuters in the Jaffna last week.

To Vethnayagam, who came from Colombo in August to visit his ancestral home in Jaffna and has been stuck there ever since due to the fighting, the talks in Geneva were a waste of time.

"The government is holding us like prisoners here ... I have no fear of war because we have faced war situations before, but never a scarcity of food like this."

The Sri Lankan government says it is supplying the peninsula by sea and air.

But there are two problems

with sea-borne supplies.

Firstly, a sea route cannot match the capacity of the A9 road: before it was closed, up to 200 lorry loads passed along it each day to meet the needs of Jaffna's people.

"Can the government supply all the requirements of Tamils by ship?" Vethnayagam asked. "That is totally impossible."

Secondly, Jaffna residents say ship-delivered supplies are mainly being diverted to the military garrison in the peninsula.

"The government does not seem to understand the hardships the people of Jaffna are facing every day," schoolteacher Saratha Selvakumar told Reuters at a Jaffna bus stop.

"We know that airlifting and shipping food for so many people will not be a success. Half the stuff goes to the (armed) forces," she said.

Corruption meant the other half was not distributed properly by the fixed-price ration shops, she added.

Some traders are also hoarding supplies to drive prices up, other residents said.

Prices of milk powder, rice, soap and sugar have more than trebled in private grocery stores after A-9 road was shut, Reuters reported.

There is an acute shortage of petrol, with government-held stocks being taken over by the military and, in many cases, those of private resellers. On the black market, petrol is now about four times their normal prices, UN agencies say.

Reuters quoted witnesses in the town as saying residents must wait for seven to eight hours to receive their rations, often getting up before dawn to line up.

Correspondents in Colombo say even a cabinet minister on the GoSL delegation to the Geneva talks is profiting by subletting ships to the government.

The hardships are worst amongst those who fled their homes amid the heavy fighting in the peninsula since August.

More than 50,000 people have been displaced across the peninsula by renewed fighting, UNICEF said in a recent report.

"The majority have squeezed into the houses of relatives and friends," the agency said. "Others have gathered at temporary accommodation centres."

Meanwhile the LTTE has refused to guarantee safety for a sea route as troops and military supplies are being transported under the guise of transport and humanitarian relief for civilians.

The Tigers say even ships flying the flag of the International Committee of the Red Cross (ICRC) have been used in the past by the military to move its supplies, including weapons.



1,000 people protested on Nov 1 against the terrifying daily abductions in Sri Lanka. Photo TamilNet

# Spectre of abductions returns to Sri Lanka

**Somini Sengupta**  
The New York Times

LIKE a revisiting ghost, a rash of mysterious abductions have come to haunt Sri Lanka once more.

Men and women are being snatched from their homes, sometimes after dark, sometimes in broad daylight. Ransom is demanded in some cases. In others, political intimidation seems to be the point. A few have been freed, but corpses have also turned up. With rare exceptions, the crimes remain unsolved. They are among the most terrifying sideshows in Sri Lanka's ever more terrifying ethnic conflict.

It is difficult to know who is responsible and exactly how many people have been seized. The International Committee of the Red Cross says it has received more than 350 reports so far this year of people who have disappeared. The Sri Lankan National Human Rights Commission logged 419 such complaints from last December to September. A private advocacy group, Home for Human Rights, has documented 203 cases of missing people in the first nine months of this year, using newspaper clippings and other reports. It lists another 965 victims of extrajudicial killings, some of whom may also have been abducted.

The victims come from all walks of life. A popular Tamil-language radio reporter says he was packed into a white van one early morning in August just outside his

house. A trader at the fish market was also bundled into a white van as he returned home from work in September.

The latest abductions echo the terror of years ago. In the late 1980s, Sri Lanka suffered tens of thousands of disappearances. Many are still unaccounted for.

For the most part, the latest victims have been Tamil, the country's main ethnic minority, and many of the abductions have been carried out in government-held territory - sometimes in the heart of this highly fortified capital, at other times, in towns in Sri Lanka's north and east, close to Sri Lankan military installations.

The white van appears repeatedly in the recollections of the victims. Some have won release only after their families appealed to the highest echelons of the state.

White vans are an iconic symbol of the late 1980s, when Sri Lanka experienced a wave of abductions as its government fought a violent insurrection of leftist groups in the ethnic Sinhalese-dominated south.

The kidnappings have brought a new cloud over the administration of President Mahinda Rajapakse of Sri Lanka.

A senior adviser to the president, who was not authorized to speak publicly on the matter, said references to white vans were false, exaggerated and designed to embarrass the government.

The United Nations high commissioner for human rights, Louise Arbour, in September said there was an "urgent need" for foreign monitors to investigate rights

abuses in this country.

For nearly a quarter of a century, the Sri Lankan state, dominated by the majority ethnic Sinhalese, has been locked in battle with the ethnic separatist Liberation Tigers of Tamil Eelam, known as the Tamil Tigers.

Lately, a third party has complicated the conflict: a rival rebel faction, which the Tamil Tigers allege to be operating with government support. The government rejects the charge.

That breakaway faction, known as the Karuna group, has surfaced repeatedly in the testimony of the kidnapped. So has the political nature of some abductions, even in cases where the kidnappers' identities are hard to pin down.

Faced with calls for international monitors, the president has offered a counterproposal: a Sri Lankan commission, aided by international observers, to look into human rights cases.

But questions linger about whether this proposed panel would meet international standards, including whether the government would be obliged to follow the commission's recommendations. The government is currently consulting with Arbour's office on the commission's mandate.

The Tigers are also implicated in a rash of assassinations over the past year, in particular targeting ethnic Tamils who work with the state.

(Edited)  
*Shimali Senanayake contributed reporting from Colombo.*

## NEWS

# Geneva talks end in fiasco

POINTLESS. That is the widely expressed characterisation of the two days of Norwegian facilitated talks between the Sri Lankan government and the Liberation Tigers in Geneva over the weekend.

Even as the talks approached, the omens were not good. No agenda was agreed or even discussed ahead of the talks - though both sides were bluntly telling the media what they were going to talk about.

For the LTTE, it was the humanitarian crisis in which Tamils in many parts of the Northeast find themselves in the wake of government military offensives and reimposed or extended embargoes on food and medicine.

The government said it wanted to speak about 'core issues' - i.e. a political solution to the island's ethnic conflict.

## Irreconcilable

The two approaches were irreconcilable. But the Norwegian facilitators were not daunted. They had a more limited objective: to get both sides to at least sit face-to-face across the table and agree on the dates of the next round or, even better, rounds.

Last weekend's talks resulted, despite Norway's diplomatic assertion the Geneva talks came after requests by both sides, from intense international pressure.

As both sides made manifestly clear, they themselves saw no purpose in the talks.

Violence has been rising steadily over the year, the February 2002 Ceasefire Agreement (CFA) looking increasingly irrelevant. The international observers of the Sri Lanka Monitoring Mission (SLMM) are unable to cope with scale of the truce violations.

After a series of successful offensives against the LTTE, the government is confident to can end the conflict with a military victory over the Tigers.

The LTTE feels the international community neither can, nor wants to restrain the GoSL's pursuit of a military solution.

In September, the self-styled Co-Chairs - the United States, the European Union, Japan and Norway - met and demanded both sides resume negotiations.

## Pre-emption

In an effort to pre-empt the points of dispute which aborted earlier efforts, the Co-Chairs even set out the venue - Oslo, dates - early October and an agenda - stabilisation of the CFA, strengthening of the SLMM, and finding a way forward to peace talks.

Colombo bristled at being dictated terms to talk to 'terrorists' whilst the LTTE braced for an impending Sri Lankan offensive.

However, earlier this month, after defeat for the offensive and killing over 130 soldiers, the LTTE carried out two major attacks outside the Northeast - a

suicide bombing that killed 115 sailors and an attack on Galle naval base by suicide boats.

The spiralling violence increased international alarm and led to increased pressure for talks.

So did the soaring numbers of human rights violations. Abductions followed by murders, disappearances in military custody as well as indiscriminate bombardments have led to over a thousand civilian deaths this year.

"Developments in Sri Lanka in the past months have seriously endangered the peace process," said Switzerland Foreign Affairs Deputy Head Ambassador Heidi Tagliavini who gave the opening address.

"Switzerland, as the depositary State of the Geneva Conventions, feels it cannot forgo its responsibility to remind the parties to the conflict of their obligations to respect International Humanitarian Law, in particular to protect civilians from the effects of armed conflict," she pointedly said.

Switzerland's best wishes and Norway's encouragements did little to promote goodwill between the protagonists.

## Only positive

Indeed, the only positive factor for the facilitators was that the parties met. As the Norwegians noted, "the parties deserve recognition for accepting this call by the co-chairs, coming for these consultations at a time when conflict is more apparent than peace in Sri Lanka."

"The parties agreed that the peace process will need to address the three following areas: (1) Human suffering (2) Military de-escalation and reduction of violence and (3) Political components leading up to a political settlement," a Norwegian statement said after the talks.

But no amount of Norwegian optimism could disguise the fact that, with divergent agendas the Geneva discussions were a fiasco.

## No agreements

"Discussions were also held on the urgent humanitarian situation and the need to address the plight of a very large number of civilians," Norway said.

"Several issues were discussed. The LTTE requested the A9 to be opened. The Government refused to do so at this point. No agreement was reached between the parties on how to address the humanitarian crisis."

The A9 is the sole road to Jaffna on which supplies to the 600,000 residents must travel. The road has been closed since August.

Perhaps most importantly, "no date for a new meeting was agreed upon."

Norway's diplomats "will be in ongoing dialogue with the parties to discuss all possible ideas on how to move the peace process forward."

But the impasse now centres squarely on the A9 road.



LTTE Political Wing chief and delegation head, Mr. S. P. Tamilselvan (l) shakes hands with Sri Lankan delegation head, Minister Siripala de Silva, while Norwegian Development minister, Mr. Erik Solheim and Switzerland's Deputy Foreign Affairs Head, Ms. Heidi Tagliavini look on. Photo TamilNet.

Infuriated by the government's refusal to take steps to ease the humanitarian crisis gripping much of the Northeast, the LTTE has made the opening of the A9 a condition for further talks.

"During the talks [we] pointed out the suffering of the people including access through highways and roads in all parts of the [Tamil] homeland," the LTTE said in a statement.

"The closure of the A-9 highway has resulted in open prison for more than six hundred thousand people in the Jaffna peninsula under the occupation of sixty thousand Sri Lankan military personnel."

The government countered that the sea route was available to supply food to Jaffna, even though ships could not keep pace with the demands formerly satisfied by up to 200 lorries a day along the road.

The Tigers pointed out that the 600,000 people were being held prisoner on the peninsula.

The closure of A-9 constitutes a new 'Berlin Wall' the LTTE said. "It is a violation of the CFA and the right to free movement resulting in separation of family members and causing untold human misery."

## No reason

When the GoSL delegation argued that the closure of the A9 was not new and that it was closed between 1994 and 2002, the LTTE pointed out that that was a time of war and asked if by closing the road, the government was intending to push the Tamil people to war, defeat them, and then negotiate with a subjugated people.

Most importantly, for the Tigers, "no satisfactory explanation

was given by the GoSL for the refusal to reopen the A-9."

The LTTE asserted the "the GoSL must be having a hidden military agenda."

Its suspicions were fuelled by hectic military activity underway in the peninsula, just as it was ahead of the major offensive launched by the SLA in early October.

## Demand met

The LTTE said it was at the table only because the international community led by the Co-Chairs had demanded talks.

Moreover, the LTTE delegation said, it was prepared to discuss the CFA, the SLMM and restoration of normalcy precisely because these were issues highlighted by the Co-Chairs.

The government delegation countered that it wanted to talk about 'core issues' rather than waste time on these matters.

The LTTE countered that it too was ready to talk about core issues, even a political solution and demanded if the GoSL delegation had brought any proposals.

The GoSL delegation admitted it had not, pleading the case that the ruling SLFP party had only just signed a pact with the main opposition UNP and that the All-Party Conference (APC) had, despite 10 months of deliberation, not come up with any proposals.

The LTTE welcomed the pact signed by the two major Sinhala political parties, saying that once the Sinhala polity reaches a consensus with respect to the resolution to the conflict, the LTTE will enter into political negotiations with GoSL.

However, the LTTE warned, it

expects that by this time normalcy returns and a conducive environment created.

Launching its own agenda at the talks, the government attacked the LTTE as undemocratic and accusing it of ruling by the gun.

The LTTE replied that it is more committed to the democratic principles than the GoSL, pointing out that the Tamil armed struggle had erupted precisely because of the closure of democratic routes for the Tamil to make their demands first for equality and then for self-rule.

## Unanswered

The LTTE challenged the GoSL to repeal the sixth amendment as a token of its commitment to democracy and pluralism. (The sixth amendment to the Sri Lankan constitution prohibits peaceful advocacy for a separate state through democratic means.)

The LTTE also challenged the GoSL to withdraw its armed forces from the Tamil homeland and allow the holding of a referendum under international supervision to ascertain the aspirations of the Tamil people.

The government did not have a response to any of the challenges.

Interestingly, during deliberation with Norwegian facilitators at the end of the first day, the LTTE agreed to a proposal to fix a date for next round of talks on the condition the A9 highway is opened before that date.

However, the GoSL did not respond positively to the suggestion, and the LTTE now insists that the A9 must be opened before a date is agreed and has asked the Norwegian facilitators and the SLMM to facilitate this.

NEWS

# LTTE outlaws child labour, recruitment

THE Liberation Tigers' administration has enacted laws to protect the rights of children, including the making of education compulsory up to grade 11, outlawing the enlisting of children under 17 years in Armed Forces, making the participation of under 18-year olds in armed combat illegal, and proscribing all forms of child labour.

The Tamileelam Child Protection Act 2006 (Act No. 03 of 2006) was enacted by Tamileelam Legislature Secretariat and became effective on October 15, Head of Tamileelam Judiciary, E. Pararajasingham, told TamilNet.

The legislators studied child protection acts of other countries including Malaysia, Australia, the United Kingdom and Norway, and

## Legislators studied child protection acts of other countries including Malaysia, Australia, UK and Norway

the existing international instruments before coming up the Act's 83 sections.

Regulations related to enlistment in Armed Forces is dealt with in Sections 36, 37(a), 37(b), 38(a) and 38(b) in Chapter 04 of the Act.

Section 21 of The Child Protection Act defines the Armed Forces as the Army, Navy, Air Force of the Liberation Tigers of Tamil Eelam (LTTE), and the Tamileelam Police.

"Our vision is that a fair and impartial Judiciary is the backbone of our society-that is what our struggle is about," Mr. Pararajasingham told reporters.

He said the Tamileelam Legislature Secretariat started working on formulating the Child Protection Act in May, soon after completing the Tamileelam Land Act

of 2006.

"We were directed by LTTE Leader Pirapaharan to formalize into law the Rights of children, and penalties for violating these rights, within a framework consistent with the deeply held values of Tamil culture, tradition and history, and the international covenants on Rights of Child," Mr Pararajasingham added.

The Act specifies Children's Rights on Education (Chapter 02), Protection (03), Enlistment in Armed Forces (04), Investigating Delinquent Children (05), Employment of Children (06), Birth (07), Parental Responsibilities and Rights (08), Penalties for Child-offenders (09), Custody and Guardianship (10) and Miscellaneous (11).

The LTTE's Tamileelam Legislature has earlier enacted Tamileelam Penal Code and Tamileelam Civil Code in 1994.

The Act prescribes criminal procedures and penalties for offences committed against children, Mr Pararajasingham said.

The Tamileelam Child Protection Act prohibits employment of children below the age of 16, and prescribes employment of child labour as a crime punishable by two years of imprisonment.

Children between 16 and 18, could only be employed with legal permission according to the Act.

Sexual abuse, and exploitation of children for sexual purposes are punishable offenses with maximum twenty years and minimum five years of imprisonment.

The Act attributes gratis education as State responsibility.

Child welfare centers run by NGOs and charitable organisations are mandated to comply with Sections 75 to 81 in Chapter 10.

Only organisations approved by Tamileelam Administration are allowed to operate children's homes, and these organisations are expected to register with the district level administration.

## The Eelam Judiciary

THE Tamileelam Judiciary has 7 District Courts, 2 High Courts, an Appeal Court, and a Special Bench. It functions in areas controlled by the Liberation Tigers of Tamil Eelam (LTTE) and operates in the Tamil language.

There are 26 judges and more than one hundred lawyers.

The Tamil Eelam Law College was established at Chunnakam (in Jaffna) in 1993 to uphold the Rule of Law, fundamental rights and human rights and respect for human values.

"We have over the years won the confidence and trust of our pe-

ople with the expeditious and equitable processes of our judicial system. Tamileelam courts have heard more than 39,000 cases and have ruled on 33,000 of those cases."

The Sri Lankan judiciary is in force in Army-held areas. About 50 lawyers practice under the Sri Lankan judiciary in the NorthEast.

Sri Lanka's Sinhala-dominated judicial system has been criticised as biased against Tamils. It has, for example, consistently failed to rule against members of the predominantly Sinhala armed forces who have committed human rights violations against Tamils.



Sri Lankan troops in Jaffna examine rockets for multi-barrelled launchers. Photo TamilNet

## Army plans new Jaffna offensive

EVEN as negotiators representing the Liberation Tigers met with those representing the Sri Lankan government, the military in Jaffna stepped up preparations for a major offensive, reports said.

Apart from intensifying its shelling of LTTE-controlled areas in southern Jaffna and Vanni, over the weekend the military deployed additional troops and military hardware in the forward areas along the border separating the two sides.

A curfew was imposed in villages Varani, Usan, Kachchai, Navatkadu, Eluthumaduval, Kodikamam, Meesalai East, Allarai and Thanangilappu in the northern sector of Jaffna district.

Despite the denial of curfew announcement in Colombo, Yarl FM, a local radio operated by the Sri Lankan military from Palaly military base in Jaffna, continued

to broadcast the announcement.

Meanwhile, Sri Lankan troops engaged in a major training exercise throughout Saturday night in Palaly, Thondamanarau lagoon and Valalai area in Vadamarachy sector of the Jaffna district.

The SLA rehearsal comes following a sudden visit by Sri Lanka Army commander Lt. Gen. Sarath Fonseka to Palaly Saturday.

Lt. Gen. Foseka held a meeting with Maj. General G.A. Chandrasiri, Commander of the Sri Lankan forces in Jaffna, followed by a meeting with the commanders of Divisions 51, 52, 53 and 55 Saturday, TamilNet said.

"When we are engaged in finding ways to de-escalate the military hostilities and address the unfolding humanitarian catastrophe, the Sri Lankan military engagement in Jaffna, further stabilizes the civilian life. The

International Community is witness to Colombo's military agenda," the LTTE's Military Spokesman Irasiah Ilanthirayan, said.

"Sri Lankan aggression, at this critical juncture, would have serious consequences," he warned, without elaborating.

Meanwhile in the eastern province, the military fired shells into LTTE-controlled Vaharai area on Monday night from 8.00pm till 5.00am.

Vaharai was targeted in early October by a major offensive by Sri Lankan troops and paramilitaries, just days before the military a massive onslaught against LTTE positions in southern Jaffna.

Both offensives failed amidst heavy LTTE resistance. In Vaharai up to 40 soldiers were killed in Vaharai whilst in Jaffna at least 130 troops perished in day long fighting.

WITH BEST COMPLIMENTS FROM

### CHETTY & CO. SOLICITORS

- ★ CRIME
- ★ IMMIGRATION & NATIONALITY
- ★ FAMILY(DIVORCE/CHILDREN ACT)
- ★ CONVEYANCE(Residential & Business)
- ★ LANDLORD & TENANT
- ★ CIVIL LITIGATION
- ★ PERSONAL INJURY CLAIM
- ★ WILLS, PROBATE & TRUSTS
- ★ BUSINESS MATTERS
- ★ HOUSING AND WELFARE BENEFIT
- ★ EMPLOYMENT
- ★ CONSUMER AFFAIRS

894 Garratt Lane  
Tooting, London SW19 0NB  
Tel: 020 8677 4770

79, Hoe Street  
Walthamstow, London E17 4SA  
Tel: 020 8521 1313

# NE demerger: Sinhalese celebrate amid Tamil anger

AS Sinhalese nationalists celebrated the Supreme Court's ruling that the 1987 merger of Sri Lanka's North and East was illegal and null, Tamils reacted with anger, seeing it as an attack on their assertion of a homeland on the island.

The merger, effected in the Indo-Sri Lanka Accord, was successfully challenged by the Sinhala nationalist JVP and the hardline Buddhist JHU party.

Two weeks ago a five-bench Supreme Court declared that the merger of the north and east provinces was "unconstitutional, invalid and illegal".

Last Wednesday, all the districts of the Tamil-dominated NorthEast shut down in response to a call by the Tamil National Alliance (TNA) to protest and unitedly express Tamil opposition to the Sinhala rightwing government's move to officially split the NorthEast.

Very few vehicles plied the streets, shops remained closed, businesses and private institutions remained closed and the Tamil towns in the Sri Lanka Army (SLA) controlled areas of Batticaloa, Trincomalee, Vavuniya, Mannar and Jaffna were deserted, reports said.

Despite threats by SLA soldiers and Tamil paramilitaries to shopkeepers in Jaffna, warning that they would not be allowed to open their shops again if they were not open on the Wednesday, all

shops were shut.

In Batticaloa, cadres of the paramilitary Karuna Group threatened civil service officials and business owners not to support the protest against the de-merger.

"All public offices must work. Transportation must flow as usual," according to a leaflet issued in Tamil by paramilitary operatives under the pseudonym "Theendum Padai" (Biting Force).

## A merged Northeast 'is one of the fundamental assumptions of the whole negotiations' - United States

The leaflet had warned Tamil business owners that the shops being shut down on the protest day would be confiscated.

Meanwhile, JVP Parliamentary Group Leader Wimal Weerawansa said not only the court order but the day it was issued on was of historical significance.

"The inhabitants [of this island] rose up in rebellion against the first white governor and against the British imperialism on a day like today in 1818," he said.

"So it is remarkable that this order which will have an enormous impact on the so-called Eelam concept was made on such a day."



The ultranationalist North and East Sinhala Organisation (N-ESO) President Ven Senpathiye Ananda Thera said the government in the past had turned a deaf ear to earlier calls by his group to de-merge the North and the East.

"The majority of the people would be happy about this court order as it was a defeat for the LTTE," he said.

In contrast, the Tamils see the de-merger as designed to deny the Tamils their assertion of a traditional homeland on the island.

The TNA called on Sri Lanka's President and government to "immediately take necessary action to validly restore the Status Quo Ante pertaining to the constitution of the North-East as one Unit."

The TNA gave the government until November 7 to respond favourably.

"[The North and East were] merged through the Indo-Lanka Peace Accord, based on the sound principle of recognising the north-eastern provinces, as the historical habitation of the Tamil-speaking people," noted TNA parliamentarian Gajendrakumar Ponnambalam in an interview with the Sunday Leader.



The shutdown was observed across the NorthEast, including Vavuniya (top) and Batticaloa (bottom) despite threats by Sri Lankan military and paramilitary forces. Photos TamilNet

"[The Supreme Court] seems to hold the view that the merger is invalid due to a technicality, which is the process, through which the merger was brought about," he notes.

"Our view is that the merger has to remain. The government will have to take immediate steps to validly constitute the northeast as one unit," he said.

"We see the situation as a declaration of war against Tamils," TNA Jaffna district MP M.K. Sivajilingam told the Daily Mirror.

The de-merger ruling, sought by President Mahinda Rajapakse's political allies, comes despite pointed international opposition to it.

Asked about the Court ruling, US Assistant Secretary of State for Central and South Asian Affairs, Richard Boucher said the timing of the "unfortunate" issue of the de-merger raised lot of questions.

He was referring to the ruling coming just weeks before the Tamil Tigers and the government were to meet in Geneva for internationally demanded talks to end the rising tide of violence.

"[The merger of the North and East] is one of the fundamental assumptions of the whole negotiations and therefore, ... it does raise some issues for all the parties, about how they are going to approach these both in terms of the court decision and in terms of negotiations," Mr. Boucher said.

India has also been consistent in its opposition to the de-merger, a point made by the Indian leadership to President Rajapakse just weeks ago.

India had insisted the Northeast Province should not be de-merged without a referendum, and such a referendum would only be possible when there was a "conducive atmosphere" in place.

The co-chairs of Sri Lanka's donor community - the United States, European Union, Japan and Norway - also express similar views recently.

At their meeting in Brussels on September 12 they cautioned "there should be no change to the specific arrangements for the north and east, which could endanger the achievement of peace."

The northern and eastern provinces were merged according to the Indo-Sri Lanka agreement signed in 1987 by then Sri Lankan President, J. R. Jayawardene, and then Indian Prime Minister, Rajiv Gandhi.

The temporary merger of the two provinces, with a condition that a referendum should be held to merge the provinces permanently, still continues.

A Governor appointed personally by the President is now administering the North East Provincial Council, as established under Sri Lanka's 13th Constitutional Amendment.

## What the Indo-Lanka Accord says

1.4 The Northern and the Eastern provinces have been areas of historical habitation of Sri Lankan Tamil speaking peoples, who have at all times hitherto lived together in this territory with other ethnic groups

2.1 Since the Government of Sri Lanka proposes to permit adjoining provinces to join to form one administrative unit and also by a Referendum to separate as may be permitted to the Northern and Eastern Provinces as outlined below:

2.2 During the period, which shall be considered an interim period (i.e. from the date of the elections to the Provincial Council, as specified in para 2.8 to the date of the referendum as specified in para 2.3), the Northern and Eastern Provinces as now constituted, will form one administrative

unit, having one elected provincial council. Such a unit will have one Governor, one Chief Minister and one Board of Ministers.

2.3 There will be a Referendum ... to enable the people of the Eastern Province to decide whether:

a) The Eastern Province should remain linked with the Northern Province as one administrative unit, and continue to be governed together with the Northern Province as specified in para 2.2 or:

b) The eastern province should constitute a separate administrative unit having its own distinct provincial council with a separate Governor, Chief Minister and Board of Ministers. The president may, at his discretion, decide to postpone such a referendum.

2.4 All persons who have been displaced due to ethnic violence or

other reasons, will have the right to vote in such a referendum. Necessary conditions to enable them to return to areas from where they were displaced will be created.

2.5 The Referendum, when held, will be monitored by a committee headed by the Chief Justice, a member appointed by the President, nominated by the Government of Sri Lanka, and a member appointed by the president, nominated by the representatives of the Tamil speaking people of the Eastern Province.

2.6 A simple majority will be sufficient to determine the result of the Referendum.

2.7 Meetings and other forms of propaganda, Permissible within the laws of the country, will be allowed before the Referendum.

See [tamilguardian.com](http://tamilguardian.com) also

EDITORIAL & OPINION

**TAMIL GUARDIAN**

P.O.BOX. 450, Harrow, London, HA2 2AS, UK  
 editor@tamilguardian.com www.tamilguardian.com  
 Tel / Fax: 020 8677 4456

WEDNESDAY NOVEMBER 01, 2006 No. 335

**Dead End**

**The Tamils are in a familiar predicament.**

As had widely been expected, the talks between the Liberation Tigers and the Sri Lankan government in Geneva last weekend ended in fiasco. Not even the simplest of expectations - that the two sides would agree to future talks - was met. The irony is that even though most observers were certain nothing would come of these talks, there was intense focus on them anyway. But as this newspaper argued ahead of Geneva 2, the manifest lack of goodwill on both sides and, more importantly, Colombo's unashamed pursuit of a military solution, should have been seen by the international community as problematic antecedents for peace negotiations. These significant obstructions to any peace process were both reinforced and illuminated by the developments in Geneva.

The LTTE and GoSL arrived with entirely different preoccupations. The LTTE, quite rightly, focussed on the matters of current urgency: the humanitarian crisis affecting hundreds of thousands of Tamils, the spiralling violence and the fraying ceasefire. The government claimed it was interested in discussing the 'core issues' related to a political solution to the conflict. We say claimed, because when the LTTE unexpectedly agreed to discuss these core issues and asked for Colombo's proposals, the government delegation admitted they had brought none. Indeed, just as in Geneva 1, the GoSL delegation imagined itself on some international stage and simply heaped vitriol on the LTTE for the duration of the talks - beginning with Chief Negotiator Siripala de Silva's 80-minute address.

There is a grave humanitarian crisis in several parts of the Northeast, particularly in Jaffna. This crisis has been brought about, moreover, by the deliberate actions of the Sri Lankan government. The UN agencies, the rest of the humanitarian relief community and many of the foreign embassies in Colombo are acutely aware of this. Yet the Sri Lankan government denied there is a crisis and its negotiators publicly dismissed the LTTE's demand the A9 highway be opened as 'irrelevant.' The talks collapsed last weekend primarily because Colombo was simply not prepared to budge on the A9, irrespective of the suffering endured by the people of Jaffna. The reason for the government's intransigence is obvious to all: the Sri Lankan military is preparing a fresh offensive on Elephant Pass along the A9.

The international community is also

partly to blame for both the humanitarian crisis and the failure of the talks. By reassuring and reinforcing the Sri Lankan state, even as it very publicly imposed embargoes on Tamil areas and prosecuted an undeclared war against the LTTE, the international community has devalued the Norwegian peace process and cheapened Tamil life. Barely days before the Geneva talks, senior US officials publicly praised the rightwing administration of President Mahinda Rajapakse and launched a vitriolic attack on the LTTE. When even the US publicly declares that it is backing Sri Lanka in its talks with the LTTE, why wouldn't Colombo have adopted the intransigent and belligerent stand it did?

We argued (yet again) last week that the international community's fetishisation of the mere mechanisms of talks over the need for suitable objective conditions would lead to fiasco. If Norway's aim in Geneva was primarily to secure agreement for the parties to meet again, then it was destined to fail. The government believes the international community wants talks mainly to give peace a chance before Colombo is given the go-ahead to militarily destroy the LTTE. Last chance for the Tigers, so to speak. A conviction amongst many observers in Colombo and elsewhere that the LTTE is militarily weak has no doubt contributed to this.

To begin with, seasoned observers may recall the numerous times the LTTE has been written off before. Whatever the true strength of the LTTE - and only the movement really knows that - recent events have lent new force to its argument that the Tamils are lost without its military strength. It is now clear that without the LTTE able to force concessions from the Sinhala-dominated state, the international community will simply pass the Tamils by whilst pursuing its own economic and strategic interests in the island. The events of the past year have done much to weaken the force of international norms, particularly those concerning human rights, good governance and the much exalted ones of democracy and pluralism.

The question is what happens next. If Sri Lanka does not open the road then there will be no more talks. True, the LTTE has folded on similar ultimatums before previous talks. But Sri Lanka is about to escalate its war against the Tigers - with international backing. The Tamils are once again at that familiar junction: war for peace.

**A paradox of international policy**

The more successful Sri Lanka's military efforts are, the less international support there will be for a negotiated solution.

**Jana Nayagam**  
 Tamil Guardian

DELEGATIONS from the Liberation Tigers of Tamil Eelam (LTTE) and Government of Sri Lanka (GoSL) last week engaged in face-to-face negotiations for the first time since talks, also in Geneva, in February this year.

Expectations for any substantial break through at Geneva II, as the meeting has been termed, were lower than at any past negotiation between the warring parties, particularly given they could not even agree on the agenda.

The Sri Lankan government insisted that it came to engage in discussions over a permanent solution, as opposed to implementation of the Ceasefire Agreement (CFA) signed in February 2002.

The LTTE insist that only when the people of the Northeast enjoy the same normalcy as the rest of the island could they engage in negotiations on a long term solution. The Tigers thus wished to focus talks on implementing the CFA.

**Need for Normalcy**

It should be noted that aside from the cessation of hostilities, the CFA agreement extensively covers the need for normalcy in the North-East of Sri Lanka.

It also spells out the need for the government to disarm paramilitary organisations which were working with the Sri Lankan military. Clause 1.8 had not been implemented by the previous Sri Lankan government led by Prime Minister Wickremesinghe, nor by his successor President Mahinda Rajapakse.

However, it was agreed at the outset of the peace process, that only after a series of confidence building measures and de-escalation of the conflict could any negotiations over a long term solution be discussed.

The situation has worsened substantially this year. President Rajapakse's coalition government has all but repudiated the CFA. Despite pledging to disarm the paramilitaries at Geneva I in February, it has done quite the reverse, expanding their numbers and weaponry and escalating the conflict.

The history of the Sri Lanka's ethnic conflict is strewn with

examples of successive administrations breaking agreements with a succession of Tamil political and militant leaderships.

**Transparency**

The only difference in the present peace process is the involvement of foreign powers as intermediaries.

The LTTE had been most insistent upon foreign involvement as it felt that facilitation by third parties was the most likely route to ensuring that agreements would be implemented, given the international transparency.

With the economy it tatters after four years of military losses, Colombo, which had zealously defended its sovereignty, finally agreed to participate in a peace process with foreign involvement in 2002.

At the outset Norway was the sole foreign participant involved solely as a facilitator, but within a year the US, EU and Japan had become self-appointed co-sponsors of the peace process.

Irrespective of the Norwegian 'front', the US has always been viewed as the architect of the overall strategy of resolving the Sri Lankan conflict, with the EU and Japan playing a supporting role.

India has always been consulted on major policy issues, but has always been on the sidelines as far as the peace process is concerned.

Matters are further complicated by the fact that only two of the four co-chairs, Japan and Norway, can directly communicate with the LTTE as the other two have proscribed the organisation domestically as terrorists.

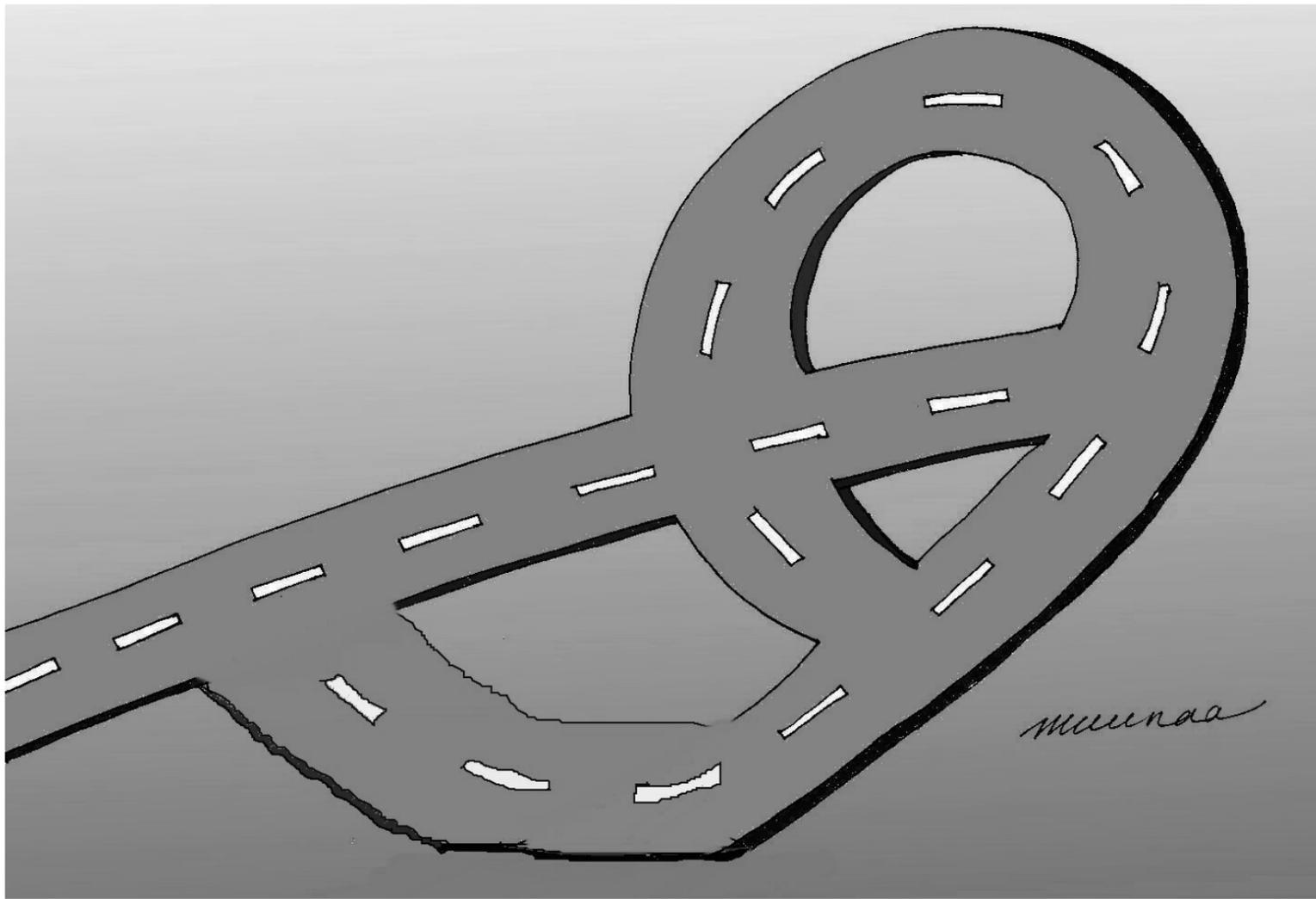
**No change**

But during the life of the current peace process it became increasingly clear to the Tamils that the involvement of foreign parties did not necessarily mean that agreements with the Sri Lankan state would now be implemented.

The CFA became the first victim, with the failure by the state to remove its troops from occupied Tamil homes and public buildings. Instead the state



EDITORIAL & OPINION



unilaterally defined such locations as High Security Zones, resulting in permanent occupancy.

The promised disarming of state backed paramilitaries also never took place, with now disastrous results.

Various programmes to share development and humanitarian aid were systematically blocked by state bureaucracy, including the latest such effort, the Post-Tsunami Operational Management Structure (P-TOMS).

**Renewed conflict**

This year the conflict has erupted - albeit without declaration of war. The first direct assaults on the frontlines of the LTTE were launched by Sri Lanka's military in July this year under the pretext of liberating a water resource for farmers.

The offensive, it should be noted, came despite a successful intervention by the Norwegian facilitators to resolve the situation peacefully.

That clash escalated into a series of direct confrontations between the two parties which has rendered the CFA meaningless. Sri Lankan aerial and artillery bombardment has resulted in civilian casualties and hundreds of thousands of displaced persons.

But, the international community has casually observed the proceedings with the occasional lament urging a return to the negotiating table.

With the fighting going its way, the Sri Lankan government defended each new offensive as 'limited' or 'defensive' strikes intended to curb the LTTE's offensive capability. A series of military victories resulted in

extremely hawkish rhetoric from Colombo. The GOSL asserted that it intended to engage in peace talks only after delivering a substantial blow to the LTTE.

That the Sri Lankan state is in such a belligerent mood after military successes is unsurprising. The Tamils have always been concerned that the Sri Lankan state never intended to share any substantial power with the Tamils and hence negotiations with the state will always prove to be futile. And with the battlefield victories the allure of crushing Tamil aspirations militarily would prove too tempting for Colombo.

The foreign powers have meanwhile continued to voice their support for a peace process, but, more surprisingly, have also become more strident in their support for the Sri Lankan state; a paradoxical twist of policy.

If the Sri Lankan state were becoming more militant and less compromising surely foreign powers might have been expected to become more forceful and to take measures to encourage Rajapakse's hawkish administration to pursue a peaceful resolution.

**Startling positions**

Which is why a series of statements issued barely a week before Geneva II by US Assistant Secretary of State for Central and South Asian Affairs Richard Boucher were especially startling.

Whilst continuing to pay lip service to the need for a peaceful resolution to the conflict, Mr Boucher, emphatically declared that the US viewed Sri Lanka as an ally, and would continue to assist Sri Lanka militarily, politically and financially in its

conflict against the LTTE.

He asserted Sri Lanka is a democratically elected government and as such it trusted Sri Lanka to deal with human rights in an appropriate fashion, and would offer assistance in areas that need improvement.

**Assuring the state**

Considering that during the history of the ethnic conflict Sri Lanka has failed to prosecute a single member of its armed forces, despite widespread and systematic abuses, suggests that the US faith in Sri Lanka is not merely mistaken oversight, but a clear assurance that it will turn a blind eye to the abuses.

The Sri Lankan state has breached virtually every United Nations humanitarian protocol. It has inflicted collective punishments on a destitute people, including embargoes on food and medicine. It has bombarded civilian targets and its troops and paramilitaries have executed thousands of civilian, including hundreds this year also.

As human rights groups now admit, the state is also complicit in the abduction of children by Army-backed paramilitary organisations for training as child soldiers.

And the attacks go beyond just the theatre of war in the Northeast. Hundreds of Tamil politicians, members of the judiciary, teachers, journalists and humanitarian workers have been brazenly executed.

The Sri Lankan state has waged a total and unrestrained war on the Tamil people and this year for the first time in the history of the conflict it has been in full view of the International

Community, including the US.

Thus, the most shocking aspect of the policy of foreign powers in Sri Lanka is their reversal to backing the state more resolutely, the more it makes gains on the battlefield.

The most glaring example of this is the shift in international positions on the Norwegian peace process itself.

Prior to Geneva I, the international community, including the US, backed the need to implement the CFA as a first step.

However, eight months and several military successes later, the US has echoed demand of the GOSL for talks to begin to focus on a final solution to the ethnic problem, rather than stabilisation of the fraying truce.

**Partisan**

Most disturbing was Mr Boucher's insistence anew that the US will back Sri Lanka in the conflict against the Tamils, and, implicitly, that this backing is not dependent on Sri Lanka observing any humanitarian norms.

Such unethical policy is not new to foreign involvement in the Sri Lankan question.

After all, prior to the Tamil military successes of 2000, all the foreign powers in question, backed the Sri Lankan state militarily, politically and financially, despite horrendous and near-genocidal abuses against the Tamil people on the island.

All that changed after the LTTE drove the Army from the Vanni, defeated its counterattack and shattered the Sri Lankan economy with the attack on Katunyakke airport.

What is shocking now is how quickly the international

community's reversion to the pre-2000 policies is taking place.

The obvious implication is that international support for the peace process in 2002 was not some watershed event of recognising the need to address Tamil grievances, but rather a necessary tactical shift driven by the inability of the Sri Lankan state to resolve the conflict militarily.

With the Sri Lankan military engaged in assaults on LTTE lines even the day before the negotiations were due to begin, it is clear that Geneva II was a charade. The international community has made no effort to get Rajapakse's government to de-escalate the conflict.

Perhaps the foreign powers are quietly confident that Sri Lanka's military, after almost five years of respite, is capable of overwhelming the LTTE. As the question is explored, the Tamil people continue to suffer the Sri Lankan military's atrocities.

This newspaper has long asserted that the decision to engage the Tamils in a peace process and to recognise the need to resolve their grievances have been directly linked to Tamil dominance on the battlefield.

**Consistent**

Initiatives of engaging the Tamil people in dialogue have never occurred during our darkest hours. From the 1983 pogrom to the ethnic cleansing in the early nineties, there has rarely been a murmur amongst the leaders of the international community.

In the late 90's, whilst the Sri Lankan state attempted to starve the Tamils, the world watched unaffected. Instead international actors were most vociferous in condemning the LTTE and focusing on issues such as child recruitment. The state is presently involved in the massive abduction of Tamil children to be trained to fight the LTTE, but is yet to receive a single reprimand.

The sole benefit of increasing international support for Sri Lanka amid the military's ascendancy on the battlefield has been that the Tamil people will be divested of any illusions. They are, in fact, truly alone in their struggle for self rule.

The members of the international community, which had projected themselves as honest brokers in resolving this decades long conflict, have demonstrated this year that fair adjudication is not their purpose.

Instead they have reverted to the policies that the Tamils had been familiar with during the horrific periods of conflict: i.e. wholeheartedly backing the state's war machine in the pursuit of their own interests.

Lest we forget, the Tamil struggle has progressed a long way, coming through past periods of isolation and concerted hostility. It is unique for its lack of dependence on any foreign power. It has been the folly of many domestic and foreign governments to underestimate the determination of the Tamil people to win their freedom. It has been our folly, of late, to expect more from the international community.



## NEWS

# Humanitarian crisis worsens in Jaffna

OVER two months after the only supply road to Jaffna was closed by heavy fighting, the humanitarian crisis in the northern peninsula is reaching critical levels, with food and fuel running out and the Sri Lankan government refusing to open the A9 highway.

And amid mounting international concern, the government insists ample food is available in the Jaffna peninsula.

At the Norwegian brokered talks over the weekend, the first between the two sides since February, the Sri Lankan government rejected the LTTE's raising the issue of the A9, saying the matter was an irrelevant trifle and demanding instead that a political solution be taken up for discussion.

But aid workers and residents complain that over half a million people in Jaffna are now living on just one meal a day.

Even the limited sea-based supplies of food had not reached them for over 10 days amid turbulent seas, reports said.

Food prices had once again skyrocketed in the absence of fresh supplies.

Civilians in Jaffna last week warned that if urgent steps are not taken to transport food to the peninsula, the security forces ran the risk of facing angry civilian mobs, The Sunday Leader reported.

The United Nations top relief official has also protested the lack of access for relief agencies to civilian communities in the con-

flict areas.

"As the Global Emergency Relief Coordinator, I have been shocked by the lack of access for relief agencies to civilian communities in many conflict areas," Jan Egeland said.

"[Both] the government and the LTTE should be reminded that they are under international legal obligation to enable unimpeded access to civilians in need of assistance irrespective of where they are or the circumstances under which they live."

Even within days of the A9's closure in August, Human Rights Watch said half a million residents in the peninsula were facing food shortages and unable to reach areas safe from the fighting.

The Sri Lankan military, which launched an abortive offensive against the Tamil Tigers along with A9 is opposing the reopening of the highway, fuelling suspicion another offensive is being readied.

Supply lines to the northern peninsula by air and sea have been disrupted by bad weather and also because international agencies such as the International Committee of the Red Cross (ICRC) have refused to escort government convoys, citing security reasons.

Although government agencies have continued to sporadically supply the peninsula, aid agencies warn that if something is not done soon, the results could be disastrous for the 600,000 civilian population there.



As the humanitarian crisis worsens in Jaffna, children are among those forced to queue from the early hours of the morning in order to receive sufficient quantities of food for just one meal a day. Photos TamilNet

## 379 missing in Jaffna - SLHRC

379 CASES of disappearance of young men and women have been registered at the offices of the Jaffna SLHRC between December 2005 and October 2006, officials at the SLHRC said Saturday.

The number represents only the disappearances where there are no details of the youths available, and does not include those who were released, or who were killed and their bodies recovered later.

Of the 379, 68 disappearances occurred in August, 54 in September, and 30 in October.

Meanwhile, the SLHRC investigating officer Mr. Sivendrarajah, and human rights attorney, Mr. Remedius, who visited the KKS detention camp Saturday were told that eight youths who

were held in detention at the facility under suspicion of having links with the Liberation Tigers, had been flown to the Terrorism Investigation Division (TID) in Colombo for further interrogation.

Of the eight, one was the President of the Students Consortium in Jaffna University, Mr. Paheerathan, who had been arrested during a roundup at the Jaffna campus.

Another of the eight was young woman arrested in Valikamam East, Vaharavathai area, who the SLA alleged had attempted to take cyanide.

SLA officials failed to notify the SLHRC, as earlier agreed by the Security Forces, before the youths were taken to Colombo, the SLHRC attorney charged.

The results of months of shortages have begun to show, with school children failing to attend schools as malnutrition takes hold, press reports said. Teachers have even reported cases of children fainting in schools.

"No citizen of Sri Lanka should be forced to depend on uncertainties, such as if a ship will arrive in the coming weeks or not," the head of the international peace monitors in Sri Lanka, Lars Solvberg, told IPS after returning from a tour of Tamil areas in the northeast. He described the situation as "totally unacceptable."

Sri Lanka's main Tamil political party wrote to the Liberation Tigers and the United Nations last week urging action to open the A9 and accusing the Sri Lankan government of using the situation as a weapon of war.

The Tamil National Alliance (TNA) appealed to LTTE to take-up the opening of the A9 highway as a matter of top priority at last weekend's talks in Geneva.

The LTTE made the humani-

tarian crisis its prime focus in the inconclusive negotiations.

"The Jaffna peninsula is a humanitarian catastrophe waiting to happen," the TNA noted, adding that "since the closure of the A9 highway ... the humanitarian situation has reached critical levels."

The TNA said that the Jaffna peninsula, with 653,755 people, requires 11,000 metric tons of food supplies per month.

But over the last three months, only 14,000 metric tons of food items had been sent in total by ship, resulting in a short fall of 19,000 metric tons, the letter said.

The MPs also noted that fuel levels are grossly insufficient, but added that they are unable to provide details because "official figures are being withheld" by the Sri Lankan government.

"Due to the severe shortage of all conceivable items in the Jaffna peninsula, families are forced to stand in queues that stretch for miles on end," the letter notes, adding that the queues start forming as early as 4am.

The MPs appealed to the LTTE to take-up the opening the A9 highway "as a matter of top priority" at the talks in Geneva.

They also appealed to the UN High Commissioners for Human Rights and Refugees, protesting that the Government of Sri Lanka was using the humanitarian crisis as a tool of war.

"It is our humble submission that the manner in which the [government] has been conducting military operations demonstrates the intent to inflict maximum harm on the Tamil civilian population," the TNA said in the letter to the UN.

"It is [also] our submission that the GOSL's plan is to progressively exclude the International Community, diminish its involvement in Sri Lanka and, in particular, its ability to witness the curtailment of humanitarian and human rights abuses and ensure their eventual withdrawal, so as to be able to unleash, unfettered indiscriminate, even genocidal attacks against the Tamil people," the TNA said.

Editorial, p6

## NEWS



A Sri Lankan postal employee (L) accepts a parcels at a post office in Colombo on Nov 2, 2006. Anxious relatives are trying to send supplies to residents there. Photo Lakruwan Wanniarachchi/AFP/Getty Images

## Colombo covers up people's suffering, stops relief efforts

### TamilNet

CLOSURE of A9, the only trunk road to Jaffna from rest of Sri Lanka, more than 10 weeks ago, has halted the flow of essential food provisions, and medical supplies to Jaffna Peninsula, and if urgent steps are not taken, the residents will face severe humanitarian crisis, civil society leaders in Jaffna warned Monday last week.

Jaffna residents face malnutrition and imminent starvation; and shortage of medical supplies and doctors have wreaked havoc with the peninsula's fragile health care system, hospital and Non Governmental Organizations (NGO) sources said.

The child specialists attached to the Jaffna Teaching hospital warned that many of the children in the Peninsula are affected by malnutrition because the provision sent by the Government of Sri Lanka (GoSL) is inadequate and only could fulfil 25% of the entire need of nutrition.

Inefficiency of the Government bureaucracy and the rampant corruption in the supply chain also may be exacerbating the situation, local NGO officials said. "Island," a kind of milk powder that was declared in 2000 as not suitable for consumption, was again sent to Jaffna. Out of the 200 000 milk packets sent recently, 86 000 packets are "Island".

The Directors of Education have expressed alarm at the fall of attendance figures of schoolchildren. Many attending children suffer

from malnutrition and cases of many fainting in schools are reported. Enthusiasm for learning has waned dramatically, officials said.

Meanwhile, the Consortium of Jaffna district NGOs blames the GoSL and government officials for their indifference in allowing the transport of essential food items to the people of Jaffna. Some officials of the Consortium said they fear speaking in public about the real situation in Jaffna due to the overarching presence of security forces and collaborating paramilitary cadres.

The NGOs warn that understated, and quite often false,

**Verbal directions have been given by Colombo to local officials to refrain from setting up refugee camps and involving in any relief work for the displaced.**

details of the needs of the people of Jaffna disseminated by the Colombo's propaganda machinery are masking a grave and tragic situation developing.

Though more than 40 000 people, belonging to 12 000 families mainly from the areas near the Forward Defense Lines (FDL) in Thenmarachchi region and the islet villages, have fled their

homes and have become internally displaced, following the break out of war on August 11, the GoSL has not directed the officials concerned to take actions to provide them any relief so far.

Instead, verbal directions have been given from Colombo to the officials to refrain from setting up refugee camps and involving in any relief works.

As a result, though all the IDPs stay in government schools, no actions have been taken so far to provide them either cooked meals or basic facilities.

In addition, GoSL has allegedly given orders not to disclose the information that the refugees are staying in camps, the Consortium sources further said.

The members of the Consortium also accuse the International NGOs like UNICEF, Save the Children Fund, UNHCR, and ICRC, for failing to expose the malnutrition among children, internal displacement, and starvation.

The Consortium blame INGOs' silence on the public attack on the office of Tamil Rehabilitation Organization (TRO), an NGO that is the main relief organization in the entire NorthEastern province.

Local NGOs fear that their safety is also endangered due to the apparent self-censorship of the INGOs, consortium officials said.

The Consortium officials said that, overall, Colombo has remained detached to the developing humanitarian crisis and has failed to fulfill its humanitarian obligations to people of Jaffna.

## Over 15,000 refugees now in India

THE number of Sri Lankan Tamils fleeing to India to escape violence in their country has crossed the 15,000 - mark despite a dramatic drop in arrivals in October.

A similar number have become internally displaced persons (IDPs), seeking refuge in other parts of Sri Lanka.

The refugees are still coming in, carrying their meagre belongings, and their total in refugee camps in Tamil Nadu is now 15,912, said SC Chandrahasan, a Sri Lankan Tamil heading Chennai - based NGO Organisation for Eelam Refugee Rehabilitation. The total includes 6,027 men, 5,451 women, 2,312 male children and 2,122 female children.

Starting in January, the refugee flight touched the peak of 5,769 in August following heavy fighting across Sri Lanka's northeast between the military and the Liberation Tigers of Tamil Eelam, before sliding to 3,749 in September. In October it plunged to just 735.

UN figures indicate that at least 15, 876 people have been internally displaced since January.

However UNHCR spokesperson Linden Jeffers the figures had so far not been updated since October 26, before the peace talks.

"It is too early to comment on a possible increase," Jeffers said, adding that the new statistics would be released next week.

Chandrahasan said that the latest refugees in India attributed the fall in October numbers to expectations from the just-ended peace talks in Geneva, rough weather that made sea travel risky, and an improvement in the conduct of the military in Tamil areas.

"Surprised by the low arrivals we asked people what the reason

was," he said. "They said the military was being more careful with (Tamil) people in areas like Trincomalee. People said the forces were more restrained."

With the Oct 28-29 Geneva dialogue failing to achieve any breakthrough, Chandrahasan warned that the refugee arrivals may pick up. "But if the security forces are restrained, it will not go up in a big way."

However, other aid workers were not convinced, voicing concerns that the break down in peace talks and incidents reported in Muhumalai could lead to a rise in not only refugees, but also IDPs.

"The figures have remained more or less stable so far, but we are concerned over the possible rise in IDPs, especially given the reports coming in from Muhumalai," Jeevan Thiagarajah, Head of the Common Humanitarian Association (CHA) said.

Meanwhile NGO officials in the East said that while most IDPs had returned to their homes from camps, many were still affected by the prevalent bad weather due to severe damages caused to about 20% of the houses in the fighting that had taken place over the past few months.

Those affected by the rains also included IDPs who still remained in camps for security reasons

Trincomalee, on Sri Lanka's east coast, is from where most of the Tamils who have taken refuge in India have come from. It is the killing of Tamil civilians there in January that triggered the latest refugee run to Tamil Nadu. The point from where the refugee set sail to India is however Mannar in the island's northwest.

## Fuel embargo cripples Tamil areas

WITH storage tanks running dry, private and co-operative stores in the Jaffna peninsula stopped distributing diesel to government offices and private vehicle owners with effect from Monday.

The fuel crisis will seriously impact all commercial and administrative activities in Jaffna and will cripple functioning of institutions, including schools, that depend on public transport, officials warned.

The Northern Region Transport Board, which runs public transport in the peninsula, suspended bus services with effect from Monday, citing the fuel shortage.

Only very limited emergency transport was authorized from

Kondavil, Point Pedro and Kayts depots which serve as the central administrative points for the peninsula public transport.

The head of administration at Kondavil bus depot said that Jaffna district requires 2000 litres of diesel a day to run the normal schedule of buses.

"Sri Lanka Petroleum cooperation supplied us with 3300 litres Saturday and we had used up that supply by Sunday evening. Until fresh supply arrives we are not in any position to serve the Jaffna public," he added.

Meanwhile, a fuel shortage at the Chunnakam electricity station forced engineers to reduce the supply to 5-hours a day.

## NEWS

# SLFP - UNP agreement met with caution

THE agreement signed last week by Sri Lanka's two main parties to cooperate on crucial problems facing the island, including the ethnic conflict and managing the economy, has been met with cautious optimism as well as scepticism.

Representatives of President Mahinda Rajapakse's ruling Sri Lanka Freedom Party (SLFP), and the main opposition United National Party (UNP) signed the 10-clause cooperation accord to implement a four point common national agenda in a televised ceremony Monday last week.

The SLFP-UNP deal is to last for two years.

"We have all agreed here that the only way forward is a political solution to peace," UNP leader Ranil Wickremesinghe said after the signing ceremony.

"Without stability, the country cannot develop," he added. "This agreement today is to achieve peace and a political solution to national question."

Mr Wickremesinghe said the agreement sought to pave the way for a better political culture and environment where importance is given to gathering in harmony, discussing in harmony and dispersing in harmony.

President Mahinda Rajapakse declared: "we are moving in a new direction of political understanding and consensus, as seen in India and other countries."

He then invited the two Sinhala nationalist parties, JVP and JHU - both of whom had crucially supported his presidential campaign in November 2005 - to also join the government.

"We have placed the country first," President Rajapakse said. "With this coming together it would be possible to eliminate terrorism, and build a country at peace where all people can live together without fear."

JHU parliamentary group leader Athuraliye Rathana told the BBC Sinhala service that his party supports the UNP-SLFP agreement as it united the Sinhalese.

The agreement was signed for the SLFP by General Secretary Maithripala Sirisena and for the UNP by Chairperson Malik Samarawickrema, with the ceremony taking place at the President's official residence in Colombo.

Under the agreement, the UNP will "extend support to the Government in the pursuit of a negotiated settlement to the on-going conflict."

The common national agenda includes four identified issues: Conflict in the North & East, Electoral Reforms, Good Governance and Social Development

The proposed structure for collaboration, including the modalities for collaboration, will be

"implemented at an early date after further direct discussion between the two Leaders and acceptance by the appropriate bodies of each of the two Parties" the agreement stated.

The SLFP-UNP agreement is 'significant' reported Bloomberg.

"A bipartisan attempt to solve the longstanding ethnic conflict between the Sinhalese and the Tamils is an unprecedented innovation for Sri Lanka, which has tried all else - including armed intervention by neighbouring India and third-party mediation by Norway - without much success."

"Bravo, They Did It," said a Daily Mirror headline, while a Daily News editorial called it "a historic day in the post-independence political history of Sri Lanka."

"This agreement helps bring about a convergence on a political solution, especially on power sharing, in the peace process," said Jehan Perera, director of the National Peace Council, a Sri Lankan non-governmental peace advocacy organization.

"The government will be assured of a two-thirds majority in parliament to pass legislation when reaching agreement with the LTTE."

"There's cautious optimism in the market that a common political agenda will add more weight in coming to a negotiated peace settlement," Sriyan Gurusinghe, general manager at Ceylinco Stock Brokers Ltd. in Colombo, told Bloomberg.

But others were sceptical, with many arguing that whilst the bipartisan consensus looks good on paper, it was doubtful it would last.

"We are closely watching [the two parties]," said Tamil National Alliance (TNA) parliamentarian, Gajendrakumar Ponnambalam.

A bipartisan approach is needed to stop the ethnic outbidding, he said, adding "[the agreement] will at least have the Sinhala leaders becoming a bit honest with their own people."

India has also reacted with cautious optimism to the signing of the agreement.

The Indian assessment is that the agreement between the SLFP and the UNP is indeed crucial, but "it needs to be watched what and where it leads to," the IANS news agency reported.

Norwegian development minister Eric Solheim welcomed the "move to build a southern consensus."

The LTTE has in the past complained that unless the Sinhalese political parties made up their minds on how much they were willing to concede, it was impossible to negotiate.



Sri Lanka President Mahinda Rajapakse, (l) and opposition leader Ranil Wickremesinghe (r) greet each other after SLFP secretary Maithripala Sirisena (2l) and UNP chairman Malik Samarawickrema (2r) sign the pact between their two parties in Colombo. Photo Lakruwan Wanniarachchi/AFP/Getty Images

## India underwhelmed by pact

INDIA is "happy but not overtly jubilant" over the recently signed pact between Sri Lanka's two main political parties, reported the IANS news agency.

The Indian assessment is that the agreement between the Sri Lanka Freedom Party (SLFP) and the main opposition United National Party (UNP) is indeed crucial, but "it needs to be watched what and where it leads to".

"The Indian establishment feels that the SLFP-UNP pact would prove beneficial to Sri Lanka even if it results in their genuine cooperation on any of the issues covered by the agreement and not just the ethnic conflict" the IANS report said.

But, it stressed that almost all Indians underline that the pact is "just a good political beginning

and that Sri Lanka's road to peace is going to be long and tortuous even with the backing of the international community".

The report stated that the

**'This will be truly path-breaking only if - and it is no small if - it helps in the ultimate resolution of the ethnic conflict'**

agreement would "prove to be truly path-breaking only if - and policy makers emphasize it is no small if - it helps in an ultimate resolution of an ethnic conflict that has bled Sri Lanka".

The two-year accord covers six key areas: the ethnic question, good governance, electoral reforms, strengthening the economy, pursuing educational reforms and social development.

Since the signing of the 2002 Norwegian brokered ceasefire agreement between the LTTE and the Sri Lanka government, "India has been repeatedly emphasizing to the Sri Lankan political leaders the necessity to put aside petty differences and team up on the burning ethnic issue" the report said.

It added that Prime Minister Manmohan Singh and Indian external affairs officials have stressed this at every interaction with Sri Lankan officials, including in Havana in September on the sidelines of the summit of non-aligned nations.

# Easan & Co

## Chartered Management Accountants

- ❖ Self Assessment
- ❖ Tax Returns
- ❖ VAT Returns
- ❖ PAYE
- ❖ Accounts & Book Keeping
- ❖ Management Accounting

### Specialists in Arranging Commercial Loan

196 Merton High Street South, Wimbledon  
London SW19 1AX

Tel: 020 8543 8484, Fax: 020 8540 0107

## CINEMA

# Aanivaer sets new standards

**Wimal Sockanathan**  
Tamil Guardian

I WAS privileged to be one of the few press-wallahs invited to the premier of 'Aanivaer' the movie which has been packing venues out across the Diaspora centres in the West. The title translates as 'primary root' - as in one's descent or origin.

Aanivaer, in my view, is assured of its place in the history of Tamil movies.

In keeping with its claim - 'inspired by true events' - it is an authentic portrayal of the post 1984 Northern province under Army brutality. Produced by Swiss-based Tamil financiers, the film was shot in Northern Sri Lanka using extras from Jaffna (as opposed to south Indian Tamils with unconvincing voiceovers).

The hero, heroine and some other characters are played by stars from the South Indian movie world (quite understandably - Tamil Nadu popular cinema is, at least for now, decades ahead of Sri Lankan Tamil cinema).

The producer also brought in South Indian Tamil technicians for camerawork & direction. The film has been scripted and directed by Jon Mahendran, son of the celebrated director Mahendran.

The story starts with a South Indian news reporter Sandhya (Madumitha) arriving at the Sri Lanka Army checkpoint at Om-anthai/Mankulam. She then crosses into Tamil Eelam territory. Her first interaction is a polite but firm encounter with the Tamil Eelam Police.

Sandhya tells them that she has come in search of a Tamil Doctor named Nanda (played by actor Nanda) whom she met some years ago rendering Medical treatment and social work to the hundreds of Tamil children women and the elderly injured by Army shelling.

But staff at the records office are unable to trace records on Dr Nanda and fear that he may have been killed by enemy action.

The film then goes into a flashback starting from the first day of Sandhya's arrival some years ago and her meeting Dr Nanda, a dedicated and hardworking medical man for whom the top priority is the alleviation of the sufferings of

his fellow Tamils around him.

Having lost his parents in the war he lives with his grand mother. At the outset, Dr Nanda is infuriated when Sandhya introduces herself as a Tamil journalist who has come from India to do a cover story!

Sandhya, although startled by Nanda's short temper continues to follow him with a camera.

From then on, Aanivaer traces Sandhya and Nanda witnessing a sequence of well known atrocities committed by Sinhala troops.

But this is no mere documentary. By placing Sandhya and Nanda in proximity to the incidents, director Jon brings historical fact to horrifying life.

We are shocked at the sudden air raids early one day that disrupt the calm of Sandhya and Nanda's morning coffee.

We are reduced to tears when Sandhya goes into a hysteria at the sight of the bodies of Tamil civilians minced by Army Tanks and scattered all over the road.

We are outraged when schoolgirl Shivashanthi riding in her bicycle is waylaid by boorish Sri Lankan Army soldiers in uniform, who bully her first but later subject her to thuggish assaults and finally rape and bury her in the muddy soil.

We share the feelings of Dr Nanda, who was very attached to Shivashanthi, when he refuses to see her body when as it is brought out of the soil.

The parallels to the rape and murder and subsequent exhumation of Jaffna schoolgirl Krishanthi Kumaraswamy are obvious.

Tamils have read and heard about all these incidents in the media. But our reaction is quite different when we see it re-enacted on the big screen with the realism induced by modern technology and crystal clear sound.

Many in the audience wept openly as the movie unfolded.

The producers have taken extreme care in avoiding words such as Thamil Eelam and Viduthalai Puligal (Liberation Tigers) for fear of accusations that this was just propaganda for the LTTE. It is the undeniable vio-



lence unleashed against the Tamil people by their erstwhile state that the movie seeks to capture.

There is one fleeting departure from this abstention, when Dr Nanda, referring to the atrocities, asks: "why should we Tamils stomach all this? We are not Poonai (cat) we are Puli (tigers)."

Perhaps inevitably, enthusiastic applause erupted from the audience at this solitary mention.

In its stirring of public reflection on Tamils' political situation, Aanivaer, reminded me of a mini TV series also titled 'Roots' which I saw in the late seventies on British TV. In that production, the writer Alex Haley vividly describes the problems his Black ancestors faced at the hands of White rulers. That TV series shocked many and created deep controversies at the time.

By and large, films produced by Sri Lankan Tamils have a less than illustrious history, irrespec-

tive of whether they are produced in Colombo, Chennai, or in the Diaspora centres in the West.

Firstly these movies had a pronounced accent barrier in view of the fact that Jaffna spoken (colloquial) Tamil has been misused by Radio Ceylon dramas such as Vithaniyar Veetil, Sirappar Kudumbam and London Kandiah and promoted the notion that Jaffna Tamil is the language of comedy. South Indian movies like Thennali starring Kamala Hassan speaking our Jaffna Tamil made capital out of this mistaken belief.

Secondly, there is a distinct lack of professionalism.

Many of these producers are more concerned with 'starring' in their own movie with their favourite lady as heroine (who would not only be inexperienced but also would, shall we say, not be photogenic).

The 'producer' would also distribute and assign key responsibil-

ities such as camera, sound etc, to his amateurish friends and relatives. Or perhaps it is a matter of being stingy.

These sub standard movies have severely undermined the reputation of Sri lankan Tamil movies which had become the butt of many a joke.

By contrast, Aanivaer, sets new standards by a demonstrable professionalism never seen before even in Maniratnam's 'masala' movies which, like all South Indian movies, amassed huge revenues from expatriate Tamils, without acknowledging the historical circumstances of our community.

As the producer of Aanivaer, (an aptly named) S. Prabhakaran, pointed out, "south India's movie industry has shown in the wallets of our people than in our political problems."

*Wimal Sockanathan is a well known broadcaster & journalist in Tamil television and radio.*



## Interested in writing or publishing?

And in any or all things Tamil?

## Then join our team!

### No experience necessary, just lots of enthusiasm!

We are looking for writers to work with us on articles and commentary on political and social affairs, Tamil culture and arts, including popular cinema, as well as other subjects.

We are also looking for people interested in desk-top publishing or graphic design.

**Email [info@tamilguardian.com](mailto:info@tamilguardian.com) for more details**

## NEWS

# Violence in the NorthEast in the week ending Oct 29

Summary of incidents - apart from major clashes in the island's conflict.

## October 28

● B. D. Wijetunga, 42, commanding officer of the Artillery Division of Kommathurai military camp, was seriously injured during a gunfire exchange near the Eastern University campus in Batticaloa. He succumbed to his injuries at hospital. The clash occurred after a convoy of SLA soldiers going on vacation had passed the area, and was targeted at the troops providing protection.

● A field officer attached to Non Violent Democratic Activities Group (NVDAG), a local NGO, who disappeared Wednesday after being interrogated by SLA troopers stationed along the A9 in Chemmani, was released. Thiagarajah Sajinthan, 28, from Nunavil, Chavakachcheri, set out from the NGO office at Nunavil along the A9 highway and was stopped by the SLA in the Chemmani area. Sajinthan declined to reveal details of his abductors but said that he had returned home safely.

● A police constable was injured when assailants hurled a hand grenade towards the police officer on Pannaicholai Road in Eravur.

● Kanagaratnam Suthersan, alias Sarangan, 19, a member of the paramilitary Karuna Group, was shot and seriously injured when gunmen fired at a group of cadres walking from Pillaiyar Temple along Badulla Road to the paramilitaries' office in Chenkalady, Batticaloa.

● Three SLA troopers were injured when assailants triggered a claymore mine targeted at a SLA road patrol in Veppankulam, Vavuniya.

● Three SLA troopers were injured in a claymore ambush on their vehicle in a depopulated area between Nagarkovil and Eluthumadduval, behind the SLA FDL. Assailants triggered the claymore

near Maruthadikulam, where a high ranking SLA officer was killed and two SLA troopers injured in a similar attack nearly three months earlier.

● An SLA soldier was killed when gunmen hurled a hand grenade at a sentry near Saraiyadi, Vadamaradchy along the Point-Pedro - Jaffna Road.

## October 27

● An SLA offensive towards LTTE controlled Vaharai in the East was repulsed by the Tigers. "Around 300 Sri Lankan troopers launched a ground offensive backed by artillery and mortar fire from Welikande and Karadikkulam SLA camps and entered our territory via Thirukkonamadu," said LTTE Military spokesman Irasiah Ilanthirayan, speaking to the media from Geneva, Switzerland.

● Two SLA troopers, who were part of a foot patrol, were seriously injured when assailants triggered a claymore mine along Jaffna-Point Pedro Road in Aavarangal, Valigamam East. SLA troops cordoned off a large area in Aavarangal and conducted a search operation. Nearby pedestrians were indiscriminately attacked by SLA troopers taken to the area following the claymore attack, and vehicular traffic along the heavily used Jaffna-Point Pedro road was blocked for more than two hours.

● Gunmen shot dead Murugupillai Poopalaratnam, 65, of Thevapuram, Murakodanchenai, Eravur. The assailants called the victim out of his house, shot him at close range, and escaped.

● The owner and operator of a mini-cinema was shot dead by gunmen inside a jewellery store in Kannathiddy junction, Jaffna town. Veerasingham Chandramohan, 42, from Kasturiar Road, Jaffna operated a mini-cinema near



A Tamil mother, Malendran Jayakumari, grieves over the body of her son who was gunned down during the night of 27 October by gunmen in Trincomalee. Photo STRDEL/AFP/Getty Images

Jaffna Hindu College. A few months earlier, arsonists had set fire to his cinema theatre after threatening Chandramohan for showing socially-degrading films, including pornographic ones.

● The bodies of two youths were found at 3rd mile-post, near Chelvanayagapuram, Trincomalee. They had been killed Thursday night by unknown gunmen.

## October 26

● The Sea Tigers and SLN clashed for 5-hours in the Kilaly Bay. SLN gunboats off Kerathivu had mistaken Sea Tiger patrol vessels in Sangupitty area as an LTTE attempt to launch an attack on Jaffna, an anonymous SLN told TamilNet. LTTE vessels alleged to have set off from Pooneryn Munai via Sangupitty jetty area toward the Kilaly Bay, were observed by Keratheevu naval troops who began the attack on the Sea Tigers. The SLA, based in Gurunagar, Pasaiyoor, Ariyalai east, southern and western parts of Thenmaradchy, Kokilakandy, Thanagkilappu and Keratheevu, supported the SLN with heavy mortar and artillery fire launched from their

positions. The LTTE retaliated from its Sangupitty base.

● Three Karuna Group cadres were killed and eight injured when a fellow cadre, who had recently joined the paramilitary group, lobbed grenades and shot at them. The cadres had been asleep inside the Chenkalady Pillayar temple, close to the SLA Black Bridge camp, when the attack occurred. The cadre who attack had escaped from the area. The three dead were identified as M. Vasu, K. Arunan and M. Mano, while the eight injured were identified as Kajan, 39, Aynkaran, 37, Imayavan, 21, Arunan, 40, Shanthan, 35, Suntharamoorthy, 27, Srithavan, 46, and Kalaiarasan, 16.

● The SLA began firing began firing artillery shells and Multi-Barrel Rockets into LTTE controlled Panichchankerni area from its Mankerny base.

● One man, three teens and two children, collecting vegetables in a field located on Chelvi Theatre Road, Chenkalady, Eravur, were seriously injured when a bomb, concealed in a plot of spinach in the garden, exploded. Kanagasooriyam Rajendran, 40, Sathananthan Maithili, 19, Sathananthan Ya-

so, 16, Kanthasamy Shanthini, 14, Kanthasamy Shantharoopan, 11 and Kanthasamy Rajkumar, 2 were identified as the injured. Mr Rajendran and the children tend to the vegetable garden, and pick vegetables every morning.

## October 25

● Mr. Padmakumara, 27, a Sinhalese, was shot dead by gunmen in the Thekangkaadu area of Vavuniya, but motives for the killing have not yet been established.

● Maheswaran Kaneswaran, 21, was seriously injured when gunmen called him out of his house in Thalankuda, Batticaloa, and shot at him before escaping.

## October 24

● Vinasithamby Gunaseelan, 22, a building mason from Pillayar Kovil street in Chunkankerny, Valaichenai, was seriously injured when unidentified persons waiting in ambush opened fire as he was riding his bicycle to work.

● Ms. K. Ariyamany of Pethalai, 30, was caught in the cross fire

EPDP - Eelam People's Democratic Party  
FDL - Forward Defence Line  
HRC - Human Rights Commission  
HSZ - High Security Zone  
ICRC - International Committee of the Red Cross  
LTTE - Liberation Tigers of Tamil Eelam  
SLA - Sri Lanka Army  
SLAF - Sri Lanka Air Force  
SLHRC - Sri Lanka Human Rights Commission  
SLMM - Sri Lanka Monitoring Mission  
SLN - Sri Lanka Navy  
STF - Special Task Force

Continued on page 13

## Incidents since Oct 23

Continued from page 12

between two rival groups and was seriously injured at Vinayagapuram, Valaichenai. Such clashes have become frequent with increasing incidents of infiltrations by Karuna paramilitary group cadres, villagers said.

● A SLA soldier was injured when a claymore was triggered along Udupidy-Vathiry road in Vadamardchi, Jaffna.

● A SLA trooper was killed in a claymore explosion near Athiyady Kovil on Beach Road in Valvetthurai, Jaffna. Soon after, SLA troopers shot dead a youth in the vicinity. The SLA said the youth tried to escape after hurling a grenade at them, killing one of the soldiers, but local witnesses said that youth was walking along Beach Road when the SLA shot at him.

### October 23

● A civilian and a police sergeant were seriously injured when a mortar shell exploded near a police sentry point on the Vavunathivu

SLA FDL. Sinnathamby Sinnavan, 55, a tractor driver, and Sergeant K. Wickremesinghe, 36, were both admitted to Batticaloa hospital.

● The SLN arrested three Muslim villagers of Puthukudiruppu, Mannar, for allegedly transporting fuel to LTTE held villages. The SLN seized seven barrels containing 210 litres of diesel, two fibreglass boats and a truck from the suspects, Mannar Police said.

● Armed men stopped a lorry, shot dead the driver, Prabath Jayasinghe, 28, of Galle, and injured another man at Poonthodam in Vavuniya. Monday around 10:30 a.m. said Vavuniya police.

● Paramilitary cadres, allegedly of the Karuna Group, set fire to regional Tamil dailies in Batticaloa (see separate story).

● Nadarajah Inthiran, 23, was found lying with gunshot injuries at the Hali Oluwa junction in Seruvila, Serunuwara. He was taken to hospital, where he died.

● Five Tamil youths were abducted from Thiriyai, Trincomalee, by unknown armed persons.

## FMM condemns burning of Tamil dailies in Batticaloa

A SRI LANKAN media watchdog last week condemned the burning of 10,000 copies of popular Tamil dailies by Army-backed paramilitaries in the restive Batticaloa district.

Registering its "strong condemnation of continuing threats and harassments to Tamil language media in Sri Lanka" the Free Media Movement (FMM) said the burning last Monday was "the latest incident of series of killings, harassments and threats directed towards Tamil language media in Sri Lanka."

The incident occurred in the government control Kiran region of Batticaloa, near the Kiran regional Secretariat.

An armed group of 10-15 men, reportedly cadres of the paramilitary Karuna Group, had stopped the private passenger transport bus and a van carrying the copies of Virakesari daily and metro News to be distributed in

the Batticaloa district.

The men had then burned the papers in the van, consisting of nearly 10,000 copies of the Virakesari and an unknown quantity of the metro News, at a compound opposite the Secretariat.

The gunmen took away bus driver's hand phone and asked him to collect it at the office of the Karuna Group, TamilNet reported.

The FMM pointed out that the Karuna Group has political offices in government controlled areas in the east and in Colombo, and is protected by Sri Lankan security forces.

The Virakesari is the only Tamil language newspaper which has been distributed in the east for some time now, the FMM press release said.

"Other two Tamil dailies Sudar Oli and Thinakural, were banned in the beginning of the year in Batticaloa and Amparai allegedly by the Karuna Group," the state-

ment said.

"According to Sudaroli management one third of their circulation has dropped due to this ban," it noted.

The FMM urge the government to take urgent steps to reverse the situation, "so that Tamil language news papers will be able to distribute freely and people living in the Eastern province of Sri Lanka will have the choice of reading what ever newspaper they like."

Earlier in August, paramilitaries collaborating with the Sri Lanka Army had threatened the owner of Surena Travels not to deliver the Sudaroli and Thinakural newspapers to Batticaloa distributor.

On August 5, paramilitary cadres burnt the Sudaroli, Thinakural distributor's shop in Batticaloa, despite it being located 75 meters from a Sri Lankan military camp.

# Violence in NE in week ending Oct 22

## Summary of incidents - apart from major clashes - since October 16.

### October 22

● Gunmen shot and killed Sivapatha Sharma, 40, a Saivite priest, in Vavuniya. He was one of the organisers of a vigil group against theft and robberies. The police said there was no known political or military motives for the killing.

● The body of Jeyaratnam Jesuthadasan, 27, was found with gun shot injuries along St. Antony's Lane in Trincomalee town.

● Armed men opened fire on a police sentry point at 39th Colony, Amparai, seriously injuring a home guard. The STA, STF and police cordoned off the area and conducted a search operation, recovering a T56 type assault rifle with its magazine.

● A SLA trooper was seriously injured when a claymore attached to a tree along the Uddupiddy-Vathiry road near Irumpu Mathavady exploded on soldiers returning to their camps in Nellyyady after conducting a cordon and search operation in Vathiry.

● Mohanathas Kannathas, 29, and Rajaji Thavaraj, 28, two brothers from Kantharmadam, Jaffna, were reported missing on their way to Thenmaradchi, near Chemmani, the gateway between Valigamam and Thenmaradchi.

The SLA's 51-4 Brigade operates in the area west of Chemmani and another brigade of the SLA's 55th division operate in the FDLs near Ariyalai South, Kilali areas.

The two brigades control the areas of Navatkull, Kaithadi and Chemmani and are widely believed responsible for the disappearances of the youths. However, officials from both brigades have rejected the accusation and said that they are unaware of the disappearances.

● There were reports that the SLA and LTTE exchanged artillery fire near Muhamalai FDL.

### October 21

● The body of a youth abducted by armed men on Wednesday was recovered Saturday with assault injuries. Kanthasamy Sureshkumar, 17, of Mavadvembu in Eravur, was abducted at Santhanamadu in Sithandy, and his body was discovered in the centre of Sithandy three days later.

● The bodies of two Tamil young fishermen who left Pesalai, Mannar, Friday afternoon for fishing, were found with several gunshot injuries Sunday inside their fibre glass fishing boat about 15 km off Pesalai coast.

Savarian Robinson Koonja, 19, and Sahayam Ajith Croos, of Pesalai had left in their fibreglass boat to cast nets in deep sea Friday.

The villagers had launched a search operation when they failed to return and searchers found the bodies in their boat, drifting at sea.

Each body had more than twenty gunshot injuries and the

boat had also been heavily shot up.

● One SLA trooper was seriously injured when a claymore attached to a tree exploded on soldiers returning to their camps in Nellyyady after conducting a cordon and search operation in the Vathiry area of Jaffna. Unconfirmed reports said there were fatalities in the explosion.

● The family of Karuppiah Sinniah, 32, of Periyakamam in Mannar, who disappeared after going to check his paddy fields on 27 December, has sought the assistance of the SLMM and the SLHRC to trace his whereabouts. The family suspect that he could have been arrested by Sri Lankan armed forces.

### October 20

● The Sea Tigers retaliated against a SLN flotilla that launched an attack on Tiger vessels in the seas off LTTE territory in Nagarkovil.

The Sea Tigers chased the SLN flotilla towards Kudathanai, damaging two Dvora Fast Attack Crafts, LTTE officials said.

Fishermen in Point Pedro said the SLN personnel withdrew and landed in Point Pedro following heavy clashes in the seas.

SLAF helicopters and SLN vessels resumed attack on the Sea Tiger flotilla that was returning to Mullaithivu. Sri Lankan military officials in Colombo claimed that they had sunk 3 LTTE boats and killed 20 Sea Tigers.

● The SLA in Varany, Thenmaradchi, began firing artillery shells towards LTTE controlled areas.

● David Vikneswaran, 35, and his

wife Thirukeswary Vikneswaran, 30, living at Maththegoda Housing Scheme in Maharagama, were kidnapped around 1:00 am Thursday and their bullet riddled bodies were recovered by Police in the Piliyandala area around 6:00 am in the same morning.

● Regi Balananthan, 30, was kidnapped at Aluthmawaththa, around 10:00 pm Thursday and his bullet riddled body was found at roadside in Ragama.

● The People Vigilance Committee, a committee comprising a number of political parties and civil right organizations in Colombo, in press release said nine Tamils have been killed and thirty-three have disappeared in the last few weeks in Colombo.

Nine people have been released after paying ransom.

In the previous two days three more Tamils, a trader Jeyaraja, 46, from Moratuwa, Maheswaratheepan, 25, from Modara, and Shan George, 15, a student from Mattakkuliya, had disappeared, the PVC said in its press release.

● Three members of a family, including a 3 year old boy, were seriously injured when high explosive artillery shells fired by the SLA from Valaichenai brigade and Sinhapura camps hit their house.

The soldiers were firing towards residential settlements in LTTE controlled Vaharai.

M. Sivanathan 28, M. Sivamar 22 and M. Siyan 3 were seriously injured in the shelling that continued for more than an hour, and seven houses were badly damaged.

● Gunmen called Thiyagarajan Thilainathan, 28, out of his house

at Karavedy along Arasady-Sonappu Road, shot him dead, and escaped.

● Kanthan Uthayakumar, 32, a trader from Karavedy East in Vadamardchchy, was shot in Karavedy by gunmen who followed him in on a motorbike, while he was riding his bicycle.

● Armed men riding a motor-bike followed three friends riding their motor cycles and shot them at Rasa Veethy located between Masivan junction and Nilavarai in Valigamam East.

Kulasingham Kunnarasa, 28, a mechanic from Thunilai, Vellupillai Thiyagarajah, 59, a vehicle broker from Atchuveli, and Illayathamby Kirupananthan 32, a painter from Atchuveli, were all killed.

● Unidentified men used a hand pistol to shoot dead Kurusamy Kathiravelu, 44, of Koiathodam in Jaffna, at his food shop in front of Jaffna Teaching Hospital.

● In Athiyady, Point Pedro, gunmen shot dead Thavarasa, a labourer.

● A dead body with knife wounds was found dumped in a well at Neeraviady close to Jaffna Hindu College in Jaffna town.

The victim was identified as Kuganathan, 28 from Yarl Road, Kantharmadam based on the particulars in the identity card found on his body.

The knife wounds on the body led to speculation that Kuganathan was knifed to death before being dumped into the well.

Residents said they heard gunshots from Kasthuriar Road and Kankesanthurai Road areas the

Continued on page 14

## NEWS

## Violence in NE ...

Continued from page 13

previous night.

● An auto trishaw driver who disappeared after being last seen at a SLA check point in Jaffna Wednesday, escaped from the SLA camp in Chavakachcheri and appeared in Courts under the protection of SLHRC. The driver alleged he was taken to several SLA camps and was tortured while in SLA custody.

Kandiah Kandeepan, 30, a father of two of Sivan Kovil Road, Chavakachcheri, told SLHRC officials that he was stopped and interrogated by soldiers at the Sarasalai Army checkpoint on 18 October.

After the interrogations, the soldiers had ordered him to take 3 other soldiers in his vehicle to the nearby Vannaththippalam Army camp in Vatharavaththai.

There he was blindfolded and subjected to severe torture and transferred to various camps in Thenmarachchi region.

On Thursday night SLA soldiers took him to Kompikkulam-kadu area in Sarasalai. Using the night time as cover, he said he managed to escape and took refuge at a house in Puthur.

Friday morning he contacted the SLHRC who produced him before the Chavakachcheri judge, who gave orders to keep him in the custody of prison officers in Jaffna prison.

● Gunmen opened fire on a police road patrol unit at Pandarikulam, Vavuniya, seriously injuring a policeman. Police and the military cordoned off and searched the area immediately after the shooting, but no arrests were made.

## October 19

● Sivasubramaniam Suthan, 31, was shot dead by gunmen who went to his home in Sandilippai North, Jaffna.

● Thuraisingam Thavachchelvan, 31, was shot dead by an unknown person who visited him at his house, located 200 meters from a military checkpoint, in Puthur East, Valikamam.

● Unidentified persons shot dead Rajagopal Karunakaran, a Tamil fisherman of Division No: 10 of Trincomalee town.

● A Pillayar temple, a Multi-Purpose Co-operative Society building and 13 houses were badly damaged when SLAF Kfir attack aircrafts bombed civilian settlements in Tharavai and Iralakulam in LTTE Batticaloa district. There were no injuries as residents had sought safety in the jungles and other places when the bombings began Wednesday. However, a large number of livestock including goats and cattle were injured or killed in the bombing.

● Unidentified men activated a claymore mine at Pathiniyar Mahilankulam in Vavuniya killing two SLA troopers of a road patrol unit on the spot.

● A civilian from Thavasikkulam, Mirusuvil in Thenmarachchi region was killed when a shell

exploded in the area. Sporadic exchange of artillery fire between the LTTE and the SLA continued across Muhamalai FDL.

## October 18

● Heavy fighting between the SLN and LTTE was reported near the coast of Karainagar in Jaffna Islets.

● Armed persons shot and injured Veera Arachchilage Antony Silva, 38, a father of two, at his residence in Pesalai.

● The body of a male, estimated to be 25 years old, with gunshot wounds, was found at Paalpannaiyadi, Thirunelvely within Jaffna Municipal limits. The man was riding a bicycle when he was shot dead.

● Two SLA troopers were seriously injured when unidentified men riding a motorbike hurled a hand grenade towards the soldiers on foot patrol in Neervely. Arumugam Joseph, 60, from Neervely, was seriously injured when soldiers fired indiscriminately following the attack.

● A claymore aimed at a military convey in Chavakachcheri in Thenmarachchi region, exploded but missed the intended target. Following the attack, the SLA conducted a cordon and search operation in the area, but no one was arrested.

● Piriyaliny Karalasingam, 32, a mother of one, living at Selvanayagam Road, Batticaloa, was shot dead by gunmen who called her name and shot her dead at point blank range near her house gate. Mrs. Karalasingam is from Muthur and was staying in a relative's house when she was killed. Her husband is working in a Middle East country.

● Vairamuttu Arasamma, 52, was killed in Karadiyanaru when 2 SLAF Kfir bombers dropped more than five bombs on the civilian settlement. In the same bombing, M. Roshan, 38, and K. Gopu, 10, were wounded in Paalchenai. Both villages are in LTTE controlled territory northwest of Batticaloa town. Six houses were destroyed in the SLAF bombing, and two of the five bombs in Karadiyanaru did not explode.

## October 17

● Gunmen in a white van abducted a Muslim youth from his home at Kavathamunai MPC Road in Valaichenai. Relatives of Mohamed Thaheem 21, a trader, registered a complaint with Valaichenai police. Residents speculated a local business related dispute might have been the reason for the abduction.

● Armed men attacked a police sentry point, manned by five home guards, at Thamanabantha, Amparai, seriously injuring one of the home guards, identified as M. Samantha. Police and home guards reinforcements rushed to the site, cordoned it off and searched the surroundings, but no one was arrested.

● Gunmen shot dead a police con-

stable attached to Kallady police station in Batticaloa at a bus halt close to the Kurukul Madam STF camp in Batticaloa. Ilayathamby Ilankeswaran, 43, a father of four, of Kurukul Madam, died on the spot when gunmen fired at him as he was waiting for a bus on his way to work.

● SLMM officers Edward and Bjørn Kjelsaas, accompanied by LTTE Amparai District Political Head S. Jeya, inspected the houses and properties destroyed by STF artillery shelling, and spoke with the affected civilians. Earlier, Mr Jeya, had briefed the SLMM on the previous week's pre-dawn offensive of the Sri Lankan STF into LTTE controlled Kanchikudicharu. The SLMM officers told Mr Jeya that STF had stopped the SLMM from visiting the affected area sooner, saying that fighting was going on between the LTTE and Karuna group and that it was not safe.

● Armed men opened fire on a SLA unit of the Murakodanchenai SLA camp at Sithandy, Eravur, seriously wounding one trooper, M. K. Senivaratne, 33. The SLA retaliated following the attack but no one was hurt and no one was arrested in the search operation conducted by the SLA.

● Two SLAF Kfir bombers destroyed the main broadcast tower and transmitter of the Thamileelam Radio that broadcasts the Voice of Tigers, official broadcast of the Liberation Tigers, Thamileelam Vanoli, a commercial Tamil service and a Sinhala language broadcast.

● A claymore mine placed near the sixth mile post along Trincomalee-Nilaveli road exploded, but no one was injured. Security officers said the claymore had been targeting a navy vehicle carrying troops, but exploded after the SLN vehicle passed the site.

## October 16

● Vehicles along key roads leading to Trincomalee and Batticaloa came under attack by Sinhala gangs in Habarana, following a bomb attack that claimed more than one hundred SLN lives. Gangs have hurled stones at vehicles belonging to Tamils and Muslims, with at least twenty vehicles including state, private buses and cars being damaged. Several passengers were also injured in the incidents. Sinhala gangs operating under the cover of darkness were allegedly being assisted by SLA soldiers and police personnel in uniform, affected passengers said. The attacks also occurred near the Habarana Police Station.

● Arivucholai, an orphanage housing 216 children in LTTE controlled Puthukudiyiruppu, Mullaithivu, narrowly escaped a catastrophic air-strike from SLAF Kfir aircrafts, which dropped two bombs on the playground and the bathing facility of the orphanage. One boy was wounded.

● Muthu Mohanaraja, 24, was shot dead in Anpuvullipuram, a

Karuna Group  
'abducted up to  
900 children'

THE Karuna Group has abducted between 300 and 900 children - some as young as 12 - since March, The Times newspaper reported this week, quoting international and local aid workers in Sri Lanka.

The paramilitary group's "escalating activity has emerged as a key factor behind the upsurge in violence that has killed more than 2,000 people this year and left a 2002 ceasefire agreement in tatters," the British newspaper said.

The Times spoke to residents and aid workers in Sri Lanka's restive Batticaloa district.

"Karuna is implicating the Government in the kidnap and exploitation of hundreds of children, according to aid workers, truce monitors, witnesses and relatives," the paper said.

"There is some sort of complicity by the Government in what is happening to children here," one aid worker who asked not to be identified told The Times. "Most people feel there is no difference between the Government and Karuna."

Batticaloa residents and Norwegian-led truce monitors told The Times that they regularly see Karuna members - armed and in black uniforms or civilian dress - working alongside troops and police.

They say that government forces allow Karuna to transport children through dozens of checkpoints on the way to a training camp near the town of Welikande.

"Karuna's political wing, the TMVP, has opened several offices around eastern Sri Lanka recently, many beside military camps," the paper reported.

The paper spoke to five Tamil mothers who told similar stories about their sons being seized and forced to work as soldiers or labourers for the Karuna Group. "None reported the abductions to the police for fear of retribution," the paper said.

Analysts the paper spoke to cited the Karuna Group as one of the main obstacles to a negotiated settlement to Sri Lanka's long-running conflict.

The paper quoted analysts as saying that Karuna is at the heart of the Sri Lankan government's strategy to divide and conquer the Tigers by exploiting tensions between northern and eastern Tamils.

The Times, whose editorials are strongly critical of the Liberation Tigers' armed struggle, also spoke to E. Prethip, an official in the TMVP's Batticaloa office, who denied recruiting minors and blamed the Tigers.

Earlier, the Associated Press had reported that the Karuna Group has abducted hundreds of men and boys - some as young as 12 - and is training them for combat in camps operated with the government's consent. The men forced recruits are taken to bases near army compounds where they are used as labourers or taught to use weapons.

## Child protection Act, p2

suburb in Trincomalee town, where he had been residing. He was employed as driver in the World Bank funded North East Housing Reconstruction Project.

● A policeman attached to Valvettithurai police station and a SLA trooper were killed by a remotely triggered claymore blast, when the SLA road patrol was attacked between Udupidy and Valvettithurai in Vadmaradchchi north.

The unit was on its way to Valvettithurai from the Udupidy junction SLA camp when the attack occurred. The claymore device was attached to a bicycle left leaning on the wall of an abandoned Christian cemetery.

● Two girls were killed and 15 civilians wounded when SLAF bombers attacked Kaiveli, a village in Puthukudiyiruppu. (See separate story)

● Gajathu Mohamed Mustafa, 43, of Vinayaga Mudaliyar Road, Point-Pedro, the husband of a Tamil woman, was stopped and shot dead at Oddadi Road in Pt. Pedro while on his way to Pt. Pedro town.

● Vairamuthu Nallathamby, 58, a family man of Thunnalai in

Vadmaradchchi, who had gone on a personal errand to Viyaparimoolai, was shot dead by unidentified men.

● A SLAF Israeli-built Kfir bomber came down as it took off to bomb LTTE territory, falling into the Negombo lagoon. The pilot ejected before the Kfir came down, Sri Lankan military spokesman Prasad Samarasinghe said.

● Markandu Mahendran, 39, who served as Grama Sevaka in Ariyalai for several years was shot dead by unknown gunmen at his residence in Ariyalai, Jaffna.

● Two gunmen arrived at the house of Selliah Nanthan, 42, in Tellipallai Road, Vaddukoddai, and shot and killed him at close range.

● Ariyathurai Ariyasivam, 40, who runs a tea-shop in the central part of Jaffna town, was shot dead by gunmen at his business premises. Ariyasivam, a father of four, was displaced from Mandaitivu and was residing in Kokuvil.

● Iranagama Sooriyasighe, 56, a Sinhala civilian from Galle who settled in Viyaparimoolai in Vadmaradchy, was shot dead by gunmen when he was on his way to a nearby shop to buy provisions.

NEWS



SLMM officials visited the bombed places and visited some of the injured in hospital. Photos TamilNet

# SLAF bombers kill 2 kids in Mullaithivu

A ONE-YEAR-OLD baby girl and a 12-year-old girl were killed and 15 civilians were wounded when SLAF bombers attacked Kaiveli, a village in Puthuk-udiyiruppu, in the early hours of the morning on 16 October.

Four Kfir jet bombers targeted a civilian settlement on the left side of Puthukudiyiruppu - Paranthan Road.

Nine civilian houses were destroyed in the bombardment.

A one-month-old baby miraculously escaped from the attack.

Eleven women and 4 men were wounded in the bombing, which is speculated to have been in retaliation for a bomb attack in Habarana, in which around 115 Sri

Lanka Navy troopers were killed two weeks ago.

Six civilians wounded in the attack were being treated at Puthukudiyiruppu hospital. Eight persons with serious injuries were admitted to Ponnambalam Hospital in Puthukudiyiruppu and one critically wounded was rushed to Kilinochchi hospital.

Earlier that evening, a Kfir jet had come down in Negombo, when it took off to bomb Puthukudiyiruppu.

Meanwhile, LTTE Peace Secretariat officials in Kilinochchi said the truce monitors had visited and inspected the site and the hospital where the wounded were being treated.

SLAF bombers have been heavily deployed in Sri Lankan attacks inside LTTE territory since April this year.

51 school girls and 4 staff were killed at an educational compound in Vallipunam, Mulla-ithivu, in a similar SLAF bombing on 14 August this year.

The Sri Lankan government defended the slaughter, saying those killed LTTE cadres undergoing military training.

However, international ceasefire monitors said there was no evidence of military training or facilities in the bombed site. The UN children's agency also protested the killings, saying the victims were schoolgirls.

# India's model is 'not intended to satisfy aspirations for self-rule'

WHILE THE Sri Lanka government negotiators meeting the LTTE representatives in Geneva last weekend heralded the All Party Representative Committee (APRC) as key to formulating "a political and constitutional framework for the resolution of the national question," an APRC delegation has been touring India to study India's federal set up.

But Gajendrakumar Ponnambalam, TNA (Tamil National Alliance) MP and Member of the Parliamentary Consultative Committees for Constitutional affairs, says that the post-partition constitution of India was not required to address any sovereignty issues similar to those that lie at the core of Tamil struggle, and therefore, is ill-suited for Sri Lanka.

"The current Indian constitutional model can be termed a quasi-federal one. It has federal as well as strong unitary characteristics as exemplified by Article 356, which vests the President with powers to dismiss state legislature and Executive," Mr. Ponnambalam said.

"This model came into existence in India after Pakistan, and the Bangladesh of today, separated from India. Therefore, the present Indian constitutional model did not have to address strong secessionist sentiments, and serves mainly to unite non-fissiparous ethnolinguistic regions."

"The conflict resolution process in Sri Lanka, on the other hand will have to address the strong secessionist desires of the Tamil People."

"In other words, whatever model that is being mooted will have to be attractive enough for the Tamils to consider it as a viable alternative to the creation of a separate state," Mr Ponnambalam said.

"The Tamils have consistently stated that if a viable alternative to separation is to be considered, such an alternative will have to recognize the Tamils as a distinct Nation of people, recognize the areas of historical habitation of the Tamil speaking people, and the right to self-determination of the Tamil Nation," he pointed out.

"In giving expression to these aspirations, one will also have to accept certain ground-realities namely, the existence of a de-facto parallel state."

"Therefore, how relevant the current Indian constitutional model is to Sri Lanka, is a question that has to be seriously asked if it is to be considered as a basis for conflict resolution to the Tamil National question in Sri Lanka."

"There has been some talk about the SLFP-UNP understand-

ing paving the way for an agreement to look at the Indian constitutional model as the basis for a solution to the Tamil National question."

"To say that one should look at the Indian model is one thing, but to say that the Indian model should form the basis for a solution to the Tamil National question is another thing all together," Mr. Ponnambalam said.

Moreover, recently there have been media reports indicating that APRC's work focused on the village-level Panchayat as the "ray of hope" to solve Sri Lanka's "domestic problems."

The Leader of the study group and Sri Lanka's Minister of Science and Technology, Tissa Vitarana, is of the view that the Panchayat concept "could become the central piece of Sri Lanka's

**'Whatever model that is mooted will have to be attractive enough for the Tamils to consider it as a viable alternative to the creation of a separate state'**

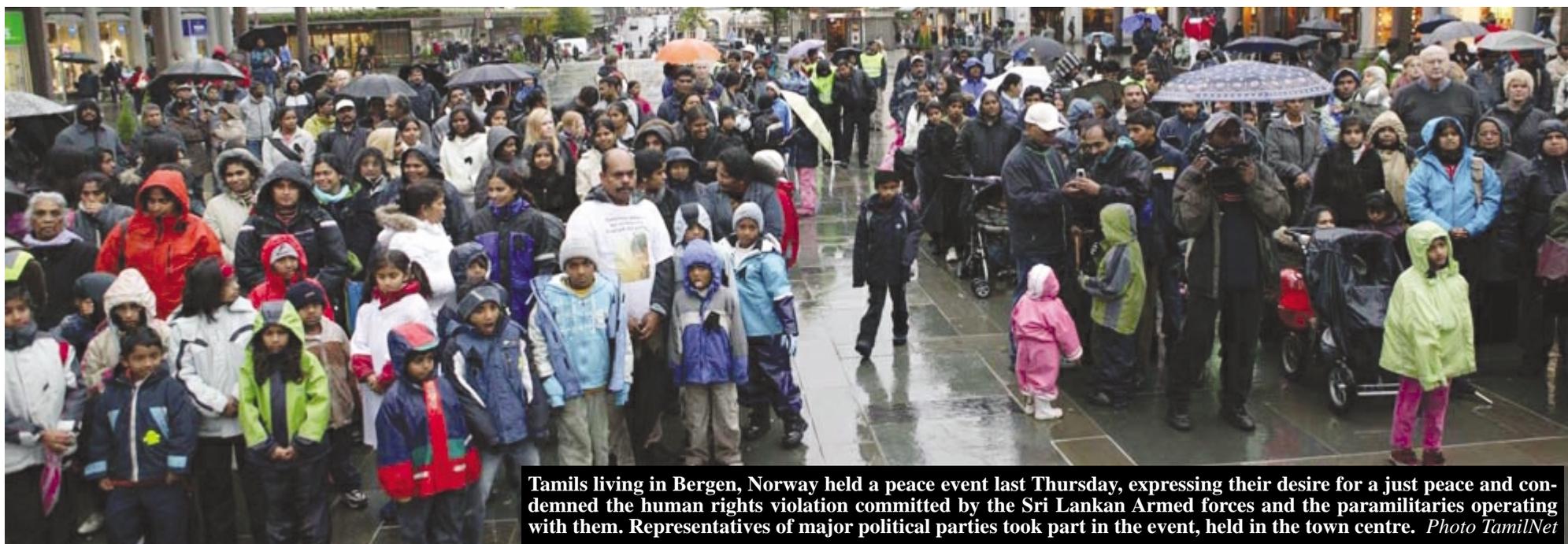
future framework to tackle issues such as the LTTE problem," Hindustan Times reported.

Responding to these comments, Mr Ponnambalam, observed that "the Panchayat Raj is a local-council level administrative mechanism adopted as 73rd/74th amendments to the Indian constitution. It was enacted mainly to promote grass-root level democracy, to empower poor women, and to enable feudally-strapped residents of rural India to participate in the world's largest democracy."

As such, "it is foolish to think Panchayat scheme will satisfy Tamil people," he said.

"Sri Lanka's attempt to introduce this third-tier administrative model into devolution debate appears to be deliberate, and exposes the deep-rooted disdain Sinhala political leaders have towards the basic Tamil demand for self-governance."

"It also raises troubling questions on the objectives of APRC's constitutional re-engineering exercise," Mr Ponnambalam said.



Tamils living in Bergen, Norway held a peace event last Thursday, expressing their desire for a just peace and condemned the human rights violation committed by the Sri Lankan Armed forces and the paramilitaries operating with them. Representatives of major political parties took part in the event, held in the town centre. Photo TamilNet



## Our New Branch in Colombo

It is an exceptional opportunity for Tamil people based in Britain!

- ❖ Are you interested in buying or selling a house or land in Colombo, Sri Lanka, all for a reasonable price?.
- ❖ Would you like to rent out or to let property?

We have over 10 years experience in property services and are committed to complete customer satisfaction and service.

Our exceptional services in Colombo includes:

- ❖ Arranging National Identity Cards and Birth Certificates.
- ❖ Flight Booking.
- ❖ Accommodation in Colombo.
- ❖ Arranging Transport.
- ❖ Foreign Currency Exchange.

UK		Sri Lanka
<b>London Property Services</b>		<b>Nayaki Estates</b>
263 Mitcham Lane, Tooting, London SW16 6QB	227 Preston Lane, Wembley, Middx HA9 8NF	2, 1/1 Nelson Place Wellawatte, Colombo-06 Sri Lanka
Tel: 020 8769 5511 Fax: 020 8769 0055 Mob: 07956 363 563	Tel: 020 8904 4545 Fax: 020 8904 9777 Mob: 07958 507 009	Tel: 00 94 11 236 1959 Fax: 00 94 11 236 1960 Mob: 00 94 773 506 306

BRITISH  
TAMIL  
INFORMATION  
DIRECTORY

Murasam Publications Ltd  
P.O. Box 2803  
Mitcham CR4 2WW  
Tel: 020 8665 2751  
email: info@murasam.com  
web: www.murasam.com

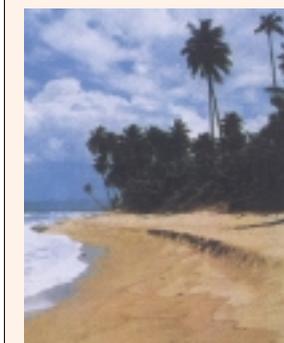




[www.murasam.com](http://www.murasam.com)

## RAGU TRAVELS

A world wide travel agents



For reliable, friendly and efficient service at competitive rates

- ☆ Air tickets
- ☆ Travel Insurance
- ☆ Transportation
- ☆ Visa arrangement for India

Ragu Estate agents

- ☆ Property Management
- ☆ Lettings, Sales
- ☆ Mortgages
- ☆ Construction

Call Ragu on  
**020 8586 2323**  
**020 8471 9100**

258, High Street North  
Manor Park, E12 6SB  
Tel: 020 8471 4454, Fax: 020 8586 2489