

The UK Column: Ending 'more of the same'

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The shooting dead of six civilians by military personnel at one of the Sri Lankan internment camps for 'displaced' civilians underscores the tensions in the camps. *Photo AFP*

Anger erupts in Sri Lanka camps

SRI LANKA'S failure to rapidly resettle nearly 300,000 Tamils who survived the government's final onslaught against the Tamil Tigers and their further suffering under harsh conditions in militarised camps could result in growing bitterness, United Nations Secretary-General Ban Ki-moon warned Prime Minister Ratnasiri Wickramanayake - the same day, the UN issued its strongest criticism yet of Sri Lanka's continued internment of the hundreds of thousands of displaced Tamils.

Mr. Ban also stressed the need to expedite "a serious, independent and impartial accountability

process to look into alleged violation of international law during the conflict as a critical part of moving forward and building peace in Sri Lanka", the UN said.

In a statement following his meeting with the Sri Lankan Premier, Mr. Ban noted that he had repeatedly brought up the issue of internally displaced persons (IDPs), the political process and reconciliation, and accountability for alleged violations during the long ethnic war in his various telephone conversations with President Mahinda Rajapaksa and messages conveyed through visits by senior UN officials.

Mr. Ban underlined the importance of winning the trust and confidence of the population in the North, especially those in the IDP camps, as failure to do so could undermine the prospects for reconciliation.

Prime Minister Wickramanayake assured Mr. Ban that the Government was keen to implement earlier pledges to resettle all IDPs out of the camps by January, but he emphasized that much international aid was needed to facilitate these efforts, especially for de-mining.

Meanwhile, Mr. Walter Kaelin, a representative of the United

Nations secretary-general, said that civilians held in tightly-guarded camps should be granted freedom to ensure that Sri Lanka complied with its international obligations.

"Immediate and substantial progress in restoring freedom of movement for the displaced is an imperative if Sri Lanka is to respect the rights of its citizens and comply with its commitments and obligations under international law," AFP quoted Mr. Kaelin as saying.

Restoring freedom to the displaced "is becoming a matter of urgency," he said. "I remain parti-

cularly concerned about the slow pace of identifying those in the camps who do not pose a threat to security and the lack of transparent criteria in this regard," he added.

Mr. Kaelin said a clash over the weekend between troops and people interred in one of the barbed-wire ringed camps underscored the growing tensions and human rights abuses.

The incident "underscores how interning people in large and overcrowded camps not built for prolonged stays is in itself a factor detrimental to security," Mr. Kaelin said.

NEWS

Tamil refugees going 'home' to open prisons

Melani Manel Perera
AsiaNews

IN villages in Mannar district, the government's 'Northern Reawakening' programme has not brought promised changes. Homes are still broken; services are non-existent, and freedom of movement still limited by heavy military presence. The government had promised them homes, land to farm and a life back to normal after years of war, but people who fled villages in northern Sri Lanka's Mannar district found something quite different when they got home after the fleeing the area in 2007 amid heavy fighting between the Sri Lankan military and Tamil Tigers.

Their homes are broken, fields cannot be farmed, and the soldiers are everywhere. There are no basic services and the situation is such that in villages like Kokkudapayan primary school children, all 80 of them, have no chairs or desks to study with.

After successfully ending the 30-year old war against the Liberation Tigers of Tamil Eelam, the government launched a 'Northern Reawakening' programme (Uthuru Wasanthaya). It promised a new life for the residents of one the most war-torn area in the country. Back on 30 April 2009, the first 122 families went home, joined on 9 June by many more, all eager to repopulate the villages of Aripputhurai, Silawaturai, Bandaraweli, Pokkarni and many other small hamlets in the district of Mannar.

"We are happy to be home even if our houses are broken. But we have no reason to rejoice even if they say we are free," a fisherman in Aripputhurai told AsiaNews. "We were told that we

would get projects that would support us, projects for reconstruction and development, but they only fixed bridges and roads,' a villager said.

Instead, the authorities are monitoring residents and fishermen are allowed to work only between 6 am and 6 pm.

"The 4,000 acres we used to farm before we fled are now under military control," a farmer said.

"We are living in an open prison," said Fr Seemanpillai Jayabalan, parish priest in Aripputhurai. "People have no hope for development. They have lost their property and many homes are a total write-off."

NGOs are not allowed in the area and "all aid must go through the government's Rehabilitation Task Force," the clergyman said.

Checkpoints are everywhere, so that human movement is under tight control.

"The military say that the LTTE does not constitute any danger anymore," Father Jayabalan; yet "people cannot freely go the jungle to fetch the wood they need to repair their homes. There is a ban on fires and there are still mines in some areas."

Anyone who needs help to repair a roof or rebuild a wall in his home can only get government handouts. Wood, roof-tiles, plastic sheets and even branches from coconut trees can be obtained only through the Rehabilitation Task Force; no one has the right to get anything any other way.

Father Jayabalan is troubled by what is happening. "What is purpose of all this, if the authorities do not take care of the people?" he said.



Civilians being released from the Vavuniya camps are being taken to smaller detention centres in other parts of the NorthEast while tensions increase in the main camps with disappearances and shootings

Army shoots civilians in internment camp

TamilNet

SIX civilians, including 2 women and 3 children, were wounded as the Sri Lankan Army opened fire on them at the Cheddikulam internment camp.

One 8-year-old child was severely wounded and had to be urgently transferred to Anuradhapura hospital from Vavuniya hospital after the incident.

The incident occurred after several days of heightened unrest and increasing tensions, which saw civilians held at the camp clash with Sri Lankan Army soldiers.

The group of 6 were said to have gone to collect firewood as they were shot at by the SLA.

With the World Food Programme no longer providing cooked meals, as of September 17th, and a lack of basic cooking facilities, collecting firewood is one of the few remaining ways in which civilians can cook food.

This is the first undisputed example of soldiers opening fire on civilians held in these camps.

The Sri Lankan Ministry of Defence claimed that the group were trying to escape from the camps, where they are being held against their own will.

However, this breaks a pledge by Brig. S Perera, the senior military official in charge of the camps in Vavuniya.

He earlier insisted to reporters that anyone trying to flee would be "tackled to the ground", instead of being fired upon.

The Sri Lankan Ministry of

Defence stated that the civilians were an "unlawful gathering".

Brig. Udaya Nanayakkara also later claimed that soldiers were pelted with stones.

In an interview with Reuters, he stated "a man tried to lob a grenade. Our people (soldiers) fired towards that area for self defence and to prevent escape".

Each civilian has been tediously "screened" by the Sri Lankan Army, before being forced into the barbed wire enclosed camps.

Nineteen civilians at the camp were arrested following the shooting. No soldiers were hurt in the incident.

This follows reports of an earlier clash between civilians and Sri Lankan Army soldiers that occurred after the arrest and assault of 31-year-old youth Paranchami Chandramohan.

The young man was arrested by force and moved to an unknown area of the Poonthotham Teachers Training College in Vavuniya, which is currently being used as an "unofficial detention centre" according to Amnesty International.

He was not seen for over two days, despite constant requests from the civilian inmates of the camp, which prompted them to throw stones and attempt to breach the fences of the camp.

He was then released to Vavuniya hospital for treatment.

Amnesty International confirmed that they were aware of the existence of "at least 10 such facilities in school buildings and hostels originally designated as

displacement camps in the north" and that "there have also been frequent reports of other unofficial places of detention elsewhere in the country."

The international aid organisation also reported how several paramilitary groups, namely the EPDP, PLOTE, TELO and both TMVP factions are also active in Vavuniya and "have been implicated in human rights violations".

Many international organisations, such as the New York based Human Rights Watch, have criticised the camps as a form of "illegal detention" and described them as "open prisons".

There have also been warnings that the rapidly approaching October monsoon rains could create a massive crisis in the low lying and congested camps.

"The civilians locked up in these detention camps have a right to liberty now, not when the Government gets around to it," Brad Adams, Asia director at Human Rights Watch, said.

"Sadly, the Sri Lankan Government has a track record of lying, deceiving and breaking promises to civilians displaced by the conflict," he said.

"The UN, donors and bilateral partners should demand immediate, concrete progress and not let themselves be fooled again by empty Government promises."

Colombo claims to have released nearly 10,000 civilians, but it has emerged that many have simply been moved to smaller transit camps, in other districts.

Approximately 280,000 civilians remain trapped in the camps.

40 disappear daily - Samaraweera

"IN George Orwells 1984, the Ministry of Peace dealt with war, and the Ministry of Love with torture. Likewise we witnessed in Sri Lanka how the Peace Secretariat justified excesses carried out in the name of war against terrorism. And the so-called welfare camps are virtual prisons," Daily Mirror said quoting Mangala Samaraweera's charge against the Sri Lanka in the parliament.

"Certain reports indicate that 30 to 40 persons are abducted or

disappear on a daily basis from IDP camps," he said. In response to denial of Chief Whip Dinesh Gunawardena of the allegations, Samaraweera said the government must be transparent regarding the IDPs, and "[i]f the government allows Opposition MPs to form a committee and visit the camps then such claims can be verified. The government should act in a transparent manner." He also said those in the camps had people to look after them.

NEWS

Time running out for displaced

Bart Beeson and Annalise Romoser
World Politics Review

EVERYWHERE in the Sri Lankan capital of Colombo, posters featuring smiling soldiers holding rocket launchers and machine guns celebrate the recent end to the nation's 26-year civil war.

But in the government-run camps that still house more than 250,000 ethnic Tamils displaced by the war's fighting, the mood is far from celebratory.

In late August, heavy rains at the largest camp, Manik, flooded tents and led to unsanitary conditions. According to aid worker K Thampu, "The situation was heart-breaking. Tents were flooded and mothers, desperate to keep their children dry during the night, took chairs and tables from school facilities for them to sleep on."

Rains also caused toilets to flood, with worms covering large swaths of ground near latrines, says Thampu.

At stake, according to local experts, is not only the immediate welfare of camp residents, but chances for long-lasting peace in Sri Lanka.

Most of the internally displaced people (IDPs) have been living in the camps since May, when they fled the intense fighting that marked the final battle between government forces and the insurgent group known as the Tamil Tigers.

Publicly, the Sri Lankan government has committed to returning IDPs to their homes by November of this year, and several thousand people have been released from camps to live with relatives.

But the government under President Mahinda Rajapaksa also maintains that others must remain in camps until the area around their former homes is cleared of mines. At the same time, government representatives are slowly screening camp residents to identify former combatants.

Aid workers and local experts agree that the government must move quickly, for several reasons.

The most urgent among them is monsoon season, which starts at the end of September and will only exacerbate the already difficult camp conditions.

More tents and toilets will flood, increasing the risk of communicable and mosquito-borne diseases.

"We saw how bad things got after the recent rains, which only lasted 3 or 4 days," says Thampu, who works for the Baltimore-based humanitarian organization Lutheran World Relief. "Imagine

how bad they will get once the monsoons are upon us."

In addition to the rains, long-standing tensions between Tamils and the Sinhalese-led government remain, even if the armed insurgency has been defeated.

Many worry that if the government does not act quickly to return people to their homes, it will lead to new problems in northern Sri Lanka.

Thampu says that many teenagers in the camps are already frustrated. "Young people have told me, 'We have no freedom to talk, no protection, no education, no recreation and no employment! Everything looks like hell in our life. What do we have to live for?'"

Despite living in a warzone, many teenagers were able to pass the university entrance exams. But now they cannot leave the camps to begin their studies.

Thampu adds, "Victory has been declared, but what does that mean for them? It is important to give them a new start in life."

According to T Thevathas, another aid worker in Manik Camp, "Peace and security in the north is the most important thing to consider. People have been waiting 30 years for this, but IDPs in the camps feel no security and have no peace of mind despite the government's victory."

Thevathas notes that for real advances to be made in the north, it is crucial for Tamils in the camp to feel that the national government is working on their behalf.

"At this point," he says, "IDPs have placed all their hopes for return on local governments and the international community."

Bernard Jaspers Failer, of the aid organization ZOA Refugee Care, acknowledges that the Sri Lankan government has genuine security concerns. "But," he is quick to add, "those have to be balanced with the fact that the longer people remain in camps, new frustrations are being generated which will have long-term impacts on society."

The Sri Lankan government has strictly regulated access to the camps. But those organizations and governmental representatives who have been able to visit have expressed concern over the conditions. Human Rights Watch, the New York-based rights organization, has said that the government "is threatening [IDPs'] health and even their lives by keeping them there during the rainy season floods."



Civilians taken out of the main camps in Vavuniya and ostensibly returned home are being held in smaller detention centres in schools and temples, with the freedom of movement still curtailed

U.S. officials have also put pressure on the Sri Lankan government to allow camp residents to return home.

In comments made on Aug. 19, Eric Schwartz, assistant secretary for the Bureau of Population, Refugees, and Migration at the State Department, said the "involuntary confinement is especially a source of concern given the recent rains and given the coming of the monsoon season, and it makes it all the more important that release from confinement be an issue that friends of Sri Lanka continue to raise."

In an effort to expedite the process, on July 27, the U.S. announced an additional \$8 mil-

lion in aid to assist in the return of IDPs to their homes in northern Sri Lanka. With the monsoon season rapidly approaching, and frustration levels on the rise within the camps, local experts agree that time is a critical factor.

For Thampu, it is "a situation where a successful return process would be a giant step towards long-lasting peace. But if these people who were forced from their homes are forced to stay in camps, it could result in increased tensions for the down the road."

While the Sri Lankan government has made moves to release some of the most vulnerable individuals, such as the elderly and disabled, aid workers and the U.S.

government alike agree that the return process must be accelerated.

For the people in the camps, their return home will mark an end to war in Sri Lanka. And, as T Thevathas notes, "It will finally provide relief from the fears they endured during war and continue to feel in the camps today."

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'From one prison to another'

TamilNet

UNDER international pressure as the monsoon looms, the Sri Lanka government is hastily engaged in relocating some of the displaced Tamils being held in militarised internment camps in Vavuniya.

However, the inmates are being moved from Vavuniya's barbed-wire ringed camps to similar overcrowded enclosures without facilities in other districts, sources in Jaffna said.

Moreover these camps are also located in low-lying terrain in the path of oncoming floods, NGO workers say. "There is no resettlement. This is like being sent from one prison to another prison," Mavai Senathiraja, a parliamentarian from the Tamil National Alliance (TNA) said.

On Friday September 18 the UN's political chief Lynn Pascoe said the government had not lived up to its pledges on resettlement to UN Secretary General Ban Ki-moon in May.

"We have not seen the progress we expected from that agreement," he said of a deal between Colombo and Ban in May, just after the government declared the decades-long war

was over.

Just over one thousand people were brought from Vavuniya camps to Raamavil detention camps in Kachchaai in Thenmaraadchi Friday and these already crowded camps are facing severe shortage of space, NGO officials who visited the camps said.

The government appears to be determined to detain the IDPs indefinitely in the camps, civil society sources in Jaffna said.

Senathiraja told the Associated Press 6,000 of those promised release last week by the government were from his constituency in northern Jaffna, but only 580 arrived in the area and all of them were immediately sent to another camp, where they continue to be detained. In the eastern districts of Ampara and Trincomalee, many returning refugees were being held in schools that have been turned into makeshift camps, he also said.

Despite the government's removal of people from Vavuniya ostensibly being in response to international concerns over the imminent monsoon, the camps in Thenmaraadchi too are directly at

risk of severe flooding.

These camps have also been erected in low lying terrain, face the risk heavy flooding and the situation is further worsened by the earthen dams constructed in these areas by Sri Lanka Army (SLA) in the past, NGO workers said.

Government officials are actively engaged in identifying persons from Jaffna district among the IDPs detained in Vavuniya camps to be located in Jaffna camps.

Though it is said that the existing camps in Jaffna are to be extended there are no signs of extension of camp facilities taking place.

Situation in the detainment camps is feared to grow worse as they already lack basic facilities while thousand more are to be herded into these camps, NGO representatives expressed concern.

"Clearly, the government is making a lot of effort, but we have some strong concerns -- particularly the 'closed' nature of the camps," UN's Political chief Pascoe was quoted by AFP as saying after touring camps where Tamil civilians are held in what international human rights groups say are prison-like conditions.

NEWS

UN envoys fail: Sri Lanka rejects probe, camps closure

TWO top UN officials who visited Sri Lanka in the space of one week aiming to press for a probe into rights abuses during the final stages of the military's victory over Tamil Tigers and to urge the government to resettle 300,000 Tamils forcibly held in concentration camps in the Northeast, returned without securing any commitment from the Sri Lankan government on either issue.

UN under secretary general for political affairs Lynn Pascoe visited Sri Lanka on Wednesday September 16, to discuss resettlement, political reconciliation and ways to probe human rights violations during the conflict.

On arriving in Sri Lanka Pascoe said the Sri Lankan government was not making sufficient progress in implementing a deal between Colombo and UN Secretary General Ban Ki-moon in May to resettle the refugees within six months.

During his visit to Sri Lanka, Pascoe visited a camp complex where more than 300,000 displaced people are held in state-run facilities, most of which are overcrowded and risk flooding during the forthcoming monsoon season.

"I have travelled to many displaced camps throughout the world. And the situation is always the same. People don't like to live in camps, in cramped conditions," Pascoe told reporters after touring camps where Tamil civilians are held in what rights groups say are prison-like conditions.

On Friday September 18, Pascoe met the Sri Lanka President Mahinda Rajapakse and handed a letter from UN secretary general Ban Ki Moon outlining the concerns of the international community on the situation of Internally Displaced Persons (IDPs) and other related matters.

Speaking to reporters after the meeting Pascoe said that he had raised the issue of the early release of the IDPs and their freedom of movement with the President, sources in Colombo said.

"Clearly, the government is making a lot of effort, but we have some strong concerns. The UN is concerned over the lack of free movement of IDPs, particularly the 'closed' nature of the camps," Pascoe told reporters at the end of his three day long visit.

"We picked up great frustrations. I was told by many that they just wanted to go home," Pascoe said. "I urged the government to allow people who were screened, to be allowed to leave."

"For others, to leave the camps in the daytime to find work, to meet with family, to visit families in other camps," he said.

Pascoe also called for "truth-seeking" into alleged excesses by security forces during the crushing of Tamil Tigers.

"We feel that ideally the Sri Lankans should carry out a national process of truth-seeking and accountability," Pascoe said a statement issued in Colombo after his departure late on Friday.

Pascoe, undersecretary general for political affairs, asked Sri Lankan President Mahinda Rajapakse to set up a process to ensure accountability for alleged war crimes, said the statement.

"The (truth-seeking) process has to be serious, independent and impartial," said Pascoe, a deputy to UN Secretary General Ban Ki-moon.

"Coming to grips with the past is difficult," the UN statement said. "Sweeping it under the rug could be a tempting shortcut, but it can have a high price at a later time," the statement added.

However, the Sri Lanka rejected Pascoe's call for freedom of movement and war crimes probe. In a statement released on Friday, September 18 instead of agreeing to speed up the resettlement process, Sri Lanka revised its timeline for releasing Tamils from internment camps, extending it by two months.

The statement from the Presidential Secretariat said the villages in the former battle zone would soon be cleared of mines and all displaced people would be returned home by the end of January 2010.

When UN secretary general Ban Ki Moon visited Sri Lanka in May this year Sri Lanka promised him that the Tamils will be freed within 180 days, by the end of November 2009.

"With the new (mine-clearing) equipment in use, and hopefully more to come, we expected the entire resettlement to be completed by the end of next January," Rajapakse told Pascoe, according to the statement.

Sri Lanka also dismissed Pascoe's call for freedom of movement saying the civilians cannot be allowed freedom of movement until the authorities screen them for remaining Tamil Tigers.

"I understand the pressure and constraints on the Secretary General. However, you must also understand the problems we face," Rajapakse said in the state-



UN envoy Lynn Pascoe failed to get agreement from Sri Lanka on any of the issues his organisation raised concerns about

ment, referring to the need to screen the camps for Tamil Tigers.

The statement also brushed aside Western demands for a probe into war crimes in the final stages of the decades-old conflict, saying the global body should not "pacify" Western countries which have been seeking a UN investigation.

"Considering the understanding that existed between the UN and Sri Lanka, President Rajapakse said he did not expect the UN to pacify any members, big or small, about the situation in Sri Lanka," the statement added.

Sri Lanka has resisted calls for war crimes investigations into its crushing of the long-running Tamil separatist insurgency and managed to stave off a UN Security Council debate on the issue thanks to support from China, India and Russia.

Before leaving Sri Lanka, Pascoe warned of the possibility of renewed violence due to resentment from prolonged detention.

"As the situation currently stands in the camps, there is a real risk of breeding resentment that will undermine the prospects for a political reconciliation in the future," he said.

On Wednesday September 23, Walter Kalin, the United Nations' top envoy for refugee rights arrived in Sri Lanka. Kalin would press for improved conditions for the Tamil civilians held in tightly guarded camps which the government insists are "welfare villages", according to UN sources.

"Mr. Kalin will be in Colombo today for talks with various government officials to appraise himself with the developments on the IDPs (Internally Displaced Persons)," a spokesman for Sri Lanka's human rights ministry said.

The UN helps fund and manage the camps, but the organization has become increasingly concerned that the screening process is taking too long and that conditions in the camp, particularly sanitation, are worsening.

UN told not to interfere

Hindustan Times

SRI LANKA has made it clear that it would not allow the United Nations to meddle in its post-conflict affairs.

Speaking at the UN General Assembly, Prime Minister Ratnasiri Wickramanayaka said that the international organisation should not interfere in the internal affairs of a state.

He said multilateralism was not about the UN agenda responding only to the demands of a minority of powerful States, but also defending the interest of the powerless majority.

"It is also imperative that the prohibition reflected in the Article

2 (7) of the Charter that the UN should not interfere in the internal affairs of States be respected," Wickramanayaka said. "The Charter must be our guiding norm since it is the Charter that keeps us together. Non interference in the internal affairs of states must be respected at all times."

The relation between the Mahinda Rajapaksa regime and the UN has been strained since the war with LTTE ended in May.

The government recently expelled an official of UNESCO, stating that he had been making statements biased towards the LTTE. Lanka had also objected to the use of the phrase "bloodbath" by an UN spokesperson while describing civilian casualties during the last phase of the war.

Victory speech to near empty UN hall

SRI LANKAN Prime Minister Ratnasiri Wickramanayaka gave a long triumphant speech at the 64th UN General Assembly in New York, to a hall that was more than half empty, reported Inner City Press. According to the non-profit public interest organisation, the Prime Minister "droned on" as the Sri Lankan Foreign Affairs and Defense Ministers "sat with their head in their hands".

In his speech, Wickramanayaka repeated promises that the government were doing all they could to help resettle the civilians in camps. He however warned that "the stability and security that we have restored at great human cost cannot and must not be compromised, particularly when a large number of self-confessed ex-LTTE cadres continue to mix with the IDPs (internally displaced persons)," hinting that the resettlement may be delayed even longer.

The Prime minister also made it clear that Colombo would not allow the UN to "interfere in internal affairs". Relations between the UN and the Sri Lankan government have been strained, since the climax of the war in May, amid allegations of human rights abuses.

As the Prime Minister spoke, Tamil Americans rallied in front of the UN to protest over the organisation's inaction.

Before the Prime Minister addressed the UN General Assembly, he spoke at the Asia Society at Park Avenue, Manhattan, where he started his speech by saying "our country is nourished by Buddhism".

The only questions Wickramanayaka answered were "pre screened softball questions", according to Inner City Press. The organisation also claimed that "several facts were plainly misrepresented."

"The Asia Society's questioner - who multiple times and accurately said, 'I am by no means an expert on Sri Lanka' - asked if the International Committee of the Red Cross has access to all the IDPs. Yes, Wickramanayake replied. But the ICRC has complained of no access to at least 10,000 people."

"Then Wickramanayake said that two ICRC staffers were found to have "direct" ties to the LTTE and were arrested. Presumably he was referring to the two UN system staff, a question that Inner City Press wrote on a note card that was never read out by the moderator.

NEWS

Footage investigation not 'impartial' says UN Special Rapporteur

SRI LANKA'S purported investigation into the footage of soldiers shooting unarmed, naked men is neither impartial nor reliable, a UN representative has said.

The footage, showing the purported execution of naked, blindfolded civilians by troops in Sri Lankan Army uniform, was first shown on Channel 4 news in Britain after being smuggled out of Sri Lanka by a group called Journalists for Democracy in Sri Lanka.

The Sri Lankan government denied the authenticity of the video and conducted four 'independent investigations', which it says prove the video is fake.

But Professor Philip Alston, the Special Rapporteur on extrajudicial executions appointed by the United Nations Human Rights Council, rebuffed the investigation, saying they were not 'impartial'. He has called for fresh new independent and impartial investigations.

"Two of these individuals are full-time Government employees, one has previously acted on behalf of the Government, and the basis on which the fourth was identified and selected as an expert remains unclear," he said.

He concludes that "on the basis of the information made available by the Government, that the investigations undertaken cannot be characterized as 'impartial'."

The official statement from Philip Alston follows:

"The legal obligation incumbent upon a Government in a situation such as this is to undertake a 'thorough, prompt and impartial investigation'," he said.

Nothing that he could "attest to the fact that the investigation has been 'prompt' since it was completed within two weeks of the information becoming available," he nevertheless challenged whether it was thorough or impartial.

"I am not, however, in a position to conclude that it was 'thorough.' I have not seen the original version of three of the four expert investigations. The fourth of the investigations seems to have originated as an Opinion piece in The Island newspaper, and was subsequently elaborated upon. It is not clear whether or not this was at the Government's request. The statement provided by the Minister summarizes 'observations' made by the remaining three experts in presentations made at a meeting convened by the Government for this purpose. I would welcome the publication of the full text of the analyses undertaken and reports presented by each of the four experts," he said.

"The third and most important question is whether the 'four separate investigations' meet the criteria of impartiality. I would note that two of the experts are members of the Sri Lankan Army, the body whose actions have been called into question. A third report

is by Dr. Chathura De Silva, BSc Eng Hons (Moratuwa), MEng (NTU), PhD (NUS), Senior Lecturer, Dept of Computer Science and Engineering, University of Moratuwa, who has advised the Government in relation to a number of other similar issues in the past. And the fourth is by Siri Hewawitharana, a broadcast media specialist based in Australia, who is said to be the former head of Cisco's global broadcast and digital video practice. No other information has been provided by the government on Mr Hewawitharana, but it would appear that he is a member of a network of Sri Lankan Professionals. I would welcome more information on how he was identified and selected by the government as an independent expert," he said.

"Based on the limited information available to me, it is impossible to conclude that these four individuals, given their relationship to the Government, meet the criteria for impartiality in this context. When the actions of a Government are called into question in a matter of this gravity, what is required is to undertake an investigation by demonstrated experts who can be shown to be fully independent of the Government concerned," he said.

"Two of these individuals are full-time Government employees, one has previously acted on behalf of the Government, and the basis on which the fourth was



Philip Alston has questioned the Sri Lankan investigation into video footage showing soldiers shooting dead naked, unarmed men

identified and selected as an expert remains unclear. I must conclude therefore, on the basis of the information made available by the Government, that the investigations undertaken cannot be characterized as 'impartial'," he said.

"The final question that remains is whether the information provided by the Government raises significant doubts as to the authenticity of the video. On this question, my conclusion is that the views expressed do indeed

raise several issues which warrant further investigation before it could reasonably be concluded that the video is authentic."

"The only way to do this is for an independent and impartial investigation to take place. This is all that I have called for. Such an investigation might well conclude that the position adopted by the Government is fully warranted. I would welcome that outcome very warmly, and I hope that the Government would do likewise," Alston concluded.

Army to play key role in Sri Lanka's development

Press Trust of India

AFTER successfully defeating the LTTE, the Sri Lankan army is ready to play a significant role in the development of the country, Sri Lankan Army Chief of Staff Major General Mendaka Samarasinghe has said.

"Apart from its primary role it (the Sri Lankan army) will also play a big role in the development drive of the country in the future," Samarasinghe said, on Friday September 18, in an address to the media at the Army Headquarters on the diamond jubilee celebrations of the Sri Lankan Army.

He said the strength of the Sri

Lankan Army had grown more than ten fold since its inception in 1949 to date, as it got ready to celebrate its diamond jubilee as a victorious Army.

The top army official said the Army's strength has reached around 200,000 as of today due to the rigorous recruitment drive carried out during the past two to three years to fulfil the battle requirement to defeat LTTE "terrorism".

He said the Army will organise the diamond jubilee celebrations in October not only to showcase its achievement but also to encourage the youth to join the Army as a career and as a noble profession in the future.

'Paranoid Colombo machinates human shield'

TamilNet

A WHOLE world is duped in what Colombo is machinating in the name of resettlement of IDPs, Tamil circles in Jaffna commented, citing Sri Lanka Navy's new internment camps around its installations in the island sector of Jaffna. Colombo's aim is threefold: a human shield of civilians for its occupying forces, prevention of rightful owners reoccupying houses and lands around its military installations and eventually confiscating those lands in strategic areas for its expansion and other demographic conspiracies in the very heart of Tamil homeland, pointed out Tamil circles adding that a paranoid Sri Lankan state can never deliver justice to Tamils.

The core truth is that the barbed-wire camps came up

because the world powers wanted it. But some powers by not directly taking responsibility and some others like India by sitting on international action continue injustice, Jaffna circles said.

The SLN 'resettled' nearly 2000 civilians brought from the internment camps of Vavuniya in new internment camps created by using abandoned houses around its naval installations in Kaarainakar and in Kayts, at the end of September.

For nearly two decades now, Colombo's armed forces are occupying vast tracts of potential civilian land along the northern coast of the peninsula in the name of High Security Zone.

A so-called 'development model' for Jaffna that is now being circulated shows that this tract is not going to be returned to people, but is going to be used for resource exploitation and a new

city for the occupiers, with harbour, airport and military installations, as a joint venture of Colombo and New Delhi.

Reviving the cement factory in Kaankeasanthurai is the biggest environmental crime that is going to affect hundreds of thousands of civilians, discouraging them from inhabiting the northern part of the peninsula, academic circles in Jaffna said.

Meanwhile, the SLA installed landmine blast that seriously injured three recently resettled civilians in the Ariyaalai tract is alleged to be another trick of Colombo to discourage the call for expediting resettlement.

Unless the international community takes direct responsibility and removes Colombo's occupying armed forces, peace and 'reconciliation' is a mirage in the island, opined a veteran Tamil politician in Jaffna.

EDITORIAL AND OPINION

TAMIL GUARDIAN

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Great Expectations

Tamil anger is held in check by international commitments.

What is striking about Sri Lanka today is not the Sinhala-dominated state's long-standing, brutal and multi-faceted persecution of the Tamil people, but the paralysis of the international community as this now unfolds in plain sight. This week UN Secretary General Ban Ki-Moon was quoted as telling Sri Lanka that Colombo's 'failure' to rapidly resettle the nearly 300,000 Tamils incarcerated in militarized camps will result in growing 'bitterness'. The Sinhala state, he incredulously suggested, should "win the trust and confidence" of the Tamils. However, it is the international community's bewildered inaction - or, in some cases, continued support for Sinhala oppression - that is foremost in Tamil minds.

To begin with, the deprivations being endured today by the Tamils are not new. Whilst the sheer scale of the recent incarceration - almost 300,000 people - and the attendant suffering is striking, even by 2002, when the Norwegian-led peace initiative began, over 800,000 Tamils had been already displaced by Sri Lankan offensives. And even by then Sri Lanka's relationship with the Tamils was characterized by mass graves, 'disappearances', torture and rape. The Sinhala military's cold-blooded mass slaughter of tens of thousands of Tamil civilians between January and May 2009 had its genesis in the frequent mass-killings it has carried out throughout the three decades of war.

With the conventional defeat of the Liberation Tigers of Tamil Eelam (LTTE), the Tamil people have turned decisively to the international community to ensure their security and wellbeing in the face of state-led Sinhala repression. Their expectations are based on the norms of global liberal governance that have emerged since 1990, norms that prioritize human rights over state sovereignty and redefine the latter as a responsibility, not a right.

In that way, the present Tamil 'turn' to non-violent agitation is not new: well before the Tamil liberation struggle took up arms, the entire range of peaceable efforts had been exhausted without any result: mass demonstrations, civil disobedience, backing parties articulating Tamil grievances, etc. It was amid the utter failure of such efforts - a failure encapsulated in the Sinhala imposition of the 1972 constitution - that the militants emerged.

And here is the rub: it was only after the Black July pogrom that armed militancy truly became the vanguard of Tamil

resistance. Even though the LTTE had been formed in 1976, it was only in 1983 that a fully fledged Tamil insurgency erupted. The tipping point was undoubtedly the popular sense of despair that gripped the Tamils - and the recognition that no alternative remained. The brief optimism heralded by India's intervention collapsed as Tamil bodies began to pile up again, this time before Indian guns.

Today's global terrain is very different to that of the eighties. Powerful states and an associated international network of NGOs, social movements and multi-lateral institutions have shaped an ever-advancing 'zone of peace' based on liberal democracy and free markets. But this emergent global order has also raised high expectations amongst oppressed peoples the world over; expectations not of the repressive states, but of those custodians of international liberal values.

The unequivocal statements by some Western states - for example, on accountability for war crimes, provision of security and a just political solution - (belatedly taken up by Mr. Ban Ki-Moon and others) have served to reinforce expectations amongst the Tamil people. Consequently, there has been an explosion in engagement between Tamil Diaspora groups and the international community.

It is clear that the latter is no monolith. Tamil groups and international actors appalled and shocked by the brazen cruelty of the Sinhala-dominated state are seeking international action to uphold the norms and laws that have come to define a global liberal order. At the same time, some states and international voices are advocating continued support for the Sinhala state. Their arguments are based on liberal enlightenment emerging eventually at some point to displace the Sinhala racism that swept President Mahinda Rajapakse to power.

The point here is that Tamil rage has been checked by very real expectations that international commitment to human rights, the 'responsibility to protect' and ending state repression everywhere will translate into concrete action. Since the defeat of the LTTE, numerous international actors have been warning that Sri Lanka 'risks losing the peace' or that Colombo's failure to address Tamil grievances will result in the reemergence of militancy ('terrorism'). However, the tipping point will come - again - when Tamil hopelessness replaces expectations.

Vaddukkoaddai and Thimphu

TamilNet Editorial Board
TamilNet

CALLING for the creation of independent and sovereign Tamil Eelam, based on Vaddukkoaddai Resolution was the last spontaneous and definite mandate by Eelam Tamils in a totally free and democratic atmosphere.

As the need for democratic political organisation unfolds afresh, Tamils have to take up the thread directly from the Vaddukkoaddai Resolution.

The Thimphu principles and all the other formulas put forward subsequently under the duress of powers, and failed as negotiation models, do not get precedence over the VR as bases for political organization.

Mullivaaykkaal was not the real defeat. The defeat comes only when Tamils are made to politically denounce their heart-felt aspirations.

The diaspora needs to peruse and correct course of any proposal that stops just at self-determination. In UN charter and in international law it is just an empty phrase that doesn't protect nations or ethnicities.

The Vaddukkoaddai Resolution of 1976, calling for independent, sovereign, Tamil Eelam in the North and East of the island of Sri Lanka was a proclamation of all democratic Tamil political parties, including Ceylon Workers Congress, the then united political party of the Upcountry Tamils. The Eelam Tamil voters of the North and East overwhelmingly endorsed it in the 1977 elections. Thus it was a definite democratic mandate of Tamils and so far they didn't get another chance to democratically tell what is in their heart.

The Thimphu principles of 1985 were a diluted version of Vaddukkoaddai Resolution, after truncating independence and sovereignty and stopping just at Tamil nation, homeland and self-determination.

The Thimphu principles, diluted to facilitate negotiation with Colombo, were jointly put forward by all the Tamil militant organizations of that time and the TULF. There was no mandate of the people. The most important fact to be noted is that the Indian Establishment that was always keen in nullifying Tamil independence in the island was behind making Tamil militancy then under its influence agreeable to the principles as a minimum platform for negotiation.

The Indo-Sri Lanka agreement of 1987 imposed on Tamils touched only the point of homeland, that too temporarily, and it was recently breached by Colombo. There was no credible mandate as the LTTE boycotted and the elections took place under the coercing presence of the

Indian military. However, the provincial government elected under it finally felt it necessary to declare independent and sovereign Eelam, before winding up and while the Indian military was present.

The Oslo communiqué of 2002 was a further dilution of Vaddukkoaddai in another way, by its adoption of an invented phrase 'internal self-determination'. Norway and some other powers that later became the Co-Chairs were behind making the LTTE agreeable to experiment negotiation with this dilution. Again there was no mandate of people. LTTE's chief negotiator Anton Balasingham, writing in 2004, questioned the concept of Oslo Declaration and implied the expiry of LTTE's concession on internal self-determination.

The ISGA of 2003, which has reference to Vaddukkoaddai but not to Thimphu, was only an interim proposal during the Co-Chair sponsored peace. It was apparently a move of the LTTE to supersede Oslo Communiqué. The mandate it received from Tamils has to be considered limited as the elections took place with the 6th Amendment to the constitution in effect. Its only electoral validity today is that it binds the TNA.

Even after considerably diluting the freely mandated aspirations of Vaddukkoaddai Resolution to suit their geopolitical agenda, India and the Co-Chairs miserably failed in making the Sri Lankan state agreeable for experimenting political solutions.

Had they succeeded, there would have been a different course of events and they would have had a standing in telling the Tamil mind to consider experimenting within a united Sri Lanka. But they chose the path of brutally abetting or allowing a crushing military defeat and open as well as barbed-wire incarceration of the whole nation of Tamils in the island.

Eelam Tamils are now left with the option of politically organising themselves afresh.

In the emerging scenario of democratic organisation of Eelam Tamil politics there need to be no place for Thimphu, Oslo or any other - non mandated, experimental, and failed negotiation formulas extended by militancy under duress of powers.

If there is democracy then nothing should prevent the democratic stream to get back to what was last mandated by people and what has become the heart-felt need of Eelam Tamils more than ever now, and to begin the political process and negotiation from that point.

However, the very forces that

OPINION

The UK Column



Ending more of the same

Despite Sri Lanka's brazen defiance of international norms, Britain's policy towards Colombo remains one of steadfast support, of appeasement. But this approach, however callous it may appear, is not driven by simple disregard for Tamil suffering. Rather it is driven by a natural inertia that makes governments as well as people continue to do what they have always been doing, even if the strategy is clearly futile or even counterproductive.

However, with the circumstances driving British policy having now clearly changed, effective Tamil lobbying can help bring the UK in line with the growing international consensus that is beginning to confront Sri Lanka's violent reality.

As discussed previously in this column, British policy has been driven by faith that Sri Lanka is a liberal democracy in the making. In this view, the only thing holding Sri Lanka back was the LTTE's armed struggle and Western policy for years has been to resolutely back Colombo, no matter what.

However, for many Western policy makers, this confidence in Sri Lanka's liberal potential has been shattered by Colombo's ongoing and open brutality against the Tamils. But many others have not lost their faith and, although faced with Sri Lanka's recalcitrance, they are simply continuing to do what they know and have always done.

When confronted with unexpected and unpredictable conditions, the natural response is to revert to familiar strategies and tactics. If the car will not start or the lift does not come when called, the initial natural response is not to give up and walk, but to stubbornly turn the engine several times over or to press repeatedly on the lift button.

British policy toward Sri Lanka is similarly, 'more of the same'. By appeasing the Sri Lankan state and arguing it can be reformed, British policymakers are simply carrying on as they have always done.

In time, however, faith is confronted by reality. The car will not start, the lift will not arrive and Sri Lanka will not change. Something different will thus have to be attempted. The excuse of fighting terrorism is now gone. Western policy makers must credibly answer the question as to why Sri Lanka won't now reform.

Britain's ongoing support for Sri Lanka - most recently over GSP+ concessions from the EU - has inevitably caused dismay and consternation and, amongst some sections of the Tamil community, is

starting to breed a deep-seated resentment.

Although the frustration is understandable, the challenge that faces Tamil activists is a difficult but not impossible one.

Clearly those Western policy makers who have staked their personal professional reputations on the present policy of appeasement will insist on it continuing. But for many others, the reality of Sinhala repression has already overtaken faith in a future liberal democracy.

It is clear Britain's continued appeasement of Sri Lanka's brutality will not usher in peace, stability or prosperity to the island. The consequent need for a radical reappraisal of British policy will only become more apparent as Sri Lanka's crisis continues to deepen.

And there is a great deal that Tamils can do to force the pace of change.

For example, the general election next year presents a clear opportunity to raise awareness and engage the main British political parties. Using the networks and capacity that have been built up over recent years Tamil activists must build relationships with all of the parties in each constituency.

Tamils should direct their efforts towards securing commitments from across the political spectrum that the policy of endless appeasement will come to an end.

In practice this means credible steps towards sanctions, beginning with the repeal of GSP+ privileges but extending towards further economic and political sanctions and support for war crimes prosecutions.

Many other Western countries have already realised this. Tamils must work to convince the main political parties that British policy on Sri Lanka cannot just drift in the utopian expectation of an ideal liberal democratic state. Instead, Britain must work with other international actors to secure concrete objectives.

As a priority the camps must be unlocked and the Tamils allowed to resettle their native towns and villages and an internationally mandated process of justice must be established to re-build trust. Finally there must be a political solution to the Tamil question that credibly secures Tamil rights.

These results are not just in Tamil interests but in Britain's wider interests as a responsible member of the international community.

The present policy of appeasement will inevitably have to give way to Sri Lanka's reality of racial oppression. Tamil lobbying can help speed up this change.



SJV Chelvanayagam was among the leaders who drafted the Vaddukkoaddai Resolution and had it electorally mandated

have inflicted military defeat on Tamils are now all out to defeat them politically by capturing, hijacking or deviating the democratic politics of Tamils.

India and the West compete in subtle ways in this exercise, adopting crude as well as highly sophisticated methods. Preparations, institutional arrangements and recruitments have been done long back by them to face a 'post-defeat' scenario as it was their foregone conclusion to inflict military defeat on Tamil nationalism.

The powers have carefully studied the non nation-centred 'virtue' of sections of Tamil elite or rather weakness of the Eelam Tamil nationalism, cultivated since colonial times to always orientate their politics in terms of the interests of others - British colonial interests, Colombo-centric interests, Indian interests, Western interests and there was a time when some were orientating it to the interests of Russia and China.

The elite politics of Eelam Tamils - except for the rare occasion of Vaddukkoaddai Resolution, and that too is said to be a result of youth pressure - was always hiding its mind fearing for others and was thinking in terms of others.

Influenced and discouraged by calculated power machinations, campaigns and Karunani-dhis, the murmur heard in some elite circles now is that if a powerful armed struggle has failed, what could be achieved through democratic politics and claiming for what the heart aspires is only bravado.

They fail to see that it is more legitimate and more workable in democratic organisation to come out boldly with what you feel righteously deserving, register the claim and then to fight for it or negotiate until acceptable results are achieved.

This is possible only when we have the guts to independently evolve our politics firmly by ourselves first and then only to relate

it to others. Of course this is not possible when we start looking at ourselves through the eyes of others. This mindset is the biggest impediment to our political organisation.

Mullivaaykkaal was not the real defeat. Colombo and the powers know it. Their victory comes only when Tamils are made to politically denounce their heart-felt aspirations. It is in order to achieve this victory much easier, they advice or find agents to advise Tamils to drop their national aspiration, even though democratically registering a national aspiration could in no way be considered an obstacle for negotiation.

Powers have created a desperate situation for Eelam Tamils hoping their will power would wither even politically. But one should not fail to see that if not for Tamils, for the sake of their own interests, the powers have to find out solutions very soon in the island. Tamils have to be ready with their own politics to face the situation.

In the past, the failure of democratic Tamil politicians in adhering to people's emotional needs with firmness and their inability to resist undue power interests, paved way for the rise and acceptance of militancy.

Tamils should take care that their political organisation now needs to be truly representative of their aspirations and needs to be firm in negotiation if they want to uphold democracy and avoid another rise of militancy. No need to say the powers should respect this reality, as they too share the fear.

It is now an acid test for the emerging democratic politics of Eelam Tamil nationalism.

The move in the diaspora for transnational government of Tamil Eelam is not only for negotiating the liberation and emancipation of Tamils in the island of Sri Lanka but it is also an alterna-

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OPINION

Colombo risks squandering Sri Lanka's hard-won peace

Brahma Chellaney
Japan Times

IF Sri Lanka is to become a tropical paradise again, it must build enduring peace. This will only occur through genuine interethnic equality, and a transition from being a unitary state to being a federation that grants provincial and local autonomy.

Yet even in victory the Sri Lankan government seems unable to define peace or outline a political solution to the long-standing cultural and political grievances of the Tamil minority, which makes up 12 percent of the 21.3-million population.

A process of national reconciliation anchored in federalism and multiculturalism can succeed only if human-rights abuses by all parties are independently investigated. United Nations Secretary General Ban Ki Moon has acknowledged that civilian casualties were "unacceptably high," especially as the war built to a bloody crescendo.

The continuing air of martial triumph in Sri Lanka, though, is making it difficult to heal the wounds of war through three essential "Rs": relief, recovery and reconciliation.

In fact, the military victory bears a distinct family imprint: President Mahin-da Rajapaksa was guided by two of his brothers, Gotabaya, the defense secretary who authored the war plan, and Basil, the presidential special adviser who formulated the political strategy. Yet another brother, Chamal, is the ports minister who awarded China a contract to build the billion-dollar Hambantotta port, on Sri Lanka's southeast.

In return, Beijing provided Colombo not only the weapon systems that decisively tilted the military balance in its favor, but also the diplomatic cover to prosecute the war in defiance of international calls to cease offensive operations to help stanch rising civilian casualties.

Through such support, China has succeeded in extending its strategic reach to a critically located country in India's backyard that sits astride vital sea-lanes of communication in the Indian Ocean region.

Sinhalese nationalists now portray Rajapaksa as a modern-day Dutugemunu, a Sinhalese ruler who, according to legend, vanquished an invading Tamil army led by Kind Elara more than 2,000 years ago.

But four months after the Tamil Tigers were crushed, it is clear the demands of peace extend far beyond the battlefield. What is needed is a fundamental shift in the government's policies to help create greater interethnic

equality, regional autonomy and a reversal of the state-driven militarization of society.

But Rajapaksa, despite promising to address the root causes of conflict, has declared: "Federalism is out of the question." How elusive the peace dividend remains can be seen from Colombo's decision to press ahead with a further expansion of the military.

Not content with increasing the military's size five-fold since the late 1980s to more than 200,000 troops today, Colombo is raising the strength further to 300,000, in the name of "eternal vigilance." Soon after the May victory, the government, for example, announced a drive to recruit 50,000 new troops to help manage the northern areas captured from the rebels.

The Sri Lankan military already has more troops than that of Britain or Israel. The planned further expansion would make the military in tiny Sri Lanka larger than the militaries of major powers like France, Japan and Germany.

By citing a continuing danger of guerrilla remnants reviving the insurgency, Rajapaksa, in fact, seems determined to keep a hyper-militarized Sri Lanka on something of a war footing. Yet another issue of concern is the manner the nearly 300,000 Tamil civilians still held by the government in camps where, in the recent words of U.N. High Commissioner for Human Rights Navi Pillay, the "internally displaced persons are effectively detained under conditions of internment."

Such detention risks causing more resentment among the Tamils and sowing the seeds of future unrest. The internment was intended to help weed out rebels, many of whom already have been identified and transferred to military sites. Those in the evacuee camps are the victims and survivors of the deadly war. To confine them in the camps against their will is to further victimize and traumatize them.

Sri Lanka's interests would be better served through greater transparency. It should grant the U.N., International Red Cross and nongovernmental organizations at home and abroad full and unhindered access to care for and protect the civilians in these camps, allowing those who wish to leave the camps to do so and live with relatives and friends. Otherwise, it seriously risks breeding further resentment.

Then there is the issue of thousands of missing people,



Continuing to keep Tamils in camps and deny them basic rights like freedom of movement, while at the same time increasingly militarising the country, will only pose a challenge to lasting peace on the island

mostly Tamils. Given that many families are still searching for missing members, the government ought to publish a list of all those it is holding - in evacuee camps, prisons, military sites and other security centers. Even suspected rebels in state custody ought to be identified and not denied access to legal representation.

Authorities should disclose the names of those they know to be dead - civilians and insurgents - and the possible circumstances of their death. Also, the way to fill the power vacuum in the Tamil-dominated north is not by dispatching additional army troops in tens of thousands, but by setting up a credible local administration to keep the peace and initiate rehabilitation and reconstruction after more than 25 years of war.

Any government move to return to the old policy of settling Sinhalese in Tamil areas is certain to stir up fresh problems. More fundamentally, such have been the costs of victory that Sri Lankan civil society stands badly weakened and civil liberties curtailed. The wartime suppression of a free press and curtailment of fundamental rights continues in peacetime, undermining democratic freedoms and creating a fear psychosis.

Public meetings cannot be held without government permission. Sweeping emergency regulations also remain in place, arming the security forces with

expansive powers of search, arrest, detention and seizure of property. Individuals can still be held in unacknowledged detention for up to 12 months. For the process of reconciliation to begin in earnest, it is essential the government shed its war-gained powers and accept, as Pillay says, "an independent and credible international investigation . . . to ascertain the occurrence, nature and scale of violations of international human-rights and international humanitarian law" by all parties during the conflict.

Pillay has gone on to say: "A new future for the country, the prospect of meaningful reconciliation and lasting peace, where respect for human rights and fundamental freedoms can become a reality for all, hinges upon such an in-depth and comprehensive approach."

Unfortunately, Colombo still seeks to hold back the truth. Those who speak up are labeled "traitors" (if they are Sinhalese) or accused of being on the payroll of the Tamil diaspora.

Last year, a Sri Lankan minister accused the U.N. undersecretary general for humanitarian affairs, John Holmes, of being on the rebels' payroll after Holmes called Sri Lanka one of the world's most dangerous places for aid workers.

The media remains muzzled, and a host of journalists have been murdered or imprisoned. Lawyers who dare to take up sensitive cases face threats. Recently,

a well-known astrologer who predicted the president's ouster from power was arrested. And this month, the U.N. Children's Fund communications chief was ordered to leave Sri Lanka after he discussed the plight of children caught up in the government's military campaign.

Rather than begin a political dialogue on regional autonomy and a more level-playing field for the Tamils in education and government jobs, the government has seen its space get constricted by the post-victory upsurge of Sinhalese chauvinism opposed to the devolution of powers to the minorities.

The hardline constituency argues that the Tamils shouldn't get in defeat what they couldn't secure through three decades of unrest and violence. Indeed, such chauvinism seeks to tar federalism as a potential forerunner to secession, although the Tamil insurgency sprang from the state's rejection of decentralization and power-sharing.

The looming parliamentary and presidential elections also make devolution difficult, even though the opposition is splintered and Rajapaksa seems set to win a second term.

Reversing the militarization of society, ending the control of information as an instrument of state policy and promoting political and ethnic reconciliation are crucial to postconflict peace-

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OPINION

Missing the enemy?

Paikiasothy Saravanamuttu
Daily Mirror

IS the Rajapaksa regime caught in the grips of the ME Syndrome? - Missing the Enemy, that is. Over the last two weeks, the leading lights of the regime have warned of conspiracies to destabilize the regime and even to replace it and have used the state controlled media as well as the defence ministry website to launch propaganda attacks against alleged conspirators, this columnist included.

It is the dirty nasty imperialist West and their local hirelings who are at the bottom of this. They tried to save the LTTE and failed. Now, they are determined to ensure regime destabilization and change. The extension of the GSP Plus concession, the report on war crimes to the US Senate, the Pascoe visit and continuing international concern about the plight of the IDPs are all elements of this dastardly plan. It is only the love of country of the mass of patriots, in the south in particular, their political savvy and courage that can stop this insidious plan in its tracks, whether it be through a resounding mandate for the regime in the provincial elections or through entirely suitable and grisly punishment of those identified as traitors.

The regime clearly misses an enemy. It seems to be dangerously unsure of itself in the absence of one. The emperor of yore was unaware of his nakedness. What would have happened if he were aware?

What is especially worrying is that these accounts of conspiracies to stabilize the regime and change it emanating from the heart of the regime are destabilizing in themselves. They suggest that the war in effect is not over and that Sri Lanka has no choice but to embark on a collision course with an influential section of the international community, which has traditionally been an ally of this country. What is the hard evidence for this?

It would seem to be the case that the report of the EU investigators in the context of the extension of the GSP Plus concession, has served as a catalyst for conspiracy theories. The GSP Plus trade concession was based on the ratification and effective implementation of some twenty-seven international human rights instruments and labour standards. In the Sri Lankan case, as per the terms of the concession, the EU decided to instigate into the ratification and effective implementation of the International Covenant on Civil and Political Rights (ICCPR), the Convention Against Torture (CAT) and the Convention on the Rights of the

Child (CRC). The findings of the investigation will feed into the decision on whether to extend the concession to Sri Lanka. The concession was granted in the aftermath of the tsunami.

Media reportage of the report of the investigation and a public statement to this effect by a ministry secretary, indicate that it is negative and that the crux of the issue is human rights. Human rights, underpins the US Senate request for a report on war crimes from the State Department. Accountability in respect of human rights violations was flagged by the UN High Commissioner for Human Rights on a number of occasions and as far back as March of this year. It was also mentioned in the communiqué issued after the visit of the UN Secretary General at the end of May in which the point was made that this was best dealt with nationally. The issue also featured in the visit to Sri Lanka by the UN Under Secretary General for Political Affairs Lyn Pascoe. It further features in the controversy over the Channel 4 video and the comments on the investigation into it conducted by the regime, which concluded that the video was a fake. Philip Alston, the UN Secretary General's Special Representative on Extra Judicial Killings has called for an independent investigation into the authenticity of the video.

This week, Walter Kaelin, the UN Secretary General's Special Representative on the Human Rights of IDPs will visit Sri Lanka and yet again human rights issues will be highlighted. Indeed, the fate of the IDPs encompasses many of the dimensions of the human rights issue and constitutes the litmus test for peace, reconciliation and national unity. The central concern here is that of the freedom of movement of IDPs - Sri Lankan citizens who are being detained in camps without any legal basis and in violation of international human rights and humanitarian norms.

The onset of monsoonal rains has alerted the regime to an impending humanitarian catastrophe, a foretaste of which was produced by rains in August. Consequently, there were announcements of action on the assurance given that 80 per cent of the IDPs would be returned in 180 days. IDPs, it was announced could go and live with relatives once the latter were screened and it clearly established that they were not LTTE supporters or

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Civilians held behind wire fences justify the continuing need for a highly militarised state

Colombo's paranoid secrecy

Prof Kumar David
Lakbima

WHAT Ranil, Mangala and Mano Ganesan said on 3 September at a Platform for Freedom Press Conference on the IDP issue was fairly widely covered in the print and electronic media, but three other contributors, Siritunga Jayasuriya, Nimalka Fernando and Herman Kumara failed to attract coverage. They were more sharp and interesting, but not being parliamentarians, I guess, less news worthy. I will focus on them to redress this imbalance. But first a Mangala snippet which was both catchy and accurate: he defined the Vanni interns as FDPs (Forcibly Detained Persons) insisting that calling them internally displaced persons (IDPs) was simply not true.

First, let me have my say. It is my view that it is the FDP issue that will have more severe repercussions on the relationship between the Tamils and the government and on Sinhala-Tamil relations than the hotly canvassed political package uproar.

Astute folks are pretty well reconciled that nothing will happen in the foreseeable future about devolution, thirteen plus, minus or zilch, and home-grown solutions. It's going to be the same old unitary state and constitution, with or without some superficial tinkering, until and unless something dramatic happens, such as the change to a left government; and that's not on the cards.

But between two and three hundred thousand people of one community, held in indefinite and illegal detention by the hegemonic state of another community, well that's tertiary stage cancer and its repercussions are going to

be far, far more serious than people seem to realise. I give it three more months and if the FDPs are not all released from forcible detention, then the gulf will again widen to distrust similar to the post 1972-Constitution, post Vattukkottai Resolution, or intensifying LTTE periods. The gulf will become unbridgeable again. In a word, it's the FDPs stupid, not the package that will hinge, or if you prefer unhinge, Tamil consciousness.

Siritunga's take on it:

For those who need some background, Siritunga is the leader of the United Socialist Party (USP), a non government left party and as presidential candidate in 2005 he polled 36,000 votes, certainly much more than I expected.

I have been closely associated with him politically from 1970 when he was a key leader in the Vama or left tendency in the LSSP which matured into the NSSP in 1977. He parted company with us on the Indo-Lanka Accord and 13th Amendment which he opposed while we (the majority in the NSSP) gave these measures our conditional support.

Nevertheless, he and I have remained personal friends. The USP has fraternal ties with international Marxist currents in many countries but I am not aware what its active membership within the country is.

As a Sinhalese Marxist he expressed shock at the inadequate response in the South to the fact that such a large number of Tamils could be held in illegal detention for over 100 days.

"Imagine the uproar in the country if two to three lakhs of ordinary Sinhalese people had been held behind barbed wire like this". How much longer is this going to continue he inquired? And this inquiry continued to the heart of the matter.

"These people have lived under LTTE Administration for nearly two decades. Of course a large number of them or a family member would have worked in that Administration, many would have associated with the LTTE, and to be perfectly frank, most would have supported or been sympathetic to the LTTE point of view".

This goes to the heart of the government's conundrum; if the government intends to hold everybody who is or was sympathetic to the LTTE indefinitely, then it will have to hold some hundreds of thousands of people forever. The real problem is not a few thousand ex-cadres, the problem is hundreds of thousands who, come on be sensible about it, must have been pro-LTTE.

I think it is inevitable that he comes to the same conclusion as I have done in my third paragraph, but from an inside the camps perspective. I asserted that the FDP issue is destined to be the crucible in which the fires of broad ethno-political conflict will light up again. Siritunga says "If you hold people like this you are operating a farm for breeding the next generation of LTTEers, by whatever name they sprout. Is the government trying to breed another one lakh of terrorists?"

Insensitivity, secrecy:

Nimalka introduced a women's and welfare perspective as one would expect from a person

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NEWS

Jayalalithaa threatens mass agitation over Tamils pain

ACCUSING the Indian and Tamil Nadu governments not acting to curb the "violation" of civil liberties in Sri Lanka, AIADMK leader Jayalalithaa Jayaram has threatened to launch a mass agitation.

In a statement released in Chennai on Tuesday September 22, Jayalalithaa urged the Congress led Indian government to "ensure life and dignity" of Tamils imprisoned in various camps in the island.

According to Express Buzz, Jayalalithaa said that the AIADMK and people of Tamil Nadu expect the Centre to raise its voice against the human rights violations in the refugee camps in Sri Lanka.

If the Centre does not act immediately, "the AIADMK, along with like-minded political parties, will be forced to launch a mass agitation to focus world vision on the brutal civil liberties violations in Sri Lanka."

The former chief minister said "The gruesome footage, reportedly filmed by a soldier on a mobile phone camera, reinforces my earlier claim that civil liberties are non-existent in Sri Lanka and that the Tamil population there is subject to barbaric atrocities at the hands of the Sri Lankan Army."

"Sri Lanka claims to be a democratic country, where the rule of law prevails. No democracy sanctions this sort of summary mass execution, where human dignity is wantonly trampled upon," she added.

Jayalalithaa said the AIADMK has never been a votary of terrorism or terrorist outfits. "I have personally been a very vocal critic of the LTTE, ever since that outfit degenerated from being valiant fighters for the liberation of Tamils into a terrorist organisation that annihilated political opponents, murdered anyone who did not toe their line and heaped suffering on the Tamil people whose cause they were claiming to espouse." Reported the Express Buzz.

"Even assuming that the persons being shot dead in the footage telecast were LTTE activists, executing them summarily without a trial is barbaric, inhuman and contrary to civilized norms. It also violates international law relating to treatment of prisoners of war."

Slamming the DMK government in Tamil Nadu, she said "As such, the AIADMK does not expect the DMK government to even make a whimper of protest against the atrocities."

SLN assaults Tamil Nadu fishermen

TWENTY-FOUR fishermen from Keechchaangkuppam in Naarkoayil area in Tamil Nadu, fishing in Kanniyaakumari seas in five boats Friday night, were brutally assaulted and cast naked in the seas by Sri Lanka Navy (SLN) soldiers. SLN soldiers had beaten the fishermen on their heads with the ice blocks taken by the fishermen to preserve their catch, TamilNet reported. Fishermen in the coastal areas of Tamil Nadu saved the 24 fishermen who managed to swim ashore on Saturday, September 26 and admitted them in the local hospital.

SLN soldiers had threatened to open fire on the fishermen, driving them into the sea. Their clothes, fishing nets, outboard motors, ice knives and the fish they had caught had all been confiscated by the SLN soldiers, the fishermen said.

Tension prevails among the fishermen in the coast of Tamil Nadu. Tamil Nadu fishermen had just called off their continued boycott of fishing demanding Tamil Nadu government to take action against SLN for shooting fishermen from Tamil Nadu side of the seas. Their fellow fishermen being assaulted and driven naked has aroused the fury of Tamil Nadu fishermen. Colombo government is encouraged by the appeasement policy of Karunanidhi government 'not to anger the Sinhalese', commented fishermen circles in Tamil Nadu.

Meanwhile, a Sri Lankan court remanded 17 fishermen from Rameswaram to judicial custody at the Anuradhapura prison on Friday, pending trial on October 1. The SLN detained the fishermen for crossing the international maritime boundary line.



Tamil Nadu opposition leader J Jayalalithaa has threatened public protests over Sri Lankan Tamils

'Political controversy stops World Tamil Conference'

THE Tamil Nadu government has decided to postpone the Ninth World Tamil Conference, it planned to hold in Coimbatore in January 2010, following a political controversy with opposition parties questioning the locus standi of the government to organise the event as well as its timing.

A committee headed by Chief Minister M. Karunanidhi, which reviewed the progress of the meet, took the decision to enable participation of more Tamil scholars from across the world as they needed time to plan their travel, an official release said.

Parties, including the AIADMK and the BJP, have said that the ruling DMK should first ensure the return of Internally Displaced Persons lodged in various camps in Sri Lanka to their homes as they are presently "linguishing behind barbed wires".

Jayalalithaa Jayaram, the leader of AIADMK, attacked Karunanidhi for organising the World Tamil Conference, when Tamils in Sri Lanka and other parts were in a state of distress.

In a statement released in Chennai, Jayalalithaa said the conference 'is nothing but a farcical charade for self-aggrandisement' and 'like all utterances of Mr Karunanidhi, this one too smacks of vested interest and has nothing to do with his self-proclaimed love for Tamil language'. She questioned the DMK gov-

ernment's locus standi to host the conference and its timing, saying Tamils were in a "state of distress" all over the world, particularly in Sri Lanka and Malaysia.

Malaysian Tamils, who hosted the first International Tamil Conference in 1966, feel that they are relegated to the status of secondary citizens in that country.

The Tamils of Sri Lanka, who hosted the fourth International Conference in Jaffna in 1974, were living in refugee camps in

their own country.

Their struggle for self-determination was ruthlessly snuffed out by the Sri Lankan Government with military aid and logistical support from an Indian Government, of which Karunanidhi's DMK party is a key constituent.

However, Mr Karunanidhi never raised his voice, let alone his little finger, when the massacre of the Sri Lankan Tamils was on, she alleged.

Citizenship promised

Times of India

IN a significant decision, the Tamil Nadu chief minister M Karunanidhi, on September 26, said he would take steps to ensure that the Centre granted citizenship to the more than 100,000 Sri Lankan Tamil refugees living in the state if they desired so.

He made the announcement at a function bringing down the curtains on the year-long centenary celebrations of C N Annadurai in Kancheepuram, the DMK founder's birthplace.

Earlier, the DMK passed a resolution requesting the party

chief to take steps to ensure that the Tamil refugees in the state were given the option of citizenship under the Indian Citizenship Act.

As many as 73,572 refugees have been staying in 115 camps across Tamil Nadu and more than 30,000 reside outside the camps in different parts of the state. Following the end of the Eelam war and defeat of the LTTE, there has been much apprehension among the refugees that they would be sent back home against their wish.

The announcement comes as a relief, representatives of Tamil groups said.

NEWS

GSP+ likely to be granted - diplomats

IMF issues warning to Sri Lanka

THE European Union is likely to let Sri Lanka keep the trade concession crucial to its apparel industry, while recommending it be revoked if the country does not improve its human rights record, Reuters reported diplomats as saying.

The European Commission is due to decide whether to recommend the Indian Ocean island nation retain the Generalised System of Preferences Plus (GSP Plus) trade concession by mid-October, which would then be voted upon by the EU Council.

"It is likely to be extended with a negative recommendation," a diplomat briefed on the EU's internal discussions told Reuters on condition of anonymity. "There would then be some targets for Sri Lanka to meet."

Meanwhile, the Chairman of MAS Holdings, warned of "very challenging times" ahead, with the prospect of GSP+ concessions being withdrawn by the European Union. "This duty-free facility is extremely vital to Sri Lanka as the country benefits significantly from these concessions to remain competitive in markets in the EU" said Mahesh Amalean of MAS holdings, South Asia's largest manufacturer of intimate apparel.

If the program is not renewed, Sri Lanka's garment industry, which sells around \$3.47 billion to the EU alone, would be severely hit, he said.

Meanwhile, the team of four ministers appointed by President Rajapakse concluded that they had met all conditions laid down by the EU for the concessions to continue. "I see no reason for the EU to prevent the GSP+ facility being extended to Sri Lanka for a further period," commented Deputy Finance Minister Sarath Amunugama, who is part of the team.

The EU threatened to withdraw the GSP+ concessions after a year-long probe because of Sri Lanka's poor human rights record, and the country's refusal to cooperate with the EU investigators. The government refused to cooperate with the probe or let the EU-contracted investigators enter the country, and said doing so was tantamount to betraying its sovereignty.

Sri Lanka could no longer compete with countries such as Cambodia and Bangladesh, which also suffers concessions under a separate program, Amalean said. Companies who regularly export goods into the EU, such as Marks & Spencer's, Next & Tesco could relocate their factories into these countries, if the GSP+ facility is withdrawn, he said.

"The cost of manufacturing in

these countries is also far less than in Sri Lanka," he noted.

"If the GSP Plus is withdrawn, they will have a competitive edge in the EU marketplace."

"All these factors put together will pose a very big challenge to Sri Lanka," the MAS Holdings boss underlined. "We need to take cognizance of this."

This was echoed by the head of the Sri Lanka Apparel Exporters Association, Kumar Mirchandani. "Price pressure is so high ... people move away over a difference of 10 cents," he said. "We can't take 10 per cent off our prices - we don't have those margins."

The Sri Lankan Government has promised to pump \$150 million into the apparel industry, in order to try and increase exports to countries such as India and China. The European Union however, makes up 52% of all Sri Lanka's garment exports, and 36% of all goods exports, making it an extremely hard market to replace.

"GSP Plus is crucial... withdrawing it would mean a lot of hardship," said Mr Mirchandani.

The situation has become so critical, that even UNP Deputy Leader Karu Jayasuriya pleaded with the both the Sri Lankan Government and EU to allow the concessions to continue.

"As a responsible opposition, the UNP does not wish to see all our people suffer the consequences of the sins of a few. It is in this spirit that we have appealed to the EU recently to reconsider before withdrawing the trade concessions to Sri Lanka since more than a million of our poorest people will be affected by such an action while the perpetrators of violence who are responsible for our predicament will be largely untouched," he said.

He slammed the current government and said they "must realize how serious the consequences of its actions are going to be for the people of this country. Today more than a million, direct and indirect jobs are in jeopardy."

"The people of Sri Lanka need to understand that this government has long since perfected the art of propaganda and spin doctoring... What the democratic world is asking of us is the restoration of democratic rights in Sri Lanka."

Sri Lanka's admission into the GSP Plus program has been under review since October 2008, after increasing pressure on the EU to investigate human rights abuses.

The EU is set to vote on the termination of the GSP+ tariff on October 15th.

THE International Monetary Fund has issued a statement warning Sri Lanka from building up its foreign currency reserves by borrowing from overseas investors.

Sri Lanka's foreign currency reserves reached a high of \$4 billion, as estimated by Central Bank, enough to cover four months of imports and the highest in the island's history.

This is in stark contrast to earlier in the year, at the height of the civil war, when foreign currency reserves fell to \$1.7 billion, enough to cover just one month's worth of imports.

Foreign investors also withdrew over \$600 million in government bills and bonds, as the climax of the war coincided with the global economic crisis. The reserves were built up by the sale of government debt to foreigners.

"Total net foreign inflows to the government Treasury bills and bonds since mid May 2009 to 11 September 2009 amounted to US\$ 1.2 billion," said Central Bank governor Nivard Cabraal.

However, this has aggravated the International Monetary Fund, which is providing a \$2.6 billion loan to Sri Lanka.

"We don't want Sri Lanka to borrow its way to build reserves," said head of the IMF mission to Sri Lanka, Brian Aitken. "The central bank has been building a war chest of reserves lately through debt. We would prefer if Sri Lanka built up reserves from exports and from remittances and not by borrowings."

Mr Aitken was in Colombo on a two week review of the island's economy, as the loan is to be paid in instalments, subject to quarterly reviews.

Investors cautious

TamilNet

THE International Monetary Fund said it raised Sri Lanka's growth target and is "cautiously positive" on prospects as it reviews the island's economy for the release of a second payment in its \$2.6 billion aid package.

But while investors are interested, they have not yet committed, the figures show.

The Washington-based lender expects growth of 3.5 percent in 2009, up from a July estimate of 3 percent, as the \$41 billion economy is showing signs of "bottoming out," Brian Aitken, the IMF's Mission Chief for Sri Lanka, said in the capital Colombo on September 22.

"We will assess developments in the next two weeks also and if



A graphic in the Daily Mirror newspaper explaining the IMF loan

After the first instalment of \$322.2 million was paid in July, the second is awaiting approval from the IMF executive board.

IMF offices have also reopened in Colombo, in order to keep a close eye on its lending programme. The organisation left the country in 2007, when it decided that it would no longer lend to the island.

Meanwhile, Iran has agreed to extend an interest free credit facility to Sri Lanka for one more year, to purchase Iranian crude oil. In November 2007, after President Rajapakse's visit to Iran, this facility was first introduced, which allowed Sri Lanka to import more than \$1.05 billion

worth of crude oil in 2008.

"There was no denying that the country was hard pressed for foreign currency to fund the purchase of essential military hardware," an official said.

"Last year, crude oil imports exceeded US\$1 billion in total value with Sri Lanka not having to pay hard cash to open Letters of Credit, while Iran provided 4 months interest free credit and a further three months at a concessionary rate of interest," he said.

Iran also agreed to supply \$1.03 billion in order to fund the refurbishment and expansion of the Ceylon Petroleum Corporation owned oil refinery at Sapugaskanda.

all goes well will take a decision on seeking approval for the release of the second tranche," Bloomberg report Aitken as saying.

The IMF provided Sri Lanka with \$322 million when approving the 20-month package. Aitken said the second payment would likely be worth about \$320 million.

In return for the IMF loan, Sri Lanka agreed to reduce its budget deficit to 5 percent of gross domestic product by 2011, from 7 percent this year, and maintain flexibility in the exchange rate in order to build foreign reserves to cover 3 1/2 months of imports and bolster the economy.

Aitken said Sri Lanka's deficit target for this year was "ambitious" and would require constraints on expenditure while rais-

ing revenue with growth.

However, while investor interest in Sri Lanka has grown since May, actual investment has not.

Last year, Sri Lanka got \$889 million in foreign direct investment, according to official figures. So far this year, the country has only gotten \$400 million - well off pace of the government target of \$2 billion by the end of 2010.

The pillars of Sri Lanka's \$40 billion economy - garments, remittances from the Middle East, and tourism - have all been hit by the global downturn. Real estate has also faltered.

Sri Lanka's Minister of Investment Promotion, Navin Dissanayake, says Hyatt halted construction on a luxury hotel

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OPINION

War's over, but what about peace?

Lakhdar Brahimi & Edward Mortimer
Singapore Straits Times

IT has been three months since Sri Lankan President Mahinda Rajapakse declared the country "liberated" from Liberation Tigers of Tamil Eelam (LTTE) after a 26-year war.

He said he wanted to settle most of the displaced Tamil civilians within 180 days.

But today, with more than half that time elapsed, nearly 300,000 are still being held in "internment camps", to which the media and humanitarian organisations have virtually no access.

One person who was able to visit some of them in May was United Nations Secretary-General Ban Ki Moon.

He said: "I have travelled around the world and visited similar places, but these are by far the most appalling scenes I have seen."

In the middle of this month, the camps were flooded by downpours that, according to The New York Times, "sent rivers of muck cascading between tightly packed rows of flimsy shelters, overflowed latrines and sent hundreds of families scurrying for higher ground".

Moreover, there is no public list of those being held in the camps, and many families do not know whether their loved ones are alive or dead.

The brutal and violent methods used by the LTTE during the conflict are beyond dispute. But the government claimed to draw a distinction between LTTE fighters and the law-abiding Tamil population, whose genuine political grievances it would address once the "terrorists" had been defeated. So far, nothing like that has happened.

Although it has screened out those it believes were LTTE cadres and sent them to separate camps, the government has repeatedly extended its own deadline for releasing the civilians who are still in the main camps.

People who question this inside Sri Lanka are accused of being traitors in the pay of "the LTTE diaspora", while outsiders are accused of using humanitarian concerns as an excuse for neo-imperialist intervention.

Sri Lankan journalists who criticise the government have been arrested, beaten and in some cases murdered in broad daylight, while many more have fled the country. Foreign journalists have been kicked out, and Human Rights Watch and Amnesty

International are not allowed into the country.

In the last weeks of the fighting, an estimated 20,000 civilians lost their lives. Government forces were accused of shelling Tamil civilians and killing people who tried to surrender.

The LTTE was charged with using civilians as human shields, forcibly recruiting them as fighters and shooting those who tried to flee. There were rumours of mass graves but no independent observer has been able to investigate.

The government claims to have won the "war on terror" within its own frontiers, and denies the right of countries that have been less successful to question its methods.

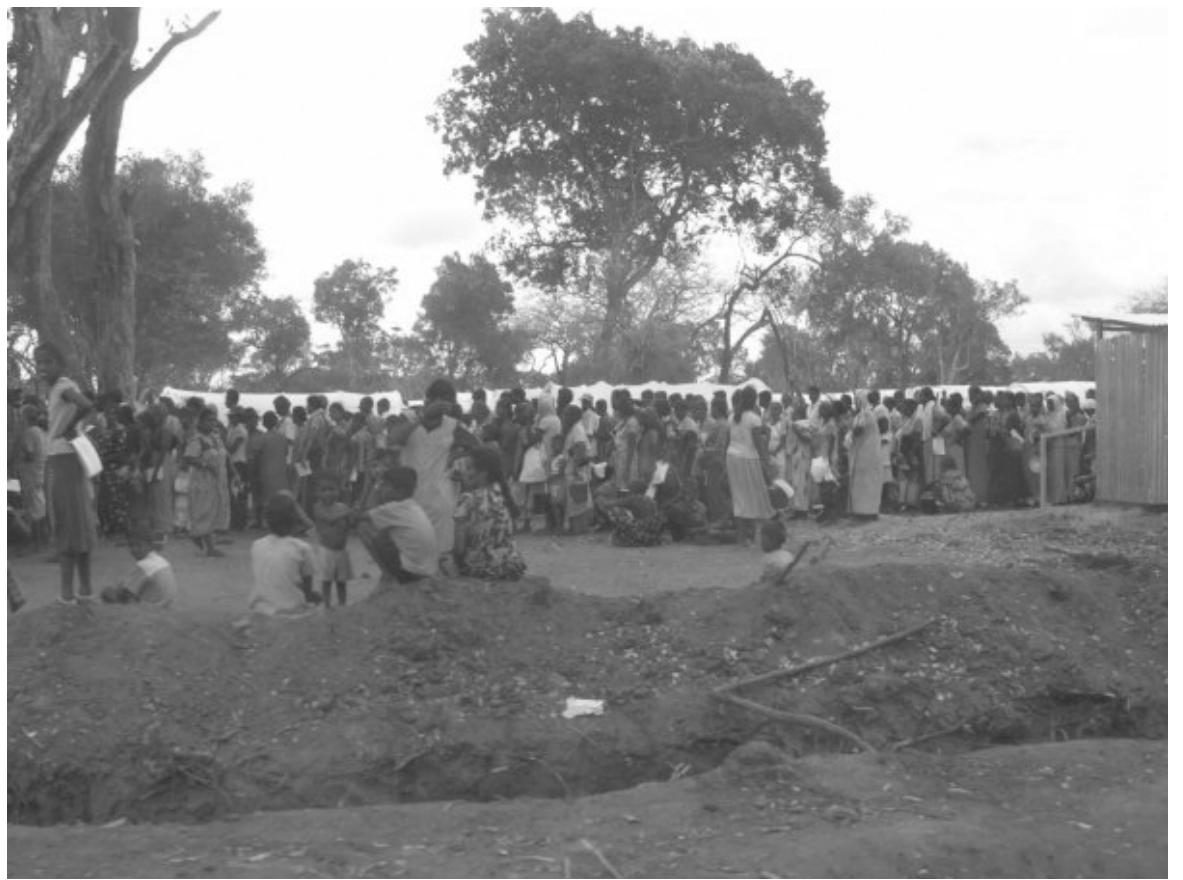
As one of the five "Colombo Powers" that organised the historic Bandung Conference in 1955, and a leading member of the Non-Aligned Movement, Sri Lanka was, for many decades, a responsible democracy, even a model member of the international community. Surely, the people of Sri Lanka do not want to compromise that enviable status.

Friends of Sri Lanka, especially in the developing world, do not understand why President Rajapakse chose Myanmar as the first country to visit after winning the war.

They were concerned to read, on the government's own website, that one reason for this choice was that "the (Myanmar) generals are increasingly finding it difficult to contain insurgent groups in the country's northern frontier and are willing to learn some fresh lessons from President Mahinda Rajapakse on how to defeat the enemy".

That is not what the international community wishes to learn from Sri Lanka. Rather, it is expecting the country to be faithful to its democratic tradition and act on Mr Rajapakse's promises that the rights of minorities would be respected, that the displaced would be helped to return home, and that prisoners would be treated humanely.

We do not believe that most people in Sri Lanka agree with the view that developing-country governments can best deal with internal opposition by crushing it ruthlessly and treating any advice to respect human rights and humanitarian law as hypocritical. Sadly, the government's willingness to ignore these principles has



Peace for many Tamil civilians is life behind barbed wire queuing daily for meagre food handouts

met with very little international resistance.

Even the United States, which has urged the rapid release of all civilians and deplored the Sri Lankan government's slow timetable on political reform, is simultaneously encouraging US investors to "make Sri Lanka your next business stop".

This puts a heavy responsibility on Asia's key powers - India, Japan and China - which have been staunch supporters of the Rajapakse government and have channelled large sums of money to it (mainly, recently, for humanitarian purposes).

It is time for these governments to say clearly that further economic and political support will depend on the following conditions being fulfilled:

1. The UN, International Red Cross and voluntary agencies

must be given full and unhindered access to care for and protect the civilians in the camps, and then help them return to wherever in their own country they choose to live.

2. A list of all those still alive and in custody should be published.

3. Those who continue to be detained as alleged LTTE combatants must be treated in accordance with the provisions of international law, and given urgent access to legal representation.

4. Accountability processes must be established to ensure that international aid is not diverted to purposes other than those for which it was given.

5. The Sri Lankan government should invite regional and international specialists in conflict reconciliation to help rebuild

lives and communities.

6. Sri Lanka should request or accept a full UN investigation into war crimes committed by all parties during the war.

The government has won the war, and the world shares the feeling of relief visible among Sri Lanka's people. It remains for it to win the peace, and the rest of the world must help by insisting on the above conditions. Peace won by the brutal humiliation of a people is rarely secure.

Lakhdar Brahimi is a former Algerian foreign minister and United Nations Special Envoy. Edward Mortimer is Senior Vice-President of the Salzburg Global Seminar and was the chief speech-writer for former UN secretary-general Kofi Annan. Both are members of the Advisory Council of the Sri Lanka Campaign for Peace & Justice.

Squandering peace ...

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building and to furthering the interests of all Sri Lankans - Sinhalese, Tamils and Muslims. So also is the need to discard the almost mono-ethnic character of the security forces. Colombo has to stop dragging its feet on implementing the constitution's 13th amendment, which requires the ceding of some powers to the provincial or local level.

Sadly, there is little international pressure on Colombo, despite the leverage offered by the Sri Lankan economy's need for external credit.

The U.S. can veto any decision of the International Monetary Fund, but it chose to abstain from the recent IMF vote to give Colombo a \$2.8 billion loan. In the face of China's stonewalling at the U.N., Ban has been unable to appoint a special envoy on Sri

Lanka. A U.N. special envoy can shine an international spotlight to help build pressure on a recalcitrant government. But on Sri Lanka, the best the U.N. has been able to do is to send a political official to Colombo this month for talks.

It is thus important for the democratic players, including the United States, the European Union, Japan and Norway - co-chairs of the so-called Friends of Sri Lanka - and India, to coordinate their policies on Sri Lanka. If Rajapaksa continues to shun true reconciliation, these countries should ratchet up pressure on Colombo by lending support to calls for an international investigation into the thousands of civilian deaths in the final weeks of the war.

The International Criminal Court has opened an initial inquiry into Sri Lankan rights-

abuse cases that could turn into a full-blown investigation. Sri Lanka, however, is not an ICC signatory and thus would have to consent - or be referred by the U.N. Security Council - for the ICC to have jurisdiction over it. As world history attests, peace sought through the suppression and humiliation of an ethnic community proves to be elusive.

If Rajapaksa wants to earn a place in history as another Dutugemunu, he has to emulate that ancient king's post-victory action and make honorable peace with the Tamils before there is a recrudescence of violence. It will be a double tragedy for Sri Lanka if making peace proves more difficult than making war.

Brahma Chellaney is on the international advisory council of the Campaign for Peace and Justice in Sri Lanka.

NEWS

Vaddukkoaddai...

continued from p7

tive government of the diaspora, standing for the global unity, cultural identity, development and global status of the diaspora. The move for this government needs not to bother about anyone in proclaiming the independence and sovereignty of Eelam Tamils in the island and requesting a mandate from the people in the diaspora.

Self-determination, as it is understood in contemporary times is a vague term when applied to people or ethnicities. According to UN charter 1(2), self-determination is interpreted as existing only in state-to-state relationship. Legally, it protects only states.

"Self-determination does not entail the right to be independent, or even to vote for independence" (Geoffrey Robertson, Penguin 2008, p165).

"International law provides no right of secession in the name of self-determination" (Rosalyn Higgins, Peoples and Minorities in International Law, 1995, p33).

"At best, the people's right to self-determination connotes the right of all citizens to participate in the political process, but this gives power to majorities and not to minorities (Robertson, *ibid*).

The diaspora needs to seriously peruse and correct the course of any proposal that stops just at self-determination.

The Tamil National Alliance in the island, operating under constraints of Colombo and India, should not on its own, denounce the independence and sovereignty of Eelam Tamils and should not agree for experimenting anything other than a confederation with the right to secede, is an opinion strongly felt in the diaspora.

Emerging Tamil politics needs to act with far sight. The present scenario of geopolitics is not going to remain the same. The

national aspiration for independence and sovereignty, which is a hard reality for Eelam Tamils today, may also get re-defined. In any future possibility of shared sovereignty, either regionally or globally, the Eelam Tamils should be able to find their niche smoothly without again facing the tragedy they have undergone for ages.

It is with sadness most of the Eelam Tamils look at a few Marxists among them, especially of the former 'Peking Wing', who denounce separate nationalism for Eelam Tamils. The Marxist Communist Party of India also has adopted a similar line.

It is hard to understand that if national liberation of Eelam Tamils oppressed on ethnic grounds and 'Eelam' as a political unit is not acceptable to them, in what way the united Sri Lankan nationalism and Sri Lanka as a political unit upheld by them is ideologically justifiable. While viewing Tamil national struggle as serving imperialism, they practically serve the very imperialism by weakening the struggle.

Ironically, many Sinhala Marxists see justice and recognise the Tamil national struggle in the island.

The Marxists contributed immensely to the social progress of Eelam Tamils in the past. They have a duty in structuring and strengthening the Tamil nation further, through achieving social equality. The democratisation of politics is an atmosphere conducive for them, but they should not deprive Tamils getting their contribution by keeping Tamil national liberation as an untouchable topic, by not participating in it and by not recognising that their goals can be better achieved by accepting Tamil nationalism as a unit to apply their progressive ideas and shaping it at home and in transnational governance.



Lynn Pascoe, the UN envoy to Sri Lanka visited the internment camps in which Tamils civilians are being held and says the government is not making sufficient progress in plans to allow the people to return to their homes and that freedom of movement in the camps is insufficient

Investors cautious ...

continued from p11

project in Colombo late last year. The hotel chain declined to comment.

"Economic investments that we thought would come are not, for the moment, coming because of the global financial crisis," Dissanayake told The Associated Press during a recent trip to Mumbai to rally investor interest.

The government is increasingly looking to Asia to underwrite an economic recovery.

"We feel as a small developing country that our investment will be more heavily coming from China and India. Their companies are aggressive and bullish on out-bound investment. And we have

good political relations," Dissanayake said.

He said he's gotten a "very positive" reception in Asia, but so far just one big project has kicked off since May: a \$75 million luxury beach resort near the north-western town of Kalpitiya, to be managed by Thailand's Six Senses hotel group.

Mohan Weragoda, chief executive of Inventures Pvt Ltd., an investment advisory firm based in Colombo, said he's working on foreign investment deals worth \$250 million with several Asian companies he declined to name because negotiations are ongoing.

Last year his firm brought \$40 million in foreign investment into Sri Lanka, he said. "The country

needs large projects and they wouldn't have come when the war was going on," he said.

Milan Zatakia, chief executive of Millennium AeroDynamics Pvt. Ltd., an airport design, operations and logistics firm based in Mumbai, said he hopes to help upgrade and expand Sri Lanka's airports, some of which are in former conflict areas.

Zatakia said he's been approached by a half dozen hedge funds, which he declined to name citing confidentiality agreements, who are interested in funding his expansion into Sri Lanka.

"There's a crying need for infrastructure in our part of the world and there's money available for it," he said.

Missing the enemy ...

continued from p9

sympathizers. However, there are reports that the IDPs are being relocated from one camp to another - from the Menik Farm camp complex to "transit" camps elsewhere in the north and east. Clearly the "decongestion" of the Menik Farm complex, which houses double the number of human beings it was built to accommodate, is being prioritized on account of the onset of the monsoon at the expense of the freedom of movement of our fellow citizens. A case in the Supreme Court taken by the Centre for Policy Alternatives and this columnist in the public interest on the rights of the IDPs is still to be concluded, on way or another.

Other aspects of the situation

of the IDPs relate to the legal status and fate of those who have been identified as LTTE cadres, supporters and sympathizers, access and basic facilities. Other human rights issues that are the focus of international concern are the Tissainayagam verdict, the expulsion of the UNICEF spokesperson James Elder and the fate of UN workers held by the regime.

Human rights issues are stubborn ones. They will not go away. They cannot be dealt with by denial, bravado, defiance, conspiracy theories or neglect. Moreover they are indubitably in the national interest and to the detriment of no one other than the perpetrators of violations. At the same time, foreign policy cannot be conducted through allegation

and counter allegation, shrill incoherence and what increasingly looks like incomprehension and incompetence. Most importantly governance cannot be served or sustained by conflict and conspiracy, fear, paranoia and insecurity. We are part of an international community. Human rights and the international community have to be dealt with maturely, responsibly, constructively.

Surely this is not beyond a regime, which enjoys such unprecedented popularity?

This is surely not the time for enmity, but for peace, reconciliation and unity to realize the full potential of this country and capitalize on the military defeat of the LTTE.

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of her background. Initially though she made a comment that was news to me. Most of the food, dry rations and other essential needs of the FDPs are provided by UN agencies and NGOs she said.

It is not GoSL but these organisations that foot the bill; the work in the camp is done by NGO volunteers and GoSL's expenses, other than paying for the military, are small. Nimalka's main grouse however was framed in these questions. "Do mothers have the right to take a fevered child to hospital? Can a woman who is bleeding seek emergency medical help?" The questions are rhetorical, the answers obvious. Why must the military be in control of the camps, why not civilian agen-

cies? Herman Kumara of the Fishermen's Welfare Association was quite pointed in his repetition of the question on many people's mind. Why can't visitors enter the camps? Why are journalists barred? Why are international agencies kept out? Why is it taking the courts so long to make a straightforward order to allow members of parliament to visit the camps? As Mangala added "I can walk into any prison at will and meet any criminal, but I am not allowed to meet these people held in detention for no reason." The reasons offered for this paranoid secrecy varied from the need to hide human rights violations to calculations relating to the upcoming elections. I think it will be some time before the real reason comes seeping out.

NEWS

'As the shells fell, we tried to save lives with no blood or medicine'

Gethin Chamberlain
The Guardian



Vany Gnanakumar, a British national who was in the Vanni until May, speaks of the horrors she experienced among the Tamil population fleeing shelling and bombing from the Sri Lankan armed forces

THE young mother was standing by the side of the road, clutching her baby. The baby was dead.

Damilvany Gnanakumar watched as she tried to make a decision. Around them, thousands of people were picking their way between bodies strewn across the road, desperate to escape the fighting all around them.

"The mother couldn't bring the dead body and she doesn't want to leave it as well. She was standing ... holding the baby. She didn't know what to do ... At the end, because of the shell bombing and people rushing - there were thousands and thousands of people, they were rushing in and pushing everyone - she just had to leave the baby at the side of the road, she had to leave the body there and come, she had no choice. And I was thinking in my mind 'What have the people done wrong? Why are they going through this, why is the international government not speaking up for them? I'm still asking.'"

Four months later and Gnanakumar is sitting on a cream leather sofa in the living room of the family home in Chingford, Essex, reliving the final days of Sri Lanka's brutal civil war.

For most of those four months, the 25-year-old British graduate was imprisoned behind razor wire inside the country's grim internment camps, home to nearly 300,000 people. She was released last week, partly as a result of pressure from this newspaper, and flew back into London on Sunday, September 12.

The last time she publicly spoke about the conflict was from the hospital where she was working inside the ever-shrinking war zone in Sri Lanka's north-east. Then, the national army had surrounded the small sliver of land where the remnants of the Tamil Tiger guerrillas held out and where hundreds of thousands of civilians had taken refuge. She had been in despair: a shell had just struck the hospital and dozens were dead. "At the moment, it is like hell," she said then.

Gnanakumar was one of a

small group of medics treating the wounded and providing a running commentary to the outside world from behind the lines. For months she had managed to stay alive while around her thousands died. At night, she lived in bunkers dug in the sand. During the day, she helped in the makeshift hospitals, dodging the shells and the bullets, tending the wounded and the dying, as the doctors tried to operate with butchers' knives and watered-down anaesthetic.

Now her damning account provides a powerful rebuke to the claims of the Sri Lankan president, Mahinda Rajapaksa, that the defeat of the Tamil Tigers was achieved without the spilling of a drop of civilian blood.

Born in Jaffna in the Tamil-dominated north of Sri Lanka in 1984, Gnanakumar and her family moved to Britain in 1994. Until 28 February last year, she had not been back. She had just completed a biomedical degree at Greenwich University, but her short-lived marriage was on the rocks and she decided it was time to make a clean break. She left the house, telling no one where she was going.

Arriving in the capital, Colombo, she headed for Vanni, the Tamil heartland, to stay with a relative she calls her brother (her real brother is back in the UK, along with her two sisters). There seemed little sign of danger, but by June 2008 fighting was getting worse: the Tamil Tigers, or Liberation Tigers of Tamil Eelam (LTTE), still thought they would be able to negotiate a ceasefire, as they had done in the past, but the government had other ideas. They were determined to destroy the LTTE once and for all. Gnanakumar decided to stay on to try to help those who were trapped by the advance.

Even before the arrival of the government's ground forces, there had been regular air raids by air force Kfir jets. But in early January artillery barrages began, forcing the population to move.

That was when the reality of the war hit Gnanakumar for the first time.

"It was raining and ... you could see everywhere on the road the blood is running with the water and the bodies were left there because there was no-one to identify who was dead and who is alive, the bodies were just laid down on the floor and that's the first time I saw dead bodies and wounded people crying out, shouting."

Wherever they stopped, they built a bunker, digging down until they could stand up in the hole, cutting down palm branches and laying them across the top for a roof and packing sandbags on the top and around the sides.

As the frontline advanced, trapping as many as 300,000 people inside a shrinking enclave of LTTE-held land, Gnanakumar went to the makeshift government hospital, which had moved into a former primary school, and volunteered to help, dressing wounds and administering first aid.

Her laboratory training had not prepared her for anything like this, but she learned as she went along. As the fighting intensified, they were treating as many as 500 people every day in two rooms. "They had a shortage of medicine but they had to somehow save the people. The last two weeks or so there was a shortage of everything."

With replacement blood running out, she had to filter what she could from the patients through a cloth before feeding it back into their veins. When the anaesthetics ran short, they diluted them with distilled water. "I watched when there was a six-year-old boy," she said. "They had to take off the leg and also the arm, but they didn't have proper equipment, they just had a knife that the butchers use to cut the meat, and we have to use that to take off his leg and arm. He cried and cried."

As the army closed in, it got worse.

"People were running and running to get them safe away from the shell bombing, but they

couldn't and it came to a point where we thought we are all going to die, there is no way we can be safe anymore here, but we just have to take it. I mean, you can't get out of the shell-bombing. I didn't think that I would be alive and I would be here now. I said OK, I'm going to die, that is the end of it."

"One day I was inside the [operating] theatre and the next room was bombed. We had a lot of the treated people left in the room for the doctors to go and monitor and they all died in that shell bomb. And they [the Sri Lankan forces] again bombed the hospital and one of the doctors died in that."

Inside the hospital, there was no respite. Gnanakumar cannot forget the day a mother was brought in, injured, clutching her baby.

"She had the baby on her lap, the baby is dead and the mother didn't know and the doctor said: 'Don't tell her, because if we tell her now she will start crying out and shouting and ... we have to save the mother first.' So we said: 'OK, give the baby to us, we'll look after her you go and get the treatment from the doctor,' and only after she got the treatment we told the truth, that your baby is dead. I can easily say it, but at that moment I was in so much pain, the innocent baby, the mother didn't know the baby was dead, she thought 'my baby is sleeping'."

"There were so many incidents. Another time the mother was dead and the baby was still suckling."

The fighting was getting closer. They ate what they could find and slept, those who could, in the occasional lulls.

"You have to be ready to run, you can't relax and go to sleep, any minute you just have to be ready," she said.

Gnanakumar could not take any more. On 13 May the hospital had been hit, killing about 50 people. "The bunker right next to ours had a shell on top of it and

there were six people in the same family died and three were wounded.

"I saw them ... suddenly I start hearing people are crying out and I thought, it has to be somewhere really close ... I came out of my tent and I saw blood everywhere and the people - I couldn't even imagine that place, there was blood and then the bodies were into pieces everywhere and my brother said: 'Just pack up and let's get away from this place.'"

In the last five days, she says, she believes about 20,000 people died. It is a very high estimate, though the UN has acknowledged the true death toll may never be known. Tamil groups such as the Global Tamil Forum say her account corroborates their own figures drawn from interviews with survivors.

Over the course of the three-decade war, it is estimated that up to 100,000 people died. But independent confirmation of the death toll in the final days has been impossible. The Sri Lankan government has barred independent journalists from the war zone to this day, and has expelled UN officials and aid workers.

Meanwhile, the survivors of the final assault have been spirited away inside sprawling camps in a militarised zone.

It was to those camps, at Menik Farm, that Gnanakumar was taken. Following that last bombing, she joined thousands fleeing towards the government lines. "We start moving and after walking about one hour or so we saw the Sri Lankan army. They were saying: 'Come, you are safe now, food will be provided for you.' There were bodies everywhere, like into pieces. We had to just walk." That was when she saw the mother agonising over what to do with her dead baby. No one had time to bury the bodies, she says. Some pushed them into bunkers and covered them with a little sand. That was the best they could do.

That night, they slept in a

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school, then they were taken by bus to the town of Vavuniya. She called her mother: "I said, Mum, just get me out of here, I just want to get out of this place. And the phone got cut off."

The Sri Lankan government has built a series of camps to house the estimated 300,000 people who poured out of the war zone. It claims that it needs to hold the civilians until it can weed out the former Tamil Tiger fighters; its critics, including many UN organisations and independent aid groups, question why, even if that is true, it needs to imprison children and the elderly behind barbed wire, and why it has not more quickly identified the rebels. Despite pledges to start sending the internees back to their homes "at the earliest possible opportunity", the UN says only 2,000 have so far been released.

There was no food the first day Gnanakumar arrived, and she had lost contact with the people she had been with. She slept in a tent with strangers.

Even after the privations of the war zone, conditions in the camp still came as a shock.

"Wherever you go there are big queues, whatever you want you have to queue. The toilets are terrible, I can't describe how disgusting. Flies everywhere, mosquitoes, unhygienic ... People had all sorts of illnesses.

"People have lost their family members, they are separated from their families ... and they are going through depression."

Accounts circulated of rapes and murders, of people disappearing. Some people committed suicide: a teacher was found hanging from a tree.

Military intelligence officers were roaming the camps, looking for former Tamil Tigers, she said. "It is an open prison, you are free to walk but you are inside a prison, you are not allowed to step out. You can't. There were guards everywhere and checkpoints."

A couple of days after she arrived, the British high commission made contact through the UNHCR. An appeal from her parents in the Guardian brought fresh hope and a flurry of activity: she was moved from the overcrowded zone two to zone one, the part of



the camp the authorities show to visitors.

"I was there when the UN secretary Ban Ki-moon came in ... He stayed there for about 10 minutes and just went. Why didn't he go into the camp and talk to the people and spend some time asking them what their problems were? I thought he has a responsibility and people were expecting something from him. They expected much from him and he just spent 10 minutes and that's it."

The officials told Gnanakumar she would be staying for a couple of days and would then be released. "And then the 48 hours turned into three days and then it turned into weeks and months and I thought OK, now I understand it

is not going to happen."

She was interrogated five times - what was she doing there? Why had she been in the hospitals?

The call to say she was going home came last week. She was taken to Colombo to meet the president's brother, Basil Rajapaksa.

"He said OK, you went through so much in the country and now you are released you can go and join your family and be happy. He wasn't sorry about it." She was then handed over to British officials.

She speaks in a matter-of-fact way, rarely betraying emotion. Her hair has been tied back tightly - she had beautiful hair before she left, she says, but lost most of

it in the camps. She is not sure what she will do now, maybe something in the field of medicine.

"I'm happy and proud of myself that I was able to help the people. I still think it is unreal that I am in the UK ... I never thought I would be alive and coming back, even in the camp.

"After looking at the people dying and dead bodies everywhere, it is like nothing threatens me any more, it is like I have had the hard time in my life and I think I am prepared to take up whatever happens in life now.

"I'm not that old Vany that sits down and cries for little things. I'm stronger now after going through and seeing all that prob-

lem. My mind is clear now."

The Sri Lankan high commission in London denied Gnanakumar's allegations and called the claim of more than 20,000 civilian deaths "unsubstantiated and fabricated". A spokesman said that at no time did it target "government hospitals or any other civilian infrastructure where the civilians were accommodated".

The spokesman said: "The government of Sri Lanka has all reasons to believe that Ms Gnanakumar has gone to Sri Lanka and worked in the conflict area according to the LTTE's agenda, while overstaying her visa." He said the government was "continuously assisting the internally displaced Sri Lankans".

Testimonies from the released from Manik Farm Camp

Groundviews

Testimony 1

Around 50-52 IDP families from Zone 5, Menik Farm were brought outside the camp with their belongings and asked to leave without any assistance. No transport provided. No proper documentation was given to prove the release. The military brought our belongings in a tractor until the entrance of the camp and then handed over to us. We walked till the entrance. Once our belongings arrived, we were asked to go home. But we didn't have any facility to go. We didn't

know where to go and how to go. This happened around 4.30 in the evening on 29th September.

All families had a minimum of one pregnant woman in a family. The total number of individuals were around 170.

5-6 families went to Mannar since they had relatives. But they came back midway since they got checked on the way and sent back to camps due to the reason that they didn't have proper paper work to confirm their release. Those families came back and asked the camp police to give them a letter. Police officer signed a document and those families went back to Mannar. We don't know what happened after that to

them. Before leaving from camp, we, five families, had asked police to write down our names and ID numbers in sinhala and sign it. These are the only documents we have. Though it is signed by the police officer, there is no official rubber stamp on it.

We have gone through very bad things in life. We fear what will happen to us.

Testimony 2

We are 5 families, 17 individuals, staying at this lodge somewhere in Vavuniya town. We are terrified. We were supposed to go to Jaffna and they told us that they will take us to Jaffna by bus. But

see what had happened to us. We can't trust anyone and we are terrified of talking. (This person was literally shaking as he was eating his dinner. All of them had bought food parcels.)

One from the lodge said, "This is charity. How can I let them stay outside. They have suffered enough. Please make arrangements for them to reach their homes safely tomorrow."

There were more IDPs seen in another lodge in front of this lodge. Not entirely sure, but could be around another 5 families. We don't know what happened to the rest of the families. The Government Agent is unreachable. She had apparently gone shopping,

when one called her home.

The UN, one of the persons we spoke to said had tried their best to give these people a ride to Vavuniya Kachcheri. But the GA refused and said that she is taking care of them. She obviously did not. The UN also said that every family has a release slip, which is supposed to be yellow in colour. However, the families in the first lodge said that they didn't have any such slip.

Update from the field:

The families stayed in different parts of Vavuniya went to the kachcheri this morning. They are being assisted there in terms of obtaining necessary assistance for their return.

Why peace seems elusive in Sri Lanka

Brahma Chellaney
Rediff

IF war-scarred Sri Lanka is to re-emerge as a tropical paradise, it has to build enduring peace through genuine inter-ethnic equality and by making the transition from being a unitary State to being a federation that grants local autonomy. Yet even in victory, the Sri Lankan government seems unable to define peace or outline a political solution to the long-standing grievances of the Tamil minority.

A process of national reconciliation anchored in federalism and multiculturalism indeed can succeed only if possible war crimes and other human-rights abuses by all parties are independently and credibly investigated.

United Nations Secretary General Ban Ki-moon has acknowledged civilian casualties were 'unacceptably high,' especially as the war built to a bloody crescendo earlier this year. The continuing air of martial triumph in Sri Lanka, though, is making it difficult to heal the wounds of war through three essential 'Rs': Relief, recovery and reconciliation.

In fact, the military victory bears a distinct family imprint: President Mahinda Rajapaksa was guided by two of his brothers, Gotabaya, the powerful defence secretary who fashioned the war plan, and Basil, the presidential special adviser who formulated the political strategy. Yet another brother, Chamal, is the ports and civil aviation minister who awarded China a contract to build the billion dollar Hambantota port, on Sri Lanka's southeast.

In return, Beijing provided Colombo not only the weapon systems that decisively tilted the military balance in its favour, but also the diplomatic cover to prosecute the war in defiance of international calls to cease offensive operations to help stanch rising civilian casualties.

Through such support, China has succeeded in extending its strategic reach to a critically located country in India's backyard that sits astride vital searoutes of communication in the Indian Ocean region.

India also is culpable for the Sri Lankan bloodbath. Having been outwitted by China, India was compelled to lend critical assistance to Colombo, lest it lose further ground in Sri Lanka.

From opening an unlimited line of credit for Sri Lanka to extending naval and intelligence cooperation, India provided war-relevant support in the face of a deteriorating humanitarian situation in that island-nation.

Sinhalese nationalists now portray President Rajapaksa as a modern-day incarnation of Dutugemunu, a Sinhalese ruler who, according to legend, vanquished an invading Tamil army led by King Elara more than 2,000 years

ago. But months after the Tamil Tigers were crushed, it is clear the demands of peace extend far beyond the battlefield.

What is needed is a fundamental shift in government's policies to help create greater inter-ethnic equality, regional autonomy and a reversal of the State-driven militarisation of society.

But Rajapaksa, despite promising to address the root causes of conflict, has declared: 'Federalism is out of the question.'

How elusive the peace dividend remains can be seen from Sri Lanka's decision to press ahead with a further expansion of its military.

Not content with increasing the military's size fivefold since the late 1980s to more than 200,000 troops today, Colombo is raising the strength further to 300,000, in the name of 'eternal vigilance.'

Soon after the May 2009 victory, the government, for example, announced a drive to recruit 50,000 new troops to help control the northern areas captured from the rebels.

The Sri Lankan military already is bigger than that of Britain and Israel. The planned further expansion would make the military in tiny Sri Lanka larger than the militaries of major powers like France, Japan and Germany. By citing a continuing danger of guerrilla remnants reviving the insurgency, Rajapaksa is determined to keep a hyper-militarised Sri Lanka on something of a war footing.

Yet another issue of concern is the manner the government still holds nearly 300,000 civilians in camps where, in the recent words of UN High Commissioner for Human Rights Navi Pillay, the 'internally displaced persons are effectively detained under conditions of internment.'

Such detention risks causing more resentment among the Tamils and sowing the seeds of future unrest. The internment was intended to help weed out rebels, many of whom already have been identified and transferred to military sites. Those in the evacuee camps are the victims and survivors of the deadly war. To confine them in the camps against their will is to further victimise and traumatise them.

Sri Lanka's interests would be better served through greater transparency. It should grant the UN, International Red Cross and nongovernmental organisations at home and abroad unfettered access to care for and protect the civilians in these camps, allowing those who wish to leave the camps to stay with relatives and friends.

Then there is the issue of thousands of missing people, mostly Tamils. Given that many families are still searching for



Even after winning the war, Sri Lanka plans to increase its military to be larger than that of France

missing members, the government ought to publish a list of all those it is holding - in evacuee camps, prisons, military sites and other security centres. Even suspected rebels in custody ought to be identified and not denied access to legal representation.

Bearing in mind that thousands of civilians were killed just in the final months of the war, the authorities should disclose the names of those they know to be dead - civilians and insurgents - and the possible circumstances of their death.

The way to fill the power vacuum in the Tamil-dominated north is not by dispatching additional army troops in tens of thousands, but by setting up a credible local administration to keep the peace and initiate rehabilitation and reconstruction after more than a quarter of a century of war. Yet there is a lurking danger that the government may seek to change demography by returning to its old policy of settling Sinhalese in Tamil areas.

More fundamentally, such have been the costs of victory that Sri Lankan civil society stands badly weakened. The wartime suppression of a free press and curtailment of fundamental rights continues in peacetime, undermining democratic freedoms and creating a fear psychosis.

Sweeping emergency regulations remain in place, arming the security forces with expansive powers of search, arrest and seizure of property. Public meetings cannot be held without government permission. Individuals can still be held in unacknowledged detention for up to 18 months.

For the process of reconciliation and healing to begin in earnest, it is essential the govern-

ment give up wartime powers and accept, as the UN human rights commissioner has sought, 'an independent and credible international investigation...to ascertain the occurrence, nature and scale of violations of international human rights and international humanitarian law' by all parties during the conflict.

According to Ms Pillay, 'A new future for the country, the prospect of meaningful reconciliation and lasting peace, where respect for human rights and fundamental freedoms can become a reality for all, hinges upon such an in-depth and comprehensive approach.'

Rather than begin a political dialogue on regional autonomy and a more level playing field for the Tamils in education and government jobs, the government has seen its space get constricted by the post-victory upsurge of Sinhalese chauvinism opposed to the devolution of powers to the minorities.

The hard-line constituency argues that the Tamils in defeat shouldn't get what they couldn't secure through three decades of unrest and violence.

Indeed, such chauvinism seeks to tar federalism as a potential forerunner to secession, although the Tamil insurgency sprang from the State's rejection of decentralisation and power-sharing. The looming parliamentary and presidential elections also make devolution difficult, even though the Opposition is splintered and Rajapaksa seems set to win a second term.

Add to the picture the absence of international pressure, despite the leverage provided by a cash-strapped Sri Lankan economy. The United States enjoys a one-

country veto in the International Monetary Fund, yet it chose to abstain from the recent IMF vote approving a desperately needed \$2.8 billion loan to Sri Lanka.

In the face of China's stonewalling in the UN, Ban Ki-moon has been unable to appoint a UN special envoy on Sri Lanka, let alone order a probe into possible war crimes there. By contrast, the UN carried out a recently concluded investigation into Israel's three-week military offensive in Gaza earlier this year.

Today, reversing the militarisation of society, ending the control of information as an instrument of State policy and promoting political and ethnic reconciliation are crucial to post-conflict peace-building and to furthering the interests of all Sri Lankans -- Sinhalese, Tamils and Muslims. So also is the need to discard the almost mono-ethnic character of the security forces.

Colombo has to stop dragging its feet, as it has done for long, on implementing the Constitution's 13th amendment, which requires the ceding of some powers at the provincial level. But these tasks are unlikely to be addressed without sustained international diplomatic intervention. As world history attests, peace sought to be achieved through the suppression and humiliation of an ethnic community has proven elusive. It will be a double tragedy for Sri Lanka if making peace proves more difficult than making war.

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