

# TAMIL GUARDIAN

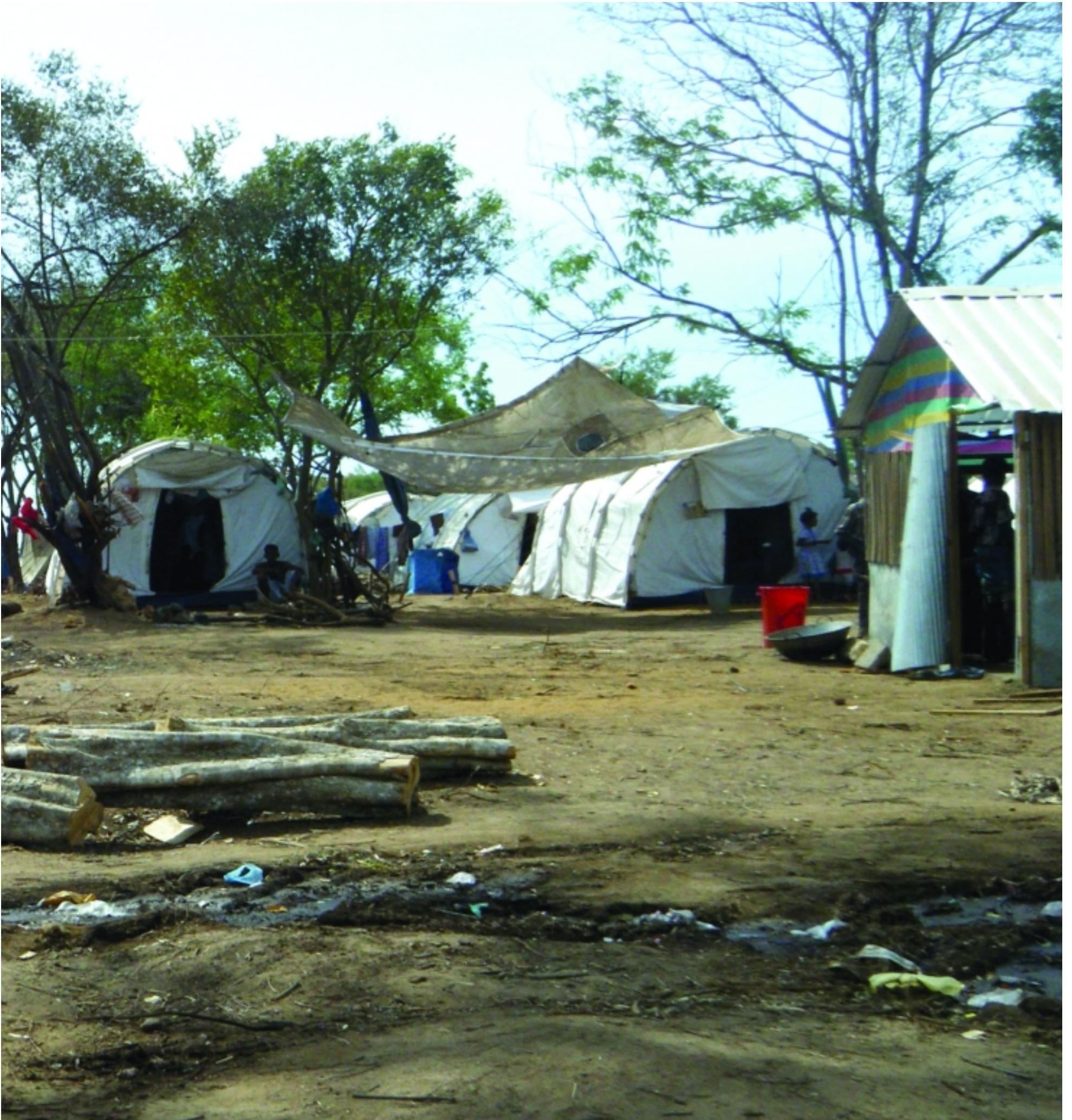
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*free fortnightly*

## How the Diaspora can keep the Tamil nation alive

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Nearly 250,000 Tamil civilians remain in internment camps, with those who have been lucky enough to escape speaking of over-crowded tents, inadequate sanitation and lack of sustenance. Those who have been 'released' have often merely been transferred to others detention centres, where their freedom of movement continues to be restricted.

## NEWS

# Refugees moved between camps

A SMALL percentage of the Tamil refugees held in camps since May have allegedly been released amid growing international pressure on the Sri Lankan Government over its human rights record. But reports suggest that the civilians were merely moved from one place of confinement to another.

About 5,700 refugees left the huge camp at Menik Farm, in the country's north, on October 22 to be resettled, the Government said.

Rehabilitation Minister Rishat Badurdheen told the press that 5,700 IDPs were allowed to return to their homes, claiming this was in keeping with a promise to release 80% of the inmates within a 180-day deadline.

The minister also claimed that another 36,000 would be resettled "over the coming weeks" as he spoke to the BBC.

Many of these civilians have been transferred to smaller transit camps or small shelters that have been set up in schools and other government owned buildings in other regions of the North and East, reports said.

On the same day, the US State Department released a report of possible war crimes committed during the final months of the civil war, citing actions by government forces and the Tigers between January and May 2009.

Senior Presidential Advisor Basil Rajapaksa, brother to President Mahinda Rajapakse, had led a press conference week earlier, where journalists were taken on tour and a ceremony was held to mark the release of 1,200 IDPs.

The press were told that the people would be allowed to resettle back in their original homes in the Mannar district.

The ceremony was held at Manthai West transit camp, where thousands of "released" IDPs were being held. These civilians had been taken to Manthai West from the camps in Chettikulam.

But witnesses said the displaced boarded buses that merely took them back to the camps.

Sunday Times photographer Ranjith Perera, who was amongst the journalists taken on the tour, reported that he witnessed the IDPs board a bus, said to be taking them to their homes, and then return back to the same Manthai West transit camp.

"It was more of a photo opportunity for the journalists" reported the photographer.

"Every aspect of the exercise was a fraud designed to deflect criticism at home and internationally over the detention of Tamil civilians," said Sarath Kumara of the International Committee of the Fourth International.

He called the event a "public relations charade".

When government officials were asked by the paper about the IDPs of Manthai West they were told that "the original houses of the IDPs had suffered heavy damage due to the heavy fighting... it was not possible to send them directly to their homes as their houses needed repairs".

There were also 144 Tamil students who were being held at Poonthoodam Child Protection and Rehabilitation Centre, a Vavuniya internment camp, being forcibly transferred to Ratmalana Hindu College in Colombo. Parents were told they could visit "once or twice a month".

The Sunday Times reported of another case of IDPs, originally from Mullaitivu, who the government claimed to have resettled.

It was uncovered that these Tamil civilians were being held in a transit internment camp in Thunukkai and were merely "allowed to visit their villages in Mullaitivu" and "(see) for themselves the damage caused to their houses".

Even Minister Douglas Devananda confirmed that IDPs from Mullaitheevu and Kilinochchi



Concerns about the poor conditions at the Menik Farm complex (in light of impending monsoons) have lead to inmates being moved out - but rather than going home, they have been taken to other centres

districts in Vanni are now being held in the detention camps in Mirusuvil, Kodikaamam, Naavaladi and Kaithadi in Jaffna.

Separately, in Trincomalee fifteen IDPs were abducted from a transit camp located in the complex of Eachchilampathu Sri Shenpaga Maha Vidiyalayam in Seruvila division. They were all Tamil men, who were married and aged between 25 and 45.

A group of unknown persons dressed in army camouflage uniform were said to have taken them and their whereabouts are currently unknown.

This is a situation that is seen all over the North-East of Sri Lanka as these smaller indefinite "transit" camps are established, observers said.

And this is now an open secret. "The government has widely publicised recent releases from the camps yet Amnesty International has received reports that many are simply transfers to other camps where the displaced may be subjected to rescreening by local authorities," reads a report by the international NGO.

The organisation "confirmed the location of at least 10 such facilities in school buildings and hostels originally designated as displacement camps in the north" while stating that there were "frequent reports of other unofficial places of detention elsewhere in the country".

Places such as Poonthotham Teachers Training College have been identified as "irregular

places of detention" and widely condemned.

"The danger of serious human rights violations, including torture, enforced disappearances and extrajudicial killings increases substantially when detainees are held in locations that are not officially acknowledged places of detention and lack proper legal procedures and safeguards", said Sam Zarifi, Amnesty International's Asia Director.

Since the climax of the civil war in May, over 240,000 Tamil civilians remain forcibly held in internment camps by the Sri Lankan Government. Repeated promises by the government to send these IDPs home have been broken and pressure is mounting on Colombo to act quickly.

## Donors 'frustrated' over lack of improvement

DONORS are increasingly concerned over the conditions in Sri Lanka's camps for internally displaced people (IDPs) and are less likely to provide funding if they continue to restrict IDPs' freedom of movement, say UN officials.

The donors are becoming increasingly "frustrated" over the closed nature and conditions of the IDP camps, said Neil Buhne, the UN Resident and Humanitarian Coordinator for Sri Lanka.

Conditions in the illegal detention camps, where over 240,000 Tamil civilians remain forcibly held against their will, have shown no signs of improvement as the threat of flooding from monsoon rains draws ever closer. "Among the donors we talked

to, there is a hesitation in terms of their assistance to camps over the next three or four months if there's not significant progress on people returning, or larger numbers of people being allowed to leave," Buhne told the Integrated Regional Information Networks (IRIN), a project of the UN Office for the Coordination of Humanitarian Affairs.

The Menik Farm camp complex, surrounded by barbed wire and 24-hour armed security patrols by the Sri Lankan Army, is the single largest concentration of Tamils in the country.

The camp has expanded rapidly and consists of 10 zones, with a population of nearly a quarter of a million Tamil civilians.

A United Nations Common Humanitarian Action Plan report identified that US\$270 million were needed for 15 projects, to which Buhne had said the response had been "pretty good".

However, he carried on to say "donor fatigue is really in respect to continuing these closed camps... Donors have not said no, but they have indicated their concerns to us".

The Government vowed to release 80% of the camp inmates by the end of the year, but that target now seems increasingly unlikely. "Large areas where people lived or used for economic activity... have been extensively mined... but demining takes time..." President Mahinda Raja-

paksa said at a meeting of the Asian Cooperation Dialogue in Colombo. He was trying to justify the failure to release the detained persons by the promised date.

"There have been numerous promises, but there needs to be tangible change. We want concrete action instead of promises," a senior official from a western donor agency told IRIN.

"If the camps open, then I think there will be a lot of donors willing to give more. But as it stands, the concerns are too great to continue to support a closed camp scenario," the official added, speaking on condition of anonymity.

"The message we're getting is that it may be difficult to sustain

the amount of funding we've had over the last months into 2010," concluded Mr Buhne.

This follows a recent announcement by the UK government also that it would no longer be able to provide funding for the camps. The British decision was announced after a visit to the Menik Farm complex by the country's international development minister Mike Foster, who was accompanied on his rare visit by BBC reporters, who were able to document the dire conditions in which the people actually lived.

There have been at least 2 protests by the camp inmates, both of which have been violently suppressed by the Sri Lankan Army.

## NEWS

# Seeking any escape from the camps

## The Australian

WHEN Muthu Kumaran returned to Sri Lanka in February 2007, he had hoped, even expected, that his Tamil people were about to win independence.

An Australian citizen and civil engineer, he wanted to be there when a Tamil state was established, freed from majority Sinhalese rule, and he wanted to lend his expertise in water management, too.

Instead, the father of two from Sydney's west would endure the brutal reality of the Sri Lankan government's final push to wipe out the Liberation Tigers of Tamil Eelam, the militant Tamil Tigers.

Kumaran was not only swept up in the renewed hostilities of a 25-year civil war, he was also detained in one of the notorious internment camps that are still home to nearly 300,000 Tamils.

He returned to Australia in the first week of August this year, having managed to buy his way out of the largest military-run camp in Sri Lanka, at Manik Farm.

And with so many Tamils still detained in their homeland, and the Rudd government wrestling with how best to cope with those who have escaped and are seeking asylum in Australia, Kumaran has decided to speak out about his experience and the plight of his people.

"People need to know, the international community needs to know, what it is happening in Sri Lanka," Kumaran tells Focus.

"The US, Britain, Australia, they talk about democracy and human rights. Well, they cannot keep their eyes closed to these things."

Fearing retribution here in Australia as well as for his extended family in Sri Lanka, Kumaran - not his real name - has requested his identity not be revealed.

Having first left Sri Lanka 35 years ago, Kumaran had planned on staying for an extended period when he returned in early 2007, perhaps to retire there eventually.

Basing himself in the northern city Kilinochchi, the de facto Tamil capital, he initially worked alongside non-government organisations Oxfam, Solidar, Forut and ZOA on water sanitation issues, as well as helping set up livelihood projects: teaching women how to dry banana leaves and make baskets for sale and setting up street stalls. He also taught English in schools.

However, in January last year the Sri Lankan government withdrew from a ceasefire arrangement with the LTTE and the military began moving north into Tigers-held terrain in a bid to wipe them out.

By December Kilinochchi was being targeted in bombing raids and Kumaran had to flee



Conditions in the camps were overcrowded and unsanitary, with insufficient food for the people there

with more than 100,000 residents.

The Sri Lankan government directed Tamils to evacuate to a designated safe zone at Visuwamadu about 10km away.

For the next 5 1/2 months Kumaran remained on the road, herded south through seven safe zones alongside hundreds of thousands of other banished Tamils known as internally displaced persons, or IDPs.

At each stop, an impromptu camp would be established in the belting heat, tents erected, bunkers, ground wells and toilets dug out, hospitals set up.

Then a few days later the bombs would resume and this mass of humanity would move again, the numbers swelling all the time.

"The roads would be chock-a-block. Lorries, tractors, bullock carts, pick-ups, motorbikes, push-cycles, people walking, everyone carrying bags. There were young children, pregnant ladies, babies, people on stretchers, you've never seen anything like it," he says.

Kumaran also says they regularly came under fire along the way from bombs dropped by the Sri Lankan air force, rockets from naval ships, long-distance shelling and rifle rounds from the jungle bordering the roadside.

He says he saw people killed and many injured. He ferried the bodies, dead and alive, to the nearest hospital or cemetery in a four-wheel drive.

"Twice my pick-up got hit, but luckily not me. I think maybe I saw a dozen people killed, maybe another 20 injured, right in front of me," he says.

By the time he left Mullivaikal in the second week of May, Kumaran was on foot, as were

almost all the 300,000 Tamils, his possessions reduced to just a plastic shopping bag containing clothes and his Australian passport.

Thirty-six hours later they came to a military screening point at Vavuniya, where everyone was frisked for weapons and directed to school grounds.

There, the sprawling crowd was ordered to divide into two groups: those who were associated with the LTTE and those who were not.

"We were told if we were

LTTE, to declare it and there would be an amnesty. But they said, 'We know you, if we find out you have lied, you will be severely punished,'" Kumaran recalls.

He joined the non-Tigers. They were then ordered on to buses and driven six hours to an area called Chettikulam, and a large swath of cleared jungle off the Vavuniya-Mannar Road. He had come to the Manik Farm internment camp.

Kumaran describes the camp as a series of blocks, separated

from each other by a road and strip of jungle. The facility was ringed by razor wire and guarded by armed troops.

He estimates about 2500 people were held on each block, housed in 160 tents, with 16 people to each 4mx4m tent. Each block also had a community kitchen, a medical facility and four toilets each for men and women.

Conditions were primitive at best, Kumaran says.

There were no plates or utensils, so meals of dhal curry and rice were eaten off plastic bags that were reused each day. Water was limited to two 1000-litre tanks a block. Disease was everywhere.

"I volunteered to be a translator for the Sinhalese doctors at the hospital. There was a lot of typhoid, chicken pox, fever, diarrhoea, malnutrition. People had large rashes because of the lack of bathing facilities, too," Kumaran says. "Our block, four people died while I was there, and another elderly gentleman hanged himself."

In all, he would be there for eight days. In that time he wrote to the Australian High Commissioner and the UN High Commissioner for Refugees in Colombo about his detention, letters a camp official agreed to send.

But before he heard back, Kumaran says he discovered via "the bush telegraph" he could buy his freedom.

He is reticent to reveal details of his escape or how much he paid, but he says he approached a local worker on his block who smuggled him out late at night

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## Sri Lanka 'resisting' investigations

THE UN High Commissioner for Human Rights, Navi Pillay, criticized the Sri Lankan Government on the issue of "accountability" and for refusing to co-operate "to our many requests for an international investigation of what we say is widespread acts of killing of civilians."

She made the comments during a speech at a press conference in Brussels.

"We have pointed out that they have in the past attempted to hold national investigations of very serious acts of killings that occurred of NGO and humanitarian workers and these investigations were dropped," said Pillay.

"They do not have a very good record in holding serious investigations. Now, I am engaged in discussions with the Secretary General over what kind of mechanism would be acceptable. But as I said the bottom-line is that the government is resisting these suggestions," said the for-

mer South African judge.

She also mentioned that "such a request has also been made by the (UN) Secretary General and we are working very closely with the Secretary General to hold the President of Sri Lanka to his promise which he made to the Secretary General that he will look into the issue of accountability and so we want to know what kind of mechanism is he setting up."

The UN Commissioner also mentioned that the Sri Lankan Government, both publicly and to the UN Secretary General stated that they would not allow her to enter the country.

Her call was reiterated by her colleague Rupert Colville a few days later.

"We still believe that something like the Gaza fact-finding mission is certainly warranted given the widespread concerns about the conduct of the war in Sri Lanka," said Colville, referring

to recent fact finding mission into the Israel-Palestinian conflict on the Gaza Strip earlier this year.

"It seems that more clarity is likely to emerge about who did what to whom and whether or not war crimes and crimes against humanity and other very serious war crimes were committed by one or both sides," said Colville, a spokesman for the UN High Commissioner for Human Rights.

"The issue of some 240,000 - 250,000 displaced people living in what are in effect internment camps continues to be of great concern... We hope the government takes serious actions to fulfill these commitments in the very near future" he added.

The statement comes after publication of a US State Department report that contained reports of atrocities committed at the climax of the war earlier this year. Sri Lanka has so far categorically rejected all calls for investigations into war crimes.

## NEWS

# Gaza-style inquiry needed says UN

AN inquiry similar to one that looked into fighting in Gaza may be needed to determine if war crimes were committed in Sri Lanka in the final throes of its 26-year war this spring, a U.N. office said on Friday, October 23.

"There hasn't been a full inquiry into what did or did not happen in the last months of the war," Rupert Colville, a spokesman for the U.N. High Commissioner of Human Rights Navi Pillay, said.

"We still believe that something like the Gaza fact-finding mission is certainly warranted given the widespread concerns about the conduct of the war in Sri Lanka," said Colville.

Colville was referring to the controversial probe by former international war crimes prosecutor Richard Goldstone into the recent conflict between Israel and the Palestinians in the Gaza Strip.

Goldstone's fact-finding mission was set up by a vote in the 47 member state UN Human Rights Council, which has so far not taken up the Sri Lankan issue.

Colville's comments came the day after the U.S. State Department detailed atrocities toward the end of Sri Lanka's civil war.

He underlined that the US report did not constitute the necessary full inquiry but he acknowledged that it "catalogues in quite some detail specific events that have been reported."

"It seems that more clarity is likely to emerge about who did what to whom and whether or not war crimes and crimes against humanity and other very serious war crimes were committed by one or both sides," he added.

Colville, speaking to a U.N. press briefing in Geneva, said that while the State Department findings were not exhaustive, it was important to credibly lay out what civilians endured as Sri Lanka's conflict neared its end.

"We still believe that something like the Gaza fact-finding mission is certainly warranted," he said.

In late May, the U.N. Human Rights council passed a resolution celebrating Sri Lanka's victory over the Tamils and blocked discussion on a European-drafted text raising concerns about the conditions endured by war survivors housed in Sri Lankan camps.

Sri Lanka said the vote vindicated its prosecution of the war

against the Tamil Tigers and should silence calls for a foreign probe into what it described as the Indian Ocean country's own internal affairs.

But the United Nations had then signalled that an inquiry could still happen down the line.

The 575-page Gaza report was produced by a four member team led by Goldstone, a respected South African judge and a former lead war crimes prosecutor for former Yugoslavia and Rwanda, after a week long fact finding mission in Gaza.

It condemned rocket attacks by Palestinian armed groups against Israeli civilians, but reserved its harshest language for Israel's treatment of the civilian Palestinian population in the Gaza Strip, both during the war and through the longer-term blockade of the territory, a New York Times report said.

The team focused on 36 representative cases, and in 11 of these episodes, the report said the "Israeli military carried out direct attacks against civilians, including some in which civilians were shot "while they were trying to leave their homes to walk to a safer place, waving white flags."



## Sri Lanka one of worst offenders of press freedom

SRI LANKA was ranked 162nd of the 175 countries in the latest press freedom ranking released by the Paris based Reporters Without Borders on Wednesday October 21.

The Asian countries that least respected press freedom were announced as North Korea, one of the "infernal trio" at the bottom of the rankings, Burma, which still suffers from prior censorship and imprisonment, and Laos, an unchanging dictatorship where no privately-owned media are permitted, RSF said.

"To compile this index, Reporters Without Borders prepared a questionnaire with 40 criteria that assess the state of press freedom in each country," the RSF said in a press release.

"It includes every kind of violation directly affecting journalists (such as murders, imprisonment, physical attacks and threats), and news media (censorship, confiscation of newspaper issues, searches and harassment). And it includes the degree of impunity enjoyed by those responsible for these press freedom violations," the RSF said on its website, explaining the details behind computing the index.

South Korea (69th) and Taiwan (59th) fell far this year. South Korea plummeted 22 places because of the arrests of several journalists and bloggers and the conservative government's attempts to control critical media.

The new ruling party in Taiwan tried to interfere in state and privately-owned media while violence by certain activists further undermined press freedom.

Two Asian countries were

included in the index for the first time: Papua New Guinea (56th), which obtained a very respectable ranking for a developing country, and the Sultanate of Brunei (155th), which came in the bottom third because of the absence of an independent press.

The report came as Sri Lanka announced plans to monitor and block websites that were "known to spread anti-government propaganda and feed incorrect information."

"Counter propaganda will be launched by the government to safeguard the present environment of peace and prevent unrest among the public," said Media Minister Lakshman Yapa Abeywardene at a press briefing.

"When browsing through some of these websites we wonder whether there is an insidious attempt to create a rift between President Mahinda Rajapakse and the military leaders," Yapa said.

"There has been a sharp increase in fabricated or misleading propaganda which has been a hindrance to maintaining peace and stability in Sri Lanka."

"The screening of the news reports and feature articles would be carried out by a committee especially selected by the Information Department," Yapa said.

Yapa said that the mainstream newspapers and TV channels have acted with responsibility, but a section of the electronic and print media that have "behaved in an irresponsible manner."

"Through newspaper advertisements we will correct misinformation and give the government's take on those issues while exposing websites that publish such misinformation," Yapa said.

## Execution-video 'authentic'

"THE video and audio of the events depicted in the Video, were continuous without any evidence of start/stops, insertions, deletions, over recordings, editing or tampering of any kind," said the preliminary findings from a US-based forensic company that took nearly three weeks to analyze the Channel-4 broadcast video allegedly showing Sri Lanka Army (SLA) soldiers extra-judicially executing Tamil captives stripped naked and hands tied behind their back.

US pressure group, Tamils Against Genocide (TAG) which sponsored the study, placed an embargo on revealing the details of the forensic company, until the final report is complete early November.

The notarised report contained determinations on ten different critical issues on the characteristics of the video and audio portions of the 3gp format file distributed by the German-based Journalists for Democracy in Sri Lanka (JDS) on 25th August.

The forensic firm used a firing range to conduct field experiments to arrive at some of the findings according to the report.

The key findings listed in the preliminary report include:

1. No evidence of tampering



or editing was discovered with either the video or audio portions of video

2. The blood pooled around the previous victim with the white shirt and with the victim of the 2nd shooting appears to be consistent with blood from the brain, which would contain high amounts of oxygen giving the blood its bright color. The fact that it is still bright in color appears to be consistent with it being very recent.

3. The audio delay with respect to both gun shots' audio compared with each corresponding rifle recoil is consistent for some, if not most, camera cell

phones that are capable of video recording.

4. Preliminary field test with a typical camera cell phone of similar audio qualities was able to record a MAK-90 gun shot with the camera cell phone being positioned in a similar camera field of view of the 2nd gun shot, or 12 feet away from the muzzle, without any distortion of the audio.

5. The leg of an apparent previous shooting victim lying prone on the ground, down range and at the feet of the first victim, rises in the air when the first victim is

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## NEWS

# US urges Sri Lanka to probe, prosecute possible war crimes

THE United States on Thursday October 22 urged Sri Lanka to probe and possibly prosecute those behind war crimes alleged to have occurred this earlier year.

State Department spokesman Ian Kelly urged Sri Lanka to take steps to "thoroughly investigate" what are "credible" claims of atrocities committed by government forces and the Liberation Tigers - claims contained in a new department report.

"The government of Sri Lanka has said that they are determined to establish a reconciliation process with the people of the north, but we believe strongly that a very important part of any reconciliation process is accountability," said Kelly. "This report lays out some concerns that we have about how this military operation was conducted."

The report to the Senate detailed a day-by-day account and said the alleged incidents in the final stages of war may constitute "violations of International Humanitarian Law or crimes against humanity and related harms."

But it said the report "does not reach legal conclusions" as to whether such incidents actually amount to violations of the laws of war. Nor does it conclude that the incidents mentioned actually occurred.

The 70-page report was compiled from intelligence reports from the US embassy in

Colombo, text messages and photographs from the war zone, foreign government sources and reports from human rights and media organisations.

The allegations are "based on reporting by the embassy, by international organizations on the ground out there, and by media and NGOs (non-government organizations)," Kelly said.

"We believe that they are... credible," the spokesman added.

"Information concerning the majority of incidents cited in this report originated in first-hand accounts communicated by persons from within the government-declared No Fire Zones and locations close to the fighting," said a press release issued with the report.

The report was submitted in accordance with the 2009 Supplemental Appropriations Act, which directed the secretary of state to submit a report "detailing incidents during the recent conflicts in Sri Lanka that may constitute violations of international humanitarian law or crimes against humanity, and, to the extent practicable, identifying the parties responsible."

The act also instructed the U.S. government to cut off financial support to Sri Lanka, except for basic humanitarian aid, until the Sri Lankan government respected the rights of internally displaced persons, accounted for



The indiscriminate killing of civilians is among many potential war crimes identified by the US report

persons detained during the fighting, allowed humanitarian organisations and the media access into affected areas, and implemented policies to promote reconciliation and justice.

The report listed Common Article 3 of Geneva Conventions, statutes of International Criminal Tribunals for the former Yugos-

lavia and Rwanda, and the statutes of International Criminal Court as "useful foundation for reviewing the conduct" described in the State Department's report.

"Ultimately, as appropriate, (they should) bring to justice those who are found guilty," Kelly said following publication of the report which was sent to

Congress on October 21.

The report covered the period from January - when fighting intensified - until the end of May, when Sri Lankan troops defeated the Liberation Tigers of Tamil Eelam.

It cited reports in which government troops or government-

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## Sri Lanka blasts US report

THE Sri Lankan government angrily rejected a US state department report containing allegations of human rights abuses in the final days of the country's civil war, saying the document would fan further conflict.

According to accounts said by a senior US state department official to be "credible and well substantiated", government forces abducted and killed ethnic Tamil civilians, shelled and bombed no-fire zones, and killed senior LTTE leaders with whom they had brokered a surrender.

Although the US stressed the allegations in the report did not constitute an accusation of war crimes, the Sri Lankan foreign affairs ministry in Colombo accused the US of smearing its reputation.

"The allegations against the government of Sri Lanka ... appear to be unsubstantiated and devoid of corroborative evidence. There is a track record of vested interests endeavouring to bring the government of Sri Lanka into disrepute, through fabricated alle-

gations and concocted stories."

"Thereby these interests hope to fan, once again, the flames of secessionism and to undo the concerted efforts of the Government and people of Sri Lanka, for rehabilitation and national reconciliation. The people of Sri Lanka therefore have every reason to be concerned that this report to the US Congress, may be abused for a similar end," said a statement issued by the Sri Lankan Ministry of Foreign Affairs said.

"Sri Lanka's domestic jurisprudence provides all the necessary scope for those perceiving themselves subjected to a violation of their human rights, to obtain redress through judicial directives to the concerned authorities," the statement said.

Stephen Rapp, the US ambassador-at-large for war crimes, called on Sri Lanka to investigate allegations of abuse by both sides.

"We want accountability in this situation," he said.

"We believe that [Sri Lankan authorities] can investigate this. We're trusting in that commit-

ment."

The report says it reaches no conclusions on the veracity of the charges, although Rapp said the individual sources were "credible and reliable" and that allegations had been corroborated.

The US embassy in Colombo also defended the report, saying a majority of the incidents cited originated from first-hand accounts from people who had been in government-declared "no fire zones" and locations close to the fighting during military operations that concluded in May.

The US embassy said the report detailed incidents that occurred during the final months of the conflict between the government and the Liberation Tigers of Tamil Eelam (LTTE) that might constitute violations of International humanitarian law or crimes against humanity.

"The report compiles alleged incidents, as reported by a wide range of primary and secondary sources, involving both sides in the conflict," the US embassy said.

## HRW calls for international probe

A RECENT US report into alleged war crimes committed during the last days of the war in Sri Lanka has necessitated the need for an independent probe, said the New York-based Human Rights Watch (HRW).

The "report should dispel any doubts that serious abuses were committed during the conflict's final months," said Brad Adams, HRW's Asia director.

"Given Sri Lanka's complete failure to investigate possible war crimes, the only hope for justice is an independent, international investigation," he added.

"Concerned governments should use the US State Department report as a clarion call for an international investigation. There are no more excuses for inaction."

Other in HRW echoed this view. "The Sri Lankan government cannot get away with hiding what it did to civilians during the war," Tom Malinowski, Washington advocacy director for HRW,

told IPS. "And this report helps to show that. It compiles all of the information out there about what happened and it turns out there's a lot of sources."

"If their goal was to win the war and not allow the world to see what was happening to civilian caught in the crossfire then they failed," Malinowski said.

"Human Rights Watch's own research into the fighting found that both sides repeatedly violated the laws of war," said HRW.

"The LTTE used civilians as human shields, employed lethal force to prevent civilians fleeing to safety .... Government forces indiscriminately shelled densely populated areas, including hospitals. Both parties' disregard for civilian life resulted in thousands of civilian casualties."

"In the absence of any domestic steps to investigate these terrible offences there does need to be, in our view, an international inquiry," said Malinowski.

## EDITORIAL AND OPINION

## TAMIL GUARDIAN

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## No Answers

## The logic of 'dialogue amongst moderates' amid genocide

For several recent years, the international community's approach to 'Sri Lanka' has been shaped, to a great extent, by the opinions and prescriptions of a select group of - largely British - analysts and policy makers. In their rarely self-questioned conviction, the reasons for war in Sri Lanka - and what consequently needed to be done for 'peace' - were blindingly simple: the root cause of war was the demand for Tamil Eelam and the 'fanatical' LTTE's armed struggle for this goal. Ergo, all that was need for 'peace' was Sri Lanka's 'democratic' government to militarily 'weaken' the LTTE thus bringing it to the negotiating table and making it give up Eelam. In short, the island's problem was 'violent conflict' (i.e. the LTTE) and not the character of the Sri Lankan state (and certainly not 'genocide' as the Tamils outlandishly claim).

This analysis has been utterly discredited by the conduct of the Sri Lankan state (as well as the most of the Sinhala polity) in both the murderous closing stages of the war and, especially, thereafter. But whilst the deliberate massacre of tens of thousands of Tamil civilians and the squalid incarceration of hundreds of thousands has compelled several international actors to look anew - and askance - at the Indian Ocean ethnocracy, the London-based policy nexus which theorised, argued for, and solicited international consensus around Sri Lanka's military onslaught is still insisting the strategy was essentially right, that 'peace' can yet emerge. These handmaidens of Sri Lanka's bloodbath will be proven disastrously wrong again. But not before the Tamils endure much more suffering and further bloodletting.

To begin with, the 'Sinhala first' logic that has informed state policy and the limits of politics since independence has been manifest in both the Colombo regime's conduct and the general support for these policies amongst most of the Sinhala polity and population. It is underlined not only in sustained state brutality towards the Tamils, but, equally, in Colombo's interactions with the international community. The historical persistence of state chauvinism is underlined in Human Rights Watch's observation that, of the commissions set by numerous Sri Lankan governments to investigate abuses, "none have produced significant results, either in providing new information or leading to prosecutions." Several international actors are thus coming to realise that the problem in Sri Lanka is, as

the Tamils have long been arguing, rooted in the character of the Sinhala-dominated state. Consequently, what is required for lasting 'peace' is that the state be compelled to adhere - well beyond mere rhetoric and lipservice as in the past - to the norms of liberal governance.

But, in contrast, the policy nexus that helped implicate the international community in Sri Lanka's mass slaughter is still blundering on in 'conflict resolution' mode. In their logic, their grand strategy is actually working; the LTTE is destroyed, ergo peace is at hand; what is required now is some governance reform and a little poverty alleviation. (The overlap between this logic and that of Sinhala militarism and ultra-nationalism is not inconsequential.) The hunt is thus now on to find 'moderates' of various ethnic hues. What is required, foremost, is to find Tamils who will unconditionally reject 'genocide' and 'Tamil Eelam' and engage in dialogue with the Sinhala regime (these are the prerequisites for Tamils to be deemed 'moderates'). What is less important here is Colombo actually treats Tamils as equal to Sinhalese.

At the root of this analysis is another form of chauvinism, one that has a colonial legacy and serves to both infantilize Third World peoples and trivialise their politics. Or put it another way, Tamil demands for 'self-determination' are deemed laughable, because as a people we are simply not considered capable of grasping the gravity or complexity of such concepts. The Tamils' demand for self-rule is thus seen qualitatively different from, say, that of the Quebecois'. Such condescension is not new - indeed it is exemplified in British colonial conduct in the run up to the island's independence and thereafter.

What is important, however, is that the horrors of contemporary Sri Lanka are not only laying bare the real drivers of protracted ethnic conflict there, but also revealing the dubious analytical and moral foundations of international backing for the Sinhala state. Meanwhile, though it has not yet been noticed, but for all of its bloodletting and cold-blooded cruelty, Colombo has still not been able to compel the Tamils to abide by Sinhala supremacy. The coming period will thus be one of rising Sinhala triumphalism, intransigence and oppression, on the one hand, and deepening Tamil suffering and defiance, on the other. No international strategy is thus more disconnected from reality now than one of seeking dialogue amongst 'moderates'.

## Children in Sri Lanka's concentration camps

Peter Schalk  
TamilNet

MORE than 250 000 humans are kept in concentration camps for "screening" by the Government of Sri Lanka, allegedly to discover "terrorists". The question arises why children are kept there, even babies. These Concentration camps are called "welfare camps" by the Sri Lankan Government.

I refer to the latest report by Human Rights Watch from October 10, 2009: <http://www.hrw.org/en/news/2009/10/09/sri-lanka-tensions-mount-camp-conditions-deteriorate>. It is in agreement with other international human rights organisations' reports. In addition, I refer to the EU Commission's report with an evaluation of Sri Lanka on 19 October 2009: [http://trade.ec.europa.eu/doclib/docs/2009/october/tradoc\\_145141.pdf](http://trade.ec.europa.eu/doclib/docs/2009/october/tradoc_145141.pdf)

The following information is documented by human rights' organisations in the field in August/September 2009. Names of the children have been left out here. The list makes it possible to follow up the fate of each child over time and makes denials by the Government of killings through neglect of children impossible. The list can be ordered from me. The world has an eye on every child listed. The list gives unfortunately only a part of the total number of children in all concentration camps.

■ Total number of children on the list: 1200

■ Names of the concentration camps and the number of children:

i. Vavuniya Anantha Kumarasami Camp: 118

ii. Vavuniya Arunachchala Camp: 65

iii. Vavuniya Kathirkamar Camp: 8

iv. Vavuniya Sheriliana: 50

v. Vavuniya Ulukkulam Camp: 959

■ Age of the children: Youngest: 1month. Oldest: 18 years.

■ Number under 5 years: 308

■ Girls: 536 Boys: 664

■ Orphans: 1082

The following is an eye witness report with special regard to children from a prisoner in a concentration camp. The prisoners managed to get free in August 2009. The whole report was published in October 2009 ([http://www.tamilnet.com/img/publish/2009/10/Living\\_in\\_Menik\\_Farm.pdf](http://www.tamilnet.com/img/publish/2009/10/Living_in_Menik_Farm.pdf)), but the section on children was slightly revised for this message by the former prisoner who rightly prefers to be anonymous.

"I was interned in the ---- camp of Menik Farm----. During those four months in the camp, it is the condition of the children at the camp that I found most depressing. I was too timid to go around collecting statistics though it would have been easy to collect statistics because of the proximity of the people crowded within a small area. However, I observed carefully and was overwhelmed by the wasting away of the children.

"Newborn babies are sent to the camp conditions, which are unsuitable for adults, just few days after being born. Toddlers play in the filthy area right in front of the toilets. I have never seen flies and mosquitoes in such numbers in my life.

"While eating, one hand is fully occupied with chasing the flies; a practice that children will not adopt thus consuming food contaminated by flies that come straight from the toilets very nearby. Children of well off families who appeared well cared for on arrival at the camp were visibly wasting away during the stay in the camp. The contributory factors were poor diet, the hostile weather, and continuous illness.

"Majority of the children including infants did not have milk (powder) except an occasional packet handed out by some charity. Once a father of a seven month old baby came begging for some sugar to put in the plain tea (black tea) to be given to his seven month old baby because the mother did not have enough breast milk and the baby was hungry. Plain tea had become the regular diet for this baby.

"The diet was most definitely inadequate for the children despite some nutritional supplement that were distributed. There was no milk, meat or vegetable in their diet. Sometimes soya bean was given but they were of rotten quality and children would hardly eat them.

"Illness among children was pandemic and it wasted them. Small injuries became infected and caused problems. Vomiting, fever or diarrhea seemed a natural condition in most children. Measures of malnutrition maybe a standard way of measuring worst affected children but it does not capture the general condition of children wasting away. When a child runs a fever most parents worry a lot fearing Hepatitis-A infection.

"The queues are very long at

## OPINION

# The UK Column



## Defying the genocide

THE Tamil Diaspora's continued public activity of marches, protests and public meetings is a critical part of the ongoing struggle to safeguard the Tamil national identity and secure Tamil political rights. This is because Tamil political activity plays a vital role in affirming the existence of the Tamil nation and thereby defies Sri Lanka's genocidal policies.

Sri Lanka's sixty years of oppression has reached a climax. The machinery of the state is now focussed quite brazenly on eradicating the Tamil national identity. The internment of Tamils in squalid camps, the abductions and assassinations, the killing of journalists are all aimed at annihilating the existence of the Tamil nation.

Under these conditions, we in the Diaspora have an important role to play in preserving the Tamil national identity and continuing the struggle to secure Tamil political rights. By doing so we can ensure that Sri Lanka is never able to completely erase the Tamil national identity.

Nations only exist when their members act as if they exist. Conditions in Sri Lanka are increasingly making it impossible for Tamils to express their political will or maintain their national identity. In the Diaspora however, we face no such restrictions and must take every opportunity to set forth our demands and express our aspirations.

Disappointment with international inactivity or apathy over Sri Lanka must not be allowed to deter these efforts. Sri Lanka will have succeeded in its objective of obliterating the Tamil nation if all the Tamils in the Diaspora slipped into apathy and fell silent.

Just by making our demands in public we deny Sri Lanka's claim that there is no Tamil nation and no Tamil problem in Sri Lanka. Every time Tamils get together to express their wishes Tamil national identity is affirmed. We are all familiar with Sri Lankan agents' constant efforts to disrupt our activities. Sri Lankan officials do this because they understand how important protests, meetings and marches are in preserving and maintaining the Tamil national cause.

Meetings, protests and marches are therefore not just about setting out a series of demands, they are also about expressing who we are and demonstrating our determination to continue our struggle whatever the obstacles we may face.

Symbols are therefore very important. When we protest or march demanding an end to internment or the enforcement of international law, we are not merely marching or protesting as human rights or hu-

manitarian advocates. We were also marching and protesting as Tamils determined to defend our national identity. This is why along with countless placards demanding humanitarian access, ceasefires and the observance of human rights norms, there is always a sea of red and yellow symbols and maps of our homeland.

There are many different types of activity through which the Diaspora can keep the Tamil identity alive. Huge marches, massive demonstrations and high profile protests are sometimes the best way and will continue to play an important role. At other times small constituency meetings, public lectures and debates, meetings at universities or community organisations, smaller and more limited protests and petitions are also equally effective.

These efforts are important in part because they keep the Tamil problem in the public eye. They are also important because they serve as a constant and visible reminder of the continued existence of the Tamil nation. So long as the Diaspora remains active and engaged, the Tamil national cause will continue to withstand the genocidal violence of the Sri Lankan state.

The previous months of almost constant and frenetic activity have achieved some important results. Firstly the Tamil issue now on the international agenda as it has never been before. Although the Tamils continue to endure Sri Lanka choking violence, there is now widespread international agreement that Sri Lanka's treatment of the Tamils is at the core of the island's protracted political crisis.

There is also a growing consensus on the need for a credible mechanism of justice. Human Rights Watch and Amnesty International have condemned Sri Lanka's efforts to investigate its own abuses as shambolic and farcical. For the first time key Tamil concerns - such as the use of rape as a weapon of war, ethnic cleansing, the violation of the rule of law - have been taken up by prominent international actors and organisations.

This past year of protest, which coincided with arguably the worst year for the Tamil nation, has shown that the Tamil people are not easily defeated. Whilst Sri Lanka stays true to its past by refusing to engage with credible Tamil leaders, the international community now knows that the Tamils must be taken on board.

For this reason we must continue to make our demands and express our identity in public. Every time we do so we defy Sri Lanka's genocide.



the OPD clinics inside the camp and the doctors work at break neck speed. I have seen a doctor writing a prescription to a 12 year old boy without finding out what is wrong with the boy. The medicines that are dispensed are arranged in a table and the total list of medicines consists of around 30 different medicines. The medicine dispensers too work with breakneck speed in dispensing them. Once an educated mother told me that she visited the doctor for treatment for her baby as well as for herself. The medicine dispensers mixed up the medicines and gave the baby what should have been given to the mother. Since the mother had some awareness of the medications she spotted it. Most mothers in the camp who do not have such awareness would have given the adult medicine to the baby. God only knows how many babies, children and even adults died due such medical negligence. Who is there in the camp to watch, monitor and investigate? Deaths are just that, deaths and no investigations are done as to the cause of it.

"Patients often queue up for doctors for hours even before the doctors arrive from outside. No one in the OPD clinic will know when the doctors are likely to arrive. One just waits around taking one's chances. For all this the level of sickness among inmates is far higher than among the population at large and it is obvious.

"Take the eight tent group where I was staying. Five of the tents out of the eight had children under 10. One child died; one became seriously ill and taken away to Vavuniya hospital and all the other children had frequent fever, vomiting and diarrhoea. The children were wasting away and it was visibly obvious. Some of the children had persistent skin disease despite several visits to the doctors and treatment. Four of the children contracted Hepatitis A and the parents were told by the doctors to just take good care of them and give lots of fruits because the hospitals had no medicine. Fruits were very expensive in the camp. There is a native treatment for Hepatitis A involving a plant named "Keelkainelli" in Tamil. Even to

get this plant was a struggle because it meant someone has to bring it from outside and hand-over to the inmates at the meeting spot as described later.

"People young and old suddenly dying after a few days of fever is a common occurrence. All of us were left puzzled as to the cause and no one gave any explanation. All of us without exception have suffered diarrhoea at least once and most of us many times.

"I used to keep telling myself during the stay in the camp how lucky I was that I do not have any young children under my care. The unhygienic living, especially the play area and the continuous illness is an ordeal for the young mothers. Even thinking about the condition of newborns and their mothers who are sent back to the camp conditions soon after birth is an ordeal. Perhaps the most telling scenes of the camp conditions and the health service can be found by visiting the OPD clinics and observing young mothers with very sick babies waiting for long time in queues with tears trickling down their face.

"Children went to makeshift schools staffed by teachers who were also interned in the camp. Many teachers have lamented how they can teach while living under such conditions. The school is made up of sheds with uneven floor covered with tarpaulin. The children cannot even place their books on the uneven floor to write. They have to keep the soft cover books on their knees to write.

"Most of the young children have to carry very heavy buckets of water to assist their parents who are also struggling to care for the children often as a single parent. The little bodies bent like a question mark under the weight surely would have done permanent damage.

"If we can tolerate the incarceration of the entire population of young children from a community which is clearly leading to long term damage to their development, how does this measure up in any of the international humanitarian/human rights laws? Can the long term damage done to them be measured and judged?"

## NEWS

# 30,000 Tamils march in London over Sri Lanka's internment camps

TamilNet

MORE than 30,000 British Tamils marched to draw attention to the Sri Lankan government's continued incarceration of over 280,000 Tamils in military supervised camps despite earlier pledges to release within 180 days from the end of war in May.

Protesters, young and old, carried banners and chanted slogans expressing that 150 days have passed with no concrete steps taken to resettle the Tamils held in the "concentration camps" in Vavuniya.

The protest march, which coincided with the Hindu Deepavali (festival of lights) celebrations, started at 1:30 p.m. from Temple - Embankment Station, through central London, before the rally congregated at Hyde Park.

This protest comes at a time when the international community is indecisive of its future actions towards the Sri Lankan Government which has committed the worst human rights violations, and alleged war-crimes, spokesperson for the march organizers said.

A Tamil protester said, "This is just a start, we have started the countdown ... Tamils around the world will join in the campaign to unlock the concentration camps."

With hundreds of red and yellow Tamil Eelam flags, Union Jacks and United Nations Flags hoisted, the marchers harrowed large banners and pictures portraying the desperate situation faced by the Tamil internees in Sri Lanka.

Large bill-boards carried clips of the disturbing footage aired on Channel 4 News showing the shooting of gagged Tamil men by Sri Lankan forces.

Many carried placards and Banner messages of protest against the UN Secretary General, Ban Ki-Moon, whilst others hoisted flags of the United Nations, appealing to the UN to uphold international peace, security and human rights.

"We wouldn't be here if we didn't still have hope in the international laws that protect the fundamental rights of all citizens - we just want these rights to be upheld for Tamils in Sri Lanka," said a protester carrying a placard charging the UN Secretary General of being complicit in Genocide of Tamils.

A street performance of the "Concentration camps" and armed military imposing aggression on the Tamil Civilians grabbed the attention of many tourists and passers-by on central London streets, an attendee to the protest said.

The rally was joined by leading London parliamentarians, Columbian, Kurdish, Palestinian solidarity, members of Sikh communities in Britain, as well members of civil liberties and social justice organizations, according to the participants.

Ed Davey, MP for Kingston and Surbiton, acknowledged that the camps are "detention camps" and not internally Displaced Camps. He further stated "we must end the trade concessions... if they [Colombo] refuse to listen, if they do not set the people free from camps... they could face individual target sanctions against them." Davey strongly proposed a travel ban on Sri Lankan Diplomats visiting Europe.

Andrew Pelling, MP for Central Croydon, questioned "How can a 5-year-old child, who stands at the barbed wire, be a threat to the Sri Lankan government? It's clear Sri Lanka is willing to brand anyone, even a 5-year-old child, as a terrorist."

"Words are not enough when people are losing lives everyday... you need action and you need hope... Every individual who is in the camps should be returned to their home in peace and dignity," Lee Scott, MP for Ilford North said when he addressed the protesters.

Andrew Charalambous, Conservative PPC for Edmonton, one of the many Prospective parliamentary candidates who are working closely with the expatriate Tamils in the UK said, "Expulsion from Commonwealth... we shouldn't even be considering them to be part of GSP Plus in EU... [Sri Lanka] must be given a deadline to open the concentration camps... If not... we should work with the United Nations, to get a resolution and impose economic sanctions."

Andrew Higginbottom, Latin-American Solidarity, told the protesters "Sri Lanka sent their general to Europe to say that this video is a fabrication and a fraud. If it is a fabrication then you will open the doors of the detention camps, allow the UN investigators in there."

"I appeal to the Chairman of Marks and Spencer, Tesco, Asda to stop buying goods from this country until they unlock the camps," said Keith Vaz, MP for Leicester East and Chairman of the Home Affairs Select Committee.

Joan Ryan, MP for Enfield North, in her speech said "We call upon the United Nations to live up to its mandate to protect those whose human rights are being trampled under foot and speak up



and do all that it can on behalf of the Tamil people held in these camps."

Siobhain McDonagh, MP for Mitcham and Morden, "it cannot be right to keep a tenth of your population behind barbed wire at the same time as asking international community for aid to keep them there, and it's only the aid from the international community that is keeping them there."

"No government can stand aside while people are in imprisoned in the camps and enduring this intolerable suffering so we're calling upon all governments of

the world to move against Sri Lanka and demand the freedom the Tamil people in the camps," said John McDonnell, MP for Hayes and Harlington.

Sarah Colborne - Palestinian Solidarity, James Allie and Daniel Bessong - Councillors for Brent, Cllr Keith Prince - Leader of Redbridge, Cllr Julian Bell - Leader of the Ealing Labour Party and researcher for the All Party Parliamentary Group for Tamils (APPG-T), also addressed the rally.

Barry Gardiner, MP for Brent North, finished with a note of

hope from his own country's historical struggle. "I am a Scotsman, a small country oppressed for many, many, many years by the English. It took us 300 years, but eventually it was our king who took over the Crown of England... 'to serve justice', that is the message of hope... Pray to god, it doesn't take 300 years till we see justice in Sri Lanka."

Tamil Youth Organization (TYO), British Tamil Forum (BTF) and other Tamil representatives also addressed the rally with the event concluding at 6pm.

## NEWS



## Tamils hold "Will Break the Obstacles!" rally in Berlin

TamilNet

TAMIL Diaspora in Germany gathered in Berlin on October 22 to stage a protest march in an effort to draw the attention of the international community to the pathetic plight of Tamils interned in Sri Lanka Army (SLA) camps.

Two youths, representing students in Tamil Nadu, T. Sreenivasa Rao and Iraa. Gnanasekaran, on their journey in Europe to take part in the UN conference on Global Warming Awareness in Denmark on 7 December, took part in the march and rally.

They have made it their duty to raise their voices for the

interned Tamils, in all the countries they pass through, sources in Berlin said.

The demonstrators marched four km through the main streets of Berlin and held a meeting in front of the world famous Brandenburger Gate.

Asia representative of the Society for Threatened People, Ulrich Dalius, Human Rights activist and German parliamentarian of Green Peace Party, Volker Beck and Ms. Shopia Deeg, Palestine journalist and writer of International Solidarity Movement spoke at the meeting.

Both Seenuvas Rao and Gnanasekaran addressed the meeting in Tamil and English condemning the Sri Lankan gov-

ernment for the atrocity committed against innocent Tamils interned in camps surrounded by barbed wire.

At the beginning of the march the student representatives from Tamil Nadu and Ulrich Dalius submitted a memorandum to Manuel Muller, the Foreign Ministry Officer in charge of Sri Lankan affairs, which requested urgent assistance to provide the needs of the inmates in the internment camps.

Manuel Muller said that German government is not wholly satisfied with Sri Lanka in treating the Tamils detained and that it is carefully observing the conditions in Sri Lanka and the attitude of its government, the sources added.

## Politically active Tamil diaspora youths under British spotlight

TAKING a look into the new political activism of the current generation of diaspora Tamil youths, Financial Times, a premier British Daily, said the "ending [of the war] in Sri Lanka was also a beginning," and many youths experienced a political awakening after devoting a lot of time to the protests and some missing a year of their college.

"As one generation of the Tamil diaspora sees its struggle for Eelam, an independent homeland, end in failure, their sons and daughters, who have spent their formative years in the west, are taking up the struggle. But they will fight it on their terms, using their strengths, fomenting a

BlackBerry revolution," the paper said.

The paper profiled two new generation expatriate Tamils, Bala Muhunthan, 22, a Tamil youth privately educated in Denmark and attending a leading business school in England, and Jan Jananayagam, a second generation Tamil activist who received a computer degree in England and a post-graduate business degree in Paris, and who ran as an independent candidate for London in last June's European parliamentary elections.

"Muhunthan, the son of an accountant and a doctor, had responded to the Tigers' apparent defeat with optimism - seeing it

as a second chance. While disappointed to have lost a powerful ally, he now felt free to pursue the non-violent means he had always preferred. He also saw an opportunity to present his ethnic group as something other than terrorists, a label he found frustrating when dealing with fellow students," the paper said.

"You always have to explain: 'Look, Tamil -people are suffering,'" the paper said quoting Muhunthan.

"Muhunthan is one of a group of young -people who now want to move the separatist struggle into a more diplomatic, PR-

## Time to support the Tamils, say British Conservatives

TamilNet

INCREASING involvement in British politics and reciprocal openness of the British political parties was marked by a part-televised event held in Essex Sunday where several incumbent and prospective parliamentarians from the British Conservative party reached out to their Tamil constituencies and articulated their positions on the conflict and its consequences in Sri Lanka.

The event was the first one in a series planned by the recently formed British Tamil Conservative Association (BTCA).

Members of Parliament from the British party were keen to stress both their sense of fairness as well as their orientation towards action over rhetoric, according to a BTCA attendee.

Conservative candidate, Robert Halfon, echoed in his website, the sentiments expressed Sunday stressing the need for autonomy for the Tamils saying they deserved nothing less.

The event reflects the growing confidence with which this once-immigrant Tamil community is engaging with the domestic political space, a trend picked up last weekend by the cover story of the Financial Times magazine edition in London, a Tamil activist youth attending the event said.

Traditionally, it has been the Labour party in Britain that has positioned itself as the "party of immigrants" - at least in the eyes of many first generation British Tamils. However, as the Financial Times pointed out the Tamil Diaspora for historic reasons fits a middle class stereotype, its members largely consisting of professionals and entrepreneurs.

As the Diaspora integrates in their adopted countries and with the emergence of a confident and assertive second generation, British Tamils are increasingly confident in looking for political parties that fit their values and most importantly their sense of justice and fairness with respect to foreign policy on Sri Lanka.

With general elections scheduled for next year and the political conference season over, the campaigning has commenced with some vigor.

The Labour party in its annual conference passed a resolution that condemned "the detention by the Sri Lankan government of 300,000 men, women and children" as inhumane. Tamil political analysts say the British Tamil community is watching closely for the parties to clarify a party-wide policy towards Sri Lanka, a

conference resolution was an important first step.

While individual members of parliament have built close relationships with their constituents a broad policy change is required for effective action, BTCA said.

A traditional British dinner of roast lamb was preceded by a toast to the Queen, and a one minute silence in memory of those who had lost their lives in the recent conflict in the Vanni. Raffle prizes included a book signed by Conservative leader David Cameron, and afternoon tea at Westminster, BTCA said.

After dinner the candidates and members, in a series of speeches, outlined their views on the Sri Lankan conflict and on the pressing issue of the internment camps.

James Brokenshire, the Shadow Minister for Home affairs spoke of the unacceptable nature of the internment camps in Sri Lanka. He said that the past six months of internment is six months too long. He spoke of the need for a long term solution to the ethnic conflict and in support of Tamil autonomy and stressed that while the present British government had been long on words it had been short on action.

Lee Scott, MP for Ilford North reiterated the stand that he has consistently taken in parliament describing what was taking place in Sri Lanka as genocide. The internment camps were particularly on his mind, he said, in view of his upcoming visit to Auschwitz. Andrew Charalambous, prospective member for Edmonton shared this view and supported a two state solution to the ethnic conflict. He was keen to rename the British Tamil Conservative Association as the "Conservative friends of Tamil Eelam".

Robert Halfon, candidate for Harlow said of the internment camps "This desperate situation cannot continue. It does nothing to bring about peace, and if anything exacerbates long held grievances felt by the Tamils." He too stressed the need for autonomy for the Tamils saying they deserved nothing less.

Andrew Rosindell, Member of Parliament for Romford, said his party stood for fairness and human rights. All of the speakers deplored the internment camps and the discrimination against Tamils in Sri Lanka. These included Tony Boutle parliamentary candidate for Ilford South and Gavin Barwell, candidate for Croydon Central among others.

Continued on p10

## NEWS

# Tamils demonstrate in front of UNICEF

Andrew Moran  
Digital Journal

ON a cold autumn day, dozens of mortified Tamils protested in front of the UNICEF office in Toronto at Yonge & Eglinton to show their frustration of UNICEF's lack of action of the crises in Sri Lanka.

On Friday October 23, three simultaneous demonstrations occurred in the Greater Toronto Area by the Coalition To Stop The War In Sri Lanka. Dozens of Tamil activists rallied at the corner of Yonge and Eglinton, one of the busiest intersections in the Toronto area, to ask the question: "Why is UNICEF not using its mandate and its voice to save these children and their loved ones from Tamil concentration camps?"

New photographs emerged on the Internet on the same day as the protest. This time of Tamil men brutally fatally wounded. A young anonymous protester said that many of the Tamils at the demonstration were mostly there because of these latest images and to show the growing outrage among the public of the conditions in the displacement camps.

Jeevan Kumar, a spokesperson at the event, told Digital Journal that the most vulnerable people in the camps are children and that is one of the primary reasons that UNICEF needs to intervene. "A lot of them are suffering from diseases, malnourishment and now even abductions have been going on," Kumar explained.

Brad Adams, Asia director at Human Rights Watch, recently stated, according to a press release that was e-mailed to Digital Journal, "The government has detained people in these camps and is threatening their health and even their lives by keeping them there during the rainy season floods. This is illegal, dangerous, and inhumane."

One of the most pressing issues within the "death camps" in Sri Lanka are kidnappings and ransom because a lot of people try to flee the barbed wire facilities.

"The government of Sri Lanka, troops, paramilitaries that operate, if they know you have relatives back home in a foreign country, they're kidnapping the kids so they can get a ransom. Eventually those parents communicate to relatives in foreign

countries and say, 'You know what, these kids are being kidnapped and they want a ransom.'" He further added that the United Nations has actually confirmed these incidents.

A lot of children, as many images show at these protests, are being raped, tortured and even killed by hanging. A large of number of children over the age of nine are separated into different torture camps and are slaughtered by the government of Sri Lanka.

There are 85,000 children in the camps and many of them, as Kumar touched upon, are experiencing psychological torment and need to be assisted as soon as possible. Children have to walk through dead bodies just to reach help and get to safety, "they're traumatized."

History has shown that foreign occupiers or rebel groups, such as the ones in Africa, try to manipulate children and re-educate them in order to abide by their way of thinking and train them to be child soldiers. Kumar told Digital Journal that a lot of these kids are being fed propaganda not just by the Sri Lankan government but by Singhalese. "The ultimate aim is to have the kids, when they grow up, to lean towards the government." And later adding, "What is UNICEF going to do for these kids?"

Last month, as reported by The Times Online, James Elder, the official spokesperson for UNICEF, was ordered to leave Sri Lanka by the government. Therefore, like the two Canadian Members of Parliament who were denied visas to visit the former war-zone, this has made Tamils worldwide very suspicious of what the Sri Lankan President has to hide.

In June, Elder told The Australian, "The nutritional situation of children [in the camps] is a huge concern for UNICEF, and restrictions on access hinder our ability to save lives."

Another important challenge facing the 300,000 Tamils in the internment camps is the upcoming typhoon season, which would cause serious disease and deaths. Kumar explained that money given by foreign governments



would not go to potential victims in the camps, such as Norway's recent aid of 77 million Kroner, which many Tamils feel would be kept by the Sri Lankan government and not given directly to the people who are most in need of drastic assistance.

This week, Digital Journal reported that the Sri Lankan economy is starting grow and the government stated that they can decrease their military spending because the 28-year civil has come to an end. However, Kumar stated that military expenditures are actually increasing.

"They've raised the military expenditures by another per cent [or so] but at the same time, they have declared the war over. And yet they're still housing the people in camps."

There are 1.2 million Tamils inside Sri Lanka, however, majority of them are being oppressed and are unable to function normally in everyday society, according to Sahabthan Jesuthasan, a Toronto Tamil demonstrator.

All three men, including Shoban Jayamohan, another Tamil demonstrator in the GTA, are not at all surprised by any measures,

past, present or future, taken by the Sri Lankan government against the Tamil people. But they demand action by UNICEF, UN, European Union, United States and Canadian government to stop the "genocide" and want the appropriate and affective diplomatic steps to take place.

"This is why they are rallying again for the 2nd time to remind UNICEF of their responsibilities and request that they will protect the Tamil Children and their loved ones from the Sri Lankan brutal regime and uphold the human rights for these children."

## Politically active ...

*continued from p9*

friendly - and, they hope, successful - phase.

He has recently set up the Tamil Solidarity Movement, a campaigning group that rejects violence. The movement hopes to rely on "networking" with MPs and discouraging western companies from investing in Sri Lanka, rather than on "chanting in Parliament Square," the article said on Muhunthan's new approach to Tamil activism.

"Articulate and driven, Jananayagam confirms the stereotype of the Tamil diaspora: she used to work as a bond trader at the investment bank Credit Suisse and ran her own hedge fund. She is now busy planning for next year's British general election; she hopes to persuade MPs to show a commitment to the Tamil issue, and the Tamil community to use their -voting power accordingly," the paper said.

Ms Jananayagam campaigned as a candidate to the European Parliament on not only a two-state solution in Sri Lanka but also on more transparency in

derivatives markets.

"I am very positive about the second generation," Jananayagam says of the Tamil diaspora's chances of securing more western intervention.

"They are so sure of their status in their country - they were born as citizens there - and they will just ring their MPs or senators to ask for these things," the paper said quoting Jananayagam.

She is now busy planning for next year's British general election; she hopes to persuade MPs to show a commitment to the Tamil issue, and the Tamil community to use their voting power accordingly, the paper said.

While the first generation think there is no more hope, they also recognise that their children's "new way" presents a ray of hope.

"The young ones are passionate about the struggle in a way that has surprised their parents," an engineer who wanted to remain anonymous told the paper.

"And their approach is very different - they want to use democratic and diplomatic means. It's good. They should not make the mistakes that we did."

## Execution video ...

*continued from p4*

shot, and then slowly drops to its former position. This reaction appears to be from the bullet that passed through the first victim and then striking the down range victim and would be consistent with a victim that was very recently shot that has not died yet.

TAG officials told TamilNet that the official copy of the preliminary findings will be released as soon as the draft for the final report is complete. TAG also intends to issue a separate supporting document containing the background technical information necessary to understand the ongoing dispute raised by the Government of Sri Lanka on the authenticity of the video.

Earlier, Philip Alston, the UN Special Rapporteur on extra-judicial, summary or arbitrary executions, dismissed Sri Lanka's investigations as not independent.

"The only way to do this [authenticate the video] is for an independent and impartial investigation to take place," he said.

## OPINION

# Colombo's victory over the Tamils shows India's power is on the wane

**Brahma Chellaney**  
Mainstream Weekly

THOUSANDS of non-combatants, according to the United Nations, were killed in the final phase of the Sri Lankan war this year as government forces overran the Tamil Tiger guerrillas. Nearly five months after Colombo's stunning military triumph, the peace dividend remains elusive, with President Mahinda Rajapaksa setting out—in the name of “eternal vigilance”—to expand by 50 per cent an already-large military. Little effort has been made to reach out to the Tamil minority and begin a process of national reconciliation.

China, clearly, was the decisive factor in ending the war through its generous supply of offensive weapons and its munificent aid. It even got its ally Pakistan to actively assist Rajapaksa in his war strategy. Today, China is the key factor in providing Colombo the diplomatic cover against the institution of a UN investigation into possible war crimes, or the appointment of a UN special envoy on Sri Lanka. In return for such support, Beijing has been able to make strategic inroads into a critically located country in India's backyard.

Unlike China's assistance, India's role has received little international attention. But India, too, contributed to the Sri Lankan bloodbath through its military aid, except that it has ended up, strangely, with its leverage undermined.

For years, India had pursued a hands-off approach toward Sri Lanka in response to two developments—a disastrous 1987-1990 peacekeeping operation there; and the 1991 assassination of former Prime Minister Rajiv Gandhi by a member of the Tamil Tigers. But having been outmanoeuvred by China's success in extending strategic reach to Sri Lanka in recent years, New Delhi got sucked into providing major assistance to Colombo, lest it lose further ground in Sri Lanka.

From opening an unlimited line of military credit for Sri Lanka to extending critical naval and intelligence assistance, India provided sustained war support despite a deteriorating humanitarian situation there. A “major turning point” in the war, as Sri Lankan Navy Chief Admiral Wasantha Karannagoda acknowledged, came when the rebels' supply ships were eliminated, one by one, with input from Indian naval intelligence, cutting off all supplies to the rebel-held areas. That in turn allowed the Sri Lankan ground forces to make rapid advances and unravel the de facto state the Tigers had estab-

lished in the island nation's north and east.

Sri Lanka, for its part, practised adroit but duplicitous diplomacy: it assured India it would approach other arms suppliers only if New Delhi couldn't provide a particular weapon system it needed. Yet it quietly began buying arms from China and Pakistan without even letting India know. In doing so, Colombo mocked Indian appeals that it rely for its legitimate defence needs on India, the main regional power. It was only by turning to India's adversaries for weapons, training and other aid that Colombo pulled off a startling military triumph. In any event, Colombo was emboldened by the fact that the more it chipped away at India's traditional role, the more New Delhi seemed willing to pander to its needs.

Indeed, Rajapaksa deftly played the China, India and Pakistan cards to maximise gains. After key Tamil Tiger leaders had been killed in the fighting, Rajapaksa—to New Delhi's mortification—thanked China, India and Pakistan in the same breath for Sri Lanka's victory.

Today, India stands more marginalised than ever in Sri Lanka. Its natural constituency—the Tamils—feels not only betrayed, but also looks at India as a colluder in the bloodbath. India already had alienated the Sinhalese majority in the 1980s, when it first armed the Tamil Tigers and then sought to disarm them through an ill-starred peacekeeping foray that left almost three times as many Indian troops dead as the 1999 Kargil War with Pakistan.

India's waning leverage over Sri Lanka is manifest from the way it now has to jostle for influence there with arch-rivals China and Pakistan. Hambantota—the billion-dollar port Beijing is building in Sri Lanka's southeast—symbolises the Chinese strategic challenge to India from the oceans.

Even as some 280,000 displaced Tamils—equivalent to the population of Belfast—continue to be held incommunicado in barbed-wire camps, India has been unable to persuade Colombo to set them free, with incidents being reported of security forces opening fire on those seeking to escape from the appalling conditions. One of the few persons allowed to visit some of these camps was UN Secretary-General Ban Ki-moon, who said after his tour in May: “I have travelled around the world and visited similar places, but these are by far the

most appalling scenes I have seen...” Prime Minister Manmohan Singh said recently that India has conveyed its “concerns in no uncertain terms to Sri Lanka on various occasions, stressing the need for them to focus on resettling and rehabilitating the displaced Tamil population at the earliest”. But India seems unable to make a difference even with messages delivered in “no uncertain terms”.

THE story of the loss of India's pre-eminent role in Sri Lanka actually begins in 1987, when New Delhi made an abrupt U-turn in policy and demanded that the Tigers lay down their arms. Their refusal to bow to the diktat was viewed as treachery, and the Indian Army was ordered to rout them.

Since then, Sri Lanka has served as a reminder of how India's foreign policy is driven not by resolute, long-term goals, but by a meandering approach influenced by the personal caprice of those in power. The 1987 policy reversal occurred after then Sri Lankan President J.R. Jayewardene—a wily old fox—sold neophyte Prime Minister Rajiv Gandhi the line that an “Eelam”, or Tamil homeland, in Sri Lanka would be a dangerous precursor to a Greater Eelam uniting Tamils on both sides of the Palk Straits. In buying that myth, Gandhi did not consider a simple truth: if Bangladesh's 1971 creation did not provoke an Indian Bengali nationalist demand for a Greater Bangladesh, why would an Eelam lead to a Greater Eelam?

Actually, the Tamils in India and Sri Lanka have pursued divergent identities since the fall of the Pandyan kingdom in the 14th century. While the Eelam struggle is rooted in the treatment of Tamils as second-class citizens in Sri Lanka—where affirmative action has been instituted for the majority Sinhalese and a mono-ethnic national identity sought to be shaped—the Tamils in India face no discrimination and have been fully integrated into the national mainstream.

Another personality driven shift in India's Sri Lanka policy came after the 2004 change of government in New Delhi, when the desire to avenge Gandhi's assassination trumped strategic considerations, with the hands-off approach being abandoned. That handily meshed with the hawkish agenda of Rajapaksa, who began chasing the military option soon after coming to power in 2005. “It is their duty to help us at this stage,” Rajapaksa said about India. And Indian help came liberally.

In fact, such has been the unstinting Indian support that even after the crushing of the



**Despite the smiles all round and the claims of a close relationship, India has lost influence in Sri Lanka. This change in the relationship between the two countries is a result of India's meandering, capricious approach to foreign policy, and the space available to Sri Lanka to look for friends among India's adversaries.**

Tamil Tigers, India went out of the way to castigate the UN High Commissioner for Human Rights, Navi Pillay, in June for shining a spotlight on the deplorable human-rights situation in Sri Lanka, including the continuing internment of internally displaced Tamils. India accused Pillay—a distinguished South African judge of Indian descent who has sought an independent international investigation into the alleged war crimes committed by all sides in Sri Lanka—of going beyond her brief, saying “the independence of the High Commissioner cannot be presumed to exceed that of the UN Secretary-General.”

The costs of lending such support have been high. New Delhi today is groping to bring direction to its Sri Lanka policy by defining its objectives more coherently, even as it struggles to respond to the Chinese strategy to build maritime choke-points in the Indian Ocean region. Indeed, India has ceded strategic space in its regional backyard in such a manner that Bhutan now remains its sole pocket of influence. In Sri Lanka, India has allowed itself to become a marginal player despite its geostrategic advantage and trade and investment clout.

More fundamentally, the pernicious myth Jayewardene planted in Gandhi's mind triggered a chain of events still exacting costs on Indian security and interests. In fact, nothing better illustrates the fallacy Jayewardene sold

Gandhi than the absence of a Tamil backlash in India to the killings of thousands of countless Tamil civilians in Sri Lanka this year, and to the continued incarceration in tent camps of 280,000 Tamil refugees, including 80,000 children. In fact, even as the Sri Lankan war reached a gory culmination, India's Tamil Nadu State voted in the national elections for the United Progressive Alliance (UPA) led by Gandhi's widow, Sonia Gandhi, although that governing coalition had shied away from raising its voice over the Sri Lankan slaughter.

Today, the upsurge of Sinhala chauvinism flows from the fact that the Sri Lankan military accomplished a task whose pursuit forced the mightier Indian Army to make an ignominious exit 19 years ago. Consequently, Colombo is going to be even less inclined than before to listen to New Delhi. Indeed, the manner in which Colombo played the China and Pakistan cards in recent years to outsmart India is likely to remain an enduring feature of Sri Lankan diplomacy, making Sri Lanka a potential springboard for anti-India manoeuvres.

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## OPINION

# Close the camps in Sri Lanka

Editorial  
The Star

SRI Lanka's postwar human exodus is washing up on faraway shores: Hundreds of Tamils have reached Indonesia and Australia, and others apparently are being drawn here. While authorities are still investigating, the Canadian Tamil Congress says 76 men from the merchant ship *Ocean Lady* off the British Columbia coast are Tamil refugees.

"Sri Lanka has become hell for Tamils and they have to get out," says Congress spokesperson David Poopalapillai. Others who fled to Indonesia have made the startling claim that they are facing "genocide."

While that strains belief, the Sri Lankan military continues to hold some 260,000 Tamils in detention camps, in poor conditions, five months after shattering the Tamil Tiger insurgency in mid-May. The government says only some 30,000 have been sent home. Tension in the camps is reportedly reaching the boiling point.

The centres are miserable, overcrowded, and short on fresh water and sanitation. The impending monsoon season threatens to disrupt food deliveries, flood tents, spread sewage and ruin drinking water. That raises the spectre of dysentery, typhoid and other diseases.

After fighting eased, the Colombo government promised

camps would be closed in six months. Clearly, that is not going to happen.

It should come as no surprise that some people will be tempted to flee a country that is so slow to heal its wounds.

That leaves Canada and other countries of asylum in a fix. More Tamils are bound to flee if they can't live normal lives. We can either grant them asylum, or ship them back to a clouded future. The better course would be for President Mahinda Rajapakse to close the camps, restore normalcy and make flight a less desirable option.

While Sri Lanka has been battered by the war, it is not without resources. Colombo has a \$2.6 billion International Monetary Fund loan. It has also received \$225 million for the camps, and it has appealed for "much, much more." If it wants that extra help, it will have to speed up resettlement. Canada, which is giving \$22.5 million in aid this year, will not willingly subsidize detention centres.

In the meantime officials should give the refugees a sympathetic hearing. Some would "draw the line" against taking in the refugees. But provided that they are not Tiger leaders, they should be entitled to temporary sanctuary until Sri Lanka finds a humane way to deal with people displaced by the fighting.

Sri Lanka's defeat of the Tigers should lead to national reconciliation, not indefinite internment.

## Treat Tamil asylum seekers by the book

Edmonton Journal

CANADA'S immigration minister is talking tough over the disposition of 76 Sri Lankan men intercepted off the Canadian coast. He told reporters the government is determined prevent the appearance and reality of a two-tiered immigration system - one for those who play by the rules, the other for illegals who attempt to sneak in. Most citizens will heartily agree with that sentiment.

But the conditions in Sri Lanka that created business opportunities for the smugglers continue to exacerbate the situation. The Sinhalese Sri Lankan

leadership had promised to quickly free some 250,000 Tamils held in appalling detention camps, winnowing out the most dangerous Tiger hardcore types from civilians. But the process has become bogged down, with few reductions in recent months.

On the other hand, neither should the Canadian government be allowed to manipulate human tragedy in search of popularity points. Like or not, we have - and must have - a process for dealing with asylum-seekers.

Their cases must be dealt with individually and fairly, whether they paid criminals to reach our shores or not.

(Edited for space)



Many Tamils are fleeing the country because a perilous journey offers more hope than life in Sri Lanka

## It's deja vu as 'those people' still cry for help

Lyn Bender  
The Age

I AM suffering flashbacks of my time at Woomera Detention Centre. Not as a detainee, but as a psychologist and part of the medical team employed to cover contractual requirements to "manage" the psychological needs of asylum seekers.

These needs were expressed through hunger strikes, severe depression, suicide attempts and the trauma of children. It strikes me as incredible that again boat arrivals prompt the regression to ignoring and violating the human rights of people who are seeking to flee persecution.

The old cliches are being invoked to justify a harsh and cruel response to the plight of desperate people. They roll smoothly off the tongue, the old biased assertions. These people who get on boats. These people who bring their children here.

Those people who threw their children overboard are now the people who burn their boats and who smile and take vitamins in luxurious accommodation on Christmas Island.

The discrediting myths and insinuations are being reconfigured like retro fashion apparel.

There was a Swedish language test, now discredited, designed to discredit refugees' claims to be from Afghanistan through analysis of their accents and words. Yes, it does sound like a joke, but it produced bizarre and dreadful outcomes.

The Bakhtiyari family, Afghans whom I had supported in Woomera, were eventually deported to Pakistan on the strength of this evidence. They had to find their way back to Afghanistan, without appropriate papers.

Refugees are required to fit a stereotype. Alex, the Sri Lankan spokesman on the boat at the centre of the latest dispute, has been criticised for his articulate and American-accented speech.

Amid laments for the loss of the "Pacific Solution", the emerging "Asian co-operation" is being offered as the new hope for our fears regarding permeable borders that the hoards will cross. Semantically, it is an improvement.

The "Pacific Solution" was a term that had an unfortunate consonance with the "Final Solution". Co-operation with our Asian neighbours conjures a warm sense of bonding.

It thinly disguises the sinister reality. These people are being pushed back to a nation that is not a signatory to the UN convention on refugees.

Australia is a signatory to the convention, which defines a refugee as "a person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country".

It also requires that "states shall not expel or return ('refouler') a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership or a particular social group or political opinion".

As the debate over boat arrivals and people smugglers intensifies I find myself suffering from acute deja vu. These echoes of history do not just reach back to the Tampa. They recall 1939. After sailing from Hamburg, the *Saint Louis* sat in the dock in

Havana while the US refused refuge to more than 900 Jews fleeing Nazi persecution. They were sent back and half of those asylum seekers died in concentration camps. Out of this and other similar situations the Geneva Convention of 1951 was born.

In 2002 I was employed as a psychologist in Woomera Detention Centre and was a daily witness to the distress of detainees.

Late at night I watched the television news as the politicians denigrated and disparaged these people as "queue jumpers" and "illegals". In truth there was no orderly bureaucratic process possible in the countries from which they fled - mostly Saddam's Iraq, and the Taliban's Afghanistan and now Tamils fleeing fear of genocide in Sri Lanka.

We split our awareness. On the one hand we daily absorb and decry the horror stories in far off lands. On the other we shoo and push away those who flee these impossible situations as we might unwanted stray dogs. This is defined as being tough and humane. There is blame and denigration to justify these actions. Our fear of engulfment and of difference dooms asylum seekers to suffering and death.

The most common refrains after the exposure of atrocities have been "we didn't know" or "how could this happen?"

But now we do know. According to the UNHCR there are 15.2 million refugees worldwide. Poorer countries bear the burden of these numbers, in the millions, while in Australia only 4750 people sought asylum in 2008.

We need to do our fair share of resettlement. Climate change may result in even more displaced persons. We must find genuine compassionate responses for a worldwide problem.

Lyn Bender is a psychologist.

## NEWS



Tamil refugees on board the ship that was intercepted off the coast of Canada

## Migrants on cargo ship reach Canada

MANY of the 76 migrants seized from a ship off the Canadian coast have valid travel documents and legitimate reasons to apply for refugee status in Canada, according to a lawyer who has spoken to them.

Human rights lawyer Lee Rankin told CBC News he has met about 30 of the men who journeyed to Canada from Sri Lanka, and he believes many have good reasons to seek refugee status.

Rankin said many of the men planned to come to Canada and brought supporting documents with them, including birth certificates, national identity cards and in some cases passports.

Rankin said that as members of the losing side in Sri Lanka's civil war, the Tamil men have a good case for refugee status.

"If you look at the information about the country involved, the human rights record is poor — extra-judicial killings, as well as very brutal treatment to people suspected of being on the losing side of the civil war," said Rankin.

The migrants feared for their lives during a gruelling, lengthy voyage, said a lawyer who spoke with one of the men. The 76 Tamil asylum seekers had only minimal supplies and skeleton facilities during the journey, he said.

"It was a very difficult, difficult experience and something that I think can probably best be described as parallel to a Titanic-type of an experience," said Gary Anandasangaree, a lawyer for the Canadian Tamil Congress.

The migrants had little sense of time, only that the voyage lasted for weeks, Mr. Anandasangaree said. He said they encountered rough weather and "there were times" they

feared for their lives.

One migrant looked "exhausted" when he spoke to him late Tuesday at a detention centre in Maple Ridge, B.C. Mr. Anandasangaree interviewed the man on behalf of a Toronto lawyer who is representing him.

"They took extraordinary risk during the voyage," he said. "It's quite eye-opening to look at what they went through to get here."

Lawyers hired to represent some of the detained men are criticizing Canada's slow response to the refugee drama, saying they cannot even speak with their clients and that it is taking far too long for them to get hearings.

"If this happened in a criminal [law] context, people would be up in arms," said Hadayt Nazami, a Toronto lawyer who is representing one migrant.

Lawyer Doug Cannon said he hasn't been able to speak to his client even though the man was taken into custody Saturday night. Under Canadian immigration law, people detained at the border must get a hearing within 48 hours, or within a reasonable time.

"I'm frustrated," Mr. Cannon said, adding he has contacted Canada Border Services Agency and the Immigration and Refugee Board to demand that his client get a detention hearing today. "I can't even get through to him."

Mr. Cannon said he suspects that the officials are overwhelmed by the volume of migrants who arrived en masse but argued that's no excuse for the holdup. If delays persist, he said, a lawyer could make a valid argument to have a client released.

Rankin dismissed reports the men paid an Indonesian human smuggling ring as much as \$45,000 for passage to Canada, saying the men he met told him they paid 45,000 Sri Lankan

rupees, worth about \$410 Cdn at current exchange rates.

About 30 of them say they have family or friends already in Canada, and Rankin said 60 Tamil-Canadian families in the Vancouver and Toronto areas have volunteered to take the others.

The ship departed from India early last month, according to international shipping records. While it sailed as the Ocean Lady, it was registered as the Princess Easwary, press reports said.

After a stop in Mumbai on Aug. 31, the Princess Easwary sailed from the northwest Indian port of Mundra on Sept. 8. That was its last recorded port of call until it entered Canadian waters.

While the records indicate the ship's last port of call was India, it may have made unreported stops elsewhere in South or Southeast Asia to pick up its human cargo before heading for Canada.

The company listed as the ship's owner does not appear to exist. Ray Ocean Transport Corp., registered in the Seychelles, owns the vessel and it is operated by Sunship Maritime Services, records show.

But the National Post has been unable to locate any company officials. Both companies share an address in Cebu, Philippines, but the telephones appear to be out of service and emails sent to Sunship were returned as undeliverable. The Princess Easwary is the only ship operated by the companies.

Several other businesses, including another shipping company and a Canadian immigration consultant, have used the same office. The Woodbridge, Ont.-based consultant said a prospective business partner had operated from that address but it had never been an official branch of his firm.

## 'Can't live in Sri Lanka' says 9 year old asylum seeker



Alex, spokesman for the asylum seekers, spoke on their behalf

"SRI LANKA refugees, we have lived in forest for one month. Please, sir, please take us to a country. It's OK if it is not Australia. It's better if any other country trades us. We can't live in Sri Lanka."

These were the desperate words of 9 year old Brindha, as she pleaded on Australian television.

She is one of the 255 men, women and children who have been stranded in waters off the Sunda straits of Indonesia since last month.

They were attempting to flee from Sri Lanka and make their way towards Australia, where they could claim asylum, before they were intercepted by Indonesian authorities.

The desperate Tamil civilians aboard the boat staged a hunger strike last week, as they attempted to persuade Australian authorities to allow them to seek asylum.

The hunger strike lasted 52 hours before authorities eventually persuaded them to cease.

A wooden board with the words "We are Sri Lankan civilians, Plz save our lives" scribbled onto it, is on display aboard the ship.

Australian Prime Minister Kevin Rudd has so far been unmoved and said that their individual cases should be processed by the United Nations.

In reference to the hunger strike he commented that he would not be swayed by "any tactics deployed by any particular person".

"There are still Tamil people in Sri Lanka who are dying every day. This is why most of these people here have fled from genocide in Sri Lanka and trying to find a future somewhere else... We're just people without a country to live in," said Alex, spokesman for the group.

"But the situation in our country right now, I'm telling you,

Tamils do not have an opportunity to survive in Sri Lanka," he said.

The group of asylum seekers are still aboard their boat, which has docked the West Java port of Merak in Indonesia and are refusing to leave the vessel.

According to the spokesman there are 195 men, 31 women, and 27 children on board, each of whom reported to have paid \$15,000 USD in order to be smuggled out of Sri Lanka, amounting to nearly \$ 4 million USD in total.

The conditions of the boat have been described as far from adequate with there being just one toilet on the boat for all on board.

One of the inhabitants, Varshini from Jaffna, is on board with Marthavan, her seven-year-old son, and Amirtha, her four-year-old daughter. She said her children believed they would see their father soon.

She has yet to tell them that he was taken away by Government affiliated paramilitary forces, while they were sleeping 18 months ago.

"There are still many more Sri Lankans who need help," said Alex, at a press conference organised by the asylum seekers.

Alex and his fellow civilians are still refusing to leave the boat until they meet a United Nations High Commissioner for Refugees (UNHCR) official to explain the asylum procedure and give assurances about their future.

"If you had no place to go, if you had no country of your own, what would you do and how long would you stay in a boat before you were promised to enter a country that will give you asylum? How long will you go? How desperate will you be?" said Alex.

"We're not only suffering back home we're suffering here. We have no choice."

"We have no country to go back to."

## NEWS

# Sri Lanka set to lose GSP+

SRI LANKA is set to lose trade concessions worth more than \$100m after a European Union investigation found it in breach of the human rights commitments it had made in exchange for lower tariffs.

A year-long independent report commissioned by Brussels found shortcomings in Sri Lanka's protection of civil and political rights.

The European Union has found Sri Lanka in breach of International Human Rights laws, implying that Colombo does not fulfil the basic human rights conditions of GSP plus, according to an exclusive update by Reuters.

A spokesman for Lady Ashton, the EU's trade commissioner, said: "The Commission has completed a thorough investigation into the human rights situation in Sri Lanka. The report comes to the conclusion that Sri Lanka is in breach of [its] commitments."

The EU report serves up a wide-ranging critique of Sri Lankan human rights, and includes charges that government security forces were complicit in the recruitment of child soldiers.

"The assessment report says Sri Lanka does not fulfil the requirements of GSP plus," one EU source told Reuters.

"The evidence is very clear that Sri Lanka does not fulfil the basic human rights conditions of GSP plus," the source was quoted as saying, citing the report.

Brussels has consistently warned Sri Lanka it must meet 27 international human rights conventions to retain its GSP plus trade scheme.

"GSP plus is not an instrument used for short-term political crisis, but is meant to provide long-term stability," a European Commission official told Reuters.

"This is not a trade sanction. There are rules for GSP plus and if you break the rules, then unfortunately there are consequences. They will keep basic GSP either way."

The suspicion of violations of the UN Convention against Torture, the UN convention on the Rights of the Child and UN Covenant on Civil and Political Rights triggered the investigation and the report has supported these suspicions with complicity in the recruitment of child soldiers by the military and un-investigated civilian disappearances.

Human rights organisations have welcomed the findings having long-called for investigations into war crimes by the Sri Lankan military.

"You name it and Sri Lanka has the problem," Brad Adams of Human Rights Watch told Deutsche Welle.

"From extra-judicial killings,

disappearances, torture, illegal detentions, 250,000 people illegally detained in displaced persons camps, war crimes allegations from the final assaults on the LTTE - it's quite a terrible record."

The blockage has yet to be approved by member states but despite last minute attempts by groups such as 'Friends of Sri Lanka' and many British retailers such as Marks & Spencer to prevent it, it is likely to go ahead due to the findings.

The Sri Lankan government in reply has steadfastly withstood pressure on human rights and has repeatedly said it will not forgo its 'sovereignty' at the behest of western governments.

Claiming that their new key allies - Pakistan, China and India - will be more than capable of making up for the shortfall they have refuted the report and any possible independent investigation.

In an attempt to support its government the country's central bank has declared that there would be no adverse impact on its exporters.

"Our exporters are resilient and the loss would be minimal," K.D. Ranasinghe, director at central bank's economic research department, told Reuters.

The government is currently studying the EU report and will raise its counter-arguments to compel European governments to prevent the block. The decision will be made towards the end of the year by a vote.

Sri Lanka is a beneficiary of the EU's Generalised System of Preferences Plus scheme, which gives 16 poor countries preferential access to the trading bloc in return for following strict commitments on a wide variety of social issues.

Sri Lanka was handed the preferential treatment following the 2004 Indian Ocean Tsunami.

The scheme provides the holder the opportunity to import trade products into the EU for much lower tariffs than they would otherwise face and Sri Lanka has since reaped the rewards of it being granted.

Its suspension from the scheme - which still has to be approved by member states - would be the first since its inception in 2005.

Trade with Europe is key to Sri Lanka's economy: EU members account for 38 per cent of its exports, and provide it with a large trade surplus which Sri Lanka uses in turn to finance an equivalent deficit with neighbouring India.

Sri Lanka's garment industry earned \$3.47 billion from the EU as well as \$1.2 billion from its tea exports.



Sri Lankan President Mahinda Rajapaksa and Vietnamese President Nguyen Minh Triet agreed that their countries would cooperate more closely in the future during a visit by Rajapaksa to Hanoi

## Vietnam, Sri Lanka sign pacts

VIETNAMESE and Sri Lankan presidents agreed on Thursday October 22 that the two countries would promote cooperation in the sectors of agriculture, fishery, oil and gas, and tourism, Vietnam News Agency reported.

The agreement was reached during talks between Vietnamese President Nguyen Minh Triet and visiting Sri Lankan President Mahinda Rajapaksa.

Triet said that the Sri Lankan president's visit is an important event, marking new development in bilateral relations.

Rajapaksa thanked the State and people of Vietnam for supporting Sri Lankan people, especially in international forums.

The two leaders agreed that the to-be-signed documents during the visit of Sri Lankan president will lay a foundation for ministries and state agencies of the two countries to further expand cooperation.

The two presidents also discussed measures to promote cooperation in regional and international forums.

After the talks, Triet and Rajapaksa witnessed the signing of many important documents for cooperation between the two countries, including the agreement on investment protection and encouragement, the agreement on crime prevention and fighting, the memorandum of

understanding on culture, the plan on cooperation for agriculture development in the 2010-2011 period, and the plan on seafood cooperation in the 2010-2013 period. Additionally an expected delegation of Vietnamese businessmen and heads of commerce are likely to arrive in Sri Lanka soon to further enhance these agreements.

Vietnam was thanked by Rajapaksa for the country's support in opposing a resolution against Sri Lanka in the United Nations Human Rights Council. Vietnam had opposed the UN's call for investigation into human rights abuses during the last days of the war in Sri Lanka.

## Rights group opposes extending Sri Lanka's GSP+ privilege

**Edward Mortimer**  
Letter to Financial Times

YOUR argument for extending Sri Lanka's "GSP+" access to the European Union market is plausible but specious ("Tigers and trade", editorial October 21). There might be a good case for extending this concession to all developing-country imports, but no one is suggesting that. As things stand, Sri Lanka is one of only 15 countries in the world to receive this treatment, and the only one in Asia. This discriminates unfairly against imports from other Asian countries.

GSP+ was accorded to Sri Lanka in 2005 on a wave of international sympathy after the tsunami. It was, as you say, conditional on ratification and implementation of 27 international agree-

ments. The EU now has to decide whether to extend the deal, in the face of a damning independent report, commissioned by the EU itself, which shows that Sri Lanka has flagrantly ignored many of these conditions, including notably those that cover basic human rights.

Nor is it only, as you suggest, a matter of "human rights abuses committed ... in the course of the conflict with the Tamil Tiger rebels". That conflict ended five months ago, with a total victory for the government. Yet so far from being magnanimous in victory, the government has until now held more than 250,000 civilians in insanitary internment camps, currently threatened with monsoon flooding, while an unknown number of alleged combatants are held elsewhere, out of sight of the media, Red Cross and other humanitarian agencies.

Wartime promises that Tamil grievances would be peacefully redressed once hostilities were ended have not been fulfilled. Instead an atmosphere of racist triumphalism has been encouraged.

"Sri Lanka is not Burma", you write. Perhaps not, but it seems some of its leaders would like it to be. Burma was the first foreign country visited by President Mahendra Rajapaksa after his victory over the Tigers last May, and his own government website reported that one of his aims was to advise the Burmese generals on how to defeat their own ethnic insurgents, learning from Sri Lanka's methods.

If the EU does not resist this repressive contagion, who will?

*Edward Mortimer, Chair, Advisory Council, Sri Lanka Peace and Justice Campaign*

## NEWS

## Seeking any escape ...

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two days later, hiding him in the back of a van.

He presumes the camp guards knew what was happening. "The guards stopped us, but they didn't question (the driver) very much and they let us go," he says.

They were driven to another location, where they waited until the money was transferred into the required bank account.

But it would be another six weeks before he flew out of Colombo.

He lost 25kg during his ordeal, so much that airport officials were concerned he did not resemble his passport photo and it was arranged for Australian embassy officials to meet him in Bangkok to double-check his identity.

But Kumaran says there was no pleasure, or even relief, in setting foot in Sydney in early August. Instead he felt an overwhelming sense of guilt.

## US urges probe ...

*continued from p5*

backed paramilitaries "abducted and in some instances then killed Tamil civilians, particularly children and young men."

The report also said not enough food, medicine and clean water reached a no-fire zone and civilian camps even though the government had pledged to guarantee sufficient supplies there.

The report describes a hellish scene, in which a no-fire zone crowded with civilians was struck by sustained shelling and bombing.

One source in the no-fire zone estimated that 100 people a day were dying in Sri Lankan army shelling and bombing. Another source said hospital facilities in the area were continually struck by shells, even though their locations had been carefully reported to the government.

According to a report cited, a congested civilian area of the no-fire zone came under heavy shell attack, killing hundreds of civilians. The report also detailed allegations in which the LTTE took boys and girls to join their force and in which government forces broke a ceasefire. It used satellite imagery evidence as a tool to fill the information vacuum engineered as a result of the Sri Lankan government refusing to allow reporters and aid workers into the region.

The report cites footage of Sri Lankan forces executing nine bound and naked Tamils in January - which the government says was forged - and killings of young men rounded up in safe zones. The report mentioned that

"As soon as I was in the air leaving Colombo, it was a bad feeling. My heart is still there," he says, tears welling in his eyes.

"So many people made sacrifices, and yet still people are behind barbed wire, queuing to use the toilet and for food. They are not free. And I am here."

Perversely, however, Kumaran believes the turmoil of past year, including the defeat of LTTE, may bring an independent Tamil state closer to reality.

The Sri Lankan government's treatment of the IDPs demonstrates that the Sinhalese and Tamils cannot live peacefully side by side, he says.

"It will happen. I am confident still," Kumaran says.

"Maybe they have done us a favour. They have created a bigger problem by what they have done and it will force the world to act. And they have only strengthened Tamil nationalism. They have not killed it."

independent investigations into the footage are still to be carried out to establish its authenticity.

The report also gives prominence to the alleged execution of members of the LTTE political section while surrendering to the Sri Lanka military. The US embassy and other governments reported that Tamil political leaders were killed while surrendering, the report said.

"The United States recognizes a state's inherent right to defend itself from armed attacks, including those from non-state actors such as terrorist groups," the report said in its executive summary.

"The United States also expects states and non-state actors to comply with their international legal obligations," it added. "This report compiles alleged incidents that transpired in the final stages of the war, which may constitute violations of international humanitarian law or crimes against humanity and related harms," it said.

"The United States looks to the Government of Sri Lanka to identify an appropriate and credible mechanism and initiate a process for accountability," said the statement that accompanied the report.

Legal experts pointed out that under basic rules of international criminal law, the US has to give the Sri Lankan government the opportunity to investigate itself credibly, and that, further steps are warranted by the international community, if and when Sri Lanka fails or refuses to do so, reported TamilNet.

# NEWS IN BRIEF

## UK deportations 'under review'

A British court has called upon the authorities to consider accusations of human rights violations in Sri Lanka while reviewing deportation of failed asylum seekers to the island. High Court Judge Pelling, QC, has made the remarks after the British Home Office informed the court that the country's deportation policy is under review after the end of the conflict in Sri Lanka. The judge made the remark at Manchester High Court while delivering a judgment of an appeal by a Sri Lankan Tamil national, only known as Mr. B, against his continuous detention since 26 May 2006 by UK Border Agency (UKBA). Judge Pelling said: "First, at least one reason for the review must be not so much the end of hostilities itself but a concern about possible human rights abuses against the minority in the aftermath." A spokesman for recently formed Tamil Legal Advocacy Project (TLAP) hailed the Home Office decision despite coming under heavy pressure from UK right wing groups to deport illegal migrants. However, he criticized the British authorities for not making it public. (BBC Sinhala)

## New avenues of US, Sri Lanka economy

Assistant United States Trade Representative for South and Central Asia, Michael Delaney, who led the U.S. delegation in the seventh council meeting of the Trade and Investment Framework Agreement (TIFA), a bilateral agreement reached between the USA and Sri Lanka in July 2002, has said that both the countries have now identified new areas of cooperation, adding that the purpose of the meeting was to "foster economic development and generate jobs, particularly in the war-affected areas." Sri Lankan Minister for Export Development and International Trade, G. L. Peiris, led the Sri Lankan delegation. "The seventh round of TIFA talks takes place at a historic juncture in the Sri Lankan economy. It is heartening to note that the TIFA process has already begun to expand beyond its traditional boundaries," said Peiris, according to a press statement issued by the U.S. Embassy in Colombo. Total two-way trade between Sri Lanka and the United States totaled \$2.3 billion in 2008, with U.S. imports of \$2 billion and U.S. exports of \$283 million, according to the statement. "The leading U.S. exports to Sri Lanka were aircraft, cereals, industrial machinery, electrical

machinery and plastics. U.S. imports from Sri Lanka are primarily apparel, rubber, precious stones and industrial machinery. In 2008, U.S. imports from Sri Lanka qualifying for GSP preferences were valued at \$153 million," the press statement said. (TamilNet)

## India offered to help if IMF denied funds

India had offered to shore up Sri Lanka with a loan of \$2.6 billion to meet a balance of payments crisis if the IMF had not given the amount on political grounds, the Sri Lankan Home Minister, Dr Sarath Amunugama, told Parliament on Tuesday, October 20. He said that Indian Prime Minister Manmohan Singh had even told the International Monetary Fund on one occasion, that India would supply that amount if it did not approve the standby credit facility for Sri Lanka. "The Indian Finance Minister Pranab Mukherjee had telephoned the Indian representatives of the IMF and instructed them to support Sri Lanka's case," the Sri Lankan Home Minister said. In his speech, the Indian representative had said that if human rights violations were a criterion for denying the standby facility, many of the member countries of the IMF would not qualify. The Sri Lankan government would never forget the assistance and backing of India and Pakistan during difficult times, Dr Amunugama told parliament. (Expressbuzz.com)

## Libya, Sri Lanka share experiences

Sri Lanka has stepped up efforts to strengthen bi-lateral relations with Libya, with a visit to the Libyan capital by Sri Lankan Minister of Agricultural Development, Maithripala Sirisena. The discussions centred around increasing co-operation especially in the areas of economy, trade and investment, said a press release after the visit on October 18. The meeting followed soon after a Sri Lankan firm won the right to build 2,500 houses in the African country over a two year time period. The Sri Lanka State Engineering Corporation was granted the mega housing construction project in Libya worth US\$495 million. This recent economic cooperation is seen as furthering Sri Lanka's policy of attempting to move away from Western businesses and towards Asia and Africa. In April this year Libya pledged US\$500 million as a financial co-operation package for development projects in Sri Lanka. These are intended to take place across the country in

many different industries. Other countries that have recently extended financial help to Sri Lanka included Burma, which donated US\$50,000 to the Sri Lankan government and Iran, which not only granted \$450million for a hydropower project, but also provided for Sri Lanka's entire crude oil requirement via a seven month credit facility.

## Tamils arrested at Katunayake

Thirty-one Tamil youths were taken into custody by the State Intelligence Unit of the Sri Lanka Police at Katunayake International Airport in four separate incidents. The arrested youths are now detained in the Katunayake Police and are being interrogated. In the first incident on October 15, eleven Tamil youths took a flight to Singapore, but were refused permission to enter and returned to Colombo, where they were taken into custody. In the second incident that took place on Friday, October 16, eighteen Tamil students were arrested by the State Intelligence Unit personnel when they arrived in Katunayake International Airport to take a flight to London, despite having valid student visas issued by the UK embassy. Separately Thuraiamy Sureshkumar, of Araly North of Jaffna district was arrested on October 10, and Thangarajah Nishanthan, of Karuveppankulam, Vavuniya, was arrested on October 20, as they were waiting at the Katunayake Airport to go abroad for employment. They both had valid travel documents. (TamilNet)

## Detained for 15 years in Welikada

A team from a human rights organization called Peoples Forum for Independence that visited the Welikada prison made a startling disclosure that they found a Tamil youth who was arrested at the age of fourteen has been under detention for fifteen years under the Prevention of Terrorism Act (PTA). Now the youth is 29 years old. He is among several Tamil political prisoners who have been detained under the PTA and Emergency Regulations without any inquiry and without recourse in courts, said an official of the organization to the Colombo media. The team visited Welikada prison and talked to several Tamil political prisoners including senior journalist Mr. Tissanayagam who was sentenced to jail for twenty years. The team came to know the particular Tamil youth during that visit. (TamilNet)

# தேசிய நினைவுவெடுச்சி நாள்-2009

அடக்கப்பட்ட சக்களின் விடிவிற்காக...  
ஒடுக்கப்பட்ட இனத்தின் மீட்சிக்காக...  
ஆக்கிரமிக்கப்பட்ட பூமியின் சுதந்திரத்திற்காக...  
தஞ்சையே ஆகியவர்க்கு அன்புதரும் பற்றுக்களையுடன்,  
அவர்களை அழித்தும் மூன்று மாதங்காலமாகிய சக்களையுடன்  
வெள்ளத்தில் மூழ்கித் துன்பமடைந்த நாள்!



ENGLAND	SCOTLAND
நினைவு நாள்	நினைவு நாள்
27	29
வெள்ளிக்கிழமை	சனிக்கிழமை

தமிழகதேசிய நினைவுவெடுக்கல் அகவாடி  
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