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Remembering for the future on Remembrance Day

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With most of the military-run internment camps for Tamil civilians in Vavuniya flooded due to the current down pour, many of the displaced held at the Menik Farm complex have been trying to flee from their 'shelters'. They are seeking refuge in the public halls and school buildings located inside the camp as their tents are flooded. Meanwhile, amid heavy rains and thunder across the northeast, Sri Lankan civil authorities continue to transfer these people from Menik Farm during nights, leaving them in public places in areas where their homes were originally located. This has left many families with no shelter, surviving wet nights with only the few items they managed to hold onto during months of constant displacement fleeing combat. Others are merely forced to stumble around for one night until they can find their way to their homes.

NEWS

Tamil youth beaten, forced to drown

SRI LANKA Police and Sri Lanka Army soldiers beat a mentally ill Tamil youth and forced him to drown near Bambalapitya, Colombo on Thursday October 29.

The attack on the mentally ill youth, who had been known to throw stones at passing vehicles, was caught on camera by a Sri Lankan news channel and shown on national TV.

Balavarnam Sivakumar, 26, had been attacked and beaten by a gang of police constables for throwing stones at passing vehicles.

He tried to escape the attack, and eventually took refuge in the sea near Bambalapitya.

At this point two police men, Dimuthu Somnas and a colleague, followed him into the sea to attack him.

As Sivakumar pleaded for mercy, the two heavily built men, who were armed with batons, charged towards the youth forcing him to back into the sea and drown.

The other policemen, who had been involved in the initial attack, stood by watching as the youth was murdered.

Some reports said passersby were too fearful of their lives to intervene. But other reports said though a few concerned citizens had called Bambalapitya police station, no action had been taken.

So someone called the TNL News channel and alerted them of the incident. The TV station responded by filming the incident from the window of a nearby building.

"Considering the sad fate of many media institutions and personnel during the past few years, TNL TV and its personnel deserve our thanks and praise for

their courageous exposure of this terrible episode," reported the Daily Mirror newspaper, commenting on the incident.

Somnas was allegedly remanded following the attack and a few other constables are believed to have been taken into custody.

"These arrests will predictably divert attention away from those criminals who started the whole thing by beating and chasing Sivakumar into the sea initially, and the other policemen who helped Somnas and his accomplices finish off the job by looking on, doing nothing," commented the Daily Mirror.

The killing of Sivakumar led to protests outside the Fort Railway Station less than a week later, on November 4.

Political parties and human rights organisations participated in the protest.

Political parties at the protest included Democratic People's Front (DPF) led by parliamentarian Mano Ganeshan and United Socialist Party (USP) led by Sritunga Jayasuriya. Mothers and Daughters of Lanka and Platform for Freedom were among the human rights organisations at the protest.

The protesters charged that the Sri Lankan police had undermined standard norms in democratic countries as well as human rights abuses.

All speakers addressing the event said that the attack was an image of the state terrorism in practice and it is time that everyone despite political differences, race or religion, join their hands to stop the government from putting democracy, human rights and media freedom of the country in danger, reported TamilNet.



Spectators watched - and called the media but not the police - as policemen forced the youth to drown

We, the spectator state

Marisa de Silva
Groundviews

A young boy was drowned in broad daylight this week. Though not a single newspaper carried it, I'm told B. Sivakumaran was his name. He was "believed" to be mentally retarded and known for throwing stones at passing vehicles and trains. Approximately 100 people watched him die. One even managed to capture on film the final five minutes of his life.

That five minutes of footage could have been of a possible rescue by one of the 100 or so spectators. Or, that five minutes of footage could have been shot at the same time a call for assistance was made to the nearest Police Station, by someone present in the crowd. This was the heart of Bambalapitya after all, and Sri Lanka is not short of mobile phones. But instead, the five minutes of footage shows us the gory, pathetic end of a young life, for no apparent reason.

The spectators watched on intently.

Three to four men surfaced out of the water, as if from nowhere, and began to advance towards the boy, who by then was fast retreating. Two men armed with large wooden poles (more like thick tree branches) contin-

ued to advance on the boy, and thrash him, one brutal stroke at a time. The spectators watch on. The boy kept trying to head towards the shore. He even brought his hands together in a desperate plea for mercy. His persecutors however, showed no sign of it.

The spectators continued to watch.

The more he pleaded, the more vicious the attack became. Closer and closer they inched to him, thrashing him unmercifully each time he surfaced. This went on for five minutes, until at last the deed was done. He resurfaced

no more.

The spectators watched on, transfixed.

A friend said to me that maybe people didn't want to get "involved" because they thought it was some "underworld" rift. That's a damning indictment on us, our society. This video is proof that we've reached a point where our "fear" overrides a sense of humanity.

I sense a pattern of sorts here.

The deafening silence on the IDP issue for example. Everyone knows they're suffering, some even care. But, our "fear" of a "possible" threat to our lives by the "possible" re-emergence of terrorism justifies our silence. Our inaction. Isn't it strange to have a State half-heartedly respond only when threatened by the International Community to set these people free? Doesn't it seem strange at all that a Government must be held to ransom to look after its own people? Our paralyzing fear of dissent and our sheer capacity to rationalize the violent fate of those who do dare to is another facet of our "Spectator State."

If cold-blooded murder can take place in the heart of Colombo in broad daylight, in front of a crowd, we can only wonder what happened on bloody battlefields in the Vanni, with no one left to tell the tale.

Witness reports

"I viewed what happened on the beach below through the lens of a camera recorder from the seventh floor of a building located next to the Bambalapitya railway station", Assistant News Editor of TNL News channel, Sisikelum Dahampriya Balage said, giving evidence to the Colombo Fort Magistrate's inquest into the killing of Balavarnam Sivakumar.

He said that he saw a man being chased by three persons towards the sea and saw them assaulting the man they were chasing, with sticks. But he could not clearly make out the three men chasing the lone man were

police officers or not. But the witness said that it was his impression that it took place "under the supervision of the police".

The victim's elder brother, Balavarnam Kadirgamanathan, informed the courts that Sivakumar had mental depression for a couple of years for which he received medical treatment from a mental hospital.

"I have five elder sisters and one younger sister. He is my only brother. He had been undergoing treatment for his mental illness. On October 30, I went to the morgue and identified the body of my brother," he said.

NEWS

Sri Lanka responds to EU rights probe concerns

Sri Lanka plans US report reponse

SRI LANKA delivered its formal response to a European Union probe that found it in breach of international human rights laws and said it was hopeful of retaining a lucrative trade concession with the bloc.

The EU had set Friday November 6 as a deadline for Sri Lanka to respond to its report.

The report said that Sri Lanka was in breach of full implementation of the International Covenant on Civil and Political Rights, the Convention against Torture and the Convention on the Rights of the Child.

The failure could spell the end, at least temporarily, of the tariff concessions.

The concession, the Generalised System of Preferences Plus (GSP+) is a special incentive scheme for sustainable development and good governance, offering tariff cuts to support vulnerable developing countries in ratification and implementation of international conventions in these areas. It is currently worth \$116 million to the island nation.

"We will be setting out to clarify the points they have raised," Sri Lankan Human Rights Minister Mahinda Samarasinghe told the media. "We are continuing the dialogue with the EU and we are hopeful that finally that GSP+ is granted."

Sri Lanka had earlier criticised the report as an attempt to undermine its administration.

Sri Lanka's Foreign Minister Rohitha Bogollagama later handed his country's response document to all EU member states represented in Colombo, the ministry said in a statement.

The Sri Lankan government submitted a 48-page document to the EU in Colombo on November 6, titled 'Observations of the GOSL [Government of Sri Lanka] in Respect of the Report on the Findings of the Investigation with Respect to the Effective Implementation of Certain Human Rights Conventions in Sri Lanka'.

"Minister Bogollagama expressed confidence that the observations provided by Sri Lanka would be extensively examined by the European Commission and the findings reflected in its recommendation to the Council of the European Union," the ministry statement said.

The report challenged the findings of the EU report.

It said, "in this situation, of the very foundation of the (EU) Report being in question, it would be reasonable to keep action on the document in abeyance, while the authorities of the European Commission and the Government of Sri Lanka continue a constructive engagement concerning the issues at hand," reported ICP.



The twenty thousand civilians killed in the last days of the war and the targetting of civilians locations like hospitals are systematic of Sri Lanka's failure to comply with international covenants and norms

The government has maintained that while not cooperating with the EU investigation, its preferred mode of negotiation was through bilateral dialogue.

"The government of Sri Lanka is taking positive action (on the GSP+ extension)," Bogollagama had said the day before he handed over the report. "We are in dialogue with the EU."

Export Development and International Trade Minister Prof. G.L. Peiris told the Sri Lankan parliament on November 5 that the government had prepared a comprehensive response to the EU report.

Immediately after the October EU report came out, Peiris said that the government would not change its stance and subject itself to any kind of EU investigation.

The government had rejected EU requests for an investigation in October 2008 and maintained that such an investigation from foreign powers would undermine the country's sovereignty.

The EU's ambassador to Sri Lanka, Bernard Savage, told Reuters after receiving the report that he expected a decision from the European Commission later this month.

EU diplomats have said Sri Lanka could retain the concession, if it could address concerns raised, including rapid resettlement of more than 150,000 war displaced, release of an arrested journalist, ensuring media freedom and protecting human rights.

Sri Lanka, which had initially said it would not respond,

appointed a four-member panel to analyse and reply to the EU report, which had alleged human rights violations and torture.

Samarasinghe, a member of the panel, said the country had taken steps to address the "problems and challenges" confronting it in the aftermath of the end of its 25-year civil war in May, reported Reuters.

He said more than 40 percent of the 288,000 people displaced

by the war, known as internally displaced persons or IDPs, had been resettled, while a national action plan to address issues such as torture and extra-judicial killings was being finalised.

"Certainly on IDPs, that's something that they were interested in, now we have a successful position to communicate to them," Reuters quoted him as saying. Samarasinghe added that Sri Lanka's president had appoint-

Sri Lankan President Mahinda Rajapaksa has appointed a five-member high-level committee to look into a US Congress report that alleged human rights violations by both the Army and LTTE during the last phase of the 30-year-old civil war.

The committee would be headed by legal expert D S Wijesinghe, Minister for Disaster Management and Human Rights Mahinda Samarasinghe told reporters on November 6. The other members of the committee are Nihal Jayamanne, C.R. de Silva, Mano Ramanathan and Jesima Ismail.

The report, submitted by the US State Department to the Congress, had charged that both the government and the LTTE with "serious" human rights violations in the final months of the conflict. The 68-page report lists 170 human rights violations between May 2 and 18.

The committee will have until December 31 this year to submit its final response, Samarasinghe said.

ed a five-member committee of local legal and academic experts to probe a U.S. State Department report of possible war crimes at the end of the conflict.

"We have already responded 99.9 percent of the allegations with clear answers. But, we are still ready to emphasise the Sri Lankan government stance, based on the recommendations through

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IMF warns Sri Lanka

THE International Monetary Fund (IMF) has warned Sri Lanka against issuing government bonds in order to build up foreign currency reserves, as Sri Lanka received the second instalment of a \$2.6 billion loan.

"There is a difference between borrowed reserves and reserves collected from the current account (of the balance of payments), like booming exports," IMF resident representative in Sri Lanka, Koshi Mathai, told reporters. "There is always a risk that money could go out if (global) investors change their mind," he said.

This is the second warning issued by the IMF to Sri Lanka, after Colombo earlier built up reserves by borrowing from overseas investors.

The second instalment of the loan, worth \$329.4 million dol-

lars, helped top Sri Lanka's reserves past a record \$5 billion dollars.

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

Sri Lanka was also warned about its high budget deficit, which the government was told to keep at 7% of its GDP.

"The government obviously recognises this is a difficult target to meet. We will just have to see what happens and that will be an issue for future (IMF) reviews," continued Mathai.

"Sri Lanka is still a country with a high debt stock, and having high debt stock is fundamentally not conducive to good economic management."

In order to fully receive all instalments of this loan from the

IMF, Sri Lanka has an agreement over a list of set conditions which it must meet.

Amongst them, the budget deficit has to be reduced to 5% of GDP by 2011, a target which seems increasingly unlikely.

In order to try and appease the IMF further, Sri Lanka has also handed in a revised program document to the IMF, pledging to keep defence spending in 2010, the same as in 2009 in rupee terms.

The government has not yet released next year's budget, but instead presented a "vote-on-account" in a letter of intent, pledging to limit spending in the first third of 2010.

The International Monetary Fund bailout package was granted to help ease Colombo's balance-of-payments deficit, after the end of the war with the LTTE.

NEWS

'End emergency laws' says France

A leading human rights envoy from France told Sri Lanka that it should stop its use of emergency laws and investigate war crimes.

France's Human Rights Ambassador François Zimeray, who spent three days visiting the island, criticised the government to continue to enforce what AFP described as "draconian legislation".

"Ending of the emergency (in force since 1983) should have been the first consequence of ending the war (in May)," said the Ambassador.

"The fact that the conflict is over should be an opportunity to put an end to emergency laws."

The "State of Emergency" that allow these laws to be enforced were extended for another month after a motion was passed in parliament.

The Tamil National Alliance (TNA) and Sri Lanka Muslim Congress (SLMC) were the only

parties to vote against the motion.

These laws were used earlier on this year to sentence Tamil journalist J Tissanaiyagam to 20 years in jail, an issue that even US President Barack Obama commented on.

The French Ambassador's visit coincided with an impending EU ruling on GSP+ trade concessions.

This is an issue that would influence Paris's stance with regards to future trading with Sri Lanka, he pointed out.

While the envoy stressed that they were not trying to impose "western values" upon Sri Lanka, he stressed that the government has a duty to implement its own laws to protect human rights and ensure the rule of law.

French Foreign Minister Bernard Kouchner, who arranged for the Human Rights Ambassador Zimeray to visit Sri Lanka, also condemned Colombo, for

their treatment of civilians after the civil war has ended.

"Six months after fighting ended in the oldest conflict in Asia, the population of Sri Lanka is suffering the consequences of this dreadful war on a daily basis," reported the Foreign Minister in a statement.

"Tens of thousands of people are still being held prisoner in camps and kept under the control of armed forces," the statement said.

"The camps must now be permanently dismantled and the humanitarian organizations must be able to provide assistance and protection without any restriction to the displaced populations."

"Several months after the end of the armed conflict, we are waiting for the Sri Lankan authorities to take resolute action to dispense justice to compensate the pain of all the victims of this conflict," said Kouchner.



Having claimed victory in the war against the Liberation Tigers, it is time to stop renewing the Emergency Regulations, which give excessive powers to the state, said French Ambassador Zimeray

US legislators urge release of interned Tamil civilians



The US Congress is representative of a part of the international community growing impatient with the inaction of the Sri Lankan government with respect to respecting human rights

THE US House of Representatives passed a motion calling on the Sri Lankan government to respect its commitments to care for and ensure the speedy return of civilians displaced by the fighting.

H. Res. 711 resolution, passed Thursday, November 5, by a vote of 421 to 1, also drew attention to the approach of the 180 day deadline within which the Sri Lankan government had promised to release all the detained Tamil civilians.

That period is due to end on November 23, 2009.

Fewer than 20% of those detained had been released as of October 23.

The resolution also emphasized that "the United States sup-

ports the rapid release and voluntary return of all civilian IDPs as a critical element of national reconciliation in Sri Lanka."

The resolution called on the Government of Sri Lanka to allow freedom of movement for "IDPs to leave their camps voluntarily and return in safety and dignity to their homes or, where that is not possible, to live with host families or move to open transit sites."

Congress resolved that the IDP camps needed to be 'truly civilian,' not military.

They also said it was imperative that NGOs and observers, including the ICRC have 'full access' to the camps.

The Congress also urged the Sri Lankan government to

"engage in dialogue with Tamils inside and outside Sri Lanka on new mechanisms for devolving power, improving human rights and increasing accountability."

Many Congressmen including Rep. Howard Berman, the head of the Foreign Affairs Committee, and Rep. Danny Davis, who visited all areas of Sri Lanka following the tsunami and who co-sponsored the resolution along with Rep. Sheila Jackson-Lee, spoke in support of the resolution before the vote was taken.

The resolution was described as 'non-controversial and non-partisan,' and attracted 32 co-sponsors from both parties.

Isolationist Rep. Ron Paul of Texas was the only one to vote against the resolution.

British MPs hail US war crimes stance

JOINING international calls for a full independent investigation into alleged war crimes in Sri Lanka, a group of British Parliamentarians welcomed the initiatives taken by the United States in this regard and urged the UK government to support Washington's efforts. In a statement released November 3, the All Party Parliamentary Group for Tamils (APPG-T) welcomed US authorities questioning of Sri Lankan Army General Sarath Fonseka over the massacre of Tamil civilians in the closing months of the war this year.

"This is an important first step in bringing the perpetrators of alleged war crimes in Sri Lanka to justice and also begin the process

of a true reconciliation between ethnic communities in the island," the APPG-T said.

APPG-T said it will be requesting UK Foreign Secretary David Miliband to support the US Government's efforts to probe into war crimes in Sri Lanka and to also fully endorse the US Department of State's Report to Congress submitted on 22 October 2009, which detailed alleged violations of International Humanitarian Law (IHL) by both warring parties during the military offensive this year.

"[The Government of Sri Lanka] must facilitate an international, independent inquiry into alleged violations of IHL in order to establish peace, justice and

equality for all citizens in Sri Lanka," the group said.

Apart from Colombo's massacres during the war, the APPG-T also protested the treatment of civilians after the Sinhala government declared victory over the LTTE. "When the war with the Liberation Tigers of Tamil Eelam ended, the Government of Sri Lanka gave assurances to the International Community, including Britain, that it will resettle all internally displaced people within 180 days. The Government's own deadline is only a fortnight away but APPG-T has no evidence that suggests the GSL is committed to implementing its assurances to the International Community," the group noted.



The APPG-T is calling for Britain to follow the US example

NEWS

Fonseka flees America before being 'interviewed' about war crimes

SRI LANKAN Chief of Defense Staff General Sarath Fonseka fled the United States, hours before he was due to attend a meeting with the Department of Homeland Security (DHS) to discuss allegations of war crimes against Gotabhaya Rajapaksa.

According to Fonseka and other Sri Lankan officials, the DHS contacted the general on October 28 during his trip to the U.S. to visit his daughters, who live in Oklahoma.

Fonseka, who holds a U.S. green card permanent-residency certificate, was asked to show up for an interview on November 4. But hours before the interview was due to take place, Fonseka flew out of the US, thereby avoiding meeting.

In the Sri Lankan parliament, this was portrayed as the actions of a patriotic citizen.

"In the same way this brave soldier rid the country of terrorism, he is now on his way home without betraying the nation," AFP quoted Samantha Vidyaratne as telling the Sri Lankan parliament.

Earlier, in a letter to the Sri Lankan Embassy in Washington, Fonseka said he had been asked by United States officials to be a 'source' against Defence Secretary Gotabhaya Rajapaksa.

Two US officials from the DHS had reportedly made the request from Fonseka on his son-in-law's telephone line, the Daily Mirror newspaper reported.

Fonseka said one of the officials had asked him whether he was prepared to be a 'source' against the 'Defence Minister' of Sri Lanka. Fonseka had responded by asking him whether whom he meant was the President, who is the Defence Minister, the Daily Mirror reported.

The official had then told him



General Fonseka chose to return to Sri Lanka rather than face questioning in the US that could implicate President Rajapaksa's brother, Gotabhaya Rajapaksa, in allegations of committing war crimes

he had meant Gotabhaya Rajapaksa, to which Fonseka allegedly replied that he was the Defence Secretary and not the Defence Minister.

This conversation had been followed with a formal request by the Department of Homeland Security for a 'voluntary meeting' with Fonseka.

Later Sri Lanka's ambassador to the US, Jaliya Wickramasuriya, had retained lawyers from a leading law firm to 'assist' the military commander.

Given that Fonseka is only a US green card holder and not a US citizen yet, the US authorities only have the powers to question

him over matters relating to his prospective US citizenship and not human rights violation.

This is however not the case for Gotabhaya Rajapaksa, who holds US citizenship.

The Sri Lankan government claimed responsibility for facilitating Fonseka's departure from the US.

"We facilitated General Fonseka's early departure ahead of his Wednesday meeting with the DHS," Rohitha Bogollagama told Reuters.

"General Fonseka is a high-ranking public official and our position is that he cannot be used as a source against another high

ranking official. That's incriminating".

Separately reports confirmed that Gotabhaya Rajapaksa was questioned by US immigration authorities on his arrival in the US as a member of the Sri Lankan delegation attending the UN General Assembly earlier this year.

"This was not revealed to the media at that time. However, our Defence Secretary has been questioned for one hour by some US immigration officials on his arrival in the country," National Freedom Front (NFF) leader Wimal Weerawansa told reporters.

"Nevertheless, they have no right to question him on human rights issues. Now, these foreign forces appear to have renewed their conspiracy to hound the political and military leaders who led this war to a successful completion. They are trying to use General Fonseka for this purpose," the Daily Mirror newspaper quoted him as saying.

"It happened and I was there," Bogollagama said of the Rajapaksa interview. "We took all the necessary actions that were required."

In the U.S., the DHS's office of Immigration and Custom Enforcement (ICE), which reportedly made the Fonseka request, refused to confirm or deny the allegation.

"If there was an investigation, there's nothing we can provide. Especially in cases that are very sensitive under human-rights violations, until that person or group were fully investigated [we] would never comment," ICE spokesman Brandon Alvarez-Montgomery was quoted as saying by Time magazine.

Fonseka is known to have made some public remarks about the war in Sri Lanka, that could have drawn the attention of the US officials.

At an event in Ambalangoda, Sri Lanka, Fonseka was quoted as telling the audience that "the military had to overlook the traditional rules of war and even kill LTTE rebels who came to surrender carrying white flags during the war against the LTTE."

Similarly, at a speech at a Buddhist temple in the United States, Fonseka is reported to have said: "We must deploy enough troops to provide security for these [resettled] areas. We

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Sri Lanka protests US Fonseka meeting request

SRI LANKA has expressed its outrage over a request by the US Department for Homeland Security (DHS) for a meeting with Chief of Defense Staff General Sarath Fonseka.

The request for the meeting outraged top Sri Lankan officials who demanded Washington officials to drop the request for the interview.

"The Department of Homeland Security should forthwith desist from any endeavor to interview General Fonseka," Rohitha Bogollagama told Reuters.

"Whatever information General Fonseka may have acquired in the exercise of his official duties

is privileged by nature. Therefore, it cannot legally be shared with third parties without the prior approval and consent of the Sri Lanka authorities."

"The U.S. authorities should not exert procedures on [Fonseka]. The interview should not take place," Bogollagama was quoted by Time magazine as saying to US Ambassador to Sri Lanka, Patricia Butenis.

The Sri Lankan government said it believes that despite Fonseka's status as a green-card holder, the U.S. does not have any jurisdiction over him at this point because he entered the country on a Sri Lankan passport.

"General Fonseka is a citizen of Sri Lanka and he holds a diplomatic passport from Sri Lanka," Bogollagama added.

The minister said that Fonseka could not divulge privileged information he knew of the war and its conduct without approval from his superiors and the Sri Lankan government.

Whilst the request was termed to be a 'volunteer meeting', the Sri Lankan embassy in Washington was quick to organize legal representation for the former Army commander and to seek advice on whether the US authorities had the legality to override his diplomatic immunity.

Responding to previous international criticism, the Sri Lankan government has declared that it would not subject any of its military commanders or civilian officials who led the war to any kind of international investigation or war-crimes tribunal.

The Sri Lankan government is coming under mounting pressure internationally about its human rights abuses, including from the European Union which has threatened not to extend the GSP+ program that allows Sri Lanka certain trade advantages on its garment exports to the EU.

The office of the UN High Commissioner for the Human

rights also made fresh calls on October 22 into an external inquiry into war crimes committed by Sri Lanka, suggesting they should follow the lines of the Goldstein investigation into the last Israeli attack on Gaza.

Bruce Fein, a lawyer for the US-based group Tamils Against Genocide, has argued that the political justification for a genocide investigation was strengthened because the "United States has been vocal with Serbia, Bosnia and other nations about policing and punishing their own citizens or residents for genocide", reported the Guardian newspaper.

EDITORIAL AND OPINION

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New Wave

Sinhala oppression is feeding Tamil flight anew

This week both Australia and Canada are confronted by yet more ships carrying yet more Tamils fleeing yet another murderous Sinhala regime in Sri Lanka. These unfortunates are, by no means, the first Tamils to come to the West thus and, until the international community decisively confronts the repressive ethnocracy masquerading as a democracy in Sri Lanka, they will undoubtedly be followed by many more.

Lest it be forgotten, the - now much studied and talked about - Tamil Diaspora in the West is the product of waves of flight from Sinhala persecution over the past four decades. As we - and some clear eyed international analysts - have repeatedly warned, Sri Lanka's repression is fast deepening, fuelled by the triumphalism of Sinhala victory in the war against the Tamil (Tiger)s, and confidence in international inaction. What is also important is that the logic of racial hierarchy and exclusion embedded in the Sri Lankan state has long celebrated the flight of Tamil aliens from a space considered to have been bequeathed to the Sinhalese by Buddha himself.

Whilst a few Tamils migrated to Britain and other Western states before 1983, the Black July anti-Tamil pogrom was a watershed. Since then, hundreds of thousands of Tamils have fled Sinhala oppression, seeking refugee in neighbouring India and in the West. Others have scattered across Asia and even some African places. Whilst 'Mother' India penned many of our people in refugee camps, those who were able to overcome the often pitiless hostility of Western immigration were able to successfully rebuild their lives. As a community we have struggled, worked incredibly hard and done just that: we now constitute one of the most integrated and successful Diaspora communities in the West. We can be justifiably proud of ourselves.

The possibility that Sinhala oppression could be ended by Norwegian-led international 'peace' intervention temporarily slowed the flow of escapees, but the brutality of Sri Lanka's renewed war has created a new groundswell of fear and loathing amongst the island's Tamils. It was only a matter of time before the fleeing began anew. The mass-killings this year of tens of thousands of Tamils and the casual incarceration of the entire Vanni population - all under international scrutiny - has decisively spurred the primary driver of the now forty-year old Tamil outflow from the island: a thor-

oughly 'well founded fear of persecution'.

This year the Diaspora has become an object of intense scrutiny and study. Western states, it appears, want to understand us: who exactly we are, how we belong, think, calculate and feel. Some of these studies' sponsors want to know whether the Diaspora can be 'peace-builders' or a vehicle for 'development' in Sri Lanka (notions that are as discordant with the realities of race relations in that horrific place as Western interpretations of Tamil economic transactions in Sri Lanka are simplistic).

What is striking - and, quite frankly, laughable - is how none of these studies are particularly concerned with how 'the Tamil Diaspora' came to exist in the first place! Were this to be considered, the dynamics of Sri Lankan state repression, of execution, torture and rape by the 'security forces', and of exploitation by the ethnic supremacy embedded in state and society would be laid clearly open: the survivors of thirty years of Sinhala rule are here, in the West no less, to tell their stories.

The Diaspora will gradually be joined by yet more Tamils who, when confronting the stark choice faced by refugees the world over for millennia - stay and die or die escaping - opt to flee. They know where their fellow Tamils are living safely. They know - as did we, when we fled - that the slimmest chance away from Sinhala hegemony is all they need to thrive anew. (Recall how when the peace process came in 2002, the Tamils rebuilt war-ravaged Kilinochchi and Mullaitivu within months and contrast this with Sinhala-governed Tamil places).

The Diaspora must embrace our people when they come seeking refuge. We must encourage, even demand, that the international community - especially the powerful Western liberal states where many of us now reside - be compassionate, just and honourable. Because we too know the brutal realities of Sinhala persecution. Actually the world does too - though for decades it has chosen to look away, blaming our people's resistance for their persecution.

At the same time, we must be unrelenting in insisting the international community confront the Sinhala chauvinism that seeks relentlessly to render impossible the Tamils succeeding as a people in their own historic homeland. It is not forgotten how, before the Sinhalese were handed rule over us on a platter, we had in Eelam all that we have rebuilt in the West.

End of whose

Kishore Mahbubani

International Herald Tribune

THE 20th anniversary of the fall of the Berlin Wall has just been celebrated. For many, that momentous event marked the so-called end of history and the final victory of the West.

This week, Barack Obama, the first black president of the once-triumphant superpower in that Cold War contest, heads to Beijing to meet America's bankers - the Chinese Communist government - a prospect undreamt of 20 years ago. Surely, this twist of the times is a good point of departure for taking stock of just where history has gone during these past two decades.

Let me begin with an extreme and provocative point to get the argument going: Francis Fukuyama's famous essay "The End of History" may have done some serious brain damage to Western minds in the 1990s and beyond.

Mr. Fukuyama should not be blamed for this brain damage. He wrote a subtle, sophisticated and nuanced essay. However, few Western intellectuals read the essay in its entirety. Instead, the only message they took away were two phrases: namely "the end of history" equals "the triumph of the West."

Western hubris was thick in the air then. I experienced it. For example, in 1991 I heard a senior Belgian official, speaking on behalf of Europe, tell a group of Asians, "The Cold War has ended. There are only two superpowers left: the United States and Europe."

This hubris also explains how Western minds failed to foresee that instead of the triumph of the West, the 1990s would see the end of Western domination of world history (but not the end of the West) and the return of Asia.

There is no doubt that the West has contributed to the return of Asia. Several Asian societies have succeeded because they finally understood, absorbed and implemented the seven pillars of Western wisdom, namely free-market economics, science and technology, meritocracy, pragmatism, culture of peace, rule of law and education.

Notice what is missing from the list: Western political liberalism, despite Mr. Fukuyama's claim that "The triumph of the West, of the Western idea, is evident first of all in the total exhaustion of viable systematic alternatives to Western liberalism."

The general assumption in Western minds after reading Mr. Fukuyama's essay was that the world would in one way or another become more Westernized. Instead, the exact opposite has happened. Modernization has spread across the world, but it has been accompanied by de-Westernization.

Mr. Fukuyama acknowledges this today. "The old version of the idea modernization was Eurocentric, reflecting Europe's own development," he said in a recently published interview. "That did contain attributes which sought to define modernization in a quite narrow way."

In the same interview, he was right in emphasizing that the three components of political modernization were the creation of an effective state that could enforce rules, the rule of law that binds the sovereign, and accountability. Indeed, these are the very traits of political modernization that many Asian states are aspiring to achieve.

Asians surely agree that no state can function or develop without an effective government. We feel particularly vindicated in this after the recent financial crisis. One reason the United States came to grief was the deeply held ideological assumption in the mind of key American policymakers, like Alan Greenspan, that Ronald Reagan was correct in saying that "government is not a solution to our problem; government is the problem." Fortunately, Asians did not fall prey to this ideology.

Consequently, in the 21st century, history will unfold in the exact opposite direction of what Western intellectuals anticipated in 1991. We will now see that the "return of history" equals "the retreat of the West." One prediction I can make confidently is that the Western footprint on the world, which was hugely oversized in the 19th and 20th centuries, will retreat significantly.

This will not mean a retreat of all Western ideas. Many key ideas like free-market economics and rule of law will be embraced ever more widely. However, few Asians will believe that Western societies are best at implementing these Western ideas. Indeed, the assumption of Western competence in governance and management will be replaced by awareness that the West has become quite inept at managing its economies.

A new gap will develop. Respect for Western ideas will remain, but respect for Western practices will diminish, unless Western performance in governance improves again.

Sadly, in all the recent discussions of "the end of history," few Western commentators have addressed the biggest lapse in Western practice. The fundamental assumption of "the end of history" thesis was that the West would remain the beacon for the world in democracy and human rights. In 1989, if anyone had dared to predict that within 15 years, the foremost beacon would

OPINION

History?



The fall of the Berlin Wall failed to cement the West's legitimacy as had been anticipated when the bricks were torn down 20 years ago

become the first Western state to reintroduce torture, everyone would have shouted "impossible."

Few in the West understand how much shock Guantánamo has caused in non-Western minds. Hence many are puzzled that Western intellectuals continue to assume that they can portray themselves and their countries as models to follow when they speak to the rest of the world on human rights.

This loss of moral authority is the exact opposite outcome that many Westerners expected when they celebrated the fall of the Berlin Wall in 1989.

Does this mean we should give up hope? Will the world become a sadder place?

Probably few in the West remember the last paragraph of Mr. Fukuyama's essay. He wrote: "The end of history will be a very sad time. The struggle for recognition, the willingness to risk one's life for a purely abstract goal, the worldwide ideological struggle that called forth daring, courage, imagination and ideal-

ism, will be replaced by economic calculation, the endless solving of technical problems, environmental concerns, and the satisfaction of sophisticated consumer demands. In the post-historical period there will be neither art nor philosophy, just the perpetual caretaking of the museum of human history."

Here, too, as the 21st century unfolds, we will see the exact opposite outcome. The return of Asia will be accompanied by an astonishing Asian renaissance in which many diverse Asian cultures will rediscover their lost heritage of art and philosophy.

There is no question that Asians will celebrate the return of history. The only question is: Will the West join them in these celebrations, or will they keep waiting for the end to come?

Kishore Mahbubani is dean of the Lee Kuan Yew School of Public Policy at the National University of Singapore and the author of "The New Asian Hemisphere: The Irresistible Shift of Global Power to the East."

The UK Column



Remembering for the future

November is the month of the annual Tamil Eelam Remembrance Day. During this month Eelam Tamils across the world hold events to remember and honour those who have sacrificed their lives for the Tamil struggle. The annual Remembrance Day events have become an important expression of the continued existence and strength of the Tamil Eelam national identity.

Remembrance Day events are an important part of the national identities of many countries. The Tamil Eelam national Remembrance Day falls in the same month as Britain's annual Remembrance Day. In Britain, as in many other Allied and Commonwealth countries November 11, the anniversary of the formal Armistice that ended WW1, is marked as an annual Remembrance Day.

The most visible and memorable symbol of remembrance of these events is the red poppy which evokes the fields of poppies in which soldiers of WW1 lay buried. Although Remembrance Day traditions emerged in the wake of the enormous losses of WW1, November 11 is used to remember and commemorate the sacrifices made by British and Commonwealth armed services personnel in all subsequent conflicts.

Similarly for us November 27, the anniversary of the death of one Tamil militant is used to commemorate all those who given their lives in the struggle to secure freedom and justice for the Tamil people. The Tamil nation's Remembrance Day events are moments for sober and dignified reflection and commemoration.

Remembering our dead on November 27 maintains continuity with the past and ensures that present and future generations live in remembrance of the sacrifices that were made on their behalf.

Ernst Renan, the nineteenth century French historian, understood well the importance of remembering common suffering. Sorrows he thought were far more important than triumphalism in solidifying national unity and purpose: "In fact, national sorrows are more significant than triumphs because they impose obligations and demand a common effort."

The Remembrance Day events are therefore not just about commemorating the past. In remembering the sacrifices of the past we also reaffirm our commitment to the Tamil struggle. The sacrifices of the past impose obligations on us and command us to struggle to secure Tamil national rights.

This year in particular Eelam Tamils have a lot to remember, honour and commemorate. Over the past months the intensity of Sri Lanka's oppression has plumbed new depths. The Sri Lankan has unleashed unprecedented violence in a 'final solution' attempt to annihilate the Tamil national identity. Tens of thousands lie buried in the fields and beaches of Vanni - their tally may never be known.

Still Sri Lanka's oppression continues. It continues to incarcerate thousands and assass-

sinates or imprisons Tamil intellectuals and political leaders. The state is also trying to erase the Tamil national identity from the island by changing facts on the ground. First with overwhelming fire power it dismantled the fledgling de facto state and now with political and logistical savvy it is attempting to change the demography of the Tamil speaking northeastern areas of the island.

But the crude brutality of Sri Lanka's violence is offset only by the utter futility of these efforts.

Over a hundred years ago Renan understood that the nation was not a physical object made of buildings and identifiable borders. For Renan the nation was a shared principle: "To have common glories in the past, a common will in the present; to have accomplished great things together, to wish to do so again, that is the essential condition for being a nation."

This shared principle Renan noted was far more important than any physical criterion: "to have suffered, worked, hoped together; that is far more important than common taxes and frontiers conforming to ideas of strategy."

In the course of the Tamil struggle the Tamil nation has come together through work, hope and suffering. We have forged a shared past and are united by a determination for a better future for our people. This is what the brutal but inept Sri Lankan state will never be able to destroy, no matter how much it violently changes facts on the ground.

The annual Remembrance Day events that will be held across the Diaspora centres of the world are not just about the past, they are about the future. We owe it to all those who have sacrificed so much for the liberation of the Tamil nation not to forget them and to continue to strive for Tamil freedom. By keeping faith with the past we will overcome Sri Lanka's oppression and ensure the Tamil people have their day in the sun.

The red poppy, worn as a mark of remembrance in Britain and many other allied countries is a symbol of the continuities of past, present and future. The use of the poppy as a symbol was inspired by a poem titled 'Flanders Fields', written by a Canadian physician and soldier Lt Col John McCrae. The poem was written in May 1915 after McCrae witnessed the death of his twenty two year old friend Lt Alexis Helmer.

The poem is a message from the dead to the living that evokes the poppies that grow on Flanders Fields 'Between the crosses, row on row'. The dead demand not just remembrance but a continuation of the struggle for which they sacrificed. The last verse could well be speaking to the Tamil people as it sets out the obligations owed by those who live to those who have died for the struggle:

Take up our quarrel with the foe:
To you from failing hands we throw
The torch; be yours to hold it high.
If ye break faith with us who die
We shall not sleep, though poppies grow
In Flanders fields.

NEWS

In Sri Lanka, anger over detainees' fate

Emily Wax

Washington Post

SIX months after Sri Lanka's decades-old civil war ended with a final assault, about 200,000 people remain trapped in overcrowded government-run camps that were once safe havens for those fleeing the conflict.

Facing pressure from the Obama administration and the European Union, the Sri Lankan government last month launched a campaign to resettle tens of thousands of the minority Tamil detainees.

But interviews in the country's war-ravaged north reveal that many civilians have merely been shuffled from the large camps to smaller transit ones and are being held against their will.

Others have been released, only to be taken from their homes days later with no indication of where they have gone.

After the army defeated the Tamil Tigers in May, top government officials paraded their success on the streets of Colombo, the capital, and the country's leaders made noble promises about ensuring national harmony.

Now analysts say the real test of Sri Lanka's success in building a stable, post-conflict society lies in the fate of these scores of thousands of detainees.

Human rights groups say the government is lying about its

resettlement efforts; authorities concede they are using the camps as a tool to uncover any remaining Tamil militants but deny they are deliberately stalling civilians' return home.

"We thought this war was over. But for Tamils, it's like going from the frying pan and into the fire," said Devander Kumar, whose brother was released, only to be taken away by police without explanation, one of 30 men in the seaside city of Trincomalee who have disappeared soon after their homecoming.

"Do we Tamils have to prove every second of the day that we are not terrorists?"

Tamil leaders worry that if civilians end up languishing in the camps indefinitely, the situation will only breed more resentments and risk spawning another generation of rebels.

But the government says it needs more time to de-mine vast stretches of land in the north, as well as to repair infrastructure damaged by war.

Authorities also say they continue to root out rebels who have blended into the civilian population.

"History will prove us right," said Basil Rajapaksa, who is leading the resettlement process.



From the final days of the war when Tamil civilians, who donated blood to assist the patients who had been taken out of the Vanni by the ICRC, disappeared, to today when those released from the Vavuniya internment camps to their homes in Trincomalee go 'missing' after encounters with military or paramilitary agents of the Sri Lankan state, Tamils in the east continue to live in fear of being targeted purely because they are Tamil and have assisted other Tamils in need. In this fear of persecution based on race they are not alone, for it is prevalent among all Tamils across the island

"We thought this war was over. But for Tamils, it's like going from the frying pan and into the fire. Do we Tamils have to prove every second of the day that we are not terrorists?"

Rajapaksa is a U.S. citizen and an adviser to President Mahinda Rajapaksa, his brother. "We need the transit camps to

weed out any underground rebels. The Tamil people have had a lot of hardship," he said.

"So the last thing we want is to sacrifice their security for the sake of risking even one more sleeper cell or one more attack."

After a fierce military offensive in May, the government declared victory over Liberation Tigers of Tamil Eelam, a well-funded militia that for 26 years fought for a separate homeland in northern Sri Lanka. The United States and other governments have labeled the Tamil Tigers a terrorist organization.

The U.S. State Department has called for an investigation into war crimes allegedly com-

mitted by both sides during the war's final days.

After the fighting stopped, the president commissioned patriotic pop songs extolling the virtues of a prosperous Sri Lanka united under one flag.

In the new Sri Lanka, he said, the Sinhalese Buddhist majority would embrace its Tamil compatriots, who are mostly Hindu and make up 15 percent of the nation's 20 million people.

But there is growing frustration among Tamils over the camps, ringed by razor-wire fencing and patrolled by armed guards. There is also anger over the unexplained arrests of military-age men.

Smell of appeasement surrounds asylum deal

Amanda Hodge

The Australian

THE Australian government went to Sri Lanka this week bearing gifts in the hope of winning cooperation in its bid to reduce asylum-seeker numbers.

One was material: \$11 million towards de-mining the former northern conflict zone and resettling about 250,000 civilians still held behind razor wire in internally displaced people (IDP) camps.

The other was less tangible: rhetoric that pandered to the Sri Lankan view that most asylum-seekers are Tamil Tigers seeking to reinvigorate the separatist struggle from distant shores. Both bore the whiff of appeasement.

While the EU is poised to withdraw Sri Lanka's tax exemption status for textile exports,

worth US\$3.3 billion annually, because of reported human rights abuses there, and the US administration has called for the camps and former conflict zones to be opened to international scrutiny, Australian officials say they prefer a more "constructive" approach.

In a joint news conference late on Monday night to announce a memorandum of understanding on people-smuggling, Foreign Minister Stephen Smith emphasised the importance of apprehending and prosecuting criminal and terror syndicates behind the people-smuggling trade.

"We face a heightened challenge from the criminal syndicates behind people-smuggling

and we need to up our efforts to combat that, and that's what our agreement is about today," Mr Smith said.

Australia's latest financial contribution will provide \$6m to clear mines in resettlement areas, \$2m for food assistance to people who have been resettled and \$3m through the UN for housing reconstruction work.

In announcing the aid grant, Mr Smith welcomed the Sri Lankan government's commitment to moving people out of IDP camps and back into their communities "with all the freedoms associated with that, particularly the freedom of movement".

That will be news to people such as Pawani, a 25-year-old Tamil woman who lost both her legs in March during heavy government shelling of Killinochchi, the administrative capital of the former LTTE-held north.

She was released into her parents' care only last month after spending five months in an IDP camp but enjoys none of the freedom of movement Mr Smith referred to this week.

Confined to her family home in a tiny fishing village in eastern Batticaloa Province, Pawani cannot even travel the few kilometres to the neighbouring village to see relatives and friends without first seeking permission from security officers.

"I have been advised by the authorities that I have to live at the one address I have been released to," she told The Australian.

"When I want to leave this village, I have to inform the authorities."

"Even to go to hospital, I have to get permission."

"I have many relations who live in neighbouring villages but I

can't visit them. Even if I get permission, I am not allowed to stay the night."

Neither Pawani nor her family has received compensation for her life-changing injuries and she has no idea whether the government will help pay for artificial limbs and rehabilitation.

Colombo-based human rights lawyer Gowry Tharawasa has little faith Australia's latest aid contribution, which brings Canberra's total financial aid package since the war's end in May to \$49m, will find its way to the people most in need.

"IDPs who have been released have not been given any proper facilities," Ms Tharawasa said yesterday.

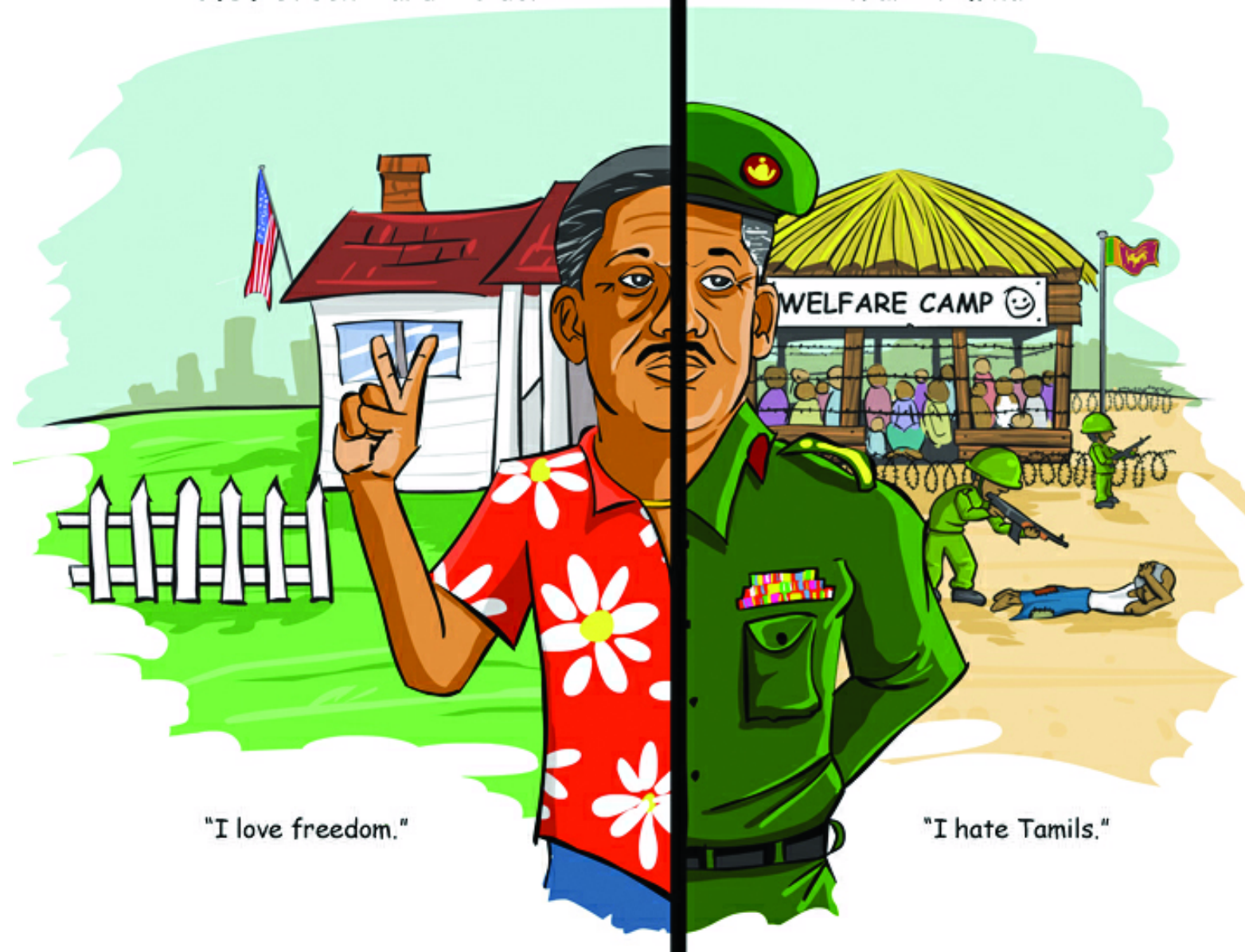
"No aid has been provided. There's been big publicity about people released but they have been dropped in villages without even basic facilities."

NEWS

The Two Faces of Sri Lankan Army Commander Sarath Fonseka

U.S. Green Card Holder

War Criminal



On a recent day at a camp set up inside a school here, soldiers held back a group of weeping women who rushed to the gates to greet family members they had not seen in more than a year because they had gotten separated during the fighting.

"The most worrying part of the transit camps is that nobody is allowed to even meet them inside, not even religious leaders or desperate relatives," said V. Kalaichelvan, head of the Consortium of Humanitarian Agencies in Trincomalee.

"It's like a wound on the psyche of the already damaged Tamil community."

Mano Ganesan, a Tamil member of Parliament, has filed a lawsuit against the government to allow him and other Tamil leaders to visit both the transit and the relief camps.

"Tamils feel like inmates in their own country. . . . The irony is that the root causes of this conflict are being ignored yet again. That can only mean more Tigers in the future," Ganesan said.

On a 10-hour trip by car from the capital to Trincomalee, one encounters frequent checkpoints, abandoned villages and fields of weeds where once rice and cashew were grown.

The transit camps appear overcrowded, with families

In a country with a long history of disappearances, just snatching people creates an incredible atmosphere of fear.

spread out under trees.

"In the last few weeks, there has been a sincere effort to release more people from the detention camps," said a senior U.S. official, who spoke on the condition of anonymity to protect diplomatic efforts.

"But we have so far been unable to track where exactly they are going. We are hoping to see evidence soon that they have actually been resettled."

Sri Lankan officials say the government has begun relocating nearly 42,000 people from the camps.

The government also says it will dedicate a large amount of development money to the Tamil-dominated north.

But mistrust prevails. In one village, residents said police had taken away several of their neighbors, who they said were innocent.

"One of the major problems with the camps is that the government is not telling people when or why they are arresting relatives," said Gordon Weiss, a spokesman for the United Nations in Sri Lanka. "In a country with a long history of disappearances, just snatching people creates an incredible atmosphere of fear. At the same time, the sinister nature of this war was that so many civilians were militarized, which legitimized them as targets by the other side. That is the tragedy of this conflict."



While Sinhala news was dominated by Sarath Fonseka's 'troubles' in the US, the Tamil media was more focused on the fate of Tamil civilians held in internment camps as the monsoon rains finally arrived causing flooding and further distress (cartoon courtesy Creative Truth)

OPINION

Horrific treatment makes them desperate

David Feith

Sydney Morning Herald

THE "tough talk" over the case of Sri Lankan Tamil asylum seekers by Prime Minister Kevin Rudd and Australia's abrogation of its responsibility to these people in deals with Indonesia (which have turned sour) has left me puzzled and disappointed.

Where was this "tough talk" when Tamil civilians in Sri Lanka were being relentlessly shelled by the Sri Lankan military in the war earlier this year? What practical measures has the Australian Government taken to address the suffering of Tamil civilians in the internment camps in Sri Lanka since the war ended in May? More than 250,000 Tamil civilians have been detained since May in barbed-wire fenced internment camps, where they are subject to massive overcrowding, shortage of food and medical facilities, abductions, including the abduction of children, rape, torture, disease, and when the monsoons set in, flooding.

It is the extreme, so-called "push factors" and the entrenched discrimination against Tamils in Sri Lanka that leads to desperate acts, such as embarking on a dangerous voyage on unsafe vessels.

Human Rights Organisations, such as Amnesty International and Human Rights Watch, have repeatedly expressed their concern about the conditions in the camps. Both organisations have repeatedly called for the release of Tamil civilians from the internment camps and have accused the Sri Lankan Government of falsely claiming that it had allowed thousands of detained civilians in the camps to return home. In reality, many of the people that the Government claims to have released have been transferred from one detention camp to another, a so-called "way station". Asia director at Human Rights Watch Brad Adams has said: "While the Government has the right to screen the displaced persons for security reasons, the process has turned into a ruse to hold as many Tamils for as long as possible in the camps. The Government's untruthful statements and promises should not fool anybody anymore."

Amnesty International has stated that the camps are filthy, overcrowded and dangerous. Heavy rains in September caused rivers of water to cascade through the tents, forcing camp residents to wade through sewage. Monsoon rains are expected to start soon, threatening to flood the camps. One escapee told Amnesty that some women are forced to give birth in front of strangers



without privacy.

All international media and non-governmental organisations have been locked out of the camps, ensuring that the suffering of the people is far from public attention. The Times newspaper in England has reported that 1400 civilians each week are dying in the camps. British Foreign Secretary David Miliband has admitted to the House of Commons that the British Government was aware that the extrajudicial killing of Tamils has taken place, both inside and outside the camps. The European Union is set to recommend withdrawing trade benefits from Sri Lanka over alleged human rights abuses in the last stages of the civil war. The EU has investigated whether Sri Lanka violated the UN Convention against Torture, UN Convention on the Rights of the Child and UN Covenant on Civil and Political Rights. In August it completed a report that described a culture of "complete or virtually complete impunity in Sri Lanka", citing police torture, abductions of journalists and uninvestigated disappearances.

In addition, earlier this week, in a 70-page report, the US Government was highly critical of the Sri Lankan Government. The report alleged that Sri Lankan Government forces abducted and killed ethnic Tamil civilians, shelled and bombed no-fire zones, and killed senior rebel leaders with whom they had brokered a surrender. The report describes a hellish scene, in which a no-fire zone, crowded with civilians, was struck by sustained shelling and bombing. It estimated that 100 people per day were killed by Sri Lankan army shelling and bombing. Hospitals in the area were continually struck by shells, even though their locations had been carefully reported to the Government.

Many of the critics of the 260 asylum seekers label them "queue jumpers". How can one jump a queue, when one was never allowed to join the queue? The United Nations refugee agency (UNHCR), which is responsible for processing the claims of refugees, is not allowed in the camps.

The Australian Government's

response has been to pledge to send Australian police to Sri Lanka to help the Government there clamp down on the exodus of asylum seekers. This is after the Australian Government that sent its deputy chief of the navy, Rear Admiral Davyd Thomas, to Colombo in June 2009 to urge that young Tamils be prevented from coming to Australia. Has Australia sent a parliamentary delegation to Sri Lanka to inspect the internment camps and see the conditions for themselves? The answer is no. The weak response of the Australian Government to its own citizen, UNICEF spokesman James Elder who was expelled from Sri Lanka, illustrates its lack of conviction in addressing the human rights concerns of the Tamil people. Furthermore, in July, a second Australian citizen, also a senior UN diplomat was given two weeks to leave the country, for providing detailed rebuttals of Sri Lankan Government "wartime propaganda" during the final battles against the Tamil Tigers. Both expulsions were under the instructions of Palitha Kohona, the then permanent secretary to the Ministry of Foreign Affairs of the Sri Lankan Government. He has just been awarded permanent representative of Sri Lanka to the UN. Kohona is also an Australian citizen, who, before returning to Sri Lanka, was the head of the trade and investment section of the Department of Foreign Affairs and Trade.

People do not flee their home countries lightly. Demonising asylum seekers or people smugglers does not help the situation. We need to understand the conditions that force people to flee their home countries. The definition of a refugee is someone who flees persecution. It would be worth examining why Sri Lankan Tamils fear persecution. The Australian Government should look carefully at the situation in Sri Lanka, and urge the Sri Lankan Government to improve its treatment of Tamil citizens if it wants to stem the tide of asylum seekers.

David Feith is the author of Conflict in Sri Lanka and Stalemate: Refugees in Asia.



Softly, softly on boat-people

Editorial

New Zealand Herald

THIS country enjoyed a warm glow early in the life of the previous Government when it relieved Australia of some of the so-called Tampa refugees.

Green MP Keith Locke believes we should do it again, this time for asylum-seekers from Sri Lanka who have been picked up by an Australian customs vessel and returned to Indonesia, where they are refusing to disembark.

This country needs to be careful as well as compassionate.

It must do nothing to undermine Australia's legitimate efforts to control its borders. With a vast, empty coast facing Asia and the Indian Ocean, Australians naturally harbour a deep-seated fear of mass illegal immigration by sea.

The Howard Government's refusal to admit the boat-people to the Australian mainland, keeping them encamped in Nauru, Papua New Guinea or Christmas Island, may have seemed hard-hearted in New Zealand but across the Tasman it won John Howard more friends than enemies.

So much so that he was accused of exploiting his hard line for election gains.

Be that as it may, Mr Howard can now point to a measure of success in stemming the flow of sea-borne asylum-seekers during his period in power.

And for all that the Australian Labor Party criticised him at the time, the Rudd Government is doing much the same. It has shut the Nauru and PNG camps but increased air and sea patrols and maintained arrangements that deny refugee appeal rights to those held on Christmas Island.

The public, however, believes Mr Rudd has softened the line and blames him for a recent resurgence in numbers of boat-people trying to make landfall in Australia.

Two polls published this week returned adverse verdicts on his border security. Perception is probably a bigger problem than the reality. Australia accepts 13,500 refugees a year. More than

95 per cent arrive by plane.

The number intercepted at sea over the past year is about 1800. Almost 700 of them have been stopped in the past six weeks. Most come from Afghanistan, Iraq and, more recently, Sri Lanka. Tamils fleeing Sri Lanka since their defeat in that country's long civil war have created a new wave of need.

The 78 who are refusing to leave the Australian customs patrol ship Oceanic Viking in the West Java port of Merak have created an incident that dramatises both the plight of the Tamils and the Australian Government's dilemma.

New Zealand should not take any of the 78 except at Canberra's request. There is a welcome and well-established Tamil immigrant community in this country and extra numbers could easily be absorbed, but orderly procedure is important.

The Australian Foreign Minister has been in Sri Lanka this week trying to discourage Tamils from fleeing to Indonesia in the belief they can slip across to Australia by boat.

Meanwhile, Indonesia has set a deadline of Friday for the Oceanic Viking to depart. Churches and trade unions are calling for the 78 to be allowed into Australia so their need for asylum can be properly assessed.

But the Rudd Government's reluctance can be understood. It is one thing to assess an asylum-seeker who arrives on a commercial aircraft and send him away back on the next plane if his claim fails; it is a different thing entirely to bring the people in on Australian ships or aircraft and preserve the option not to let them stay.

New Zealand should make known its willingness to help, as it did in the Tampa incident, but not too loudly. There is no credit in displays of compassion from a position of comfort.

Asylum-seekers and the agents who prey on them must not imagine that a bid for illegal entry to Australia will result, at worst, in admission to New Zealand. The lucky few admitted from the Tampa did not interfere with the Howard Government's clear message. The same care would be needed again.

NEWS

Refugees in Indonesia threaten suicide

TAMIL refugees on board a boat on the Indonesian island of Bintan have threatened to commit suicide if their pleas are not heard.

"If Australian try to force back to Indonesia, we are going close our life in the ocean", read a hastily written note thrown to journalists from aboard their ship.

"This is our final decision," they said.

The Indonesian authorities have given the refugees until November 13 to disembark and hand themselves over to authorities. At this point, they will be forcibly transferred to an Indonesian detention centre in Bintan.

From there most of the refugees will probably be repatriated to Sri Lanka, if past Indonesian practice is any indication, reports from the country said.

But the refugees have refused to set foot on Indonesian soil.

The United Nations refugee Agency confirmed that at least some of the group, aboard the Ocean Viking ship, have been recognised as needing refugee protection and are genuine refugees.

"It's difficult for us to say exactly who's on board and what their background and profile is, but we understand there are a number of cases who are known to UNHCR - either as refugees or people who have some registration with our organisation in south-east Asia," said the UN's regional representative, Richard Towle.

Despite pleas from the Tamils onboard for the UN to come and talk to them, Towle confirmed that the UN has not yet been given permission to go on board.

"We haven't been on board at

this point because we haven't received a specific request from the government of Indonesia and of course, their consent and request would be a prerequisite of us going on board," he said.

Some reports suggest that though the asylum seekers have been aboard the boat for two weeks, some may have been living in Indonesia for years, waiting for the UN High Commission for Refugees to resettle them.

The fact that the notes they have been throwing to journalists from aboard their boat are written in Indonesian, is being used to support these reports, as the refugees must have been in Indonesia long enough to be able to write the language.

In their frequent notes, the civilians have described their physical and emotional sufferings, whilst waiting in Malaysia and Singapore, to be resettled.

They claim to have paid more than US\$5,000 each in order to be smuggled from Indonesia to Australia but are now stranded aboard the ship.

There have also been claims of officers mistreating the civilians on board.

"He pushed me to go back. He said always like this and also using bad words like 'f**k'," said one asylum seeker.

Australian Foreign Affairs Minister Stephen Smith is due to visit Sri Lanka and meet with government officials in order to try and ease the standoff.

"We are contemplating and looking at what further assistance we may be able to provide," Mr Smith said.

Meanwhile, the refugees are still onboard the Ocean Viking, awaiting a decision on their future.

The 245 asylum seekers are

still aboard the boat they boarded in the West Java port of Merak in Indonesia.

Since the boat was detected on October 17, they have refused to disembark from the boat and step foot onto Indonesian soil.

Ten refugees have come off the boat for urgent medical reasons. "We all wish to come to Australia," said 30-year old Anton speaking from an Indonesian hospital.

The group's spokesman Alex, has told reporters that he was deported from Canada in 2003, but was reluctant to talk about his past, fearing for the safety of his wife and children, who are still in Sri Lanka.

He said that he would "hold the Australian government and the Indonesian government responsible for their murders," if anything were to happen to them.

Many of the refugees on board the boat have said that they were held in the infamous Menik Farm IDP camp.

"They are deeply traumatised and fear being returned to camps if they hand themselves over to the Indonesian government," said Pamela Curr from the Asylum Seeker Resource Centre in Melbourne.

"Three people from this boat have been hospitalised and five people with little children have left the boat because of the children. Last week water was restricted and no medical care given for conjunctivitis which was sweeping through the boat. Over 30 cases reported on Friday," she said.

"IOM and Indonesian officers are pressuring the people to disembark. However after living in camps in Sri Lanka these people are not ready to commit to camps in Indonesia," she added.



The Tamil refugees in Indonesia feel abandoned by both the Australian and Indonesian governments, with neither country willing to consider their claims though international agencies say many face legitimate fears of persecution in Sri Lanka

Tamils die fleeing Sri Lanka

A BOAT full of asylum seekers, believed to be Tamil refugees, was detected off the shores of Australia last week, capsizing before it had reached land.

Twelve civilians aboard the

boat are believed to have drowned and twenty-seven were rescued.

The boat is believed to have set sail from the Batticaloa, Sri Lanka, with the ultimate destination being Australia.

The surviving asylum seekers were sent to a detention centre on Christmas Island, off the northern coast of Australia.

After 24 hours a rescue operation to find further survivors was called off.

"Medical advice received indicates that there is no further chance of survivability," Australian Home Minister Brendan O'Connor said in a statement. "This is a tragic incident."

The refugees were rescued by a trawler and bulk freighter which responded to their distress signals.

They arrived to find debris from the boat strewn about the water and a "significant" number of the passengers in the ocean.

Two teenage boys aged 13 and 14 were among the missing, feared dead after the boat capsized near the Cocos Island.

One body was recovered and a two more were sighted in the water, media reports said.

Australia urges Sri Lanka reconciliation

AUSTRALIA on Sunday, November 8, urged Sri Lanka, having defeated the Tamil Tigers in May, to now embrace political reform and reconciliation to stem the flow of asylum seekers leaving the country.

Australian Foreign Minister Stephen Smith met his Sri Lankan counterpart Rohitha Bogollagama in Colombo on Monday, November 8 amid a standoff in Indonesia involving 78 Tamil asylum seekers, who are refusing to leave an Australian vessel that rescued them last month.

"I will reiterate Australia's view that having won the war, Sri Lanka now needs to win the peace through political reform and reconciliation," Smith said in a state-

ment before his meeting with his Sri Lankan counterpart.

"Mr Bogollagama and I will discuss bilateral and regional cooperation on people smuggling and ways in which Australia will continue to assist Sri Lanka rebuild after decades of internal conflict." The Australian statement however was not publically reiterated after Smith's arrival in Colombo. Instead, Australia and Sri Lanka signed a legal cooperation agreement to fight people smuggling.

The memorandum of understanding will make it easier to investigate and prosecute smugglers while legal assistance and extradition measures will be strengthened, Australian Foreign

Minister Stephen Smith said in a statement, without detailing specific steps.

"People smuggling remains a high priority," Smith and Bogollagama, said in a joint statement. "It presents a threat to the integrity of border security."

The standoff in Indonesia involves an Australian customs vessel which rescued a group of boatpeople in Indonesian waters.

It took them to the Indonesian port of Tanjung Pinang but the asylum seekers have refused to leave the vessel.

Last Friday Indonesia extended for another week a deadline for the ship to leave its waters.

The arrival in Australia of several boats carrying asylum seek-

ers, many of them Sri Lankan Tamils displaced by the conduct and end of civil war, has ignited what is a hot-button political issue in Australia.

Prime Minister Kevin Rudd has had to defend his border security policy, which critics say has been softened and is attracting more boatpeople. Opinion polls show the popularity of Rudd's government has taken a tumble in the past few weeks as a result of its handling of the issue.

Almost 300,000 civilians were forced from their homes and moved into the cramped camps in the north of Sri Lanka during the final months of Sri Lanka's civil war against the LTTE which ended in May.

OPINION

Situation in Sri Lanka absolutely grim says Arundhati Roy

“India has done everything it can, including blocking the demand for an investigation into the possibility that the Sri Lankan government might be guilty of having committed war crimes in this war against the Tamil people of Sri Lanka.”

The Sri Lanka Guardian

IN an exclusive interview with the Sri Lankan Guardian, Ms. Arundhati Roy shared her views on Sri Lanka.

“The situation sounds in Sri Lanka absolutely grim,” she exclaimed.

“Indian civil society is a vast and varied creature. Most people in India have absolutely no idea what happened in Sri Lanka, because the Indian media was careful not to report it,” she said when I asked about present gloomy interests of an Indian civil society towards situation in Sri Lanka.

Speaking about war in Sri Lanka which has ended last May, Ms. Roy suggested, “I believe that the Government of Sri Lanka should be investigated for committing war crimes.”

“I am in no way pro LTTE nor have I ever been. I cannot admire those whose vision can only accommodate justice for their own and not for everybody,” she has pointed out on her view regarding the Liberation Tigers of Tamil Eelam.

Even talking about the policy of the Government of Sri Lanka, Ms. Roy asserted, “I do believe that the LTTE and its fetish for violence was cultured in the crucible of monstrous, racist, and injustice acts that the Sri Lankan government and to a great extent Sinhalese society visited on the Tamil people for decades.”

Has the Rajapakse Government openly nationalized almost fascist rhetoric? What has Arundhati Roy said?

Full text of the interview is below:

Question : So how do you summarize the present political developments in Sri Lanka six months after the elimination of the Tamil Tigers?

Answer : The situation sounds absolutely grim. I have not visited the camps myself, but from the reports that are emerging it is obvious that there is an unconscionable humanitarian crisis unfolding which the world seems to be turning its eyes away from.

For hundreds of thousands of people to be herded into camps and held there by a government that is so blatantly gloating over its military victory over them is a

terrifying situation. Mind-numbing.

The use of the term ‘concentration camp’ does seem appropriate given the few testimonies that have made their way out of the steel wall of silence the government has erected around them.

If these testimonies are untrue, and if the Government of Sri Lanka has nothing to hide it should allow the media free access to the camps so they can see what is going on.

Question : The Government of Sri Lanka is saying it will resettle all Internally Displaced People before end of January 2010. It is interesting to read that the Government is ready to offer Colombo schools to ex-Child Soldiers of Tamil Tigers. Always we can hear victory euphoria from the Government side and its tune all the time is very optimal.

Meanwhile, many Rights groups and some countries like the United States criticized the action of the Government of Sri Lanka, and are saying the Government is violating basic human rights, as well as there are some critical issues over war crimes by the Government in the final battle against the Tamil Tigers.

But it seems the Indian civil society is having very little sympathy to the suffering of Sri Lankan Tamils. Let me know your views on War on Terror in Sri Lanka and the minority’s future in the Island Nation?

Answer : Indian civil society is a vast and varied creature. Most people in India have absolutely no idea what happened in Sri Lanka, because the Indian media was careful not to report it.

The section of the Indian establishment - those with a ‘voice’ are increasingly developing a ghoulish fascination for State power and its ability to crush people. There is a great admiration for Israel and its methods among this crowd. It is shameful. So this section has no problem with what has been done to an ethnic minority.

They have tolerated a huge amount of state brutality in their own country, in Kashmir, in Nagaland, in Manipur for years. My views on the Sri Lankan War? I believe that the Government of



The conditions of the people in the camps can only lead to resistance argues Arundhati Roy, who also suggests that some laws are aimed at producing terrorism, rather than preventing it.

Sri Lanka should be investigated for committing war crimes.

Question : It is claimed by some quarters that India was behind the conflict from the beginning and gave weapons and other logistical support and also training facilities in her soil for the Tamil militancy few decades ago. But later India went against the Tamil militancy and went close to the Government of the Island nation. Let me know your views on the India’s approach towards its southern neighbour in the future?

Answer : That the Indian government armed and trained the LTTE is well known. But then it switched sides. India has done everything it can, including blocking the demand for an investigation into the possibility that the Sri Lankan government might be guilty of having committed war crimes in this war against the Tamil people of Sri Lanka. India, China and Pakistan came together to block it. International politics is a cold, unforgiving game.

Question : The Prevention of Terrorism Act – or as you have called it, the ‘Production of Terrorism Act’ – is still in force in Sri Lanka, whilst hundreds of youth, most of them ethnic Tamils are being arrested under the PTA and held in prisons or in undisclosed clandestine camps.

It seems Patriotism, National

Security, Humanitarian Mission etc of the government are overshadowing the Law and Order in the country. It is easy for people to be branded as patriots or traitors by under these missions thus undermining the law and order needed at this difficult juncture. If this continued what will be the long term consequences for Sri Lanka?

Answer: That is exactly what anti-terror laws are meant for. They are never meant for real terrorists. They are meant to terrorize ordinary people, to criminalize democratic space.

In Gujarat in 2002 after Hindu mobs massacred Muslims on the streets, only Muslims were booked as ‘terrorists’. Today India is passing laws that allows the government to call anyone it wants to a Maoist, a Naxalite.

In India the bogey of ‘Islamist terrorism’ had an inherent flaw - the minimum qualification for a person to be booked was that he or she had to be Muslim. Now with the ‘Maoist Terror’ bogey that flaw has been rectified.

The media’s wild stories about Maoist terror has allowed the Indian Government to vastly expand the catchment area of suspects. It can apply to any one of us.

In Sri Lanka the long term consequences cannot be good. I don’t believe that people who have

been brutalized and robbed of their dignity will just keep taking it. The Tamils will rise again, not now, but some years from now.

Question: Whenever you came out with your views on the ground realities, you came under severe criticism of the Sri Lanka government as a supporter of the LTTE. Is this because your comments are considered pro-LTTE sentiments?

Answer: That is a pretty standard, self-serving way that most right wing governments have of dealing with criticism. It’s the old Bush doctrine ‘If you are not with us you are with the terrorists.’

I refuse to submit to it. I am in no way pro LTTE nor have I ever been. I cannot admire those whose vision can only accommodate justice for their own and not for everybody. However I do believe that the LTTE and its fetish for violence was cultured in the crucible of monstrous, racist, injustice that the Sri Lankan government and to a great extent Sinhala society visited on the Tamil people for decades.

I also believe that the LTTE must take at least some responsibility for the cataclysm that has befallen the people it claimed it spoke for, and fought for. The tragedy of Sri Lanka’s Tamil people is one that all armed struggles, including the Maoists of India ought to learn from.

OPINION

Reconciliation cannot come without parity and dignity

TamilNet

WHEN the Second World War was ending in the Western Theatre in May 1945, the British public made one of its wisest decisions in history in sending Winston Churchill to political retirement and electing Clement Attlee who was able to evoke new hopes about freedom of peoples all over the world by announcing independence to colonies.

Postal votes cast by British soldiers experiencing the pulse of peoples in different parts of the world in fact made the edge of the decision.

The war that is declared ended in the island of Sri Lanka fails to evoke any hopes in the minds of the masses in the island as well as in the civilized world because no formula other than further repression is what forthcoming in addressing the underlying issue of national question in the island.

The Sri Lankan government and the military chief aspiring for political power are only competing in who could prove more repressive to the national question of Eelam Tamils.

The plain truth is that political justice cannot be expected from the guilty and the paranoid ones unless they are 'Dharma Ashokas' of the Buddhist fame. Even Ashoka who shed much tears in his inscriptions for the war he waged in Kalinga, never thought of giving independence to that country.

For reasons yet to be understood fully, the war in the island was collectively and determinedly fought by all the powers of the world. What is that sane point of global polity they wanted to achieve and if they have achieved it where is the political justice long due for Eelam Tamils, remain as puzzles.

Many diplomatic circles were long hinting at the bankruptcy of ideology in the powers of today. According to them, the island of Sri Lanka was a test case for 'trial and error geopolitics' of 21st century and except China the others fought the war with an 'extraordinary vision' of 'what comes later will be addressed later.'

As a result, at the end of the war, the geopolitical configurations became more precarious than before.

Now comes the great idea of 'reconciliation'.

A widely expressed opinion considering all what had gone before is that reconciliation has to first take place between the powers and Eelam Tamil psyche.

Probabilities for such a reconciliation taking place genuinely are remote unless the powers recognize the national question as national question and come forward to address it in ways fit enough for chronic cases.



As long as the Tamil nation is not placed on an equal footing with the Sinhala nation, there can be no genuine reconciliation in Sri Lanka

In this respect the US state department's paradigm of reconciliation is wanting in Hillary Clinton's pre-election vision on recognition of national questions.

The war and its aftermath have indisputably proved that 'human rights' and 'development' are not sufficient enough to handle a crisis like that of Sri Lanka.

Any approach to the diaspora about which the West is particularly interested in may not bear much fruit unless there is open commitment of them to the national cause of Eelam Tamils.

India has no excuses now in recognizing the national question as the 'terrorism' it was complaining about doesn't exist and as Mr. Karunanidhi has proved that the Eelam Tamil nationalism is a separate entity of its own.

But the Indian Establishment is far behind in politically gearing itself to meet the requirement. Its traditional approach through bureaucrats and intelligence agencies to create and manipulate factions will not work anymore. Only an open political confession acknowledging the national cause will mobilise masses in its favour and that is its greatest security.

On boldly specifying the national question even certain friendly sections of Eelam Tamil cause in India seem to be slipping at a most wanted time. There is a view among sections of them that an independent and sovereign Tamil Eelam will not be acceptable to the peoples of India and the issue has to be addressed as a case of 'self-determination.'

TamilNet has written at length

how 'self-determination' is vague and ambiguous in contesting 'right to security of a state' and thus often meaningless in international vocabulary in addressing ethnic questions and 'intra-state' national conflicts.

What puzzles Eelam Tamils is how 'ideology' of some Indian political parties that once staunchly upheld the creation of Bangladesh could not now justify Tamil Eelam to the peoples of India.

Is it because Tamils are inferior to Bengalis or is it because genocide is less in Sri Lanka or is it because ideology has to be adjusted to the whims and fancies of the Indian Establishment are questions asked in Tamil circles.

The most fundamental political freedom is the right of a people to tell what they politically want for them.

The Sri Lankan state has disenfranchised Eelam Tamils in this respect long back by the 6th Amendment to the constitution in 1983.

Today, one finds some other states too engaged in either telling Tamils not to reveal what they wish in their heart or intimidating directly or indirectly expression of opinion in favour of their national cause.

Mr. Karunanidhi is not alone in deleting the word Eelam but there are also countries in the east of India that frown at their citizen's solidarity with the cause. In the so-called globalized world, political fundamentalism of Establishments in the name of state has become the worst threat

to transnational political opinion and people to people solidarity.

The free world will certainly appreciate the refreshing example set by Norway last May in allowing Eelam Tamils to democratically express their opinion and mandate independent and sovereign Tamil Eelam.

Now similar exercises are pursued in several other countries of the West.

Eelam Tamil diaspora should pick up the cue and what they could demonstrate democratically will sure to be a novel contribution to global polity, besides benefiting their own cause.

Re-mandating independent and sovereign Tamil Eelam of the Vaddukkoaddai Resolution of nonviolent politics, forming democratically elected country councils and evolving a democratic transnational government are three major steps for Eelam Tamils in the diaspora.

The steps in principle are not contradictory to one another but contributory as well as safety locks, and any affliction to the success of even one of them will affect all.

Eelam Tamils have to demonstrate that 'self-determination of people' is some thing that is exercised and not received from others.

Those in the international community who aspire for reconciliation and peace in the island may do well by encouraging the Eelam Tamil diaspora in evolving political structures culminating in transnational state so that a platform of dignity and identity could

be there to smoothly facilitate reconciliation first with the international community.

Of course ultimate reconciliation has to take place between Sinhala and Tamil nations for peace in the island and in the region. But genuine reconciliation cannot come without parity and dignity.

The said political steps of the diaspora may immensely help to enlighten the Sinhala nation of the democratic realities of the national question in the island and could pave way for reconciliation. At present, the Sinhala nation has no avenues for learning the true democratic opinion of the Tamil nation that is in captivity in the island.

The current psychological and political reality in the island is that 'reconciliation' is an issue between two nation states, and it has to be approached acknowledging this reality, not only for political formulas and peace in the island, but also for achieving shared sovereignty of the EU model in the region, if that is what going to be the demand of time in future.

Present day International Community will register a point of progress in the polity of human civilization by collectively eradicating baneful states like Sri Lanka that habitually blackmails, using the card of geopolitics, to resist restructure.

A situation is not far away that the Sinhala nation too will be demanding this from the international community and reconciliation would perhaps come at that point, if at all not by other means.

NEWS

Death threats made against female editors

"If you write anymore, we will kill you and slice you into pieces."

These were the words of "hand written death threats", received by two female editors of The Sunday Leader, a leading broadsheet in Sri Lanka.

The threats were sent to the editors, Frederica Jansz and Munza Mushtaq, after the paper published a story relating to the infamous Channel 4 execution video, reporting that the video was authentic.

The letters, received on October 22, were written in red ink, and were reported by Jansz to be "almost identical to what Lasantha (Wickrematunge) got three weeks before he was murdered".

The former Sunday Leader editor received the threats just before he was assassinated.

A professional graphologist P.H. Manatunge, confirmed that the writings sent to Wickrematunge were similar to the ones received recently and may have been sent by the same person.

The threats followed an article written in the government run Media Centre for National Security website, attacking Frederica Jansz for comments made in an interview with Al-Jazeera.

The article went so far as to even carry terminology such as

"prostituting" and "prostitute."

"This newspaper has consistently in the entire 15 years of its existence come under attack. We have been burnt, bombed, sealed, harassed and threatened, culminating in January this year with the brutal killing of Lasantha Wickrematunge," reported the paper.

"Not satisfied with that assassination, The Sunday Leader has continued to come under attack."

The threats were received after the paper published a front page news article reporting the findings of a United States forensic analyst company.

The American company had said in a preliminary report that there had been no tampering of the controversial Channel 4 video clip, in either the audio or video portions of the footage.

The video showed men in Sri Lankan Army uniform executing naked, blindfolded Tamil civilians, with their hands tied behind their backs.

"The police must treat these death threats written in red ink with the utmost seriousness, especially as they were sent to two journalists whose press group has repeatedly been the target of physical violence," Reporters Without Borders said.

"We urge the police to track down and arrest those who wrote these letters."

"It is also vital that the author-



ities order the security forces to put a stop to their unwarranted summonses and arrests of journalists, and to register the complaints submitted by journalists when they are physically attacked," carried on the non-governmental organisation which advocates press freedom.

Since President Mahinda Rajapakse came into power in 2006 at least 14 media workers have been killed and over 30 media workers have been seriously assaulted in the last 2 years.

The President has ordered an investigation into the threats, "but like all the inquiries he has ordered in the past, nothing will come of this one too," reported the paper.

"Over the past three years, numerous journalists have been detained in Sri Lanka while others have fled the country," reported Amnesty International.

"Investigations have not resulted in prosecutions."



Threats made against Frederica Jansz (above) are similar to those received by Lasantha Wickrematunge 3 weeks before he was shot

"Our concern is that these most recent threats, like so many others, and the deaths of 11 journalists since President Mahinda Rajapaksa came to power in 2006, will remain unexplained and those behind them will

remain unprosecuted," said Bob Dietz of the New York-based Committee to Protect Journalists.

"The air of impunity surrounding violence against the media is having a chilling effect on journalists."

Presidency at fault claims AHRC

THE Asian Human Rights Commission (AHRC) criticised Sri Lanka for becoming a country of lawlessness and urged for changes to the executive presidency system, which it claimed allows security needs to be put above the rule of law.

"The essential problem that the country needs to resolve for its very survival as a nation is as to whether it can overcome the present state of lawlessness in the country. ... The executive presidential system, as it was introduced in 1978, was to displace all the legal mechanisms that existed within the country to ensure a basic system of the rule of law as the apparatus of governance in the country. Such a legal apparatus which did exist from the time of the country's independence was replaced with a security apparatus which operates above the law," the organisation said.

"Today, this security apparatus, which stands above all the legal institutions, has virtually displaced the rule of law mechanisms within the country", reported the AHRC.

"All those who have any kind of thinking capacity need to address their minds as to whether peace, reconciliation or power sharing makes any sense when the nation is in a state of lawlessness. Can the issue of peace be separated in Sri Lanka from the issue of law? If this issue is not addressed ... it cannot offer a viable alternative to the present state of affairs."

"In the previous presidential elections the government promised the abolition of the executive presidency. However, the government approaches the next elections with a view to consolidate the power of the executive president."

JHU justifies stoning Christian centre

Nirmala Kannangara The Sunday Leader

THE Jathika Hela Urumaya (JHU) has justified an attack on the Christian 'Centre for Hope' at Koswatte, in central Sri Lanka, resulting in the healing centre being severely damaged.

JHU Spokesman Nishantha Sri Warnasinghe told The Sunday Leader that they had no option but to protest against the Centre for converting followers of other faiths into Christianity.

A violent protest ensued last Thursday, November 5, with JHU supporters including parliamentarians protesting and stoning the Centre decrying an incident over two female deaths on October 31 at a 'healing service' at the Viharamahadevi Park.

"If the government, the police

or the authorities concerned do not want to take action against such illegal activities, we as the JHU who pledged to build a 'Buddhist nation' have a right to raise a voice against the church. That was why we protested and urged the government to take necessary action against the pastor who is responsible for the two deaths on October 31," Warnasinghe claimed.

The Talangama police are yet to take action against the perpetrators, he said.

"We were there when the protestors came and stoned the Centre for Hope. They also warned our Pastor A.J. Joseph who was not in at the moment with death threats unless he stopped the healing programmes. They accused the pastor of unethical conversions which is baseless," Channa who works at the centre said.

Channa alleged that, JHU Parliamentarian Ven. Ellawala Medhananda was a notable protestor who stoned the building and added that many prominent JHU members too were among the crowd.

Meanwhile Pastor Joseph told The Sunday Leader that he has nothing to do with the two deaths but added that they had come to the Viharamahadevi Park to get rid of the evil spirits they had been possessed of.

"I have received a special gift of the holy spirit and if people do come to get their illnesses healed through my prayers, what can I do? Anybody could say that I am wrong if I had given any medicine to the two ladies. Religious intolerance by a certain section of Buddhists over the past few years is on the rise again and this time it includes parliamentarian monks," Pastor Joseph alleged.

NEWS

Myanmar leader to visit Sri Lanka

THE shadowy and reclusive ruler of the military junta in Myanmar general Than Shwe is beginning a three-day visit to Sri Lanka from Thursday. Than Shwe, accompanied by his wife, Daw Kyaing Kyaing, is likely to meet President Mahinda Rajapaksa in Kandy in central Sri Lanka, where he would be flown after landing in Colombo.

According to a foreign ministry spokesperson, a head of state from Myanmar is visiting Sri Lanka after 46 years. The foreign ministry added that Rajapaksa had extended an invitation to

Than Shwe during his recent visit to Myanmar. "The whole gamut of religious, economic and trade relations between the two countries would be discussed during the visit," the spokesperson said.

The statement added that during the visit, a memorandum of understanding was expected to be signed by the Temple of the Sacred Tooth Relic and Shwedagon Temple of Myanmar. Rajapaksa made a state visit to Myanmar at Than Shwe's invitation in June to commemorate the 60th anniversary of diplomatic relations between the two countries.

Fonseka flees ...

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must in these areas, this virus, there are still 1000's of terrorists in IDP camps. We must identify these terrorist and destroy them. We must take them into custody and then resettle them. We must provide security in strength to these areas. I will only be happy that we finished the war we ended when I see this."

The US government had initially invited Fonseka to attend an event to farewell Commander Admiral Timothy J. Keating during his visit. But this invitation was withdrawn once the US State Department filed its report into the concluding days of the war in Sri Lanka, which reported numerous allegations that might amount to war crimes.

"[T]he US action to request

meeting does not augur well for Mr Fonseka's legal future in the US," a representative for Tamils Against Genocide (TAG) told TamilNet.

"Private plaintiffs are ready to file law-suits against Mr Fonseka under existing US tort statutes, if his sovereign immunity is found to be non-enforceable. When the General relinquishes his military office in Sri Lanka, he will shed the sovereign immunity, and will expose himself to legal action in the US," the TAG representative said.

TAG is a US based pressure group that filed a model indictment with the Justice Department against Fonseka and Gotabhaya Rajapakse, and is continuing to collect evidence, including Satellite evidence, for war crimes against Sri Lanka.

Responds to EU ...

continued from p3

this independent committee report," he said.

Separately, Rajiva Wijesinha, secretary of the Sri Lankan disaster management and human rights ministry, told Al Jazeera his country had responded to some of the "specifics" raised by the EU.

He said Sri Lanka "refused to submit to what is called a general investigation. But any specific thing we have said we will look at and this we are doing".

However, Wijesinha also accused the EU of being dishonest in its dealings with Sri Lanka. "I think we have a situation where the EU is under a lot of pressure. We know that there are diaspora pressures; it's just that they are so dishonest about it," he said.

"The Americans, for instance, were much more honest in telling us that there was a report on certain things that was mandated by

Congress. I wish there was more honesty about these things."

Sri Lanka is one of 16 countries with GSP status.

In 2008, the European Union was Sri Lanka's largest export market, accounting for 36 percent of all exports, followed by the United States with 24 percent.

Suspending the tariffs would mean EU buyers would have to pay more for Sri Lankan exports.

Globally recognised brands like Marks & Spencer, Tesco and Next could take their business elsewhere, such as China, India and Vietnam.

The move would hit Sri Lanka's textile industry hard and thousands of job cuts as a result.

Garments netted the country a record \$3.47 billion from EU markets last year, and were its top source of foreign exchange, followed by remittances of \$3 billion and tea exports of \$1.2 billion.

NEWS IN BRIEF

15 abducted from transit camp

Fifteen Internally Displaced Tamil men were abducted by a group of unidentified persons clad in army uniform from the transit camp located in the complex of Eachchilampathu Sri Shenpaga Maha Vidiyalayam in Seruvila division in Trincomalee district. The abducted IDPs are married men between 25-45, according to complaints filed with the police and the civil authority by abductees relatives. A group of one hundred IDPs held in Vavuniya internment camp were brought to Eachchilampathu Sri Shempaga Maha Vidiyalayam transit camp. The IDPs, all former residents of villages in Moothoor east and released from Vavuniya camps, were housed temporarily in Sri Shenpaga Maha Vidiyalayam to be resettled in their villages after screening by security forces to find out whether they were involved in terrorist activity. The abductions occurred while the refugees were awaiting resettlement.

54 PTA, ER arrestees remanded

Colombo Chief Magistrate Nishantha Hapuarachchi ordered remand till November 12 for forty-five suspects, majority of them Tamils, arrested by the Criminal Investigation Department (CID) under the Prevention of Terrorism Act and Emergency Regulations for allegedly being involved in terrorist activities in the hill country in the central province. They were produced in court after being interrogated by the CID held under the detention order of the Defence Ministry. Some of the suspects are Muslims and Sinhalese. CID officers told court that they arrested the suspects on receipt of information that they had under gone training under Liberation Tigers in Mullaiththevu and had been told to work for them. The suspects had even provided shelter and other facilities in the hill country to Liberation Tigers, they said. CID said they had recorded confessions made by the suspects detailing their involvement in terrorist activities and moved court to remand the suspects until the conclusion of the investigations.

Colombo household checking again

The new Inspector General of Police, Mahinda Balasooriya, on his assumption of duty has reimposed checking of households of Tamil residents in Colombo. As in the LTTE war period, police personnel have been instructed to question any

visitor lodged in a residence not registered with the respective police station in the area and to take any person living in a household unregistered into police custody. Meanwhile, police personnel attached to stations in Colombo complain that they have to perform duties of civic police after fulfilling their normal 12-hour duty. The renewed rounds of checking have drained police personnel attached to other branches due to renewed checking of households after the new IGP assumed office. According to police sources there are 10-member units of civic police in a police station and these personnel function under an officer who is in charge of a given street. The civic police functions under a DIG.

35,000 students still interned

Thirty-five thousand students displaced from Vanni in the last leg of war are still being detained in internment camps in Vavuniya. The number of IDP students in these internment camps earlier was about 65,000. The number had dropped to 35,000 following current resettlement, education authority sources claim. UNESCO has provided 50,000 US dollars for the maintenance of these IDP students. Part of UNESCO funds would be used to improve mental health related facilities of the students and for this purpose multimedia projectors for short films, computer games, music, drawing materials and books worth about Rs.3.5 million were handed over to the education authorities.

No shelter for displaced in Jaffna

The Internally Displaced Persons (IDPs) taken to Jaffna district from the military internment camps in Vavuniya are suffering in pouring rain without sufficient shelter for them. Divisional Secretaries (DSs) of Jaffna district find hard to meet their immediate needs for want of funds. The ten government ministers recently appointed by the President of Sri Lanka for Divisional Secretary areas in Jaffna to function as resettlement coordinators have failed to return to Jaffna after their first visit. Jaffna district DSs are at a quandary to take decisions without the approval of the respective ministers and due to lack of funds to spend on the immediate needs of the IDPs. 3,964 persons of 1,242 families were brought to Jaffna recently. They have nothing but tarpaulins to stay in and sufficient arrangements have not been made to meet their immediate needs as

rain pours down in Jaffna district.

R2P reduced to 'noble rhetoric'

During an invited lecture at the School of Oriental and African Studies (SOAS) of London University, Noam Chomsky, one of the world's well known intellectual and professor emeritus of linguistics at MIT, said on Sri Lanka, that although there's "a lot of noble rhetoric about Responsibility to Protect (R2P), there is no particular Western advantage in protecting people who are being slaughtered, and are being thrown into concentration camps. Somehow these didn't make it in the noble rhetoric," and added Sri Lanka was a "horror story, especially towards the end." Chomsky added that in the way West acts, "there is no protection for any people who it doesn't do any good [to the West] to protect, and basically Sri Lankans [Tamils] are in that unfortunate position." On China's engagement with Sri Lanka, Chomsky said, "they [China] don't gain anything by supporting the Tamil refugees in concentration camps, so why should they do it [help]? Infact, most of the South supported the Sri Lankan Government. That's who they are," Chomsky said. On R2P, Chomsky referred to a discussion he had in the UN General Assembly, and said the "hypocrisy was so profound, it was suffocating."

New camps, sentry posts in Jaffna

Fear and suspicion have risen among the residents of Jaffna peninsula as Sri Lanka Army in Jaffna is actively engaged in hastily setting up minicamps and sentry posts manned by small groups of soldiers in the interior parts of Jaffna peninsula. Though SLA has announced that it is removing its sentry posts near the schools in Jaffna town, they are not being removed but relocated in the interior areas, while Gnanam Hotel and Subhas Hotel in the heart of the town continue to be occupied and the military refuses to open Clock Tower Road, Power House Road and Victoria Road in the town for public use. The military is concentrating on areas in which the Internally Displaced Persons taken to Jaffna are located in setting up minicamps and sentry posts manned by small groups of soldiers, creating fear and suspicion among the residents of the interior places in Jaffna. The Army is also strengthening the security measures in front of its High Security Zones in the peninsula.

தேசிய நினைவெடுச்சி நாள்-2009

அடக்கப்பட்ட மக்களின் ஊழ்விடுக்காக...
ஒடுக்கப்பட்ட இனத்தின் சீர்திருத்தமாக...
ஆக்கிரமிக்கப்பட்ட பகுதிகளின் சுதந்திரத்திற்காக...
தம்மையே ஆக்கியவர்களை அன்புடன் நினைவுகூரவும்,
அவர்களை உணர்ச்சி மூட்டுவது மனச்சான்றாகவும் மக்களையும்
பெருஞ்சில் நிறுத்தி நினைவுகூரவும் முன்!



ENGLAND	SCOTLAND
நவம்பர்	நவம்பர்
27	29
வெள்ளிக்கிழமை	சனிக்கிழமை

EXCEL LONDON (27 Nov 2009)

**1 WESTERN GATEWAY ROYAL VICTORIA DOCK, LONDON DOCKLANDS,
LONDON E16 1XL**

(Nearest Station (DLR) is Custom House)

(காலை 10.00மணிக்கு மண்டபம் திறக்கப்பட்டு காலை 11.30மணிக்கு நிகழ்வுகள் ஆரம்பமாகும்)

SCOTLAND (29 Nov 2009)

**THE WOODSIDE HALL
36 GLENFARG STREET
GLASGOW G20 7QF**

(மாலை 5.30 மணிக்கு நிகழ்வுகள் ஆரம்பமாகும்)

தமிழகதேசிய நினைவேந்தல் அகவம்

Tamil National Remembrance Foundation

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