

New Saturday Review

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CEASEFIRE!

As we go to press, there are indications that a fresh ceasefire may be between the Government's forces and the LTTE and talks resumed for a negotiated settlement of the ethnic conflict.

"The Island" of 2nd December gave a hint of this possibility. Much behind-the-scenes activity is on, in which the "New Saturday Review" is playing a modest role, as it had done consistently, through the then Jaffna-based "Saturday Riview", since 1984, to bring about an end to the bloody mess that Sri Lanka has got into.

Both sides are now war weary. So is the country. Watch out for the next issue of the "NSR" for more information on the ongoing developments.

THE MASSACRE AT MANKULAM

Like during the regime of former President J. R. Jayewardene, the Nation is kept in the dark by the present President Premadasa's Government of what is actually happening in the North East.

The Colomb - based media generally tout what is dished out by official sources.

No journalist from the Colombo based media has so far done an in-depth investigative piece about events in the North East. Sure, some journalists have been taken on conducted tours of the region but most of their reports have been piffle or drivel.

One classic example was when two senior journalists from a Colombo based newspaper was taken by the Army to Jaffna. In their report they said no damage had been caused to the Church of Our Lady of Refuge in the heart of Jaffna town. They were shown the front side of the church. But in the back side there were gaping holes in the Church and inside caused by shellfire from armoured cars.

I was a personal witness to what happened.

Until the 1985 attack on Anuradhapura the people in the South who were led to believe that the situation in the North East was completely under Government control and the Liberation Tigers of Tamil Eelam was a non-entity, virtually a spent-force.

Regarding the Mankulam incident, Opposition Leader Mrs. Sirima Bandaranaike, head of the Sri Lanka Freedom Party, had this to say in Parliament on 29th November (according to the "Daily News" report the next day):

Mrs. Sirima Bandaranaike Leader of the opposition said: I believe that I am echoing the sentiments of all members of this House as well as those of all other patriotic citizens of all races, creeds and political beliefs when I say that the news of the tragic deaths in action, of over 100 of our young soldiers at Mankulam, has plunged me into the depths of gloom.

All we can do, is to view and examine this tragedy with could objectivity, to find out how and why it happened, for it is only by doing so that we can seek to ensure that such a debacle will not happen again.

This is the third major debacle our army has had to face since the renewed outbreak of hostilities in June this year.

The first two were at Kattaparichchan in June and at Kokavil in July. Kokavil was a camp with one company, while Mankulam, was a camp with about half a battalion of soldiers.

The attack on the Mankulam camp commenced at about 2.00 a.m. on 23rd and went on continuously till about 1.30 p.m. on 24th when the camp was over-run by the LTTE. Between 9.30 and 10.00 a.m. on 24th several desperate radio messages were sent by the besieged troops at Mankulam begging for air support and for helicopters to evacuate 70 soldiers who had been wounded by them. Their pleas fell on deaf ears.

On that day there were 11-12 helicopters available for operations. Of those, 4 were stationed in Vavuniya, 2 at Batticaloa. The Presi-

dent had returned to Colombo in a transport aircraft. What had happened at Mankulam was that the LTTE had occupied all helicopter landing pads in the area.

The Leader of the Opposition should have verified these facts before making her statement in Parliament. She had told him the previous day that he (Mr. Wickremesinghe) was trying to throw mud at her by raising the HPT issue. Had not what had been said (about the helicopters) been an attempt to throw mud at the President?

Whom are the people to believe?

Neither, we would say.

From our own investigations, both are wrong in some respects. Because of limitations of space, we have given only excerpts of their speeches. The full reports are in Hansard for anyone who cares to read about the worst debacle in Sri Lanka's post-independence military history, worse than the debacle at the Jaffna Fort a few weeks earlier.

This issue of the New Saturday Review is a combined affair. We could not bring out the September and October issues due mainly to financial, technical and staff constraints.

We appeal to liberal-minded citizens to help keep alive an independent paper fighting for truth and the basic and fundamental rights of all the people of Sri Lanka.

Subscriptions are welcome but these alone are not sufficient to cover publication costs.

We say that the LTTE is not invincible. They are fighting a losing battle.

We ask, who is financing the LTTE and directing its operations? it cannot be Prabhakaran alone or his close associates?

Fight on, brave soldiers, fight on. We wish you luck.

State Defence Minister Ranjan Wijeratne told Parliament on 29th November that 117 of Mankulam contingent had arrived at Vavuniya and more soldiers are in the jungle.

They have been located from the air, Mr. Wijeratne said.

The Minister was replying to a statement by Mrs. Sirima Bandaranaike, Leader of the Opposition, on Mankulam.

He had earlier said that there were a total of 299 troops in the camp and that 273 of them had broken out after being heavily outnumbered and outgunned by the L. T. T. E.

Speaking in Parliament yesterday, he said that the L. T. T. E. threw about 800 to 1,000 fighters into battle using mortars and other heavy arms.

The Minister also said that there were 124,000 rounds of ammunition in the camp which had been further supplied by air with 136,000 rounds.

There was sufficient air-cover but rain and cloud conditions hampered air activity

Mr. Wijeratne also noted that the Opposition Leader made these statements in Parliament when there were reverses. But when the security forces scored a victory, there were no such statements. They do this to get political advantage and out of jealousy, he said.

Mr. Ranil Wickremesinghe the Leader of the House, said that reference had been made to the President using helicopters last Saturday (after soldiers at the Mankulam camp had broken out).

OUR APOLOGIES

A few donations can help us going. The anonymity of the donors will be guaranteed, if they so wish.

With some push we can tilt at pseudo-heroes who claim to be saviours of the nation, while sitting all the time on the backs of the people.

We believe you have got the message. We believe it would be a healthy response.

Thank You,

The Editor.

Ho! Ho! Ha! Ha!

Former Indian Prime Minister Rajiv Gandhi and Tamil Nadu Chief Minister Muthuvelu Karunanidhi have charged each other for supporting the LTTE.

Mr. Rajiv Gandhi told Lok Sabha on 7th November that the State of Tamil Nadu was under the influence of the LTTE.

Mr. Karunanidhi said the next day that "It was Mr. Rajiv Gandhi who gave crores of rupees to the LTTE to buy arms and also gave them training in camps located in Tamil Nadu." "Daily Observer" 12th November.

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Lankans suspicious of Indians

By Seema Guha

(Seema Guha was, until recently, "The Times of India's" correspondent in Colombo. This article was published in the paper of 7th October).

Sri Lankans, whether Tamils or Sinhalese, are naturally suspicious of Indians. More so of Indian journalists, invariably associated in Sri Lankan minds as undercover agents working for RAW.

Indian journalists are bad enough, but a woman correspondent from across the Palk Straits, completely stumps the average Sri Lankan. Despite its proximity, very little is known about India. The general view of Indian

women, is of a timid, helpless, uneducated female clinging to a husband or father for protection. Very few know that side by side with this, there is a growing number of women professionals in every field. Landing up in Colombo as the first woman correspondent of an Indian paper in March 1988, at a time when anti-Indian sentiments were at their height, was revealing Sri Lankans are accustomed to White women professionals but find it difficult to accept "Browns", whether Indian or their own women, as equals.

Except for a few well-informed persons, many others could not believe that an Indian woman journalist had been sent to

cover Sri Lanka, with very few exceptions, women journalists in Sri Lanka, basically write on fashion, hairstyle, gardening and recipes.

There were speculations galore about my assignment. One of the nastier explanation was that I had been sent by the government of India to entertain senior IPKF officers in Jaffna and Trincomalee. The more commonly held view was that I was a "RAW" plant.

However once the initial suspicions are shed, the Sri Lankan takes you to heart, and goes out of his way to help.

During the height of the Janatha Vimukthi Peramuna (JVP) campaign, and again during President Premadasa's slanging match with Delhi last year, there were very strong anti-Indian feelings. However, on a personal level, this had no effect. The Sinhalese remained uniformly friendly, not just with me, but with all Indian journalists in Colombo.

I remember a pro-JVP academic who came to meet me and spent his time cursing New Delhi's "Big Brother" attitude towards Colombo. He was convinced that India was hell bent on annexing the Island's North-Eastern Province, and that the IPKF would never leave. Like other JVP sympathisers he regarded Indian expansionism as the gravest threat to the security of smaller nations in the region. After three hours of bitter haranguing, he cooled off. He apologised for all the harsh things he had said and promptly invited me to dinner the following week, to meet his wife and children. Ever since he has remained a good friend.

When the high commission ordered all Indians living in Sri Lanka to shift into hotels for fear of JVP attacks, he was among the numerous Sinhalese who asked me to come and spend a few days with his family. Realising that the JVP threat was nothing more than bluster, mainly to enhance its clout for the benefit of the public I did not move out of my flat. Again, it was my Sinhalese friends who called to say that I should not take unnecessary risks.

Militant young Buddhist monks, and radical students after addressing a virulently anti-Indian Press conference, would walk up and talk to Indian journalist like the best of friends. The students were especially sweet, always polite, totally inoffensive and always assuring us that they had nothing against us personally.

All through the crisis last July, when relations between Delhi and Colombo had hit an all-time low, Indian journalists continued to enjoy the same access to senior ministers, politicians and army bigwigs. I could not help wondering whether Pakistani or Chinese Journalists, working in Delhi under similar circumstances, when their army was operating in a part of our country, would have had the same access.

While the Sinhalese are a happy-go-lucky and a warm and friendly people, the Tamils are much more serious, hard-working and have their own problems with India. The Jaffna Tamils consider themselves superior to everyone else. They look down on the Eastern province Tamils, and boast that they speak the old classical language, while in Tamil Nadu the purity of the language has been lost through derivatives and modern usage.

Tamils all over Sri Lanka point out their close affinity to India. But in characteristic fashion, the Jaffna Tamil blames everyone else for his present plight. When the IPKF was fighting the LTTE, Indian Journalists were forced to waste long hours listening to lectures from the public about how Delhi had let them down. Everywhere it was the same old story of how much worse the Indian army was in comparison to the Sri Lankan, and how if India really wished to help, it should create an independent Tamil Eelam.

A constant refrain was, "Why are you people killing our boys?" No one had a good word for the number of jawans killed by the Tigers. The argument was that India, being a nation of 800 million, could afford to lose a few hundreds, while a small nationality like the Sri Lankan Tamils could not take in such large casualties.

The British Position

(The following communication, dated was received from the British High Commissioner, Mr. D. A. S. Glodstone)

"Since many of your readers may be unfamiliar with the historical background to the current crisis involving Iraq and Kuwait, you may find the enclosed summary useful. It is inevitably written from a British point of view, but attempts to be entirely objective. My country has of course had a long-standing - indeed unique - involvement in the affairs of the Gulf, but as the enclosed note shows, the existence of an independent Kuwait long antedates that involvement and the current crisis has nothing to do with colonialism."

ORIGINS OF THE STATE OF KUWAIT (DOWLAT AL-KUWAIT)

The port of Kuwait was first established at the beginning of the 18th century by a nomadic tribe from the interior. It developed as an autonomous city-state on territory adjacent to (but not part of) the Basra Velayet of the Ottoman Empire following the appointment in 1756

of a member of the Al Sabah family as the first Sheikh. Towards the end of the 19th century, when the Ottoman government attempted to establish direct control over Kuwait and Eastern Arabia, Sheikh Abdullah Al Sabah (1866 - 92) accepted the title of Qaimmaqam of the Qaza of Kuwait in return for a Turkish pledge that Kuwait would retain administrative autonomy.

1899 ANGLO - KUWAIT AGREEMENT

In 1897 the then ruler of Kuwait, Sheikh Mubarak Al Sabah, fearing that the Turks would not honour their pledge, sought British protection. His appeal was initially refused, but in 1899 the British Government concluded an agreement with Kuwait. This bound the ruler and his heirs and successors not to receive any foreign representative or cede any of his territory without Britain's prior sanction. In return the British Government pledged its good offices and support for the ruler.

ANGLO - TURKISH CONVENTION OF 1913

In July 1913 Britain and the Ottoman government

recognised Kuwait at an autonomous Qadha of the Ottoman Empire and accepted that the Al Sabah sheikhs should have full administrative authority in Kuwait proper and control over tribes in a much wider area. The agreement recognised Britain's special relationship with Kuwait. The boundaries of Kuwait were defined as follows. First a red line semi-circle with Kuwait town at its centre defined the area within which the Sheikh would exercise autonomy (this area included Warba, Bubiyan and Failaka Islands). Then a wider boundary (a green line) defined the area within which the Sheikh would collect tribal tithes and exercise administrative functions.

The Convention was never ratified because the First World War intervened, and the status of Kuwait was finally resolved by the Treaty of Lausanne in 1923. An Order in Council of October 1925 gave Britain extra-territorial jurisdiction over non-Muslims in Kuwait and the British Government thenceforth regarded Kuwait as an independent Arab State under British

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The British Position

(Contd. from page 2)

protection, with boundaries as agreed in 1913. Foreign relations were conducted by the British Government on behalf of the ruler and with his concurrence, but Kuwait never became a Protectorate.

IRAQI/KUWAIT RELATIONS

Under the Treaty of Lausanne, Turkey, renounced sovereignty over Mesopotamia. A provisional Arab Government had already been set up in the area in November 1920 and in August 1921, the Emir Faisal was elected King of Iraq. Subsequently, Iraqi Governments attempted to challenge the 1923 recognition of the green line as the boundary between Kuwait and Iraq. In 1923 an Exchange of Letters between Sheikh Ahmad Al Sabah (1921-50) and the then Prime Minister of Iraq, Muri Al Said, incorporated a definition of the Kuwait/Iraq boundary similar to the green line of the 1913 Convention. Nevertheless in 1938 the Iraqi Government claimed that Kuwait should be incorporated into Iraq as the successor to the Ottoman Empire in the Basra Velayet. Negotiations were conducted between

1955 and 1957 with a view to reaching an agreement on the frontier, Iraqi leases on areas of Kuwaiti territory and water and oil pipelines, but these collapsed in 1958 when the Iraqi revolution brought General Qassim to power.

TERMINATION OF THE 1899 ANGLO-KUWAIT AGREEMENT

On 19 June 1961 an Exchange of Notes between the British and Kuwait Governments provided for the termination of the 1899 Agreement, but reaffirmed the traditional friendship between the two countries and Britain's readiness to assist Kuwait if requested. Six days later Kuwait's independence was threatened when General Qassim publicly renewed Iraq's claim to sovereignty over Kuwait. The ruler accordingly requested British military assistance which was promptly given. British troops were replaced from 19 October 1961 by an Arab League security force which remained to protect Kuwait against Iraqi claims until 1963.

On 4 October 1960 Iraq and Kuwait signed an Agreed Minute which embodied Iraqi recognition of Kuwait's sovereignty and independence within the frontier defined in the 1932 Exchange of Letters. Although the Iraqi Government which signed the Minute was overthrown in November that year, Iraq's recognition of Kuwait stood and relations improved on a practical level. Nevertheless Iraq continued to refuse to demarcate the frontier and when the Iraqi Government did agree to establish a joint frontier commission, the first meeting in March 1967 got no further when Iraq demanded simply that Kuwait cede Warba and Bubiyan Islands.

On 2 August 1990 Iraq invaded Kuwait, and claimed to annex it. The United Nations Security Council promptly condemned the invasion as a breach of international peace and security and demanded Iraq's immediate and unconditional withdrawal (Resolution 660). The Security Council imposed mandatory sanctions (Resolution 661) to enforce its ruling.

UTHAYAN BOMBED

The following is a from release issued by NEW UTHAYAM PUBLICATIONS (Pvt) LTD.

Two Sri Lanka Air Force bombers on 27th September dropped three bombs and fired four rocket targetting the office building of the "Uthayan" daily newspaper.

The air attack that started about 12.30 in the afternoon continued for about forty minutes.

Three employees were hit by splinters of bombs and rockets. One of them, P. Pathmanathan aged sixty died on the spot. Another employee Jeyanthan lost his right hand below the elbow joint. Kandappu, third employee, sustained minor leg injuries.

The bomb hit the two residential houses, adjacent to the "Uthayan" office buildings completely damaging them.

Extensive damages have been caused to the buildings and machineries of the newspaper establishment due to this air attack.

New Uthayan Publications (Pvt.) Ltd., is the publisher of the following periodicals:

*UTHAYAN (Tamil daily)

*SANJEEVY (Illustrated Tamil weekly).

*ARCHCHUNA (Student monthly magazine).

*JOTHIDA JOTHY (Astrological monthly magazine.)

P.S. The "Uthayam" has resumed publication.

RANSOM BY L. T. T. E.

The Eelam Peoples' Democratic Party has sent this communication on the cause of refugee problems-

The lorries that commute from Colombo to the Jaffna Peninsula are stopped at gunpoint by the L. T. T. E. terrorists at Pooneryn and they are permitted to proceed only after a sum of Rs. 15,000/= is paid to them as ransom.

Men and women in the refugee camps at Viswamadu and Puthukudiyuru in the Mullaithivu District are rounded up and forcibly taken away by the L.T.T.E. carders for their fascist war.

The farmers in the Batticaloa District have been compelled to desist from transporting their paddy after their own use should be handed over to L.T.T.E.

hundred women and men from Manapattiy in the District of Batticaloa have been conscripted for compulsory military training by the L.T.T.E. Those of them refusing to join them are severely punished and heavy security is imposed to prevent these people escaping from the L. T. T. E. camps. The L. T. T. E. cadres are deployed to attack the security forces stationed near refugee camps in Batticaloa and having surreptitiously attacked the forces giving the impression that they are living inside the refugee

camps, thereby compelling the security forces to go into the refugee camps, thereby compelling the security forces to go into the refugee camps to check the presence of the L.T.T.E., thereby compelling the refugees to flee to the jungles. By this strategy they planned to recruit men and women fleeing to the adjoining jungles could be given military training.

This ruse of the L.T.T.E. had some to light amongst the refugees. Hence men and women in batches of 50 to 100 are fleeing to Colombo from the camps and jungles of the Batticaloa District and taken refuge in the refugee camps in Colombo.

People are unable to live in those places where the L.T.T.E. rule prevails. This had been proved beyond any doubt by the fact when the ban to travel to Colombo from the Jaffna Peninsula was lifted for three days by the L.T.T.E. more than 25,000 people fled to Colombo.

N. Ramesh, Political Secretary. Eelam People's Democratic Party.

Ranjan Fires his Guns

Mr. Ranjan Wijeratne, State Minister for Defence told Parliament yesterday that a reversal is not an uncommon factor in warfare. When the forces make their victories in North, he would bring these also to the notice of Parliament and then Mrs. Sirima Bandaranayake, Leader of the Opposition could extol them. He said the President, he and the army commander were in the battle front.

Mr. Wijeratne was replying to a statement made in Parliament by Mrs. Bandaranayake about what she called the "debacle" in Mankulam. She also pleaded that all the helicopters and aircraft available should be placed at the disposal of the forces and not used by VIP's in the current situation.

The State Minister said there were adequate men and officers in Mankulam but currently visibility from the air was obstructed by clouds and rain. The

troops had to fight an LTTE attack in heavy rain. He had already addressed the media about the situation.

Major Daulugala who was in command decided at one stage of the attack to call away the troops from the camp. When they were leaving for Vavuniya, the LTTE followed them and attacked and the army stopped and fought killing six of them. Some of the soldiers have returned in batches. There are more in the jungles. More information would be available by this morning.

Mr. Wijeratne said: The opposition should not make use of the occasion to make incorrect propaganda. Only three helicopters are assigned for the use of the President. He does not use any other aircraft. All the other helicopters are assigned for the use of the forces. There may be a few persons in the army recruited during the SLFP regime who may be giving false information.

There were other battles like the one at Kiran where the forces fought admirably an enemy who had sophis-

ticated weapons and who even resorted to the use of chemicals. But we do not give orders to the commanders. We have allowed the commanders to use their intelligence. Of course there are commanders and commanders. Temperament also counts.

I emphasise there is no interference with them at whatever level, politically or administratively. But we give them all support. You can ask Major Dalugama. The soldiers belong to all political parties. But remember we will turn the tide against the terrorists. We shall give it to them with compound interest.

Everybody must have patience and look back on what had happened to the JVP. The story will be repeated in the case of the LTTE. They must also understand the country did not have a large navy to cover the entire Palk Strait.

The LTTE hauled arms from Tamil Nadu. But when ten boats sink in we catch six.

In the name of the country no one should think this is the time to sling mud on the government.

SOCIAL SECURITY FOR WHOM?

The plan to convert the existing employees' Provident Fund into an Employees' Pension Scheme has aroused misgivings and fears on many employees of the public and private sectors.

We publish in full a memorandum on this matter issued by the Ceylon Mercantile, Industrial and General Workers Union.

We refer to the letter dated 23rd November 1989 (a copy of which we enclose herewith for your ready reference), which we wrote to your predecessor in office, who was the Minister of Labour and Social Welfare, setting out our objections to the enactment of the draft legislation then put forward for the establishment of an Employees' Pension Scheme (EPS) in place of the existing Employees' Provident Fund (EPF).

Subsequently, at a workshop inaugurated by the former Minister, Dr. Ranjith Atapattu, our General Secretary explained our objections to the enactment of the proposed legislation. World Bank and ILO officials were present on that occasion. Further consultations appear to have taken place between the Labour Ministry and the ILO in regard to the draft legislation, thereafter.

In August this year, our representatives attended a discussion convened by the Deputy Commissioner of Labour (EPF), Mr. K. Wijayarathnam, at which two ILO representatives, Mr. John Carroll and Mrs. Ferrera, spoke about certain aspects of the proposed pension scheme, including some amendments to the draft legislation that were under contemplation to increase the minimum benefits to be provided under it. Following that discussion, Mr. Carroll met our Union representatives separately, together with Mr. Wijayarathnam, on 22nd August 1990. We discussed the comparative merits of the proposed EPS and the existing EPF scheme. Thereafter, at the request of our General Secretary, Mr. Carroll handed us a typewritten set of questions and answers with regard to the conversion of the EPF to EPF, on 19th September 1990.

On 4th October 1990, we were invited to attend a discussion at the Labour Secretariat on the following afternoon by a representative of your Ministry, in regard to this matter. The Secretary

to your Ministry, Mr. Justin Dias, presided at the meeting that took place. The Commissioner of Labour, Mr. G. Weerakoon, and Mr. Wijayarathnam as well as Mr. Carroll were present. We were then told that the meeting was summoned at short notice as Mr. Carroll was leaving the Island, and photocopies of the questions and answers he had given us previously were handed out, in English to the trade union representatives present. On that occasion, Mr. Justin Dias stated that a number of amendments to the draft legislation were to be made, which he explained briefly.

The President of the Ceylon Bank Employees' Union (CBEU) asked certain questions to clarify some of the proposed changes mentioned by Mr. Justin Dias, stating that he was not commenting on them, but only seeking to clarify them.

Our General Secretary then stated that our Union had sought clarification on a number of matters with regard to the conversion of the existing EPF scheme to the proposed EPS, in order to find out whether the change would be beneficial to the millions of employees, including tens of thousands of our members, who are presently covered by the EPF scheme. He specifically stated that on all the information given up to then, we were not satisfied that the change would be beneficial, and that our General Council, which is the governing body of our Union was to have a whole day discussion on 17th October 1990, to decide whether our Union should consent to or oppose the proposed conversion from the EPF to the EPS, having regard to the latest changes proposed in regard to the latter, that Mr. Dias had explained. He requested that the Ministry should furnish all unions with the written proposals of the Ministry, not only in English, but in Sinhala and Tamil, so that the majority of the workers

who do not understand English, including the members of our General Council, could know what was being proposed and what benefits they would derive from the conversion of the EPF to the EPS.

Our General Secretary referred to the fact that one of the ILO experts who had a lengthy discussion with him was Mr. K. Thompson, Regional Advisor on Social Security for Asia and the Pacific. Our General Secretary then read out the following observations of Mr. Thompson on "National Provident Funds", in a paper that the latter had presented to the ILO National Tripartite Seminar in Sri Lanka held in November 1987, titled "Survey of Social Security in Developing Countries in Asia and the Pacific."

"In fact there has been discussion at times on the desirability of converting provident funds into pension schemes, but this has occurred only outside the region, in the Caribbean and Seychelles. (Our emphasis) There appears to be a widespread satisfaction with the provident fund system, mainly because of the well known preference for lumps - sum payments... However, the idea of annuities had been taken up in some other countries and the provident funds in India adopted social insurance principles for a Family Pension Scheme which was applied to all new members from 1st March 1971 and voluntarily to the existing contributors. The scheme which is financed by part of the provident fund contributions and a government contribution, pays survivors pensions for deaths in service or a lump-sum grant on retirement. These changes demonstrate the adaptability of the provident fund system, whilst the recent introduction of more national provident funds further enhances their role in social protection in the region." (Our emphasis).

Our General Secretary also stated that the proposal to administer the EPS by a Tripartite Board, to be appointed by the President, even with trade union representatives in it, would not command our confidence as to the proper and efficient administration of the EPS and investment of its funds;

whereas greater confidence could be placed in the Monetary Board that controls the funds of the EPF, at present.

Besides the President of the CBEU and our General Secretary, other trade union representatives present at the discussion held on 5th October 1990 did not express any views with regard to what the Secretary to your Ministry had stated. We are also not aware, up to now, of a single trade union organisation that has signified its consent to the conversion proposed by your Ministry. In that context, our General Secretary whether the proposed scheme would be forced upon the workers, even if the trade unions did not consent to it. The Secretary replied that if there was opposition to the scheme from the trade unions, that it would not be introduced compulsorily.

In the circumstances, we were gravely perturbed to read a report published under a banner headline on the front page of the "Daily News" of 13th October 1990, that the Secretary, Mr. Justin Dias, had announced that the Pension Scheme had been finalised by your Ministry, and that it had "won the approval of the trade unions." In the light of what we have stated above, we have to declare that the statement with regard to the trade unions is completely incorrect and misleading, at least as far as our Union is concerned.

The General Council of our Union, representing employees in various sectors of employment and various categories of workers both manual and non-manual, met on 17th October 1990 and unanimously decided that our Union could not agree to the conversion of the existing EPF to the proposed EPS. This decision was taken after careful consideration of the information sent to us officially by the Deputy Commissioner of Labour (EPF), consisting of a statement entitled "Social Security Pension Scheme" and a statement of the proposed changes to the draft Bill on Social Security Benefits, which the Secretary to your Minis-

try had explained at the meeting held on 5th October 1990.

Our General Council decided to protest to you against the statement made and published by the Secretary to your Ministry, Mr. Dias, with reference to alleged trade union approval of the proposed pension scheme, and also to notify the ILO of the fact that ILO experts have not satisfied us that it would be in the best interests of the workers of this country to accept the proposed pension scheme in place of the existing Employees' Provident Fund.

In answer to the question "What percentage return on their contribution will be enjoyed by persons in the EPS?", the Senior ILO Consultant, Mr. Carroll, has stated as follows: "This question is not appropriate when considering an insurance rather than a savings scheme... Many members of the EPS will receive far more benefits than the sum of their contributions; others may receive less..." In our view, this is the crucial question. The answer of Mr. Carroll is not satisfactory. It does not bring out the fact that only the small proportion of members of the ESS who may suffer disability before retirement, or such dependents who may qualify under the conditions of the EPS for survivor's benefits, may ultimately receive more than what they would have received in a lump sum. On the other hand, the vast majority of members, who will live and work till normal retirement at 55 or 60 years of age will receive less than what they would receive from the EPF, unless they live long beyond the life expectancy of workers who retire.

In any case, to say the very least, the benefits of the EPS as compared with those of the EPF are debatable; and there will be no means of reversion to the EPE, once the EPS is established in its place, as the Government proposes to do.

In the circumstances, our Union is completely opposed to compulsory insurance under the proposed Social Security Pensions Act of "all employed people who are covered presently by the Employees' Provident Fund Act," according to the official statement, dated 11th October 1990, sent to us by the Deputy Commissioner of

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INFORM Informs...

The following is a situation report on the War in the North - East sent by an organisation styled INFORM based at No. 5, Jayaratne Avenue, Colombo 5:

The month of October 1990 started with a lull in the fighting in the North of Sri Lanka. After the Sri Lankan security forces vacated the Jaffna Fort on 26th September, the LTTE was reported to have moved into the areas surrounding the Fort and there were sporadic skirmishes and attacks on security encampments at Elephant Pass and Vasavilan. There were also reports of negotiations between the ICRC and the LTTE regarding the reopening of the Jaffna General Hospital, with the ICRC warning that any fresh outbreak of fighting would only render their task impossible in the circumstances. In Jaffna, the LTTE relaxed its stringent regulations governing persons who wished to leave the peninsula; in the days between 1st and 6th October, a record number of 12,000 persons were reported to have left Jaffna, taking advantage of this brief breathing space. Thereafter the LTTE tightened its grip on the peninsula again.

Many reports about the assassination of many political opponents of the LTTE began reaching Colombo in mid-October. It was estimated that over 200 persons had been killed in this manner; most of them were members of the four smaller militant groups - the National Liberation Front of Tamil Eelam (NLFT), People's Liberation Front of Tamil Eelam (PLFT), a splinter group of PLOTE called 'Theepori' and the Assembly for Protecting Tamil People. A poster was seen hanging at the LTTE information headquarters that: No enquiries about NLFT, PLFT and 'Theepori' are allowed. This latest round of the LTTE witch-hunt has triggered another exodus of over 1000 Tamil youths to Colombo. Many of them were University students.

On 17th October, Deepavali day, a holy day for Hindus, the Sri Lanka security forces launched a major offensive-code-named 'Operation Jayasakthi'-against the LTTE in Jaffna; the objective was to secure a

large area surrounding the Palaly Air Base and clear a passage from Palaly to Kankesanthurai, where the harbour would provide the Navy with access to the peninsula as well. Curfew was declared in four AGA divisions in Jaffna and there was reported to be heavy strafing of alleged LTTE positions by air; however, most reports agreed that civilians had vacated these areas prior to the outbreak of fighting; therefore casualties were limited to the security services and the LTTE cadre for the most part.

Despite the onset of torrential rains, Operation Jayasakthi proved to be very successful and by the 24th, the Ministry of Defence announced that 10% of the Jaffna peninsula was under the control of the Sri Lankan security forces, while a three kilometre perimeter to the Palaly Air Base had been established between KKS and Palaly, and the KKS Cement Factory was in the hands of the SL Army. During this offensive there were also many attacks on boats allegedly smuggling personnel, fuel, arms and other supplies for the LTTE from South India; many boats were destroyed in mid-sea, in this attempt to sever the LTTE's sea supply lines; unfortunately, several boats carrying refugees were also said to have been destroyed in this process. Reported casualties among members of the armed forces were 14, while Defence Ministry sources alleged that over 100 LTTEs had also been killed. Following the major success of the SL army in this operation there was another lull in the fighting in the North at the end of October 1990.

There were also many reports that the LTTE was engaged in a desperate battle to recruit more cadres to its ranks; after months of speculation regarding rifts in the leadership of the LTTE, Dr. Anton Balasingham and his wife Adele, as well as 'Yogi' made a public appearance at a meeting held by the LTTE in Vadamarachchi on 4th October to commemorate the deaths of members of the LTTE who committed mass suicide while in custody of the SL army. A statement issued in the name of LTTE leader Prabhakaran was read out at this meeting, in which the LTTE's deci-

sion to continue with the struggle was affirmed.

The situation in the Eastern province continued to grow more tense with several security operations being carried out in the first week of October, in Mullaitivu, Trincomalee and Amparai.

The total number of deaths in the North and East during this period of conflict from 11th June onwards was estimated to be over 3000.

The Refugee Situation:

The LTTE threat to over 46,000 displaced persons occupying refugee camps around Batticaloa town resulted in a massive evacuation of these camps; the Registrar of the Eastern University, Dr. Sivalingam, was abducted in the first days of this evacuation; he was released a few days later, unharmed. The closure of the large Vandaramoola, Refugee Camp which had been situated on the premises of the Eastern University resulted in heavy overcrowding of the few small camps in Batticaloa town, while large numbers of refugees from Batticaloa also moved to other camps in other parts of the country, including Colombo. Relief workers also noted with distress that several thousands of refugees had also just fled into the jungles on being asked to leave the camps.

In early October, reports put figures at the Madhu refugee camp at 20,000 and the Pesalai camp at 15,000; it was also estimated that there were approximately 15,000 persons also in the Vavuniya camp. Figures from Amparai District indicated that there were over 27,000 Tamil refugees in the region, while in Mullaitivu there were said to be over 50,000 displaced persons. There was a total of 700 refugee camps island-wide by the end of October, with the number of displaced persons exceeding one million.

There were continuing reports of arrests and abductions of youth from refugee camps, particularly in the Eastern Province; for example, the whereabouts of 73 youths abducted from the Karaitivu camp in late June are still not known.

Restoring 'normalcy' to the North and East:

Transport in the North and East continued to remain continued to remain at a very minimal level; in the Eastern Province, tensions between Muslims and Tamils in areas where there was heavy geographical intermingling of the two communities meant that each community had to undertake long and convoluted detours in order to avoid passing through the other community's 'territory'. Other common amenities, post and banking facilities operated at a very basic level while most of the public health and education facilities were not in operation. A ministerial team that visited Trincomalee after the President's trip there on 6th October set in motion the process of re-establishing a civilian administration in the town; members of an Opposition delegation that toured the Eastern province in the first days of October asked for the setting up of an 'interim' administrative structure while these problems were being ironed out. A sour note in these proceedings was the deployment of the notorious 'Special Task Force' (STF) for rehabilitation work in the Trincomalee District.

Tamil-Muslim relations:

The relationship between the Muslim and Tamil communities continued to deteriorate with many meetings being held between the political parties and groups that represent these two communities in an attempt to work out a solution to the dispute regarding the merger of the North-East Province and the unit of devolution of power to these areas. The groups that participated in these meetings from the Tamil community were the EPRLF, ENDLF, TELO, PLOTE, ACTC and the TULF, while the SLML, MULF and the SLMC represented the Muslims. Many Muslim groups proposed the formation of a separate Provincial Council within the merged North-East province. This proposal was not looked upon with much favour by any of the Tamil political parties or groups, except the All Ceylon Tamil Congress.

The SLMC continued to agitate for the recruitment of more Muslims as Home Guards while the state also promised the Tamil groups that 2000 Tamil Home Guards would be recruited in the

Social Security for Whom?

(Contd. from Page 4)

Labour, Mr. K. Wijayaratanam. On the other hand, the Deputy Commissioner has confirmed the statement made by the Secretary to your Ministry, Mr. Justin Dias, on 5th October 1990, that "those who are covered by approved private provident funds" would not be brought under the proposed EPS compulsorily, and that "any member who is in an approved provident fund and wants to join the pension scheme would be given the right to do so." It would be invidious to deny the same option to employees covered under the Employees' Provident Fund Act as well.

We are aware that the World Bank had made it a condition of the grant of a substantial loan to the Government earlier this year, that the Government should grant its final approval to the conversion of the EPF into the EPS. We call upon the Government to refrain from

pushing through the proposed legislation, at the behest of the World Bank or otherwise, without the consent of trade unions like ours, that are independent, democratic, and representative of tens of thousands of employees throughout the country.

The least that the Government should do is to permit your Ministry to discuss the changes announced on 5th October by the Secretary to your Ministry and officially communicated to our Union and others by the Deputy Commissioner of Labour on 11th October, as well as our objections and those of other Unions that remain dissatisfied with the proposed changes, despite the assurances given by ILO experts with regard to the proposed legislation, for which neither they nor the World Bank would be answerable.

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INFORM Informs... (Contd. from Page 5)

following weeks. This issue continued to be one that sharpened the conflict between the two communities.

Towards a Political Solution:

The President summoned a meeting of all political parties to discuss the question of the North-East on 12th October. However, the SLFP, the BNP and the parties of the five Party Alliance decided not to participate in such a meeting. Several meetings of the All Party Conference held in this connection also failed to come up with any resolution to the problem. However, by the end of October, there seem to be some optimism regarding the possibility of working out some solution agreeable to all communities. The problems created by the forced evacuation of Muslims from the North East however succeeded in shelving these discussions temporarily.

On 26th October came reports from Amparai that the LTTE had issued an ultimatum to Muslims in the area to vacate their homes; this was followed by similar reports from Mannar and Jaffna, where residents said the LTTE toured the area using crowd-hailers and asking all Muslims to leave the Districts within 48 hours. Muslims were not permitted to take more than a stipulated sum of money - Rs. 5000 to Rs. 10,000 - and possessions with them. In Mannar, it was said that many Tamils intervened on behalf of the Muslims in the area, who constitute 26.6% of the population of the District. However, they were able to obtain merely a brief respite, with an extension of the deadline up to 2nd November. Another exodus of displaced people from the North and East commenced - some estimates placed the figure to be approximately 50,000 persons - with many horror stories of thousands of people standing for over 24 hours on cold and rainy beaches waiting desperately for the boats that were to take them away to safety. Many old people, infants and sick people were reported to have died in the course of this agonising trip, with the worst off being those who made the perilous 8 to 10 hour boat trip between Mannar and Kalpitiya.

The issue of Land:

There were also repeated complaints from all commu-

nities of state-sponsored (or at least connived - at) encroachment of land by members of other communities. In the hill country, the CWC protested to Minister of Plantation Industries, Ranjan Wijeratne, against a decision to hand out land allotments in the Haputale area to Sinhalese villagers, totally ignoring the needs and demands for land of the Tamil population of the region; an agitation campaign by over 10,000 workers managed to bring this injustice to a halt. There was a similar charge levelled at state authorities in parcelling out land allotments on the Palm Gardens estate in Ratnapura. In the Eastern province, there were allegations made by Tamil groups regarding settlement of Sinhalese villagers on lands previously occupied by Tamils, particularly in and around Trincomalee; at the same time, there were allegations made by some Sinhalese group of attempts to dismantle certain Sinhala settlements in the Eastern Province. These incidents continued to prove that access to land remains a key factor in the conflict between the different ethnic communities in the island.

The Indian factor:

The turbulent political situation in India served to minimise India's role in the settlement of the on-going conflict in Sri Lanka to a certain extent. The much-awaited visit of Indian Foreign Minister Gujral was put off several times; there was speculation that this was partly due to the present crisis in the Indian government but also partly due to the fact that while the Sri Lankan state continued to maintain that this meeting would be to discuss bi-lateral cooperation between the two states, the Indian government was also anxious to put a discussion on the future of the Indo-Lanka Agreement on the agenda for the discussions.

The security situation in general:

There was a heightening of security arrangements in the south following reports of LTTE cadres filtering into Colombo. There were many reported arrests of Tamil youth in Colombo and in lodged complaints that several of their bodyguards had been abducted and appealed for enhanced security. In the meanwhile

there continued to be sporadic events of violence, robbery and even killing undertaken by the JVP, particularly in the Southern Province. Defence Ministry sources also attributed two bank robberies in the Colombo District in the past month to the JVP. At the same time, there were many reports of killings or disappearances of suspected JVPers, some of whom had been released from detention and rehabilitation centres, particularly in the Central and Southern Provinces.

Human Rights Campaigning:

The Organisation of Families of the Disappeared continued to hold public meetings and rallies throughout the country. Mothers for Human Rights in the South also held several meetings, and issued a press release stating that they had a record of 100,000 documented cases of disappearances in their possession. The Bar Association of Sri Lanka echoed the plea of thousands of these affected families by calling for an Independent Commission of Inquiry into Disappearances in Sri Lanka in the months since January 1988.

The report of Amnesty International and the ICRC (for April/June 1990) which were released in September 1990 reached Sri Lanka during the month of October, but very little media coverage was given to their accounts of human rights violations in the country. On 14th October, it was officially announced in New York that the Civil Rights Movement of Sri Lanka had been jointly awarded the Carter-Vesco Prize for outstanding work in the field of human rights, together with a Guatemalan human rights organisation.

There were several interesting occurrences in terms of the legal processes in the country. Two Policemen who had been implicated in the abduction and killing of journalist Richard de Zoysa proceeded to file claims for damages from his mother alleging defamation, while several of those accused in the Parliament bombing case were acquitted, but were immediately re-arrested and detained on Detention Orders issued under Emergency Regulations.

During the monthly debate in Parliament to extend the State of Emergency, it was reported that 13,000 suspected JVPers were being detained by the State. Of this number 3,000 have been released to date. However it is widely believed that these youth are being hounded and killed by 'death squads' and account for the recent increase in the number of dead bodies being found in the Southern and Central provinces.

The economy:

Concern regarding the economic crisis continued to grow, with a budget deficit of Rs. 67,000 million being feared. The meeting of the Sri Lanka Aid Consortium in Paris was eagerly waited for; in the days preceding this meeting, the representative bodies of the EEC countries in Sri Lanka issued a statement expressing their strong support for the Government's efforts to overcome the 'terrorist threat'. On 27th October, triumphantly announced that the Aid Consortium had pledged 1 Billion US dollars to Sri Lanka, which was an increase on the 870 million requested

by the Sri Lankan Government. The World Bank too released a statement saying that Sri Lanka's economy had displayed 'remarkable resilience' despite the political situation in the country.

Outlook for November 1990

Sri Lanka moves into November 1990 with a more secure position economically; however, the problems created by massive displacement of persons numbering over one million in the North East alone, and the disruption of the economic processes remains a major factor in determining the path the economy will take in the year to come. Whatever attempts are being made to provide relief and rehabilitation to the people affected by the war continue to be of minimum effect in the context of continued military operations and there seems to be yet no concrete solutions put forward to the key issues of the North-East merger and the unit of devolution for the North and East that would meet with the approval of all the political parties and groups concerned.

SLBC MAN 'MISSING'

MIRJE expresses its deep concern regarding the abduction of Mr. K. Kugamoorthy a programme producer of the Tamil service of the Sri Lanka Broadcasting Corporation and a member of the National Committee of the Movement for Inter Racial Justice and Equality (MIRJE), states a press release issued by it.

The release adds; Mr. Kugamoorthy was returning from work and was travelling on his motor bicycle down Jawatte Road on 6th September about 5.30 p.m. when unidentified persons in a Mitsubishi jeep, bearing number 9 SRI 9164, including one person in khaki

uniform, dragged him into the jeep and sped away. All attempts to locate Mr. Kugamoorthy have so far failed.

MIRJE appeals to the authorities concerned to take whatever steps are necessary to locate and guarantee the safety of Mr. Kugamoorthy. We also ask all organisations and individuals who respect human and democratic rights to join us in this appeal.

MIRJE also takes this opportunity to urge the state to take immediate and pertinent action to prevent such incidents in the future.

Mossad's Connection with Sri Lanka

By Mervyn de Silva

The Sri Lankan government has accused Indian officials of arming and training the Tamils. It should be accusing Mossad writes Victor Ostrovsky whose book, "By Way of Deception" has become a best-seller as embarrassing to the Israeli authorities as "Spycatcher" was to the British.

On that particular point of arming and training, the Tigers, some of rival military groups, and Indian's Research and Analysis Wing (RAW) should know best. While the Tigers have denied any Israeli help, President Premadasa has asked his solicitor-general to look into this and other disclosures by Ostrovsky, RAW's attitude may be ambivalent. By denying or downgrading India's covert role, Mr. Ostrovsky partly exculpates RAW, the target of Sri Lankan accusation, and neighbourhood suspicion.

The diverting thought apart, the eight pages on Sri Lanka, offer quite a few useful insights into Israeli foreign policy thinking, and its steady focus on Asia, India in particular. They seem to confirm the wisdom of the post-independence Indian leadership in maintaining low-level relations diplomatically while making selective contacts at higher levels whenever the need arose.

INDIAN TEAM

Ostrovsky records his extreme embarrassment when a 27-member Indian Swat team was billeted in a camp close to where the Sri Lankan Tamils were housed. Since he had to take the Indian team each night for dinner he was nervous that they might bump into the Tamils or the Sinhalese. The Swat team must have been sent to Israel after the Gandhi assassination.

Delhi was quite angry about the Israeli re-entry into Sri Lanka. Relations had been suspended by Mrs. Bandaranaike when Indira Gandhi took up the issue but the haughty patriarch Mr. J. R. Jayawardene cut

her short. According to the version that he has put on record many times, he told her he would close down the Israeli interests section in the US embassy in Colombo 24 hours after she shut down the Israeli consulate in Bombay.

Mr Rajiv Gandhi was so persistent on this point that he included a reference to foreign military and intelligence personnel in the exchange of letters that accompanied the July 1987 peace accord. The relevance of such presence, the two leaders agreed, would be discussed in the light of cordial Indo-Sri Lankan relations. If the matter never came up and Sri Lanka did nothing to change the status quo it was because India failed to fulfil its commitment to disarm the Tigers. So it was left to President Premadasa to send the Israelis a way for his own reasons, and this in spite of a last-minute intervention by Congressman Solarz who flew into Colombo unexpectedly.

Mr Jayawardene stunned his foreign minister, the foreign office and the non-aligned movement by supporting the US on the invasion of Grenada. It was his turn to be shocked when President Reagan turned down his request for military aid to help fight the Tigers. But General Vernon Walters, his roving ambassador and former deputy chief of the CIA, had a solution which was to leave it to the Israelis handle it;

So Gen Walters flew in to Colombo from Africa, Sri Lanka's US ambassador Ernest Corea had already moved into a five star hotel — a fact that the foreign ministry discovered much later. Mr. Corea, a former editor and notorious 'JR' side-kick was a political appointee, Israel would establish an "Interests section" in the US embassy the only such American arrangement in the world, and the costs of US back-up support would be borne by the special fund for American involvement in 'low-intensity conflict'. The US would be allowed to move ahead with

the construction of a huge VOA transmitting station, broadcasting in national languages to South and Central Asia including the sensitive Soviet Republics. The US could even be rewarded with some special facilities in Trinco.

And now Ostrovsky says that he was training both Sri Lankan special forces and Tamil Tigers. The Tamil insurgency had to be kept alive if Israel was to retain the beach head it had regained in Colombo.

In an interview with "The Island" in September 1984, Mr. David Mathai, the first head of the Israel interests section, explained why Israel had said 'yes' from the start. "Israel saw an opening seized the opportunity and got a foothold." Mr. Mathai was in act echoing his predecessor, Mr Natanael Lorch, the first Israeli consul-general in Colombo. He was here, when the 1956 and 1958 anti-Tamil riots erupted. He described those riots as 'pogroms' on a "scale and with a brutality which compares with the worst in the annals of the Jewish people." While Mr Lorch welcomed Israel's return to Colombo, he criticised the decision to help Mr Jayawardene (i.e. the Sinhalese) suppress the Tamil revolt.

Eye on India

Mr Lorch is no ordinary diplomat. He is Colonel Natanael Lorch, author of "The Edge and The Sword" the official history of the Israeli army. He retired recently as the Secretary-general of the Knesset, the Israeli parliament, and a highly placed official of the world inter-parliamentary union. He wrote, "any broadening of Israel's diplomatic network is welcome news not only for its own sake but also as a vehicle for contacts in other fields — economic, cultural etc. This is particularly true in the Asian continent. We are perched on its western rim, and yet in the wide belt between Israel and Burma, there is a gaping diplomatic vacuum, apart from an embassy in Nepal, and the

toehold of a consulate in Bombay."

If Israel and Mossad had their eye on India, what better way then to help the Tigers and the Tamil movement which have such extensive contacts in southern India, and evidently with some other insurgent groups.

Ostrovsky mentions money, sex and ideology as the recruiter's bait. The Tamils identify the Sinhala-Buddhists as racists with bogus theories of racial superiority, and themselves as the persecuted Jews in search of a homeland. The Sinhalese, the custodians of "pure" Buddhism, have a self-image of a "chosen people" surrounded by 60 million Tamils, in Sri Lanka and South India. Mossad instructors appear to have conducted the dual exercise without any schizophrenic, after-effect.

Reporoduced from "The Times of India."

U.S. Congressmen's concern over human rights in Sri Lanka

From R. Chakrapani

Washington, Oct. 29

Two leading members of the Congress, Mr. Stephen J. Solarz, Chairman of the House Asia-Pacific Affairs Committee, and Mr. Gus Yatron, who heads the House Sub-Committee on Human Rights, have asked the Bush administration to convey the deep concerns of the U. S. Congress over the deterioration in human rights situation in Sri Lanka to the World Bank Aid Sri Lanka Consortium which is meeting in Paris next week to consider fresh economic assistance to the troubled country.

In a letter addressed to Mr. Ronald W. Roskens, Administrator of the U. S. Agency for International Development, the two Congressmen urged that human rights issues be given a high priority during the meeting of the consortium "As you know," said their letter "the members of the Congress have long been concerned about reports of violations of human rights in Sri Lanka, including killings and other abuses against non-combatants in the context of civil conflict. political killings in the South, disappearances, failure to inform family members of the arrest of suspected insurgents, failure to adequately investigate and bring prosecutions against those responsible for human rights abuses, and failure to ensure equitable distribution of humanitarian relief supplies."

They said that the Sri Lankan Government was confronting several terrorist groups responsible for violations of human rights. But, nonetheless, abuses by terrorist groups did not justify abuses by the Sri Lankan security forces, and in no way diminished the importance of the Government efforts to address the concerns raised by the Congress.

Displaced persons: Nothing that about one million Sri Lankans were displaced as a result of the conflict. they asked the U. S. representative at the donors meeting to urge the Government to do everything possible that food and medical assistance reached the people in urgent need.

Documents' seizure: In the letter, the two Congressmen also criticised the the action of the Sri Lankan Government in confiscating human rights documents in an obvious attempt to suppress information about the human rights situation in the country. "In particular, we are disturbed by the reported seizure on September 11 of over 500 documents from the human rights activist, Mr. Mahindra Rajapakse, who was planning to present them to a meeting" of the United Nations working group on disappearances in Geneva."

(Contd. page 8)

FOR A FREE PRESS

We publish below an Editorial of "The Island" of 19th November 1990 which reflects journalistic thinking on the proposed Media Commission.

The Press Council is to be abolished and replaced by a Media Commission which would be appointed by the President from a panel of names of eminent persons recommended by a nominations commission comprising representatives of political parties in proportion to the share of representation in parliament. Presidential Adviser Mr. Bradman Weerakoon announced last week.

There will be no tears shed by journalists for the eclipse of the Press Council. The Press Council Law of 1973 under which it was set up placed severe restrictions on the freedom of the Press. The relative degree of freedom enjoyed by the Press is because Governments in power have not always been keen on strict enforcement of the law. But these restrictive provisions have been made full use of when

Governments in power so desired. Even the United National Party which when in the Opposition strongly opposed the enactment of the Press Council Law, when in power, the leaders have not hesitated to resort to the draconian law. What is equally lamentable is that none of the other provisions of the law such as "ensuring the freedom of the Press", "improvement in methods of recruitment, education, welfare, training in journalism", "undertake research into the use and needs of the Press" have ever been considered during the 16 year period that followed the enactment of the Law. In effect, while the Press Council Law placed restrictions on the freedom of publication it did not result in the promotion of journalism or the welfare of journalists.

Thus, if a Media Commission is to replace the Press Council what journalists will look forward to is the removal of the restrictions

which prominent UNP members as opposition members objected to very strongly 16 years ago when the bill was debated in the old Parliament by the sea.

A striking feature of the proposed Media Commission is the appointment of a nominations committee from political parties in proportion to their share of representation in Parliament. At the press conference chaired by Mr. Bradman Weerakoon, a very pertinent question has been raised: Why bring in representatives of political parties and eclipse the involvement of journalists in the commission? Mr. Weerakoon had said that there was nothing to prevent a journalist from being

nominated. But if it was to happen it would be inevitable that the journalist nominated will have to be a favourite of one party or the other. Certainly, the recommendations of the political parties is an improvement from the present system of nomination, by the incumbent President to the press council.

Journalists, certainly do not want to be at the behest of any political party whether it be the Government or the opposition. Thus, the Government should consider obtaining the views of journalists - not only from journalists associations but any journalist who wishes to make his proposals—be-

establishing the media commission.

While the composition of the commission is important the vital factor will be the intention of the government in setting up a media commission. Will it result in greater freedom of the press than what exists now? Will it actively help journalism and the profession of journalism? What we recommend to those behind the media commission proposal is to read in the Hansard the stirring rhetoric of prominent UNP members in the Opposition in March 1973 about what they consider a free Press should be and how the Press Council Law would stifle that freedom. If those noble sentiments are made into law, then Sri Lanka will indeed have a truly free Press.

U. S. Congressmen's concern over human rights in Sri Lanka

Contd. from page 7

The Sri Lankan Tamil lobbying groups in the U. S. who were lying low for a while, have now activated their efforts to publicise the atrocities committed by the Sri Lankan security forces on the Tamil community and the Government's apparent indifference to such activities and failure to discipline the forces and bring to book the offenders.

Despite the pleas for stopping international aid to Sri Lanka made by human rights activists, there has been no drop in the quantum of assistance received by Sri Lanka. Barely two days ago, the aid to Sri Lanka amounting to about \$64 millions in support of its economic and structural adjustment programmes.

Fresh appeals: This did not deter the Boston-based Eelam Tamil Association of America to send out fresh appeals to the Governments of the United States, Britain, France, Japan and Germany for prime aid givers to Sri Lanka for stopping further assis-

tance to Sri Lanka until the Government effectively curbed violation of human rights of the Tamil community by its security forces.

The Boston Globe came out with an editorial on October 23 on what it described as "Sri Lanka's unnoticed war". It said the Premadasa Government's efforts to extirpate the separatist Tigers was taking a "heart-rending toll" on the civilian Tamils "Since Premadasa cannot realistically hope to liquidate the fanatical Tigers by military means, his campaign of state terrorism against the Tamil population of the north-eastern province amounts to little more than gratuitous cruelty" the paper said. The solution to Sri Lanka's ethnic civil war could only be political devolution. Central Government should offer a true solution of power in a new federal Constitution while order to maintain the unity of Sri Lanka large permitting the prosecuted Tamils a measure of autonomy, it said.

HANDS OFF THE PRESS - 4

Privatise the Media

So the effect Press Council is to go, to be replaced by a Media Commission shortly.

We believe it is another strategy to keep the Media in rein because political parties are to have a hand in the selection of its members while Media personnel would have no say. They have not been consulted on the proposed change over.

The Media, especially newspapers, become the darling of politicians when they are out of power; once installed in office, most of them use subtle methods to strangle criticism of their satanic activities.

We remember how hard the United National Party then in the opposition fought against the conversion of the Associated Newspapers of Ceylon Ltd. (Lake House) into a public corporation,

in effect a State take over and the establishment of a Press council by Mrs. Srimavo Bandaranake's Government in the early 1970s.

Mr. J. R. Jayewardene, then leader of the Opposition, submitted through his counsel that the establishment of the council would go against the spirit of press freedom.

Here is a quote from the submissions made by his counsel before the Constitutional Court of Sri Lanka proposing the establishment of the Press Council Bill;

"The Freedom of the Press is the essence of liberty and this is the source of all other liberties, if this suppressed, restrained or controlled, then the foundation for autocracy is laid. . . ."

The logical thing when the U. N. P. under Mr. Jayewardene came to power in 1977 was to have restored

Lake House to private ownership and abolished the Press Council. But this was not to be so.

Lake House publication to be mostly mouthpiece of the ruling party despite claims by its leaders that they stood for a press.

The Press Council has not lived up to its expectations as a guardian of press freedom. How could it when it is a wholly government appointed body with only one of its seven members a journalist and he, too, from a Government-controlled newspaper, not a nominee of journalists union?

True, the counsel has inquired into a number of complaints from the public and politicians delivered verdicts but it has taken little action against Colombo-based newspapers while pouncing on the Jaffna-based "Saturday Review" twice.