

Violence: sauce for the
goose is sauce for the
gander

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Jaffna loses archaeologically valuable artefacts to the South

By S. Somitharan

The Liberation Tigers of Tamil Eelam (LTTE), academics, lawyers and concerned citizens are throwing up their hands in exasperation as historically significant artefacts from homes, temples and public places in Jaffna are transported to the South by non-Tamil businessmen and sold at exorbitant prices in Colombo.

The LTTE that imposed a ban on the transport of such artefacts from the peninsula on 1st December after its earlier measures to curb this practice proved unsuccessful, expressed its frustration to the *Northeastern Herald*. "We have imposed a ban. But this is not sufficient. Parts of the peninsula are under government control where we cannot intervene directly to prevent the transportation of these items. There is no prohibition on transporting these under Sri Lankan law," said a LTTE official from the organisation's arts and culture division.

The practice of transporting artefacts began about the time the A9 was opened following the signing of the Ceasefire Agreement between the government and the LTTE. Earlier, individual collectors took the artefacts out of Jaffna, which was then taken over by traders for commercial benefit, said residents.

Meanwhile, academics from the University of Jaffna and others allege the motives for transporting these artefacts out of Jaffna might be more insidious than the rapaciousness of businessmen or the enthusiasm of collectors. "The removal of such artefacts from Jaffna is taking place now because the area was not accessible till of late. However, there has been a plunder of such items from other parts of the northeast too. The systematic way it has been done is suspicious," said a Jaffna University don who refused to be named.

The basis of the allegation is that some of the artefacts could be useful archaeological evidence to challenge the historiography of

Sinhala nationalist historians.

The artefacts are mostly figurines of bronze important in Hindu mythology and religion from homes and temples, as well as furniture, heirlooms and memorabilia. Residents alleged this has led to a spate of thefts from temples where precious and semi-precious stones and artefacts have been pilfered.

Residents said unscrupulous elements in Jaffna were hand-in-glove with businessmen from the South. There were middlemen who were making a quick buck on the sale, and local craftsmen and carpenters are allegedly involved as well. The modus operandi was for the southern businessman to approach the middleman, who contacted craftsmen who knew in whose private possession, or where on public display such artefacts were. The craftsmen persuaded the owners to quote rock bottom prices and once the ownership was transferred the items were transported out of the peninsula. "There are a number of allegations the *grama sevakas* are also

involved," sources in Jaffna said.

The motive for the Jaffna public to sell these artefacts is described as poverty due to long years of displacement and indifference to the importance of heirlooms and memorabilia due to the mindset that develops from war, displacement and bereavement. There have been even instances where such artefacts that were damaged were bartered for cheap goods but with more practical utility.

The rampant and unchecked business stirred academics from the University of Jaffna's department of fine arts to begin a campaign to increase public awareness on what was taking place. There were meetings and pamphlets were issued urging the people not to sell or barter valuable artefacts.

"People are ignorant of the true value of such artefacts, that is why they are prepared to sell or barter these items. Our campaign was to educate the public on the value of such things. But with the poverty and displacement you understand their motives for doing what they

do," said P. Akilan, lecturer in the department of fine arts at the university and head of the Arts Circle, which was pivotal in mounting the awareness campaign.

The failure of the awareness campaigns to prevent the pilferage and transport of artefacts led to the LTTE's political wing in Jaffna forbidding the transporting of these items by land. In pursuance of this, artefacts discovered at the LTTE's checkpoints were confiscated. Sources said the LTTE stance dissuaded individual collectors from transporting these items overland by the A9.

By this time however businessmen had established reliable networks through which they had access to the artefacts. And unable to utilise transport overland, these businessmen allegedly took to transporting them via boat. It is believed these items are smuggled across to the islands off the northwestern coast

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A 'Tiger' family in Mullaithivu

Pic by S. Kanagaevi

Picketing continues in Nedunthivu

The picketing campaign by the villagers against the presence of para military members of the Eelam People's Democratic Party (EPDP) in Nedunthivu (Delft Island) in Jaffna entered nineteenth day Wednesday. The protesters demand immediate withdrawal of armed EPDP members from their village, sources said.

About 40-armed police personnel guard EPDP members who stay in the offices of the Divisional Secretariat and Pradeshiya Sabah, sources said.

The thirty-five square kilometer Nedunthivu Island has a population of 1649 families about six thousand eight hundred persons. Only one telephone and a solitary bus are in the village, civil sources said.

The Multi-purpose co-operative society operates a boat service, which is the

only mode of transport for the islanders to travel to and from the Jaffna mainland. The Sri Lanka Navy is closely monitoring the entry point from where the boat service begins at Kurikadduwan to Mavilthurai jetty at Nedunthivu to prevent outsiders entering.

A group of Jaffna University students who were taking essential food stuff Wednesday to the villagers of Nedunthivu was stopped by the government troops stationed in the islet.

Meanwhile, the debate on the Nedunthivu issue in parliament was put off for Thursday on the request by the UNF government. Earlier the Speaker agreed to a debate on Wednesday. The Leader of the Opposition Mr. Mahinda Rajapakse said he has agreed to put off the debate for Thursday, parliamentary sources said.

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MPGA cripples Jaffna civil administration

The picketing by the members of the Missing Persons Guardian Association (MPGA) crippled Jaffna District Secretariat, the main administrative centre in the northern province for the fourth day Wednesday. The MPGA members demand the government expedite the investigation into the disappearance of hundreds of youths after being arrested by the Sri Lankan government troops, in Jaffna peninsula in 1996 and 1997.

The Government Agent Mr.S.Pathmanathan who was away in Colombo since Monday returned to Jaffna Wednesday. On his arrival District Secretariat officials briefed him of the situation closure of the secretariat and the

worsening administrative situation that has arisen due to the picketing campaign.

Secretariat sources said the Government Agent Mr.Pathmanathan is scheduled to meet the members of the MPGA Thursday and to discuss matters related to the continuance of the picketing. However, the management of the MPGA said it would continue the picketing campaign until a satisfactory reply is received from the authorities concerned regarding their demand.

Amnesty International said in 1997 that as many as 600 people who 'disappeared' in the Jaffna peninsula after the Sri Lankan Army moved into the area in 1996, 'died under torture or been deliberately killed.'

First woman deminer graduates

Thirty-one local deminers, including one woman, graduated from the Demining and Battle Area Clearance Course on Friday afternoon, 29 November. The intensive training was run by the Swiss Federation for Mine Action (FSD) in Vavuniya, said the United Nations Development Programme (UNDP) today.

The course marks the first occasion for the employment of women deminers in Sri Lanka. New graduate Miss Niruja Srirajukumar will be employed with a demining team in the Jaffna region. Eight members of the Humanitarian Demining Unit (HDU) were also trained in the course, and they will begin work in the Vanni region under the guidance of an international supervisor from FSD.

Government Agent of Vavuniya District, Mr. K. Ganesh, presented the graduates with course certificates. He congratulated the graduates and urged their fullest effort to rid Sri Lanka of landmines.

Currently, there are four international mine-clearance organizations represented in the Jaffna and Vanni region: FSD, Halo Trust, Mines Advisory Group (MAG) and Norwegian Peoples Aid (NPA). The

agencies employ local staff trained in demining and other clearance operations. The District Mine Action Offices oversee the coordination and prioritization of clearance activities.

Unexploded ordnance (UXO) and mine-related injuries are occurring at the rate of 15 to 25 per month in the Jaffna and Vanni regions - 50% of these injuries are mine-related, and 50% are UXO-related. Mine-related injuries occur predominately to men aged between 18-45 who are conducting resettlement or agricultural activities. The majority of UXO-related injuries occur to male children between the ages of 8-15. In general, these are curiosity related, where children find something interesting and begin to play with it, unaware of the danger.

At the graduation of deminers in Vavuniya, a Mine Action spokesperson urged all Sri Lankans to work together to keep each other safe during the resettlement process - to be sure they have all the information before making decisions about resettlement - and to keep children safe. He also encouraged people who wish to report a problem or obtain information about a local mine-situation to contact the Katchcheri in their region.

LTTE, GOSL discuss framework for political solution in Sri Lanka

The negotiating teams of the Government of Sri Lanka (GOSL) and the Liberation Tigers (LTTE) continued discussions on a framework for a political solution in Oslo Wednesday. LTTE theoretician Mr. Anton Balasingham said Wednesday that the discussions were aimed at working out a viable framework.

The GOSL and LTTE delegations were hosted to lunch by Norwegian Foreign Minister Jan Peterson Wednesday at the Hotel Continental in Oslo. Talking to the press at the Radisson Plaza Hotel in downtown Oslo Tuesday night, Prof Peiris called the beginning of the political discussions most significant. "We

have reached the point where the political solution can be addressed."

"This is the crux of the matter," he said. Mr. Balasingham and Prof. Peiris head the political affairs committee of the peace negotiations. Prof. Peiris said that there was a 'wide gap' between the LTTE and the government with regard to power-sharing but expressed confidence that this could be narrowed through negotiations.

"It is now our task to work out the mechanisms by which power can be shared. It will be a long haul," he observed. The LTTE is being advised on this subject by various groups including a Canadian NGO called the Forum of

Federations which is presenting federal and confederal models for its consideration.

Prof. Peiris and Balasingham had an informal meeting with the Forum at the Radisson Hotel on Tuesday morning. "We will look at all these models, including those followed by some European countries," Prof. Peiris said.

"We will not copy any of these models but adapt them to best suit our situation," he said. The Third round has a total of six sessions, which are due to end Wednesday afternoon.

The government, the LTTE and the Norwegian facilitators are due to address a joint Press Conference after the final session.



G. L. Peiris and LTTE Advisor Anton Balasingham with the Norwegian foreign minister

Jaffna loses...

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of the peninsula after which they are taken by boat to Mannar and transported to Colombo. Puttalam is said to have emerged as a centre where the artefacts are available for sale.

"There are known 'sales points' of these artefacts in Jaffna. There is a place in Kokkuvil where we heard such items were available. We visited the place and sure enough they were there. But the next morning when we returned, they had all mysteriously disappeared," Akilan said.

Realising the socio-economic and other factors that motivate the sale of the artefacts the more far-thinking people of Jaffna are trying to evolve alternate ways of keeping the items in Jaffna. "We should set up a craft museum which buys these artefacts so that the public that wants to dispose of these items are financially compensated, while the long-term goals of the community too are

satisfied," said T. Sanathanan who is also a lecturer in the department of fine arts.

He said a project proposal on this matter was sent to the Ministry of Hindu Culture in November this year but there yet to be a response.

Meanwhile, the Arts Circle has begun recording the artefacts it is allowed to inspect on video so that even if they are sold or disposed of in other ways there might be a way of tracing them.

There have been three bodies set up in Jaffna to prevent as a preventive measure. One was set up by the Ministry of Hindu Culture, another by the district secretary and the third by the Nallur Historical Society. However they have not succeeded in staunching the leak. "These bodies have not been able to deliver. One problem is that more or less the same people are in all three bodies," said sources.

Lawyers in Jaffna say the only

effective prevention would be to inform the commissioner of archaeology of the problem. Though there is no law that bans the transport of artefacts there are provisions for the commissioner of archaeology to declare certain areas and items as archaeologically valuable and prevent their removal and transport, they said. The commissioner of archaeology could delegate that power to the district secretary, who in turn could order the police to prevent the pilfering and transport of these artefacts.

Sources said however the commissioner of archaeology was yet to be officially informed of the problem.

Meanwhile, the pilferage continues. Sources said early this week a lorry with these items was seen in Vaddukodai trying negotiate its way out of the peninsula, said sources.

Is 'political reality' real or intangible?

By Rajpal Abeynayake

Contemporary Sri Lankan political culture demands a certain fealty to the notions of state – to the notions of territorial integrity. It has been assumed so, and many editorial writers for example have said repeatedly that there is no way in which the Sri Lankan polity is going to move away from the concept of a unitary Sri Lankan state.

That in itself is an arguable premise, but the issue is whether the people of a nation can be so intimately wedded to a cause. Perhaps they are – this article is not about to claim that they aren't.

But, how are certain political verities of the day, which are taken for granted, ultimately put to litmus test? Are these assumptions real, or are they taken for granted because such assumptions have over the years become larger than life and unhesitatingly accepted?

The rather politically clinical device of a referendum of course is seen as the way to ascertain the view of a polity on a given issue. Referenda have been held on issues as far reaching as se-

There can be political surveys and opinion polls that are designed to delve into the core sentiments of the polity as it were. But who is to say that these too are not partial, or that they are designed in such a way that they reflect largely the sentiments of the persons, the NGO, or the particular agency that commissioned the survey in the first place?

cession and on issues as minor as the colours of a flag. But, the problem with referenda is that they need to be held at the end of a long, politically sensitised campaign. Such a campaign while doubtlessly educating the masses on the pros and the cons of the issue involved, is also bound to politically polarise the voters. Therefore, referenda will necessarily obtain a politically suffused result, which is not necessarily reflective of the original sentiments of a population.

But, it is necessary, on contentious issues, to de-politicise them.

How often have we heard that the so-called ethnic issue in Sri Lanka is a creation of politicians on both sides of the divide?

At least to an extent, this needs to be true, no matter however genuine the stated positions of the principal actors on both sides of the divide (the LTTE and the Sri Lankan government) maybe. In other words, the politically discussed reality between the two negotiating partners may not necessarily reflect the core sentiments of the people on both sides of the divide.

Such 'core sentiments' however for all intents and purposes remain un-ascertainable and intangible. There can be political surveys and opinion polls that are designed to delve into the core sentiments of the polity as it were. But who is to say that these too are not partial, or that they are designed in such a way that they reflect largely the sentiments of the persons, the NGO, or the particular agency that commissioned the survey in the first place?

Sometimes, even though clinical surveys do not document it, those who have their ears to the ground so to speak know what sentiments are at the heart of a community. These sentiments may be reflected in a community's literature, in candid commentaries or even the Letters to the Editor, but strangely, when there is a clinical assessment of the views of such a collective, the result may be quite different to what is apparent to people who live organically in the community. If you poll for the most popular singer among the people of Nugegoda, you might return with the answer Micheal Jackson. But, when you

listen to the radio's that are turned on in the general area of this metropolis, you would realise they listen more to Nanda Malini.

Perhaps the best views that emanate from a community over a given issue are those views that are aired over time. Over time, it has been taken as a given that cricket is a popular sport in the country even though this would have been a 'challengeable' contention in the past which needed to be put to a test.

The problem is that in politics, the answer is never irrelevant, as it is on whether cricket is the most popular sport or not. In politics, more than in advertising or marketing, the truth needs to be known, but yet, it is the most difficult area in which the truth can be ascertained. Perhaps new technology can help – already television surveys in some countries, are adding a different dimension to the science of opinion polling. But all we need to remember is that statistics lie, and absolutely-tested statistics lie absolutely.

Nuptial nightmares for South Asians in Britain

By Salil Tripathi.

Rukhsana Naz was a 19-year-old woman who lived with her family in Normanton, Derby. When she was 15, her parents took her to Pakistan, where they came from, for a holiday. She was married off to a man she had never known before. She could not overcome pressure from her family and agreed for the marriage. This story, in itself, may not be remarkable. South Asian sub-continent is full of cases where young boys and girls are married off to partners other elders have chosen for them, in their best interest. But Rukhsana's story is different. She was born in Britain (which was the main attraction for the husband she hardly knew). Once she was back in Britain, she was determined not to remain chained to the tradition that her family had imposed on her. Rukhsana rebelled; she began seeing her boyfriend again, and ended up getting pregnant.

The story ended tragically: her mother Shakeela Naz and her brother, Shazad, were unable to accept this rebellion. Deeply shamed by this slur on the family's pride, they decided to kill her. Shakeela held her daughter's

feet while Shazad strangled her with a piece of plastic flex. "They killed her, and the brother got rid of the body," recalls Hanana Siddiqui, co-ordinator at Southall Black Sisters, a support group for British Asian women in London. A court convicted the mother and son last year.

That case shocked Britain, leading to soul-searching among progressive Asians and liberal whites: what are the limits of multiculturalism? Where should the tradition end and assimilation begin? It also reinforced the more conservative elements among Asians and whites. The Asian elders felt it was time for the young ones to be disciplined; the extreme segments of the white community began muttering loudly, asking if Britain needed all these immigrants.

Another story, sounding like a Bollywood melodrama, except that tragically, this is a true story. It involves Jack and Zena Briggs a couple that has lived for nearly seven years under this fictitious identity, leading the life of fugitives. Jack is white; Zena is of Pakistani origin. They met, fell in love and got married. Her family did not like that, and placed a price on their heads. Bounty hunters are said to be looking for them. Elders felt it

was time for the young ones to be disciplined; the extreme segments of the white community began muttering loudly, asking whether Britain needed all these immigrants.

Sensing the imploding crisis, the government has swung into action. In July 1999, the parents of a young British woman of Pakistani origin from Bradford, Rehana Bashir, were jailed for attempting to drug her and force her on to a flight to Islamabad for an arranged marriage. Then again last year, Abdul Haque and his wife Ayesha were jailed in London after being found guilty of conspiring to kidnap and falsely imprison their daughter, who chose to live with her West Indian boyfriend, rather than have an arranged marriage.

South Asian community in Britain has begun to assert itself as a major force in the society, and there is much to celebrate. South Asian faces are not rare in media, politics, and arts. There is an Asian in the elite interest-rate setting team of the Bank of England. The English cricket captain is Madras-born Nasser Husain, and one member of the English Davis Cup team is Arvind Parmar. The Asian Dub Foundation is a popular alternate music group. Second-generation Asian writers like Meera Syal,

Atima Srivastava and Bidisha are increasingly seen at literary gatherings. And "Goodness Gracious Me", a popular Asian TV show, is becoming as popular among the British. Chicken tikka masala is reputed to be the most popular British dish.

However, as the new generation integrates more with the British mainstream, the older generation is resisting change. Its response is atavistic and, in these extreme cases, violent. But the escalating violence accompanying some of the well-publicized cases of forced marriages has forced the British government to appoint a commission to investigate the issue. Its report is now accused for pulling punches. At the root of it, the problem is of culture. What constitutes British culture, and tradition? In an increasingly multi-cultural and multi-racial Britain, where can the authorities draw the line? Should they interfere in the internal affairs of a community?

Britain has been through this path before, in 1989, when Salman Rushdie's *Satanic Verses* was published. As British Muslims in Bradford and Birmingham burnt the book and many wanted Rushdie to be killed for blasphemy, the British government provided

necessary security to protect Rushdie. At that time too, there were misgivings among the more conservative elements of the British society: some whites resented the British tax-payers providing security to Rushdie, who, they thought, should have known better than to have written a novel critical of Islam. Why can't the Asians live in Asia and fight their squabbles there ran another refrain. Shouldn't British Muslims follow British laws and accept free speech as an essential part of Britain's democratic society?

Britain's blasphemy law applies unequally; slurs on Christianity are not allowed, but other religions were fair game. And Britain's stringent libel laws still make it hard for US-style press freedom to flourish in the country that's so proud of being the mother of parliaments. When Prime Minister Tony Blair says his newborn son cannot be photographed, the press, by and large, obeys.

The issue of forced marriage is, however, not a quaint ritual that can be tolerated as a matter of cultural preference. There are no reliable statistics about the extent of

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No change in LTTE's stand

By: Professor P Ramasamy

The international community should know a few things about the nature of the peace process in Sri Lanka and the stand taken by the Liberation Tigers of Tamil Eelam (LTTE).

It is commendable on the part of the government of Sri Lanka and the LTTE that a ceasefire initiated in February is holding on well and good, despite attempts on the part of some forces in the country and outside to wreck it.

The ceasefire has provided a stable climate for the return of normalisation in the north and east. Tamils who have been subjected to great deal of oppression and military harassment are beginning to realise the dividends of peace.

Although the actual peace is still long way off, the first round of negotiations between the concerned parties in Thailand has instilled confidence and hope that peace might finally result in the troubled country.

The second round of peace negotiations have already begun in Norway and the third round might possibly take place in Japan.

Although the LTTE was willing to consider the option of substantial autonomy in place of

outright cessation, it was nonetheless a conditional offer.

As argued by its ideologue, Anton Balasingham, if the Sinhala state refuses to allow for the derivation of substantial autonomy, then the LTTE would have no option but to pursue the earlier option of a separate state.

A few days back, LTTE supremo Vellupillai Prabhakaran announced in the heroes day message (Maveraar Nal) that the LTTE would be willing to accept regional autonomy if the Sinhala nation understands and appreciates the fundamental quests of Tamils for a homeland and self-determination.

In other words, what he said was that if the Sinhalese nation refuses to acknowledge the principles of Tamil struggle, then there is real possibility that the LTTE would have to re-invoke the concept of a separate state.

So it is rather important that the international community and the press in particular do not mistake the real intentions of the LTTE.

The pursuit of substantial autonomy was placed on conditional grounds; that is, if the Sinhalese state refuses to accept the need for substantial autonomy for Tamils in the north and east, then the prospect of a war is real.

In other words, contrary to what has been said by some irrespon-

sible elements, the stand taken by Balasingham and Prabhakaran are very consistent after the first round of talks in Thailand.

Apparently, the international media, particular publications such as the Asian Wall Street Journal, Far Eastern Economic Review and others close to the United States administration, are going around giving the impression that it was the global war against terror that has compelled the LTTE to dilute its militant stand and eventually opting for the regional autonomy formula.

Nothing can be further from truth. Simply put, LTTE has not abandon its quest for a separate Eelam, what has been suggested is merely a conditional offer. Beyond this, the so-called global war against terror meant merely to impose US hegemony on the world, has hardly made much dent on global terrorism; on the contrary terrorist attacks are on the rise day by day.

All those working to advance the hegemonic interests of the US both directly and indirectly don't really understand the genesis and sustenance of liberation movements in the global arena.

The struggle of Palestinians, Acehnese, Tamils and others would not be vanquished because of the American agenda of global

war against terrorism.

Of course, all those corrupt regimes have much to gain from the present war, many of them are sucking up to the United States in one way or another, so that they could obtain some bread crumbs.

The American dominated media can portray whatever image they want, but the real truth is something else. The global war against terror is not so much directed at certain groups, but represents to deepen and enlarge American hegemony worldwide.

The LTTE is the last liberation outfit that is going to be subdued by the nefarious American propaganda and its blatant lies.

It is my argument that the timing of ceasefire in Sri Lanka early this year and the subsequent peace talks took place at a time when there was genuine concerns both on the side of the LTTE and the government for some kind of solution to the protracted war.

It had nothing to do with the American inspired global war against terrorism. The latter was merely incidental to the former.

If the LTTE had been intimidated, it would not provide a conditional offer, substantial autonomy or separate state.

The outfit basically controls more than two-thirds of land in the north and east, has established its

own police, banking, police and other systems that are quite compatible with the theory of "two-systems but one country".

It has not pursued the other option of interim administration simply because but for all intents and purposes, de facto Eelam exists.

It is rather strange and pathetic that some powerful media persons, vehemently opposed to the LTTE for various reasons, simply cannot stomach the fact that the LTTE has been accepted as an equal by the Sri Lankan government and its reputation continues to soar in the international arena.

So given this, ways and means have to be found to discredit the "terrorist" organisation by seeking to harp on the so-called internal contradictions and speeches of its leaders.

To reiterate, the LTTE is a highly consistent organisation. It has the mandate of the Tamil people in the country to negotiate for permanent peace.

It will not abandon this objective whether there is a global war against terrorism or not. However, whether the present alternative of substantial autonomy will materialise or not will be dependent on the Sinhala nation. (Malaysiakini)

Campaign celebrates progress on Mine Ban Treaty fifth anniversary

By Elizabeth Bernstein

On the fifth anniversary of the Mine Ban Treaty, campaigners around the world called on states and armed rebel groups to embrace the emerging international norm that rejects mine use.

Five years ago, the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction opened for signature in Ottawa, Canada. The following week, on 10 December 1997, the International Campaign to Ban Landmines and its former coordinator, Jody Williams, were jointly awarded the Nobel Peace Prize.

"It is heartening to see such progress since the birth of the treaty five years ago," said Jody Williams, now ICBL ambassador. Williams highlighted the increase each year of the total number of victims of landmines and unexploded ordnance (UXO). "This means that our work is far from over," said Williams. The number of new mine/UXO casualties each year is now estimated by the ICBL's Landmine Monitor

to be some 15-20,000 per year.

The Mine Ban Treaty came into force quicker than any multilateral convention and, with 130 States Parties and a further 16 signatories, it is now one of the most widely accepted and fastest growing treaties of its kind.

Since 1997, mine use has decreased and this is in keeping with the overwhelmingly positive trend which has seen trade in antipersonnel mines all but dry up; the number of countries producing the weapon drop to 14 (from 55 in the early 1990s); over 30 million stockpiled mines destroyed; vast tracts of land cleared; and expanded mine action programmes totaling more than \$1 billion.

There have been some notable aberrations from this positive pattern, however. Confirmed or compelling evidence that nine governments used antipersonnel mines between May 2001 and June 2002 was presented in the ICBL's Landmine Monitor Report 2002: Toward a Mine-Free World. The ICBL continues to condemn, amongst others, India and Pakistan for their extensive mining of the border between the two countries and Russia for mine use in

Chechnya.

Significantly, antipersonnel mine use has halted in key places in the last year, such as Angola and Sri Lanka. Campaigners, who continue to push for the inclusion of a ban on mine use and a commitment to mine action and victim assistance in cease-fire and peace agreements, have welcomed this.

Antipersonnel mine use by armed opposition groups has been reported in at least 14 countries during the reporting period May 2001 through June 2002. The ICBL has called on these groups to refrain from mine use and to respect the growing international norm.

The ICBL continues to criticise the 48 nations that go against the tide and remain outside the Mine Ban Treaty. These include U.S., Russia, China, India, Pakistan, Israel and Egypt.

As preparations get underway for an invasion of Iraq, the ICBL has called on the U.S. not to use antipersonnel mines in Iraq or elsewhere. Every member of NATO except the U.S. has joined the Mine Ban Treaty, and these member states, plus Australia (another potential ally in a U.S. war in Iraq) have been urged to

refuse to take part in any joint operations involving antipersonnel mines. Treaty States Parties and signatories should insist that non-signatories refrain from using antipersonnel mines in joint military operations, the ICBL said.

The U.S. military previously used antipersonnel mines during the Gulf War in 1991 and is said to have mines stored in Qatar, Kuwait, Saudi Arabia, Oman, Bahrain and elsewhere for possible use in Iraq.

Today, Iraq is severely affected by mines and unexploded ordnance (UXO) as a result of the Gulf War, the Iraq-Iran War and two decades of internal conflict. Mines and UXOs are a problem in the north of Iraq as well as the southern and central regions along the border with Iran, according to Landmine Monitor. New use of antipersonnel mines will only exacerbate an already dire situation.

A year on, Afghanistan is still recovering from the decades of warfare that made it one of the most mine-contaminated countries in the world. The ICBL congratulates President Hamid Karzai for his government's accession to the Mine Ban Treaty in September 2002

and appeals to donor countries to make mine action and victim assistance programs a priority in rebuilding the country.

The ICBL, a network of more than 1,400 groups in over 90 countries, continues to work locally, nationally and internationally to eradicate antipersonnel mines. Activists are marking the fifth anniversary with local activities, including letters to non States Parties in Asia-Pacific — India, Indonesia, Pakistan and Sri Lanka. This forms part of an Asia Appeal, which aims to boost universalisation of the treaty in this region in the run-up to the Fifth Meeting of States Parties in September 2003.

In Ottawa, the 'birthplace' of the treaty, the ICBL's Mines Action Canada, is organising 'Without Reservation — Addressing the Challenges of Achieving a Landmine Free World', an international symposium involving over 100 people from 23 countries representing governments, Canadian and international NGOs, UN and other experts to work on plans for the next five years of the Mine Ban Treaty.

Politics and identity of Malayaga Thamilar

By Professor Karthigesu Sivathamby

This column wishes to highlight those omissions and inadequacies, which have led to neglect and an alienation of Tamils in Sri Lanka. The writer is not for creating further divisions, but earnestly hopes to heal those already there.

Tamils of Indian origin, constituting according to official statistics 5.4 % of the population, are now facing a major problem of identity that is seldom discussed by the politicians representing them. The Tamil term used to denote these people is Malayaga Thamilar (literally, Tamils of the land of the mountains). The term gives the impression these people inhabit only the upcountry regions of Sri Lanka. That is not true. They are also found in large numbers in Awisawella, the Kalutara District and even deep in the south. It is true the tea estates are predominantly confined to the hill country, but the plantation Tamils also work in the rubber plantations. The exigencies of trade union politics have left the Tamil workers of the rubber plantation areas virtually outside the orbit of the unions of the highlands.

Before we go into the problems of the Malayaga Thamilar proper, let us examine the cultural doom Tamil labor in the rubber plantation areas face. The Tamil language is increasingly marginalized and even the so-called Tamil estate schools in these areas are not able to maintain their linguistic identity. I was recently told staffing these schools is was so poor that non-Hindus teach Hinduism. There are very few Tamil teachers.

At the social level, the process of assimilation into Sinhala is taking place not only through language, but by other ways too. Parents want to send their children to Sinhala medium schools rather than to the estate schools, which do not have classes beyond the primary. Though some of the religious cults remain, there is no organizational backing for the continued functioning of Hindu temples. In short, the plantation Tamils of the Colombo -

Awisawella High Level road area and the South are being gradually lost to the Indian Tamil community. It is a pity that none of the Malayaga Tamil politicians speak about these people at all.

In the Malayagam we find life controlled by the trade unions, which understand intimately the culture of the Indian Tamil people, unlike those in the rubber planting areas. It is important to make this distinction because the national level political parties, especially the Leftist parties, have not been able to wield substantive political influence in the plantations and it is to the credit of the late S. Thondaman that he made the Ceylon Workers Congress (CWC), the major trade union of the region. There are of course many other trade unions, but none as effective as the CWC.

The political developments since the 1960s led to the rise of other political organizations, but they are also fundamentally Tamil-based. There is no political organization now within this region, which wishes to highlight and emphasise linguistic identity. The Dravidian Movement that began to take roots was definitively cleared out.

Trade union dominate plantation labor life - in its familial, social, economic, cultural and political dimensions. Even the temples are part of trade union politics. The thalaivar, (leader), is an all-important figure and the term refers to leadership at every level plantation society is organized - estate, district, or trade union. The thalaivar is an indispensable personality in the lives of the plantation workers from marriage to death. In such a closely integrated socio-economic and cultural setting, it is not possible for non-Indian Tamil organizations to penetrate the estates. Even the great M. L. M

Azeez could not go beyond a point.

The term Malayagam has very interesting connotations. It not only refers to the estates, but also to the towns in the estate areas and those from the towns who are mostly traders is included in this term. A realistic analysis of the Malayaga community would show that the town-based businessmen are a very important group. It should not be forgotten the town in the hill districts also symbolizes to the average estate worker release from monotonous life in the lines. The bigger temples, the bigger schools and the bigger shops are all in the towns and those Tamil youth working in the towns constitute role models for the youth in the estates.

With the increase in the number of voters among the Tamils of Indian origin, Malayagam has today evolved politico-cultural organisations giving weight-age to caste, albeit covertly. Caste is one of the unspoken evils of that society. The last 25 to 30 years has seen the steady rise of educated young men and women from these areas that have ascended to high positions and could have countervailing influence on caste in the area's social relations. But as far as the estate is concerned, their input is not substantial because the housing system 'lines' prevents any discernible upward social mobility. As for the town-based youth and the entrepreneurs, there is lot of input and discernible upward mobility. From the estate to the town the change is also one of class. This has created a definite sense of inequality, the towns receiving more attention than the estate proper.

The vital question is the socio-political transformation in the estates. Education is the only breakthrough from a life of poverty a par-

ent can hope for his/her children (there is of course another way of making a breakthrough from the estates, i.e. sending their children as domestics, but education is obviously preferred).

The political strength of union-based politician has enabled some of them to become ministers in charge of education. But they do not seem to have control over their ministries. For instance, provincial ministers of education are without any real control over staffing and teaching in the estates. There is an excess of a few thousand Sinhalese teachers - the number of teachers appointed in excess to the number of schools in the estates in the Tamil medium - and these teachers either do not teach anything at all or teach Sinhala. The upshot of this is the denial of an opportunity for upward mobility available to estate children.

It is strange that so far not a single politician from the Malayagam has taken up this question seriously. I have already referred to in these columns to allegations of discrimination by bus conductors and drivers who refused to take these children in their buses.

Besides, there have been complaints from areas like Welimada and Warakapola, where school-going Malayaga children, especially the girls, are forced to wear uniforms specific to the children of other religions. In areas like Welimada and Warakapola, where the Tamils of Indian Origin live with other communities, their religio-cultural life too has come under severe restraints. Some of the cults peculiar to these Tamils like going into a trance, etc. are now being slowly given up because other religionists of the neighborhood make a mockery of such trances, etc. The independence of the Hindu temple too is under severe threat. Once again such matters are not open for discussion.

The urgent task is to ascertain the basic character of the Malayaga community and decide upon the ways of (a) maintaining and (b) de-

veloping it. It is true that this community has its own specificities. In a democratic society it is important to preserve and foster identities of the Malayaga people.

The task before opinion leaders of this community is to go into the question of what constitutes the Malayaga Thamilar, i.e. what are its specific characteristics - language, religions and the way of life. How can they be preserved and fostered within a process of social change, which will assure them the enjoyment of the higher things in life? I do not think that such questions are being asked. Without these there is no point in planning for a better future for the average working class Malayagam man or woman.

What are the language safeguards it needs? How about the language of administration in these areas and the place of plantation Tamils within that administration? It is true that one may hear the low tones of the winds of change, but that is not enough. These Malayagam leaders and the intellectuals should realize the JVP is today emerging as a force to be reckoned with in Malayaga life. What is more, Indian Tamil students who had gone through the Sinhala medium finding the JVP a breakthrough from the highly trade unionized life in the estates. If one is not too provocative, one could even say that a caste-wise absorption into the Sinhala social fabric is not completely out of the picture.

On the other hand, there is also the emerging consciousness in the community they are Tamils and this consciousness seems to be more among the plantation workers than the other categories of the Malayaga Tamils. It would be wrong to view the Malayaga community as homogenized and worse still, it will be suicidal if it is run like a corporate organisation, not taking into account the human problems that seethe below the surface.

Norway struggles to stem flow of refugees

By DOUG MELLGREN, Associated Press Writer

OSLO, Norway - Norway is facing a surge in asylum seekers, often because a short stay at a refugee center in what the United Nations (news - web sites) calls the world's best place to live beats living back home.

"Some are tricked into coming. Others know they won't get refugee status, but living in a refugee center for a while in Norway is better than living as a Gypsy in a slum in eastern Europe," Erna Solberg, the Norwegian government minister in charge of immigration, said at briefing Tuesday.

She said the number of asylum-seekers coming to Norway increased to 18,000 so far this year, compared to about 15,000 in all of 2001, and 4,000 in 1997. Solberg said more than 70 percent of this year's seekers would be denied permission to stay.

The increase gives Norway, a peaceful, prosperous nation of 4.5 million, the second highest per capita arrival of refugees in Europe, after Austria. She said many of the refugees are from Sri Lanka, Iraq and Somalia, as well as Russia and other eastern European countries.

Norway is the world's third-biggest oil exporter and is known for its generous welfare state, low

unemployment, and strong protection of human rights. The U.N. Development Program index currently lists Norway as the best country in the world to live for the second straight year.

"I think that can have an effect," said Morten Tjessem, secretary general of the Norwegian Organization for Asylum Seekers. "An asylum seeker is looking for the best place to live."

Norwegians are used to quiet isolation in northern Europe, with only 6.6 percent of the population of foreign origin, about half of those from the developing world. Immigration has also sparked a furious debate. It was one reason

why the anti-immigration Party of Progress had its best election last year, winning 26 seats in the 165-member parliament.

Last year, neighboring Denmark toughened its own immigration laws, facing criticism, but also reducing by half the flow of refugees there through June of 2002.

Tjessem said by telephone that with other European countries tightening their immigration rules, Norway becomes more attractive.

Life in a Norwegian refugee center means clean beds, good food and a great deal of freedom, safety, clothing and even spending money.

"If someone spends 1,200 kro-

ner (US\$165) on a bus ticket here, it can be profitable," said Solberg, adding that the government is taking steps to make Norway less attractive to refugees.

Last year, hundreds of Bulgarians were misled at home into believing they could get jobs and welfare benefits in Norway. The government set up fast-acting teams to expel them so they would spread the word at home.

Solberg said Norway is now quickly deporting all those without grounds for asylum, and is considering such measures as insisting that refugees can support their families before bringing them.

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Parents of the missing push for justice

First it was the fishermen, then it were the residents, but now it is the turn of the parents of the disappeared. They have all one thing in common. They have been victims of the vicious policies of the Sri Lankan State over the years, and feel the suspension of hostilities is the appropriate time to demand restitution.

Restitution however, has not been forthcoming to the families of the disappeared as they would have wished. The Missing Persons' Guardian Association (MPGA) that was constituted in the late 1990s to agitate for details and a comprehensive investigation into what happened to their loved ones, express open outrage at the lackadaisical attitude of the present government over the matter.

Driven from pillar to post they have begun a sit-in in front of the Jaffna *Kachcheri* to compel the authorities to take note of their circumstances and pursue the investigation so the truth will emerge.

Meanwhile, the Human Rights Commission (HRC) appointed former Jaffna Government Agent Devanesan Nesiah as a one-man commission to conduct a full-scale investigation into the issue. That the HRC taking this step is indeed praiseworthy since its visit to Jaffna in June this year did not endear some of its members to the parents of the disappeared due to certain insensitive statements they made.

The question however is what exactly there is to investigate. What is required today is action and action that needs bold political decisions. The disappearances themselves occurred when the pacification of the peninsula was begun some months after the Sri Lanka military captured Jaffna in December 1995. However, details about the mass disappearances mounting to more than 600 that frequently ended in cold-blooded extrajudicial killing, did not come out till those convicted of the rape and murder of Krishanthi Kumaraswamy and three others spilt the beans.

What transpired from the sordid details of the subsequent investigation leading to the exhumation of the mass graves at Chemmani was not that the Sri Lankan military kills, tortures and rapes, but the impunity it enjoyed under the then PA government.

Not only are there well-founded allegations the military 'cleared' the Chemmani area of telltale evidence, but worse, the Sri Lanka Army personnel named by the convicted soldiers are yet to have legal proceedings set in motion against them. Instead what the government seemed only too eager on doing was to issue the kinsfolk of the disappeared death certificates and grant them compensation.

This move, which was technically to bribe them into silence about murder, the families of the disappeared did not take kindly too. They have told officials repeatedly they wanted justice and not the lucre the government is prepared to offer. But while appearing generous to the parents and families of the disappeared, the government was shockingly niggardly about sending DNA samples of the 18 bodies that were eventually exhumed from the Chemmani graves to compare them with samples taken from parents of the disappeared, on the grounds that such tests were prohibitively expensive.

Therefore the investigative component does not appear mind-boggling. It is that political authority has to act impartially and firmly to bring to trial and punish the perpetrators whoever they might be. It is important the appointment of the Nesiah commission is not a further step in delaying the process, because it will only enhance the suspicion Tamils have that whatever government is in office, the military remains outside the pale of the law.

What is more, this will also go to strengthen the peace process now being discussed in Oslo.

Violence: sauce for the goose is sauce for the gander

By V.T.Thamilmaran

"Animals fight, but they don't wage war. Only man - unique among the primates - practices the large scale, deliberate and enthusiastic destruction of his fellow creatures. War is one of his most significant inventions, so the ability to make peace is something to aim for in the future." - Hans Magnus Enzensberger, *Civil Wars*, 1993

Violence is basically a medium of communication. It sends sharp and precise signals, but being essentially wordless, it never sends a single message. It implies that in a given situation all other means of communication have become impossible. Violence also serves to illustrate the socio-political nature of societies in which it becomes an effective instrument of doing things.

According to Western political theorists, violence was not a political instrument in Europe until the Holy Wars of the 11th Century waged by the Christians against the Muslims. Later, 'just war' theorists argued that violence must be strictly instrumental, in that it is a means, which is always in need of an end. At one time it was thought that violence could be perpetrated in a 'learned' way under the stipulations of treaties and cartels. Adam Ferguson, a disciple of Sir Adam Smith, said that civilized societies were guided by the principle of "employing of force, only for the obtaining of justice, and for the preservation of national rights."

When Karl Marx outlined in *Das Capital*, "in actual history conquest, enslavement, robbery and murder, in brief violence, notoriously play the greater part," he was convinced that violence had a role to play in society. His dictum that "violence is the midwife of every old society pregnant with a new one," is an example of such a conviction. Equally, when Lenin said that "you can't make an omelet without breaking eggs" and Mao Tse-tung pronounced, "political power grows out of the barrel of a gun," Marxists genuinely believed that violence, in some form or another, is ineluctably present in human affairs. Being rational observers of history, they would have certainly been greatly influenced by the role that violence played in bringing the desired results in the American War of Independence and the French Revolution.

However, later in history, Western ideas of democracy teach us in the name of civilization (of the West) that violence is something that must be kept away from individuals and societies and it should be handed over to, or be monopolized by, the state. This gradual process of transferring violence from one body to another came to be known as state-formation. Rude societies became civilized and states came into existence. It led to Max Weber to believe that the state is the "march of God on the

In a practical sense, violence becomes the monopoly of the state as long as its subjects do not challenge its authority. Therefore an uncivil society becoming civilized is a condition-precedent for states to monopolize violence. If there is an internal threat to the existence of a state, it means society has not yet become fully (politically) civilized

earth and violence is the monopoly of the state." Western theorists were trying to democratize violence by attributing it as an essential feature of the state.

Scholars like Norbert Elias, however, believed the state, exercising a monopoly on violence, is an ambiguous innovation. For them, states are positively dangerous instruments of pacification. On the one hand, within their given territories they are peace-enforcing and peace-keeping agencies, while on the other, the peace enjoyed by the subjects is nothing but in the form of state controlled and legalized violence. This is what meant by 'maintaining law and order.'

This process of state-secured pacification is not extended however to a particular state and its subjects who, for some reason or other, choose to question the legitimacy of the process of state-formation. Here, the situation goes beyond a 'law and order crisis.' Sometimes, it becomes an (internal) insurgency.

In a practical sense, violence becomes the monopoly of the state as long as its subjects do not challenge its authority. Therefore an uncivil society becoming civilized is a condition-precedent for states to monopolize violence. If there is an internal threat to the existence of a state, it means society has not yet become fully (politically) civilized.

What are the reasons for the threat of internal violence and who is to be blamed for it?

Of course, all of us want to proclaim to others that violence is unacceptable. When Mahatma Gandhi said he objected to violence he was 'preaching to himself.' It is not understood by many of us when we proudly preach that violence in any form cannot be justified, that Gandhi opposed all forms violence, including that of the state.

Qualifying violence depending on the perpetrators has been a curse in certain countries, including Sri Lanka. The regrettable outcome of incivility of political society in this country has been the perpetuation of violence in different proportions by different agencies. No political ideology can proclaim the state's monopoly of violence when this happens.

When communication between individuals employs violence, it is dealt with as a question of law and order. However, if violence is adopted for communicating be-

tween state and the subjects, it becomes an insurgency or belligerence. Here, both parties should be held responsible for allowing alternate means of communication to violence to take a back seat. But if within the state's territorial boundaries there is violence between different communities, then the state has to take full responsibility for permitting civility to deteriorate.

If the state itself perpetrates violence on a section of the community within its territory, it is nothing but terror. This is what has been going on in some of the developing countries in the name of national security.

Violence is violence irrespective of its nature, cause and perpetrators. Violence is shameful in any civilized society. As I noted at the beginning, it's the worst form of communication. All of us must be ashamed of it if it is practiced by us or on behalf of us.

It is in this light we should examine the request made by US Deputy Secretary of State Richard Armitage at the Oslo parley that the LTTE should renounce violence. It was certainly not coming from a Gandhian. Armitage was only preaching to others. It might have been slightly more acceptable if that request had come after a proper analysis of the role violence played in Sri Lankan society for more than half a century, but it was not.

When the Sinhala Only Bill was presented in Parliament on 5th June 1956, the Tamil-speaking members of Parliament from the Federal Party staged a *satyagraha* on Galle Face Green facing the Parliament after permission was refused to do so at the entrance of the House. The leader of the FP had requested the then Prime Minister S.W.R.D. Bandaranaike that security should be provided for the nearly 200 '*satyagrahis*'. What happened? Was the political society civilized enough to leave matter to the state to handle?

Violence in this instance was not the monopoly of the state but used by the stronger against the weaker and by the armed against the unarmed. When 200 '*satyagrahis*' were surrounded by mobs of nearly 100,000 the state chose not to use its exclusive power justly because it identified itself with a particular community.

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Yawning gap in Northeast's development capacity

Professor N. Shanmugaratnam, teaches at the Agricultural University of Norway. He is professor of development studies at the Centre for International, Environment and Development Studies at the university. Currently he is engaged in studies on reconstruction and rehabilitation of the northeast. D. Sivaram interviewed him for the Northeastern Herald at his home in Aas, half an hour's drive from Oslo. Below are excerpts from the interview:

Q: The international donor community pledged US \$70 million, and perhaps more in time to come, for rehabilitation, reconstruction and development of the northeast when it met the LTTE and the government of Sri Lanka (GOSL) last week in Oslo. Do you feel that there is adequate local capacity to utilise fully these funds?

A: The donor community's pledge is a positive sign although US \$70 million is not a lot of money given the needs of reconstruction and development in the northeast. However, a major concern is the very low absorptive capacity of the local institutions. In recent times Sri Lanka could not absorb more than fifteen percent of the available aid. This is at the national level. The situation in the northeast is much worse. There is a development gap of 25-30 years between the northeast and the rest of the country. This is due to the protracted war and exclusion of the region from major development projects prior to the armed conflict.

This development gap has different dimensions. For instance, human development has suffered severe reversals and deprivation has become intergenerational. Another dimension is the enormous capacity gap in the region due to loss of human capital, lack of human capacity development and institutional disruption and decay. As regards development aid there is a great need to build capacities at all levels within and outside state institutions to make fuller use of the aid.

Q: Can you explain in specific terms what you mean by capacity gaps?

A: When I speak of capacity gaps in the northeast, I mean the lack of adequate capacity in terms of human knowledge and skills and institutional and organisational abilities to meet the challenges of development and peace building.

We are talking here about both quality and quantity. For instance, the state institutions in the northeast are weak in terms of personnel and competence. Of the 186 Sri Lanka Administrative Service (SLAS) positions in the northeast, 150 are vacant. Similar

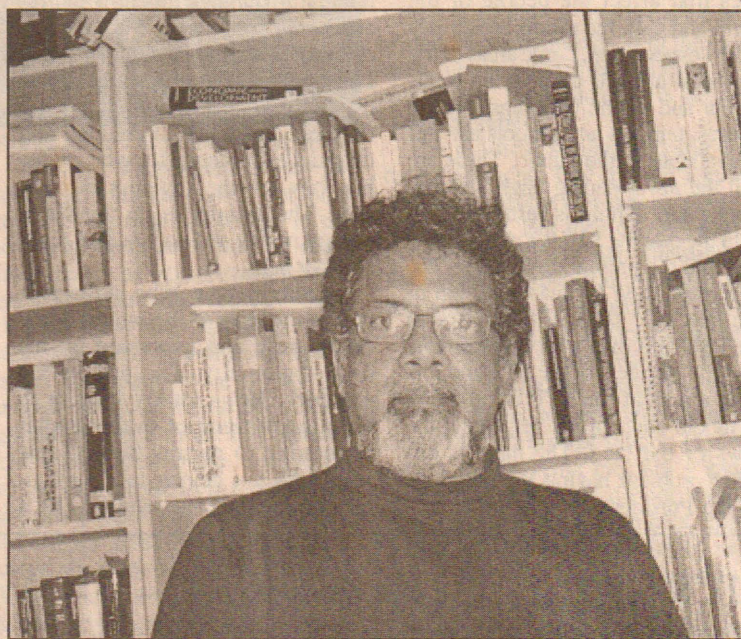
deficiencies exist in other state institutions dealing with health, education, agriculture, irrigation and fisheries.

Then there is huge shortage of skilled workers especially carpenters and masons, technicians who are essentially needed to rebuild the infrastructure and human settlements in the northeast. There is also an urgent need for developing de-mining skills on a large scale. Furthermore, we need to build competence in enterprise development, environmental management and local conflict resolution.

Take the case of NEIAP (North East Irrigated Agricultural Project) funded by the World Bank. The experiences with NEIAP have revealed the different aspects of capacity constraints that we are talking about.

In my view, it is a fairly well conceived project as it focuses on rehabilitation and development at the community level. Originally the project targeted 10 percent of the four thousand villages in the northeast. So far the project has covered 248 villages. A recent evaluation has highlighted the low absorptive capacity of the project with reference to the allocated funds. However, the low spending is a manifestation of several constraints. For example, the planning and implementation NEIAP involve the participation of several state institutions, farmers' organisations, rural development societies and women's rural development societies. It also involves an active role for NGOs in mobilising the target communities. Now the success of such a venture depends not only on the capacity of the individual institutions but also on effective cooperation and co-ordination.

Up to now, the performance of the NEIAP has been uneven in that it has been more successful in some villages than in others. Here there is a need to study this experience carefully with the intent of understanding the capacity constraints and the problem of co-ordination. Since the project is supposed to be community based, a factor that is most critical to the success is the capacity of the community to fulfill its part. For example, a farmers' organisation is expected to handle construction



Professor N. Shanmugaratnam

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tasks and funds under this project. It would be responsible for the continued management of the local tank and the irrigation system and the equitable distribution of the water to the users. Here we are speaking of organisational, financial management and technical skills. The success of a farmers' organisation depends on co-operation within the group. Obviously there is need for skill development at the community level.

Under the existing agrarian law in Sri Lanka, a farmers' organisation is eligible to undertake contracts such as tank and local infrastructure rehabilitation amounting to, I believe, around six hundred thousand rupees or even more. However, many farmers' organisations in the northeast do not have the organisational and technical capacities required for such undertakings. Inadequate levels of literacy lack of skilled labour in the localities concerned, internal conflicts and perhaps external political interference are among the reasons for this situation.

Q: What do you suggest to rectify this problem in order to achieve more rapid development? How do we get about it?

A: This is a major question. But I shall give only a short answer with reference to the local level that we are discussing here. Some of these skills can easily be acquired by the approach of "learning by doing". For instance, skills such as advanced carpentry and mason-

ry can be learnt from skilled persons from the other parts of the country. The locals working together with the skilled workers from outside can do this.

Setting up local vocational training centres may institutionalise this. But there are others skills such as book keeping and accounting, which may require formal education and training.

I think there is an urgent need, which both the LTTE and the GOSL have to recognise without delay, to make a comprehensive assessment of the state of human capital and skill development requirements in the northeast.

Q: The aid is also meant for resettling Internally Displaced Persons (IDPs). This is a major political issue too. How do you see this in the above context?

A: Resettlement is not a simple exercise where you give some financial and material support to a displaced family to return to its original home.

It is a much bigger and complex process of enabling people to develop their livelihood systems. A household is not an isolated entity but a part of a community, though the community itself is a socially differentiated entity. A household's means of livelihood comprises community assets and household assets. By community assets I mean the local irrigation tanks and canals, communal grazing lands, fishing grounds, roads and other local infrastructure.

These are material assets of a community.

Of equal importance is the social capital of the community. This refers to the formal and informal associations such as farmers' groups, women's groups, fishermen's co-operatives, credit societies and social networks based on kinship or other common factors. Trust is the most essential element of social capital.

Household assets include land, equipment, the quality and size of a family's labour. The quality of a family's human capital depends on access to quality education and health. Let's not forget there are many households in the northeast with little or no assets worth speaking about. I am talking about families that have lost their breadwinners, widows with small children, those who have been dispossessed of their means of production such as boats, farmlands, grazing and fishing grounds and equipment.

Then we need to take into consideration the vulnerabilities of the household and the community. These include factors such as human security, property rights and environmental and market uncertainties. There areas from where people were displaced which have suffered major environmental destruction that has rendered them uninhabitable. In such areas, environmental rehabilitation is a necessary first step towards resettlement.

Then regarding human security for the returnees. The Prevention of Terrorism Act has only been suspended temporarily. It hangs like the sword of Damocles over the resettling communities.

The key components of a resettlement program should be identified and integrated on the basis of the above. These components include de-mining, environmental rehabilitation, local infrastructure development, health, education, capacity building, secure land and fishing rights and access to market and information.

Q: The framework for resettlement of IDPs in the northeast that you have outlined here exposes a dire lack of capacities at all levels. Isn't this a daunting problem?

A: Well, I didn't mean to sound negative or pessimistic. It is a harsh reality, which we have to change. But my framework is helpful in identifying the capacity gaps and needs at various levels in the northeast and addressing them as urgent priorities. I think this is a policy question that both the LTTE and the GOSL have to grapple with. It is possible to find solutions if the tasks are approached in a systematic and holistic manner.

Obstacles on the path to peace

Consequent to the declaration of a ceasefire by the LTTE in December 2001 and the discussions between them and the government, a Memorandum of Understanding was signed in February 2002. The country has entered into a period of freedom compared to the darkness of disillusion that prevailed earlier through fear, death and destruction. People are free from roadblocks, cordon and search operations, and checking of homes at ghastly hours by bullying security personnel. People of all races are now breathing the sweet aroma of peace and freedom to a very large extent. However, the peace process appears to have declined and a number of obstacles seem to have arisen.

It is now ten months since the MOU was signed and there have been several meetings in Sri Lanka as well as in Thailand, while another is scheduled in Norway

shortly. These meetings are part of the on-going peace initiative and were seen as promising and expeditious. However, when you look at the core and intrinsic value of what has been achieved on the vital issues that affect the people of the north and east, the results are clearly below expectation. Large areas of the northeast are still under army occupation and public buildings, private houses, temples and schools are still unavailable to the public. There are still the never-ending High Security Zones and fishing is restricted.

In the east the STF is a major problem and the present government has appointed Ravi Jayewardene, son of the late J.R.J., as security advisor to the PM. This man Ravi Jayewardene was the architect of the STF and it is now apparent the STF is resorting to its old ways of not respecting the laws of the land. The navy is another problem having the blessings of the President.

The government seems to dragging its feet on a number of serious violations of the MOU. The routine pattern of appointing commissions of inquiry and the delays where the guilty are not punished, remain. Meanwhile, there is the recent order by a judge who has imposed a 200-year sentence on the LTTE leader. The magistrate is portrayed as a hero by the chauvinistic press and a few discredited and disgruntled columnists who imagine they are the saviours of their race. The country is on the verge of bankruptcy and actions like these will not help.

Another person, who is discredited in the eyes of the international community and unwanted by his own community, also praises the sentence. He is totally foreign to the present trend of events and is attempting to portray himself one who does not belong to a particular community, but crows to be a

son of the country. He evidently has no identity of parenthood. Such persons deserve nothing but contempt. The people of this country want peace, the international community is sponsoring peace and only those who have personal agendas will be opposed to peace.

Our big neighbour has unfortunately missed the trees for the wood. They are harping on the loss of one individual who betrayed the trust of an entire community. It was his army that committed the worst crimes against innocent civilians with innumerable instances of murdering men, women and children. The inci-

dent of their army marching into Jaffna hospital and killing doctors, nurses and patients is cold blood has no equal in the annals of our history. The peace process that has commenced will proceed with or without our big brother and it will be to their detriment to keep out of the process.

The Tamils have a proud history of having ruled over their land and there is no harm or blame for the Tamils to desire to rule over their destiny. It is only a just and fair demand by a community yearning to live as free and equal citizens.

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Letters to the Editor

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Nuptial nightmares...

the problem of forced marriages, but Reunite, an NGO that works on child abduction cases, believes there are about 1,000 cases of forced marriages in Britain each year. As more and more young British women of Asian origin are being compelled into relationships by their apparently well meaning parent, in order to preserve the community's ties, the dilemma becomes acute. "The pressure is enormous," says Harpreet Kaur, a 21-year-old Sikh woman in North London. "They apply all sorts of pressures—they suggest they'd buy you a house if you marry the right man; they even blackmail you emotionally, saying if you marry someone from another culture, who will look after them when they grow older?"

For progressive Asians, forced marriage presents a vicious conundrum: Tired of tokenism and racism that many minority communities continue to believe is widespread in the British establishment, should they criticize the community's bad practices, which would erode their credibility, or remain silent? "We are reliving the Rushdie years," says Shahnaz Husain, a social worker. "The issue, however, is not Islam, but patriarchy."

She has a valid point: while many of the reported cases involve Muslim families, Hindus and Sikhs are not immune. Vandana Patel's husband was constantly beating her in London. She repeatedly approached London Metropolitan Police's domestic violence unit for help. The prevailing view, however, was to make marriages work, and reconcile the differences of partners. Even after having left him, she was asked to meet him again at the Stoke Newington police station, where the domestic violence unit had promised help. But briefly, she was left alone in his company. He stabbed her; she died. In another case involving a Sikh family, Anita, a 17-year-old girl from London was

forcibly taken to a village in Punjab for marriage. She had to be returned in May last year, after a British High Court Judge intervened and made her a ward of the court.

British officials say one reason there are fewer Indian cases, as against Pakistani and Bangladeshi ones, is that Pakistan and Bangladesh allow dual nationality. India doesn't. It is, therefore, easier for the British Foreign Office to intervene directly with Indian authorities.

Consensual arranged marriages could become non-consensual forced marriages when a woman is subjected to emotional, social or even physical pressure. There are many unreported cases of forced marriages leading to abduction, violence, sexual abuse, and rape and in a few cases, murder.

Home Office report, 'A Choice By Right,' sets the agenda for tackling the issue it has been criticized for not going far enough. A working group chaired by two Asian peers, Baroness Uddin of Bethnal Green and Lord Ahmed of Rotherham drafted the report. The group's aim was to provide a consistent approach to prevent forced marriage. Among the guiding principles the group underlined are a shared commitment from Government, service providers, communities and opinion leaders to tackle forced marriage; providing safety and protection to the victims; allowing for sensitivity to cultural differences; listening to and involving communities in tackling forced marriage; monitoring policies to prevent forced marriage; training government and other officials tackling these issues, and promoting awareness of rights among women.

Home Office Minister Mike O'Brien said: "We will be working closely with community groups and service providers across the board to bring an end to this terrible practice."

However, what activists are angry about is the report's faith in media-

Cont. from page 3

tion as an option. Siddiqui of the Southall Black Sisters considered that recommendation as weakening enough to resign from the working group. Explaining her decision, Siddiqui says: "Mediation is not an option in many cases. Their argument is that in a multicultural society the minority culture has to be respected. So they do not want to interfere with it. But usually, they listen to the community's leaders, who are the gatekeepers. They tend to be male, conservative and patriarchal. They are seen as homogenous, but divisions and power differences within the community are not recognized. Women become invisible."

Siddiqui however praises the report for its conclusion, that multiculturalism should not be an excuse for moral blindness. "Unfortunately, the report is not radical enough, and does not go far enough. The focus has been on the community, without taking into account the wider picture of state responsibility," she says. "The government is still very weak, and is appeasing community leaders, by saying they could opt for mediation. They must listen to the voices of the women. The state should not endorse mediation as an option because it places the community leaders in a position to influence decisions as mediators, and that leads to the woman being forced to go back to the crisis. There is nothing to ensure protection. Mediation undermines agencies, the state, and the protection it has to offer. The solution is weak, not radical; it undermines women."

"When people tell me," Siddiqui adds, "Why not try mediation, I think of what happened to Vandana Patel. She tried." Vandana Patel died in 1992; Rukhsana Naz in 1999. This insane cycle, of violence and forced marriages, must end. This is one umbilical cord the British Asian community must tear asunder, if it is to take its rightful place. It is not just a question of choice. It is a matter of right. (Peacemonger)

Violence... Cont. from page 6

This performance was repeated throughout the country.

In the same year, the FP's peaceful March to Trincomalee was waylaid at Padavia by a mob 200 who attacked the participants. The encouragement given by the state for one section of its citizens to commit violence on another culminated in the 1958 ethnic riots. No description of it needed to measure the civility of the political society of this country at that time. But the victims decided not to resort to violence in turn and continued to believe the state would protect them.

Then in 1961, during the time of the civil disobedience campaign launched by the FP, the law enforcement arm of the state assaulted and attacked almost all the leaders of the campaign and other participants. Despite this, the Tamils resolve to non-violent methods of political agitation was not shaken, thanks to S. J. V. Chelvanayakam who persisted in finding a solution by non-violent means within a united country.

Finally, although the Vaddukoddai Resolution (1976) referred to fighting for a sovereign state of Eelam by the exercising of the inalienable right of nations to self-determination, there was no mention it would be in the form of an armed struggle. In fact, the 1977 election manifesto of the TULF referred to establishing the independence of Tamil Eelam either by peaceful means or by 'direct action or struggle.' But, later the TULF leader A. Amirthalingam clarified the position in his interview to the *Newsweek* of 8th August 1977, by saying that the party was attached to "a program of non-violent agitation."

The immediate response came from the then Prime Minister J. R. Jayewardene: "If you want to fight, let there be a fight; if it is peace, let there be peace... It is not what I am saying. The people of Sri Lanka say that."

The pertinent question here is: 'who is telling to who?' Is the state telling its subjects? Or is the stronger is telling the weaker? Or the ruler is telling the ruled? The answer was found in what had happened later. When he said 'the people of Sri Lanka' I am not sure to which section of the people he was referring to, but that the people of Sri Lanka were prepared to fight. The state however was not projected as neutral but as being interested in protecting only a particular community.

Violence continues to be found within our society. In 1981 and 1983 the state machinery failed totally in disciplining society and inculcate a sense of civility in its actions.

Frantz Fanon writes in *The Wretched of the Earth* (1963): "the repression, far from calling a halt to the forward rush of national consciousness, urge it on. Mass slaughter... increases that consciousness, for the hecatombs are an indication that between oppressors and oppressed, everything can be settled by force."

It is not my intention to repeat what has already come to be known as the consequences of war, but to highlight that violence, which originated at the Galle Face Green with stone throwing has taken this country on the path of devastation.

When both sides are equally armed and powerful is it not unethical to ask one party to renounce violence in order to settle the issue? Some of us fruitlessly believe that violence by one party is always justifiable because it is has 'legitimate,' state-backed authority to resort to it. But this is certainly not so when the relationship between the state and its victims has deteriorated to the point where the result is armed rebellion. This piece of wisdom is not what we learnt from Armitage, but from 18th century USA.

Israel: Ethnic cleansing is now official government policy

By Jean Shaoul

Israeli Prime Minister Ariel Sharon and his ministers have openly declared that Palestinians must be driven out to make way for Jewish settlements in land occupied illegally since the 1967 war.

Sharon and his cabinet utilised the November 15 ambush of Israeli security forces in Hebron by Islamic Jihad and the ensuing gun battle that killed 12 members of the Israeli armed forces and injured 15, as well as three of the Palestinian attackers, to make their announcements.

Sharon himself called for "territorial contiguity" between Kiryat Arba, a settlement overlooking Hebron, the tiny Zionist enclaves and the Tomb of the Patriarchs, a religious site venerated by both Moslems and Jews, inside the city. Palestinians living between the settlement, the enclaves and the Tomb would be forced to leave their homes to make way for the settlers—a policy known throughout the world as ethnic cleansing. He told army commanders in Hebron that Israel had to "take advantage of the opportunity" to "minimise the number of Palestinians living among Jewish settlers" and establish "Jewish points of presence". He described this as "an appropriate Zionist response" to such attacks.

Sharon's newly appointed foreign affairs minister and main leadership rival, Benjamin Netanyahu, was even more explicit. "We are going to cleanse the whole area and do the work ourselves," he declared.

Israeli security forces immediately imposed a curfew, arrested and blindfolded at least 40 Palestinians, bulldozed the homes of Palestinian families and uprooted their olive groves.

This gave the ultra-nationalist settlers the green light to establish an "outpost"—the basis for a new settlement—on the vacant land and daub it with the racist slogan "Death to Arabs." The settlers own language echoed the government's calls for ethnic cleansing. The leader of the Hebron settlement, Zvi Katover, said, "We have to cleanse the ground to ensure an Israeli territorial continuity between Kiryat Arba and Hebron." A thousand new homes are to be built in the area. "I trust Sharon to implement the project," he added.

At a rally in Hebron, Benny Elon, leader of the ultra-right wing Moledet (Homeland) party, declared, "There won't be just a Jewish neighbourhood here. There will be a Jewish town here."

According to the *New York Times*, "In a turbulent crowd, they [the settlers] pounded on the

In short, nothing must be allowed to get in the way of the drive by the US and the major imperialist powers to secure control of the oil riches of the Middle East. On occasion Sharon's actions against the Palestinians have been criticised because they have been considered counterproductive by Washington at a time when it is seeking to secure the support of the Arab regimes for war against Iraq. But fundamentally the US views Israel as the dominant military power in the region and its main and most reliable proxy.

doors of nearby Palestinian houses and then smeared the pale stone with blue graffiti: 'Every Arab killed for me it's a holiday,' and, over and over, 'Vengeance'."

Later the government issued an order for the demolition of a further 15 Palestinian homes on the route from Kiryat Arba to the Jewish enclave in Hebron.

The expulsion of communities from their homeland, like genocide, is recognised as a crime against humanity. The 1948 International Declaration of Human Rights and other international covenants, including the 1949 Fourth Geneva Convention, outlaw expulsions, population transfers, resettlement and forced relocation of any kind.

But the statements by Sharon and Netanyahu elicited no response from Israel's main backer, the United States, or any other Western power. And even the liberal media did little more than report the words of Sharon and Netanyahu. Not one of the editorial writers of the *New York Times* or Britain's *Guardian* has seen fit to comment on Israel's explicit advocacy of ethnic cleansing.

The deafening silence on Sharon's gross abuse of human rights is particularly marked, given that it takes place against the backdrop of the trial of former Yugoslav President Slobodan Milosevic before the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague. The central purpose of The Hague tribunal is to find Milosevic guilty of having politically sanctioned the ethnic cleansing of Albanians from the Yugoslav province of Kosovo—to confirm the existence of a "chain of command" between the Serb irregular forces in Kosovo and Belgrade, and so justify the US-led bombardment of Yugoslavia.

That trial has cost millions of dollars, lasted more than nine months and taken evidence from more than 100 witnesses. Despite this, to date the prosecution has failed to demonstrate that Milosevic himself either master-

minded the ethnic cleansing or ever explicitly ordered the expulsion of the Albanian population of Kosovo.

There would be no such difficulty were Sharon to be brought to trial for his treatment of the Palestinians, or if Netanyahu joined him in the dock. The Israeli government has explicitly issued instructions to the armed forces and publicly announced policies that are universally recognised as constituting ethnic cleansing. Yet the world's statesmen, the United Nations, the press and mainstream political commentators keep silent.

The West's political blind spot serves to underline the hypocrisy of their claim to have gone to war against Milosevic based on moral considerations. The break-up of Yugoslavia was desired by the Western powers in order to secure control of the strategically vital Balkan region.

As the *World Socialist Web Site* explained in its statement of May 24, 1999, "Why is NATO at war with Yugoslavia? World power, oil and gold":

"The immediate material gains that might be plundered from Kosovo are dwarfed by the far greater potential for enrichment that beckons in regions further to the east where the NATO powers have developed immense interests over the past five years.... [T]he dismantling of the USSR has created a power vacuum in Eastern Europe, Russia and Central Asia that makes a new division of the world inevitable. The principal significance of Yugoslavia, at this critical juncture, is that it lies on the Western periphery of a massive swathe of territory into which the major world powers aim to expand."

The statement continued, "Involved in the reintegration of the territory of the former USSR into world capitalism is the absorption, by massive Western transnational companies, of trillions of dollars in valuable raw materials that are vital to the imperialist powers. The

greatest untapped oil reserves in the world are located in the former Soviet republics bordering the Caspian Sea (Azerbaijan, Kazakhstan, Turkmenistan). These resources are now being divided among the major capitalist countries. This is the fuel that is feeding renewed militarism and must lead to new wars of conquest by the imperialist powers against local opponents, as well as ever-greater conflicts among the imperialists themselves."

The same base economic and political considerations that in reality shaped the hostility of the Western powers towards Milosevic's regime now determine their acquiescence in face of Sharon's criminal actions. In short, nothing must be allowed to get in the way of the drive by the US and the major imperialist powers to secure control of the oil riches of the Middle East. On occasion Sharon's actions against the Palestinians have been criticised because they have been considered counterproductive by Washington at a time when it is seeking to secure the support of the Arab regimes for war against Iraq. But fundamentally the US views Israel as the dominant military power in the region and its main and most reliable proxy.

Israel was founded in 1948 on the basis of the forcible expulsion of tens of thousands of Palestinians as the precondition for establishing a religious state with a Jewish majority population. Ever since it has repeatedly resorted to expulsion, population transfer, resettlement and forced relocation of the Palestinians.

In the aftermath of World War II and the Nazi holocaust, the United Nations voted in 1947 for the partition of Palestine into separate states for the Jews and the Palestinians. During the 1947-49 war between the Jews and the Arab states that followed, the actions of Zionist terror gangs played a major role in driving the Palestinians from their homes. In all, some 700,000 Palestinians became refugees in other countries and were not allowed to return to Israel. According to the UN, the original refugees and their descendants now number some four million. Many of those who remained were expelled from their homes and resettled elsewhere within Israel. The Law of Return, passed in 1950, and the Citizenship Law of 1952 granted every Jew the right to immediate citizenship upon arrival in Israel.

In 1967, after the defeat of the Arab states in the June war, there was another population transfer. About 250,000 of the 1948 refugees who had lived in refugee camps in the West Bank and Gaza for 20 years fled.

Afterwards, there were attempts by successive governments to

implement a forced transfer. The Israeli forces expelled Palestinians living near the cease-fire lines and destroyed their villages and towns. Kalkilya was only the most well-known example. The Israeli authorities offered financial incentives and free transportation to Palestinians who were willing to leave, but there were few takers. Some of the refugees in the Gaza Strip were transferred to camps in the Jordan valley. The security forces demolished the homes of suspected militants and those of their families and neighbours and deported them to Lebanon.

In 1982, following the invasion of Lebanon, hundreds of thousands of Palestinians and Lebanese moved north to the suburbs of Beirut to avoid the war and Israeli control of southern Lebanon. An international investigation by six jurists, including the cofounder of Amnesty International, found Israel guilty of attempted "ethnocide" and "genocide" against the Palestinian people. The report stated that there were no valid reasons "under international law for its invasion of Lebanon, for the manner in which it conducted hostilities, or its actions as an occupying force."

Ever since 1967, Israel has illegally built settlements in the territories captured in the June war. More than 200,000 settlers now live in 200 settlements in the West Bank and Gaza, while a further 180,000 live in what was once East Jerusalem and its environs. The settlement policy, which escalated after the 1993 Oslo Accords, involved demolishing Palestinian homes, seizing their land by military or legal means, and driving the Palestinians from the towns and villages.

Sharon's government incorporates or rests on ultra-orthodox and settler-based political movements that explicitly advocate ethnic cleansing under the guise of "population transfer". The Moledet (Homeland) party is the ideological successor to the proscribed far-right Kach movement of the late Rabbi Meir Kahane. Its leader Rehavam Ze'evi was, until his assassination in October 2001, a minister in Sharon's government. More recently, Gamla, a group founded by former Israeli military officers and settlers and funded by American Jews, published detailed plans for the "complete elimination of the Arab demographic threat to Israel" by forcibly expelling all Palestinians, including Palestinians in the Occupied Territories and Palestinian citizens of Israel within a three- to five-year period.

It is these extreme right-wing elements who now determine official government policy.

(WSWS)

Normal life does not exist

By Jim Gibney

"We don't know what normal life is like anymore", Deborah Devenney told the Mayor of Hamilton, New Jersey, Glen Gilmore, in the living room of her Clandeboy Avenue home last Saturday afternoon.

Her house had been taken over, not for the first time, by visitors observing or reporting on the ongoing attacks since May by loyalists on the Short Strand area of east Belfast.

When I arrived she was simultaneously talking to the Mayor and speaking with a representative from the Police Ombudsman's office, who was investigating an attack on an American woman by the PSNI during the summer.

The mayor was visiting the Short Strand as a result of an invitation to do so from Deborah, who met him while she was on a recent NORAD tour of the US and from Gerry Adams, who also invited him over.

Deborah explained to the mayor that normal life has been replaced with uncertainty, with fear. No one knows from one minute to the next what will happen. Ordinary everyday activity like making dinners, cleaning the house, going shopping is done with one ear to the street. All the time listening for a cry for help or a scream of pain as yet another person is injured by a brick, iron bolt, golf ball; or terrified by an exploding firecracker.

And as if on cue, a young boy stuck his head in the door with the message that the loyalists were stoning again. Deborah and Danny immediately rushed out into the street to investigate.

The lad's face was very familiar, although I didn't know who

he was. Later Danny explained he was Jackie McMahon's nephew. The resemblance between them was striking. And the similarities didn't end there either.

Jackie McMahon is one of the victims of the conflict, although you will not see his name on any of the official or unofficial lists recording those who died as a result of violence. (He is, however, on the republican Roll of Honour.) Yet Jackie died as a deliberate act of violence. Indeed his family and friends believe he was murdered by the UDR.

On the night of 18 January 1978, Jackie and two of his pals were chased by loyalists along the Laganbank Road towards the Albertbridge, close to the Short Strand where all three lived. A passing RUC patrol stopped Jackie and one of his pals watched as the RUC men put Jackie into the back of their Land Rover.

They arrested him and took him to Musgrave Street barracks, a short distance away from the Laganbank Road. They admitted arresting him but later claimed they released Jackie after detaining him for a few hours.

Jackie McMahon was never seen alive again. Five months later his body was washed up a short distance away from Musgrave barracks in the river Lagan.

At the beginning of Jackie's disappearance his family were not too worried about his absence from the family home because he would often stay with friends in Unity Flats in north Belfast for a few days at a time. But on this occasion, a few days gave way to a week, a week to a month and so on.

The situation was further complicated because the family got reports of people seeing and indeed talking with Jackie. This cre-

Deborah explained to the mayor that normal life has been replaced with uncertainty, with fear. No one knows from one minute to the next what will happen. Ordinary everyday activity like making dinners, cleaning the house, going shopping is done with one ear to the street

ated a false situation for them; they thought he was safe.

The Short Strand was rife with rumours about Jackie's fate but most people quickly settled on the view that Jackie ended up in the Lagan with the help of the crown forces, in particular the UDR.

If Jackie was released from Musgrave barracks he had two ways home: over the Queen's bridge or the Albert bridge. Both routes were dangerous, especially late at night, from loyalists but the main threat came from the UDR, who had stationary checkpoints on both bridges.

Jackie was no stranger to the river Lagan. He grew up beside its banks and as a boy and teenager played there; although familiar with it he knew its dangers because he couldn't swim.

Jackie was a known republican activist. He had been a member of Na Fianna and later joined the IRA. The crown forces were aware of his connections.

The RUC and indeed the British authorities never satisfied Jackie's family when they asked them a simple question: How did Jackie end up in the river Lagan when he was last in the custody of the RUC?

Will the truth ever be known about Jackie McMahon's last moments on this earth? Perhaps when

the situation in the Short Strand settles down the people of the area could hold a community inquiry into his disappearance, similar to the one held last week by the people of the New Lodge Road into the massacre there of six people by the British Army and loyalists in 1973.

The relevance of this story to Jackie's nephew is that Jackie experienced exactly the same set of circumstances as a young boy growing up in the Short Strand that led to his nephew sticking his head through the door last Saturday afternoon.

On BBC's popular 'Let's Talk' programme last Thursday night, Deborah described these circumstances; "We can't use the doctor's, the dentist's, the post office. We can't shop in any part of east Belfast. If we were black the world would be outraged at such racism."

But there is no anger, let alone outrage, from any of the unionist politicians. They reserve their criticism for the people of the Short Strand.

Following the latest attack on the Short Strand by loyalists a few days before my visit, the media reported it in the context of a 'lull over a ten-day period'. The people I spoke to on the street knew nothing about a 'lull'.

They told me the media are only interested when there are bombs going off or shots are being fired. When the cameras go home, they have to bear the brunt of a constant and low level bombardment, which happens without warning at all hours of the day and night.

While I was standing in the street several missiles came over the roofs from Cluan Place thrown by loyalists. Several women, one after another, came out to their doors complaining about their homes being stoned.

One man walked casually from an entry with a silver coloured object in his hand. One of the women had sent for him to check out the object in her back yard. She thought it was a pipe bomb. It was a bomb all right but it was filled with gunpowder, not gelignite.

Another man brought an object forward which had just landed outside his back door. It was a heavy duty bolt with a long piece of plastic clothes line tied onto it to give the thrower more leverage to get the device over the newly erected high fencing separating the two streets.

The Mayor of Hamilton told me that he had 180 policemen under his command. He reckoned that eight police, four at either end of Cluan Place on a 24-hour watch, could speedily end the attacks on Clandeboy Avenue.

He wasn't surprised that no one in the PSNI or the 'NIO' had thought of that simple yet direct approach. Perhaps that is because there is another agenda and the people of Cluan Place and Clandeboy are pawns in a much bigger game played out by the securocrats.

(An Phoblacht Republican News)

Russia pressures Chechnian IDPs' forcible return

The Russian government must stop pressuring internally displaced persons in Ingushetia to return to Chechnya, Human Rights Watch said today. Russian authorities have announced that the Aki-Yurt tent camp in northern Ingushetia will be closed by December 1, 2002, and are now hastening the return of its 1,700 inhabitants.

"Closing tent camps and pressuring people to go back to Chechnya without offering any reasonable alternative amounts to forcible return," said Elizabeth Andersen, executive director of Human Rights Watch's Europe and Central Asia division. "This is a clear violation of Russia's obligations under international law."

Earlier this fall the Federal Migration Service along with local migration authorities started pressuring internally displaced persons living in the Aki-Yurt camp to leave, threatening them

with imminent deadlines for the camp's closure and making promises of alternative shelter. But the proposed shelters—including an abandoned bottling factory and a dairy farm in disuse—were uninhabitable. Since September, about nineteen families left the camp either for Chechnya or for the alternative shelters. Most inhabitants, however, refused to leave.

Now migration service officials have announced that by December 1, they would cut off gas, electricity, and water supplies in the camp and remove all tents. A Federal Migration Service representative in Moscow told Human Rights Watch that the decision to close the camp was based on warnings published by the Ingush fire department and sanitary inspection.

Residents of Aki-Yurt are now being offered no specific alternative accommodation in Ingushetia. The Federal Migra-

tion Service claims that no forced return is under way and that people simply do not want to remain in the camp. Reportedly, at least thirty families have left the camp for Chechnya over the past three days. It is unclear where residents will live once migration officials close the camp on Sunday. Since the temporary accommodation centers in Chechnya are already overcrowded, migration authorities expect the returnees to rent private space in Chechnya and promised to pay every returnee about 20 rubles (less than U.S. \$1.00) per day to cover rent, food, and all other costs of living.

About 25,000 displaced persons from Chechnya remain in tent camps in Ingushetia. Human Rights Watch research in Ingushetia this summer indicated that most prefer to tolerate the deprivations of tent camps rather than return to Chechnya, where the armed conflict and human

rights violations continue, particularly arbitrary detentions, forced disappearances, torture, and extrajudicial executions.

In May 2002, federal authorities published a plan to close all tent camps in Ingushetia and to return the displaced persons living in them to Chechnya; now migration authorities announced a plan to close all camps by December 31. While officially stating that returns would take place on a strictly voluntarily basis, throughout the summer and early fall migration authorities actively used a combination of threats and incentives to pressure displaced persons to return to Chechnya. In order to hasten returns, migration officials have consistently dismissed the real threats of human rights abuses that persist in Chechnya.

"Russian authorities are trying to get rid of the tent camps at any cost, since they are the most visible indication that the situa-

tion in Chechnya is far from normal," said Andersen. "They make it hard indeed to convince Russians and the international community that the conflict is winding down. But the conflict is dragging on and serious human rights violations continue there unabated. Forcing people to return to them is unconscionable."

Human Rights Watch calls on the Russian government to stop coercing internally displaced persons into returning to Chechnya and to ensure that they continue to enjoy protection and humanitarian assistance in accordance with international law. It also urges the relevant international agencies involved in the region to protest any measures that may endanger the lives and well-being of thousands of internally displaced people residing in Ingushetia.

(HRW)

Displacement in Valikamam North, crime against humanity

By V. S. Ganeshalingam

Home for Human Rights (HHR) made submissions to three UN bodies on behalf of 20,917 families, consisting of 67,930 persons, who from 1983 onwards, have been forcibly evicted by the state from their homes in Valikamam North. HHR forwarded its submissions to the UN Sub Commission on the Promotion and Protection of Human Rights, the UN Special Rapporteur on the right to Adequate Housing and the representative of the Secretary - General on IDPs.

What is more, the state continues to deny IDPs their right to return and to resettle. Prior to 1983, Valikamam North Division had a population of 83,618 individuals, or 25,351 families, who were all Tamils. About 60% of the population were farmers, and another 30% were fishermen, while the remainder were employed in white-collar jobs, in industries etc.

Located within the Division was a civilian airport at Palali, which was converted into an air force base with one of the biggest military camps in Sri Lanka, and a harbour with an army camp at Kankesanthurai. Problems arose during the early part of 1983, when the government commenced working on a hidden agenda of expanding the army camps at Palali and Kankesanthurai by systematically evicting those living around the camps by constant shelling, mostly during the night and by imposing a ban on fishing.

The first phase of the eviction commenced in 1983 and continued until July 1987, when the Indian Peace Keeping Forces (IPKF) arrived in Jaffna. During this period, the constant shelling and air raids on the villages on all four sides of the army camps resulted in the entire population being evicted and the army camps expanded. Approximately 430 acres were taken from the people in this fashion forcibly. From July 1987 to April 1990, the IPKF was in control of the area. During this period a few of the evicted families returned to their original homes but they were again forced out during the second phase of evictions.

The second phase of forcible eviction started in 1990, following the withdrawal of the IPKF, and continued until 1993. During this period, the remainder of the popula-

Further more, as confirmed by the Rome Statute of the International Criminal Court, deportation or forcible transfer of population without grounds permitted under international law, in the form of forced displacement by expulsion of their coercive means from the area in which the persons concerned are lawfully present, constitute a crime against humanity.

tion was forcibly evicted, again by constant shelling and air raids on the villages on all four sides of the camp. By the end of 1993 the eviction was complete.

This was followed by the demolition of houses, schools, churches, and the hospital. After the eviction was complete, the army moved in to occupy the deserted villages. They occupied the lands and premises, ransacked the houses, schools, and places of worship, and took over whatever they wanted and either destroyed or burned what remained.

In 1996 when the government regained control in Jaffna, it permitted resettlement in about 12 villages located on the southern periphery of this Division. At the same time, it declared the area comprising of 30 villages within the Division to be part of a High Security Zone (HSZ) and thereby denied the inhabitants of these areas the right to return or to resettle in those villages.

To aggravate matters, the government by a gazette notification issued on 8th June 1999, declared under Section 5 of the Land Acquisition Act that 397 allotments of land totalling about 261,7365 hectares in the HSZ was needed "for a public purpose and will be acquired under the provisions of that Act."

No notice of the army operation was given and the people were taken totally by surprise. The army moved with bulldozers, to raze all dwellings, except the houses they required for their own use, and put up bunkers and defence lines. They then opened new roads through formerly thickly populated areas. They avoided using the existing roadways for fear of land mines. As this Division was fairly economically developed, every family had a house of their own, built

entirely with their own savings. More than 75% percent of these houses were built with cement and mortar.

Even though the eviction commenced in 1983 and was completed in 1993, the Government has never made any attempt to date to assess the damage caused by these evictions in terms of loss of lives and property. Even the media, which were occasionally taken to the North on government-guided tours, were not given access to this area and the government activities have not been published. However according to NGO reports during the first phase, well over 400 individuals were killed. No reliable figures are available as to the loss of lives during the second phase.

The displaced have been denied the right to return to their lands in violation of their rights and humanitarian law and for the last decade have lived as IDPs. The agenda of successive governments has been to marginalize Tamil resistance by weakening them economically by deprivation and at the same time by expanding the two camps of the army that are in the heartland of Tamil resistance.

Those of the displaced of the low income group who managed to live elsewhere within the District of Jaffna, either in State run 'welfare centres' or with friends and relatives, survived on the meagre dry rations provided by the state and on the basic facilities provided by humanitarian agencies, mostly international. Their children, who were desirous of continuing their education, found accommodation in the schools in the areas in which they live are terribly overcrowded and they have no choice but to sit on the floor and study. Considerable numbers do not attend school at all due to the problems

caused by displacement.

Humanitarian agencies report considerable malnutrition among the displaced children.

Those of the displaced who live within the District of Jaffna whose monthly income exceeds Rs.1500 and those who live outside the district irrespective of their income are discriminated against in that they are not entitled to receive any assistance, unlike the IDPs who live within the district. However, the government has drawn a distinction between those evicted by the LTTE, who are Muslims from Jaffna and now live as IDPs in Puttalam District and in South Sri Lanka and provide them assistance.

Another distinction is that these Muslims have not been permitted to register as voters in the area in which they have lived for the last decade as IDPs but continue to be enlisted in the voters' register in the Jaffna District and vote for candidates who contest in Jaffna. But as far as the Tamils displaced from the North are concerned, even though there is no such legal prohibition, administratively it has been made difficult for them to be registered as voters in South. Even though they are citizens of the country they are denied the right to vote because of their displacement.

By Emergency Regulations which came into force on 4th January 1996, President Chandrika Kumaratunga established the Resettlement and Rehabilitation Authority of the North (RRAN) to assist in the resettlement and rehabilitation of persons displaced in the Northern Province, to repair and reconstruct their damaged houses and public utilities and to assist in the recommencement of economic cultural activities etc.

However, this RRAN had turned down requests for resettlement on the grounds that this Division had been declared a HSZ, where resettlement is not permitted, and had also denied access to the IDPs to commence economic or other activities.

RRAN had formulated an essentially arbitrary, unrealistic and discriminatory scheme for the payment of compensation for the damaged houses. The compensation does not constitute even 25 percent of the damage assessed and is not sufficient to repair or reconstruct. Furthermore, the scheme does not provide for any compensation for loss of income derived from land use.

Under the scheme public servants and state corporations

employees whose houses were destroyed are entitled to a maximum compensation of Rs.150,000 whereas others are only entitled to a maximum of Rs.100,000 or 20% of the damages assessed - whichever is less. Even under this scheme it is only a few influential public servants and corporation employees who have received any payment.

In any event, none of the displaced persons applied for compensation for their lands, instead they chose to make public that they wanted the return of their lands, which is more than a commodity and are sacred to them.

Sri Lanka has acceded to a number of international conventions, including the international Covenant on Civil and Political Rights (ICCPR) and the First Optional Protocol to the ICCPR, the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention Against All Forms of Racial Discrimination (CERD), the Convention Against All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC).

The forced displacement by coercive means, the destruction and/or appropriation of the property and possessions left by the displaced as a form of collective punishment, continued denial of the right to return to their lands and resettle in their original places and the failure to provide appropriate compensation for the loss of property and possessions and redress for victims of violation constitute, flagrant breaches of the principles of the human rights, particularly the right to life, and grave violations of the principles of international humanitarian law and international law.

Further more, as confirmed by the Rome Statute of the International Criminal Court, deportation or forcible transfer of population without grounds permitted under international law, in the form of forced displacement by expulsion of their coercive means from the area in which the persons concerned are lawfully present, constitute a crime against humanity.

The Human Rights Committee has held in ICCPR General Comments 29 that "the legitimate right to derogate from article 12 of the Covenant during a state of emergency can never be accepted as justifying such measures."

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Children are playing an increasingly significant role at the Hero's Day celebrations in the northeast. Where this is going to take the Tamils, only time can tell.

Pic by S. Kanagaravi

Displacement in Valikamam...

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A number of articles of UN Declaration of Human Rights (UDHR) have been violated including: right to life, liberty and security of person (Art 3), right to equal protection of the law (Art 7), right to an effective remedy (Art 8), right to freedom of movement and residence (Art 12), right to property (Art 17.1), right not to be arbitrarily deprived of property (Art 17(2)), right to take part in the government of the country (Art 21), right to work (Art 23), right to an adequate standard of living including food, clothing, housing, medical care and social services (Art 25).

Articles of the ICCPR violated include: to take steps to respect and ensure ICCPR rights (Art 2 (1)), to take measures to give effect to the rights recognized (Art (2)), to ensure an effective remedy (Art (3)), right to life (Art 6), right of movement and freedom to choose residence (Art 12(1)), right to privacy, family and home (Art 17), freedom

to manifest religion - UN HRC General Comment No. 22 (48)) (Art 18(1)&(3)), right to election (Art 25), equal protection of the law (Art 26) and minority rights (Art 27).

Articles of the ICESCR violated are: non-discrimination (Art 2 (2)), right to work including the opportunity to gain a living by work (Art 6 (1)), protection of the family (Art 10), right to adequate standard of living (Art 11), right to health (Art 12) and right to education (Art 13).

Articles of the CERD violated include: right to equality before the law (Art 5) and to assure effective protection and remedies (Art 6).

Articles of the CRC violated are: right to life (Art 6), right for a child not to be separated from parents (Art 9), protect the child from physical and mental violence (Art 19), deprivation of

family environment Art 20), right to adequate standard of living (Art 27) and right to education (Art 28).

In addition action by the government violates the UN Commission on Human Rights Resolution 1993/77 on 'Forced Evictions,' CESCR General Comment No. 7 (1997) on 'Forced Evictions,' CESCR General Comment No 4 (1991) on 'Adequate Housing' and Sub-Commission on the Protection and Promotion of Human Rights Resolution 1998/9 on Forced Evictions. Besides, the Guiding Principles on Internal Displacement, General Assembly Resolution 56/

164 on the 'The protection of and assistance to internally displaced persons' and UN Commission on Human Rights Resolution 2002/56 on 'Internally Displaced Persons'.

HHR has sought the following relief for the IDPs of Valigamam North Division. To request the Sri Lankan state to:

- adhere to its international human rights and humanitarian legal obligations;
- to apply and adhere to the 'UN Guiding Principles on Internal Displacement';
- to permit resettlement and withdraw all impediments for

settlement; to pay compensation for damages caused to dwellings and properties and redress for victims of violations of human rights;

in the interim to ensure that all IDPs are guaranteed their full range of civil and political and economic, social and cultural rights in accordance with the State's international obligations, in particular that everyone is guaranteed an adequate standard of living including food, clothing, housing, medical care and social services.

	No. of families	No. of Family Members
Total population in Valikamam, prior to 1983	25,351	83,681
Total number that stands evicted	20,917	67,930
Total now living outside HSZ within the Division	4434	15,688

Figures for displacement, as collected by the local administration