

Waiting for the JVP
and the *vimukthi* it
promises

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Can the LTTE unlock
itself out of
'limbo statehood'? Page 6

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Mines bar even worship at Pullumalai, where the area near the Pillayar temple is a no-go zone due to them

Pic. by S. Jeyanandamoorthy

Public pressure on Tigers for slow return to normality

By a Staff Correspondent

Tamil National Alliance (TNA) parliamentarians are expected to take up for discussion the shortcomings in the implementation of the Ceasefire Agreement (CA) when they meet the Liberation Tigers of Tamil Eelam (LTTE) hierarchy in Kilinochchi today.

This follows another meeting that was held a few weeks ago where both parties agreed to draw up strategies to cooperate closely to implement common objectives.

The TNA is expected to meet the Tigers' theoretician and chief negotiator Dr. Anton Balasingham who arrived in the island for consultations with LTTE leader Velupillai Prabhakaran ahead of talks in Tokyo later this month. At their last meeting the TNA met with an LTTE delegation led by the

head of the Tiger political wing S. P. Thamichelvam.

Sources within the TNA said the LTTE too seemed very keen on working out strategies to expedite the process of normalisation due to the pressure they seemed to be experiencing from the public, which had gone through years of privation and was getting further restless as it continued to live in sub-human conditions as refugees and the displaced.

"Any forward progress is being hemmed in by lack of normalisation," he told the *North-eastern Herald* adding that even development that was a right was being impeded by the government's lethargy in permitting conditions of normality from returning.

TNA parliamentarians believe that in the event the movement towards normality stagnates or takes an inordinate amount of time, there

will be very little justification for the LTTE and the by extension the Tamils, to remain in the peace process.

He said there was very little benefit going to accrue to the Tamils if there was no concerted effort to relieve the burdens imposed on them before discussing core issues, which are expected to be touched upon at the forthcoming round of talks.

He said in relation to the peace process and the lack of normalisation, the report by General Satish Nambiar (rtd.) would also be reviewed if it were ready by that time.

Sources said that even at the last meeting in Kilinochchi the LTTE had expressed dissatisfaction with the politics of the south. This pertained mainly to the lack of consensus between the two main parties on co-habitation and the general principles of what could be

given to the Tamils.

"The Tamils have to translate that by placing themselves in context. This only means that the insecurity in their own lives will continue because of the lack of consensus between the southern parties," he said.

He said a telling example of the lack of normality in the northeast was evident in the lives of fishermen who are a substantial part of the Tamil population. Despite the solemn promises given by the navy, fishermen who went out to sea at night could not return till daylight hours, a situation made worse by the choppy seas along the northeastern coast.

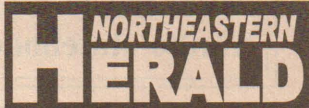
The navy had earlier allowed certain areas to be utilised by fishermen returning at night despite most of the northeast coastline taking on the character of a restricted zone due to the army and navy camp in close proximity. "But

these promises are not implemented," he said.

He said there was a possibility of matters pertaining to the PTA and the release of political prisoners also coming up at the talks with the LTTE. There are 54 detainees staging a hunger strike at Kalutara prison at present.

At the last meeting in Kilinochchi, the two parties agreed to appoint a four-member committee of TNA parliamentarians were to have consultative regular monthly meetings on the approaches to adopt on pressing issues at hand with Thamichelvan.

R. Sampanthan or Maavai Senathirajah (TULF), Gajendrakumar Ponnampalam (ACTC), Selvam Adaikalanathan or M. K. Sivajilingam (TELO) and N. Sivasakthi Anandan (EPRLF - Suresh Faction) were appointed to this consultative committee.



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Soldier, constable in LTTE custody released

Sri Lanka Army (SLA) soldier, Lance Corporal Nimal Kumara and Reserve Police Constable Philip Anandasekara who were in Liberation Tigers' (LTTE's) custody were released today in Kilinochchi to the Sri Lanka Monitoring Mission (SLMM) following a meeting with the LTTE leaders and the members of the SLMM, sources in Kilinochchi said.

LTTE leader Velupillai Pirapaharan agreed to the release when he met with Major General (Retd.) Trygve Tellefsen and Major General (ret'd) Trond Furuhojve at the Kilinochchi LTTE Secretariat Wednesday, sources in Kilinochchi said. The meeting lasted from 11 am to 1 pm sources added.

Leader of the LTTE's peace ne-

gotiation team, Anton Balasingham, and LTTE political head S.P.Thamilchelvan also participated in the meeting.

The SLMM team took the released personnel to Colombo immediately after they were released, sources said.

Nimal Kumara was taken into custody by the LTTE on 24 December when he trespassed into LTTE controlled region in Manal Aaru while being armed. He was produced in Tamileelam courts following which the Kilinochchi court judge ordered him remanded.

LTTE took Anandasekara into custody 20 February when he entered into LTTE checkpoint in Muhamalai in police uniform. The Kilinochchi judge ordered him remanded until investigations were completed.

MP demands removal of Periyaneelavanai checkpoint

The Tamil National Alliance (TNA) Member of Parliament (MP) from the Ampara district, Mr. A. Chandraneru, has requested in a letter to the Sri Lankan Prime Minister, Mr. Ranil Wickremasinghe, that the police checkpoint operating from the Cultivation Services Office at Periyaneelavanai in the Ampara district should be removed, sources said.

Periyaneelavanai is located 34 km south of Batticaloa town at the border between the Ampara and Batticaloa districts and has traditionally been a Tamil village. The police checkpoint was created at the Cultivation Services Office building in 1990, citing the need for security to the neighboring Maruthamunai village, which is predominantly Muslim. As a result, the Cultivation Services Office was temporarily shifted to another location and it has remained there ever since.

There is a Hindu temple and a school in front of the police post. The presence of the police post has created several problems for students attending the school and devotees visiting the temple.

The public in the area has pointed out these facts to the MP and has stressed the need for the withdrawal of the police post from this location. Moreover, the Department of Cultivation Services has also requested that the police should withdraw from the building. Mr. Chandraneru's letter to the PM cites these demands.

Meanwhile, the Sri Lanka Muslim Congress parliamentarian, Mr. H.M.M. Haris, has written to the Kalmunai Deputy Superintendent of Police that the checkpoint should not be removed, saying the removal would undermine the security of the Muslim people. This competing demand has delayed the removal of the checkpoint, sources said.

Hunger strikers want cases transferred to Northeast

A standoff is brewing between 54 prisoners on hunger strike detained in Kalutara jail that are demanding their cases be transferred to courts in the northeast, and the state, which is continuing to hold hearings in the South and unwilling to listen to their pleas.

The striking prisoners, all held under the PTA, are demanding their cases be shifted to High Courts in the northeast in the belief that they would be concluded expeditiously due to fewer cases being tried in the northeastern High Courts than those in the south, informed sources told the *Northeastern Herald*.

Human rights activists said however there was a dilemma because the hunger strikers were demanding transfers of cases in offences they had committed in and were indicted for in the south. "Those who on hunger strike are indicted in the so-called major cases that are being heard in courts outside the northeast because offences were allegedly committed outside the northeast," the human rights activist, who wished to remain anonymous, said.

The cases include those indicted in

the Dehiwela bomb blast, Neelan Tiruchelvam killing, Dalada Maligawa bomb blast and others that come within the category of major offences.

A human rights lawyer said this did not mean courts did not have jurisdiction to transfer cases because till about five years ago indictments were served in the Colombo courts for offences committed in the northeast: therefore the converse was possible. "The AG's department can do it if it wants, but it is not," he said.

This however does not take away the fact that hunger strikers are among the 1000s who were arrested and are detained under the notorious PTA, which is illegal because it falls far short of human rights standards guaranteed in international instruments, some of which Sri Lanka is party to.

There has been continuing agitation for the repeal of the PTA and for the release of political prisoners who are incarcerated under its provisions. Though human rights activists demanded that all categories of prisoners are released after the government and the LTTE signed the Ceasefire Agreement, the Attorney General's

department was firm that those who were indicted of major crimes could only be released after the law took its course.

Meanwhile, sources said the more obnoxious provisions in the PTA are to be incorporated into the Prevention of Organised Crimes Bill, which could lead to the PTA being repealed. This they said would be a political concession to the LTTE since everyone indicted under the PTA would be automatically released, while the state would continue to retain legislation it could use to suppress dissent, civil disobedience and violence, but under another name.

However others said it was unlikely the PTA would be repealed because in the event there was unexpected violence, the Prevention of Organised Crime would not be powerful enough to bring the situation under control, and the government would have to think of reintroducing the PTA that might prove well nigh impossible in the present parliament.

CTTU to protest against army presence near schools

The twenty thousand member strong Ceylon Tamil Teachers Union (CTTU) Tuesday decided to hold a one day token strike on March 11 in the northeast province demanding the removal of the presence of government troops in the vicinity of schools. The protest will also highlight the delay in providing permanent appointment to about one thousand volunteer teachers in the northeast schools, said its general secretary Mr.T.Mahasivam.

The decision was taken at the emer-

gency meeting of the CTTU executive committee held Tuesday evening at Trincomalee Vigneswara Maha Vidiyalayam. The CTTU President Mr.S.Thandauthapani presided.

The resolution passed at the executive committee further states, "the people of the northeast province are not enjoying the benefits of the ceasefire agreement. The presence of the government security forces close to schools in the northeast province has adversely affected teaching and learning. The state security forces

should be removed from the vicinity of government schools immediately to create a conducive academic environment for students and teachers.

The resolution further condemns the authorities regarding the delay in providing permanent appointments to northeast volunteer teachers.

For these reasons the CTTU decided to hold a one day token strike on March 11, said CTTU general secretary Mr. T.Mahasivam.

PM urged to solve teacher shortage in NE

The Tamil National Alliance (TNA) Wednesday requested the United National Front government to grant permanent appointments to around one thousand volunteer teachers without any further delay as per the Cabinet approval already granted by the previous government. "This would only to some extent reduce the existing shortage of around 5500 Tamil medium teachers in the northeast province," said TNA parliamentary group leader and the Trincomalee district parliament R. Sampanthan in a three page letter faxed to the Prime Minister Ranil Wickremasinghe.

The government is reported to have taken a decision to halt granting permanent appointments to volunteer teachers until a national policy is formulated in this regard as Sinhala volunteer teachers in other provinces have also started an agitation demanding that they also should be given same facilities, sources said.

"This situation is very different to the situation prevalent in the rest of the country in regard to Sinhala medium teachers where as per reliable information, there is already an excess

of over 5000 teachers. Appointment of Sinhala medium volunteer teachers in the rest of the country would only add considerably to the excess already existing," said Sampanthan in the letter.

"The grievance of the northeast Tamil medium volunteer teachers who are now engaged in a sit-in-protest in front of the North East Education Ministry in Trincomalee, is that despite being selected for appointment as per cabinet approval they have not been appointed," said Sampanthan in his letter.

Sampanthan further states: -

"The previous government granted cabinet approval for the appointment of three thousand Tamil medium teachers in the North-East classified as follows:

1. One thousand from amongst volunteers with requisite qualification
2. One thousand Graduates qualified teachers
3. One thousand G.C.E. (Advanced Level) qualified teachers

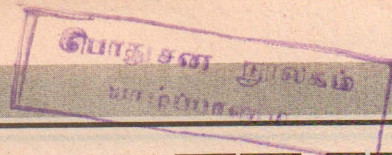
Application were called and interviews held for the appointment of 100 Tamil medium teachers from amongst

the volunteer teachers, and 1000 graduate teachers

Due to the non-recruitment of Tamil medium teachers in the northeast, several young persons with GCE (A-L) qualifications had served for long periods of time as volunteer teachers in the northeast, particularly in the more difficult areas.

"After the assumption of office of the United National Front government all appointments given by the previous government were frozen due to financial constraints. Finance ministry approval was therefore sought recently, for the appointment of teachers, which had not yet been made, as per the cabinet approval already granted

"It would appear that the Finance Ministry has granted approval for the appointment of graduate teachers, but approval has not yet been granted for the appointment of 1000 volunteer teachers with the requisite qualification who had already been selected on the basis of inquiries and interviews held, and as per the cabinet approval already granted."



Waiting for the JVP and the *vimukthi* it promises

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.

A cynic may quip, with due apologies to Lord Acton that politics is power game and parliamentarians in politics can at times be very unparliamentarily playing this game. It is really strange therefore the JVP that in the first phase of its extra-parliamentary agitation (early 70s) concentrated its attack on the Srimavo Bandaranaike Government should now negotiate for political co-habitation with the daughter and son of that lady.

The JVP has had its political experiences. Under Premadasa, it learnt some bitter lessons. Nonetheless, it was not a force that could be wished away. It has very strong roots among Sinhala youth disappointed by successive governments. The JVP has been maintaining an authentic Sinhala ring about it, but it should also be said that it is not responsible for any manifestly anti-Tamil slogans. In the eyes of the foreign press, the JVP is the great Marxist challenge today to the globalisation policies of the different governments.

JVP has taken a very firm stand against privatisation, especially that of education and this has brought a large body of university students in the South under its political wing. It has been gradually increasing its parliamentary base from 3 to 15 and has been very careful to show that it has a Muslim and a Tamil among its members of parliament. The Muslim JVP member of parliament is quite a significant figure because she is the first Muslim woman MP in parliament. The JVP's Tamil MP R. Chandrasegaran is equally significant because he was earlier the JVP representative in the Western Provincial Council and is from the Plantations.

Gone are the days when JVP was considered an almost Maoist organisation having as one of its

Gone are the days when JVP was considered an almost Maoist organisation having as one of its four fundamental policies, the problem of Indian expansionism. In 1970s it appealed to the Sinhala people to be very careful about the expansionist activities of India. Today it doesn't speak of Indian expansionism. On the contrary, I understand that it has argued that the MP's permits for cars should be only for the Indian made Maruti

four fundamental policies, the problem of Indian expansionism. In 1970s it appealed to the Sinhala people to be very careful about the expansionist activities of India. Today it doesn't speak of Indian expansionism. On the contrary, I understand that it has argued that the MP's permits for cars should be only for the Indian made Maruti.

Indian newspapers described JVP as the very important Marxist Party and it is told that representatives from respected Indian socialist organisations attended its last convention and rally. Such is the change the party has undergone.

The traditional left parties, the LSSP and CP, have issued a very strong statement that as members of the People's Alliance they are opposed to any understanding or alliance with the JVP. But people who matter have not even cared to take notice of the threat from the two left parties, which in 1960s did not think twice about throwing away the stand they had taken on the language issue and de-

cidated to support the Sinhala Only policy with faint-hearted conviction.

As of now, it is the SLFP and the MEP components of the PA, not to leave out those who have come from the UNP into the PA, who are very keen on the alliance with the JVP.

Media reports speaking about the understanding between the two parties, forecast that the deal would be signed soon. The SLFP, MEP, JVP alliance is an act of great political significance. Primarily it is aimed at shaking up the parliamentary arithmetic and exploring the possibilities of forming a new government without going to the electorate. Given the powers the executive president enjoys, this scenario seems very likely.

There is a more important and perhaps more basic question relating to the JVP's stand on negotiations with the LTTE. The JVP has minced no words in its attack on the LTTE, the MoU and what had taken place at the talks. In short, it has not been for any type of negotiation with LTTE. Its position is that LTTE is a fascist and

separatist organisation and throughout the talks it is the separatist tendency of the Tigers that has been looming large. When one adds up the various statements it has made on the MoU, it becomes quite clear that it is against the stopping of the war. For what else can be meant by saying fascism and separatism must be defeated?

This position taken by the JVP has some interesting implications. In a way this is the best compliment that the war machine has had in recent times.

The JVP has not come out in clear and unambiguous terms about its position on the Tamil problem. The answer it gives is very interesting. It runs as follows: "When we come to power there will be a complete change in the political and economic structure of the country. There will be a duly constituted socialist government and in a socialist set up there can be no place for this type of quarrels. Every one is equal and is second to none."

The answer is unfortunately simplistic. There are two aspects: The first relates to the role of the ethnic minorities in the governance of the country (looking back, we can see that no socialist government has disregarded this problem, whether in China or Czechoslovakia and when it was disregarded the whole structure of the state crumbled as in the case of the USSR).

The second is in relation to the use of Tamil in areas outside northeast where the JVP has not categorically stated its position. Even in the case of the plantation areas, the people of recent Indian Tamil descent are forced to learn Sinhala.

The JVP's stand against American imperialism and globalisation is welcome. But rather strangely, this stance forces it to a position of "No war in Iraq but let us have a war in Sri Lanka". This type of polemics is not going to solve our problem. What is needed is an understanding of the Tamil question in its politico economic sense.

In my opinion, the JVP is uniquely placed to understand not only the aspirations of the Tamils but also of the Tamil militants. The JVP started as an anti-government militant organisation. Its very name stands for liberation (*vimukthi*). When its political activity began going down well among the people the state with and through its security forces tried to wipe it out. The JVP arose out of unfulfilled Sinhala youth aspirations and it is an organisation of this type that can understand the unfulfilled aspirations of the Tamil youth. It is rather strange that this part of the question has not been dealt with or discussed at length.

Let us also not forget that the JVP is perhaps the most authentic Sinhala political organisation today. It carries more Sinhalaness than the UNP and the SLFP. So there could arise a situation in the near future that could be described as attempting to bring together all the Sinhala forces that are against the peace talks. This is a genuine grievance the Tamils have. One has to wait to see whether the present time is the beginning of JVP's parliamentarist strategies for power or an ideological thrust for its ultimate victory.

It is true that a socialist revolution (note merely a change of government but a revolution) can bring about the desired effect. But what are the prospects of a socialist revolution now? In the 60s early 70s, there was the famous play *Sekkuwa*, which was a brilliant satire arguing that changing the colour of the pair of bulls that pull the *Sekkuwa* (green or blue) is not going to solve the problem. It argued that the entire mode of production had to be changed. Let us wait and see how the third Sinhala party is going to behave, whether it is only going to replace the green and blue or be fair to all the peoples of Sri Lanka both as groups and individuals.

Moralising UK still recruits child soldiers

Although the UK government's long-awaited ratification of the Optional Protocol to the UN Convention on the Rights of the Child on the involvement of children in armed conflict is to be welcomed, it falls short of stopping children being sent into battle, according to the UK Coalition to Stop the Use of Child Soldiers.

"The government has retained the right to send under-18s into battle by adding a declaration that it will do so if there is a genuine military need or due to the nature and urgency of the situ-

ation. This declaration undermines the spirit of the Optional Protocol and allows under-18s to be sent into battle at the discretion of military commanders," said Kelli Terrington of Amnesty International UK.

"Meanwhile, the armed forces continue to recruit under-18s, so raising serious questions about the government's commitment to the fundamental rights of children including their rights to life and to physical and mental integrity. The surest way to keep children out of the war-zone is not to recruit under-18s in the first place."

The UK Coalition To Stop the Use of Child Soldiers which includes Amnesty International UK, Anti-Slavery International, Aviva, Jesuit Refugee Service, Pax Christi, Peace Pledge Union, Quaker Peace and Social Witness, Trocaire and UNICEF UK is calling on the Government to withdraw its declaration to the Optional Protocol

put in place legislation banning the deployment of under-18s in hostilities raise the minimum age for recruitment to 18 years or over.

The Optional Protocol recognises that children need

special protection in armed conflict. It encourages governments to raise the age of voluntary recruitment into armed forces, and requires states to take all feasible measures to ensure that under-18s do not take a direct part in hostilities. The Optional Protocol entered into force on 12 February 2002. It had been ratified by 43 states as of 4 December 2002.

The UK government's ratification of the Optional Protocol was laid on the table in parliament on 24 February 2003. 16-year-olds continue to be targeted extensively for recruitment

into the UK armed forces. No other European country apart from the UK deploys under-18s and the UK is the EU country with the lowest recruitment age. The vision of the UK Coalition to Stop the Use of Child Soldiers is an end to the military recruitment and deployment of anyone under 18 in armed conflict, both nationally and internationally. The UK Coalition is a member of the broader international Coalition To Stop the Use of Child Soldiers.

(UK Coalition to Stop the Use of Child Soldiers)

ICRC urges new rules on war disappearances

By Ruth Gidley

Tens of thousands of people around the world have gone missing as a result of armed conflicts, leaving families and friends to wait for years – often in vain – for news of their fate.

At a conference organised last month by the International Committee of the Red Cross (ICRC) in Geneva, participants called for more consideration for the needs of relatives, better identification mechanisms and stronger national and international laws to prevent disappearances.

"Families of missing persons need material, financial, psychological and legal support," the ICRC said in a statement issued during the conference.

"The phenomenon of missing persons occurs in almost every situation of armed conflict or internal violence," says a report by Sophie Martin, head of the Missing Persons Project of the ICRC.

Apart from soldiers missing in combat, the missing includes hundreds of thousands of civilians who are abducted or lose touch with their families in times of turmoil.

Martin's report says: "The majority of missing persons (are) civilians who were separated from their families by the effects of war, or who disappeared while in detention or were killed in massacres and thrown into mass graves."

"There are probably millions of affected families, all over the world," said the ICRC.

"Many have been waiting for decades in the hope of finding out what happened to their missing relatives."

In Rwanda alone, at least 105,000 people are unaccounted for, according to the ICRC. In former Yugoslavia, more than 22,000 people are missing, and in Peru more than 6,000.

There are missing people from dozens of other countries, including Angola, Argentina, Bosnia and Herzegovina, El Salvador, Eritrea, Guatemala and Kuwait.

No common rules

The ICRC says that its efforts – and those of families of the missing – to ensure that relatives know the fate of the disappeared are hampered by a lack of concern on the part of parties to conflicts, and insufficient understanding of the problem.

"There are no commonly agreed rules and best practices which, at times, results in a duplication of efforts," said the ICRC.

The conference brought together experts from govern-

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ments and NGOs as well as representatives of families of the missing to discuss ways to make a difference for people who have no news of their missing relatives.

The conference was part of a process of years of work by the ICRC.

The ICRC said it wanted the issue to be higher on the agenda of governments, the United Nations and NGOs.

The Red Cross and Red Crescent movement has participated in numerous campaigns to support families of the missing and to reunite relatives separated during times of upheaval.

In Liberia, the ICRC and national Red Cross society have launched a poster campaign to find families of more than 1,000 unaccompanied children living as refugees in neighbouring countries.

Immediately after the bombing of a Bali nightclub in October 2002, the local Red Cross started identifying missing persons and contacting relatives.

The Red Cross has established centres in Kosovo and mobile outreach teams to strengthen family and community development by providing psychological support and therapeutic social activities.

In Sri Lanka, both the government and the separatist movement in the north of the country – the Liberation Tigers of Tamil Eelam – have asked the ICRC to help set up an independent mechanism to verify cases of missing persons.

The ICRC and national Red Cross society of Democratic Republic of Congo last year helped more than 400 families torn apart by the conflict to be reunited with their children.

Florian Westphal, a media relations officer at the ICRC, told AlertNet he was motivated by his experience of seeing the ICRC help to bring relatives together, sometimes after years of separation.

After a volcano erupted in Goma, Democratic Republic of Congo, in January 2002, between

300 and 400 children were split up from their families, Westphal said. In a few days, Red Cross volunteers were on street corners, collecting information from people about children in temporary shelter. "It works. People picked up their kids having not known where they were for the last 10 days," he said.

First priority

"Knowing what happened to the family is the first thing people want to know after a catastrophe. More than water or food. That comes after. It really is vital."

He said that the task of finding the missing in a country as large as Democratic Republic of Congo were daunting. "It's a country the size of half a continent. People just vanish."

Not having confirmation of a

In Sri Lanka, both the government and the separatist movement in the north of the country – the Liberation Tigers of Tamil Eelam – have asked the ICRC to help set up an independent mechanism to verify cases of missing persons.

relative's fate leaves a permanent open emotional wound.

"I meet people whose relatives disappeared 20 years ago, and they are still convinced they are alive. There's no closure. There's no end to the process," Westphal said.

"They say: 'If I knew, I could get on with grieving. I could get on with my life.' People need to know what happened, they need some acknowledgement."

There are numerous legal complications when relatives have no proof of someone's death. Many women find that they are unable to claim inheritances, or receive land titles, claim custody, access a husband's pension, or remarry. Women are disproportionately

vulnerable to these problems, since in most conflicts the majority of combatants and individuals subject to detention or extra-judicial killings are men.

"Women are left in a situation where they have to earn all the money, often for the first time," said Westphal.

The conference invited panels to discuss a range of themes, such as exhumations and managing human remains, and identification of armed combatants.

It brought together people who would not necessarily normally come into contact – families of the missing, medical professionals, humanitarian workers, human rights activists, military and political representatives.

Panel participants discussed exhumations, autopsies and identification, and said that only forensic experts should handle remains.

In many circumstances, information is compiled about an individual during his or her life, such as dental and medical records – known as ante mortem data – that can be useful in identification.

The ICRC called for standard protocols and software for collecting and using ante mortem and post mortem data. It said that this should be combined with guidelines for exhumations.

"Methods should be appropri-

ate to the context," said Westphal. "There's nothing to mention the right of families to know what happened. They're quite big gaps."

He said that relatives of the missing were gaining higher expectations.

"There is more and more pressure from families. They are more and more organised. They're not resigned to their fate – they're vocal and outspoken," he said.

Westphal said that people were often unaware of international humanitarian law. "People don't have a clue that they have obligations and that obligations also mean protection," he said.

Sophie Martin told delegates: "The relevant state authorities, armed groups and leaders must take action, backed by national and international humanitarian and human rights organisations, to prevent people from going missing and to deal with the consequences when they do. For this, they can choose from a broad spectrum of measures involving persuasion, substitution, denunciation and judicial action."

"Whenever possible, constructive dialogue must be fostered between all parties – including the families of missing persons and their communities."

This is the only means of reducing the number of missing persons and of identifying appropriate measures to be taken in their favour and that of their relatives."

Identification

The ICRC argues that all combatants should carry identification, and invited military participants to address the conference on the subject.

A conference panel, involving military participants, concluded that all combatants should be supplied with identity cards, or at minimum should have identity tags.

The ICRC said that parties to a conflict should set up an information bureau to centralise information on the wounded, sick and shipwrecked as well as detainees and the dead. Information from the bureau should be passed on to authorities or families and to the Central Tracing Agency of the ICRC.

Another panel examined judicial mechanisms and ways to improve them.

Westphal said that the behaviour of donors was crucial in implementing changes proposed by the conference. "A lot of these suggestions will cost money," he said. (AlertNet)

Police assault striking tea plantation workers

By Sri Haran

Police from the town of Hatton in the central plantation area of Sri Lanka last week raided the Ottery tea estate in an effort to intimidate striking workers. About 20 police in plain clothes stormed into the workers' residences, known as "line rooms," on the evening of 20 February and assaulted Subramaniam, a security guard on the estate. When other workers heard his wife's screams and gathered outside, the police fired into the air and fled in their vehicle, attacking two other workers as they left.

It appears that the police were acting on behalf of the management. Earlier in the day, the police tried to hunt down Subramaniam to obtain the key to the estate office. When they failed to find him, they changed the lock after breaking the old one.

Some 104 workers have been on strike at the estate since 10 February. Their main demand is that management deposit deductions made from their wages for the Employees Provident Fund (EPF) and Employee Trust Fund (ETF) with the

Central Bank, as required by law. Although the money has been deducted, no funds have been deposited for over 15 years.

Workers have been attempting to force the estate owner to make the payments for a number of years. With the tacit assistance of the police and unions officials, he has managed to avoid complying with various agreement and orders made by the Commissioner of Labour and the local magistrates court in Hatton. As a result, workers face the prospect of being left with no retirement benefits.

The striking workers have made other demands, including the registration of young people for work. Unemployment is a major problem on the tea plantations — about 100 youth are jobless at the Ottery estate. They are also insisting on the establishment of proper maintenance procedures. At present, management is not even clearing the land around the tea bushes, threatening the viability of the estate and thus the jobs of those employed.

After hearing about the police raid, local leaders and workers from neighboring plantations gathered at the Ottery estate the following day. Hatton-Dickoya Urban Council member S. Logeswaran and other repre-

sentatives of the Ceylon Workers Congress (CWC) — a trade union and political party — visited the estate and attempted to appease the strikers, saying the CWC would respond "if the police come again." Logeswaran promised that CWC leader and government minister, Arumugam Thondaman, would visit the estate on February 22 to resolve the problems.

The Ottery estate workers, however, continued to campaign for support from workers in neighbouring plantations. About 5,000 workers from Invery, St leas, Stempodil, Kinlock, Ann Field and Else Merry estates stopped work on February 22 to protest the police actions.

But the response of CWC leader (Arumugam) Thondaman was the opposite. With striking workers and local union leaders awaiting his arrival, he rang to cancel the visit using the excuse that the Ottery estate workers were not CWC members. Those gathered left in disgust.

Fearing further police attacks the strikers contacted their own union — the Lanka Jathika Estate Workers Union (LJEWU) — on 23 February. But the LJEWU, which is controlled by the United National Party (UNP), the main party in the coalition gov-

ernment, has taken no action. The strike is continuing and police in plain clothes continue to roam the estate.

The WSWS interviewed several workers. One striker explained: "There are 45 casual workers who have been working for five years without permanency. Of them, 31 have not even received registered EPF numbers, which means they are not eligible for EPF benefits. We went on strike for the same demands in October 2000. The case on the EPF issue has been dragged out in the labour courts because the management has not attended."

Workers also expressed broader concerns over the deterioration of their wages and living standards. Early last year the unions called for the daily wage to be increased from 121 rupees to 200 rupees (\$US2) but finally agreed to a rise of 146 rupees. Workers only receive the extra 25 rupees if they achieve an 80 percent attendance rate. The target is impossible for most workers. Over the last year, the cost of living index has risen by 415 points or 13.6 percent, making life increasingly unbearable for low-paid plantation workers.

As a father of three children explained: "My monthly income is about 1,500 rupees (about \$US16). I

have to spend about 1,000 rupees a month to buy milk powder for the children. What can we do with the balance of the money? We have to pay the loans and borrow again. At a minimum we need about 225 rupees for meals per day. But if I work 80 percent of the month, then my average daily wage reaches 146 rupees. Unlike other areas, we can't find temporary jobs outside the plantations."

"Sometimes our children don't go to school because the teachers reprimand them for not wearing shoes and good uniforms," a mother of four children said. "Though they [the government] said our situation would be better after the ceasefire agreement [with the Liberation Tigers of Tamil Eelam (LTTE)], we don't see any such thing. Today our living conditions are worse than a year ago."

Most workers on small tea estates face similar problems. To make matters worse, a number of small estates have been closed, forcing the employees to try to find low paid, often temporary jobs elsewhere. The strikers at the Ottery estate are concerned that they could face the same fate.

(WSWS)

Displaced people return, but hungry for peace

By Rita Manchanda

After decades of civil war, this year the migratory birds have returned to the wetlands along the A-9 highway to the northeastern Jaffna peninsula, every inch of which is scarred with battles fought between the Sri Lankan army and the Tamil Tiger rebels.

A colony of pelicans is back and so too are the painted storks, as the year-long ceasefire in the conflict waged by the Tigers for a homeland in this South Asian island nation brings quiet and the promise of a Lasting peace.

Every day brings the return of hundreds of internally displaced people — the United Nations estimates there are 800,000 of them — to the north and northeast, the region most affected by the 20-year-old conflict.

Families are busy rebuilding blasted homes with canvas sheets from the U.N. High Commissioner for Human Rights (UNHCR) fluttering in the wind, a mute reminder of histories of displacement produced by a string of major offensives from 1990 to 2000.

Ammunition boxes are being transformed into flowerbeds, and disused railway track serve as beams in the Tamil Rehabilitation Office (TRO).

Uniformed children follow lessons in wall-less schools. Fields of burnt

stumps of Palmyra, a tall palm tree found in the north, are replanted. Bananas and eggplants are being trucked to markets in the capital, Colombo.

Shops are re-opening along the roadside as it circles past the Omanthai exit checkpoint of army-controlled Vavuniya that leads to the Tiger-controlled Wannai and on to Jaffna town, retaken by the army in December 1995.

There are now four checkpoints for travellers and goods, after the years of blockade. This means four unloadings of goods like bananas and the payment of 'tax', but at the premium price the goods fetch in Colombo, evidently it is still worth the tedious process.

In Killinochchi, a region that borders Jaffna and is also a Tiger stronghold, Tiger rebels encouraged a Tamil restaurant owner who had moved to Colombo to return and open an eatery to cope with the rush of middle-class visitors en route to the Jaffna peninsula.

Meantime, as the Liberation Tigers of Tamil Eelam (LTTE), as the Tigers are formally called, transforms its military structure, a bureaucratic culture is fast growing in areas under its control. Newsprint-paper entry forms are used for entry and exit. (The Sri Lankan administration has no equivalent forms).

On either side of the A9 highway are endless stretches of barbed wire clustering into a thicket around aban-

doned army camps, dotted with warnings about mines.

Of the estimated 1.5 million to 900,000 mines in the area, Lawrence Christy of the TRO in Killinochchi claims that 10 percent have been cleared and that the accident rate has radically come down over the last three years.

The year 2003 has been announced as the year for resettlement of the internally displaced persons. Already, 200,000, or one-fourth of the estimated total number of internally displaced people, have come back, said Christy.

The Sandhinathan family came back in January along with 500 others from a refugee camp in Vavuniya, a town that is the gateway to Tiger-held territory.

Sandhinathan was busy re-stocking his old roadside shop, while four other family members were rebuilding the house and replanting the land — a de-mined area. The barbed wire now is used to protect saplings growing along the road.

The rebuilding process is a testimony to Sri Lankans' desperate faith in a fragile peace, but activists say people are also hoping to see this make a real difference in their lives soon.

According to the Colombo-based Centre for Policy Alternatives (CPA), there has been a nine-point decline in faith in the peace talks from 91 percent in October to 82 percent in December.

The centre's social indicator study

of public perception in the Jaffna peninsula reveals that 63 percent of the people believe that the government is not committed to the return of the internally displaced people as a propriety issue, while 61 percent believe that the LTTE is committed to it.

The return of displaced people is complicated by the "domino effect", said Ole Brondum, Jaffna district head for the Sri Lanka Monitoring Mission, which monitors the ceasefire agreement signed by Colombo and the Tamil Tigers in February last year.

"It involves a long chain of re-housing," he explained as successive waves of the internally displaced have moved into houses abandoned by people displaced before them.

When the Jaffna peninsula was taken by the Sri Lankan army in May 1996, the LTTE forcibly evacuated 280,000 people to the mainland Wannai across the Jaffna lagoon.

The LTTE has set up an arbitration structure to deal with disputes. However, the long queues that formed outside its political office in Jaffna have shrunk as the leadership counselled the people to go to the Sri Lankan administration for redress of civil disputes.

Meanwhile, the Tigers are concentrating on political mobilisation through the commemoration of 'Remembrance days' that mark key dates in the ethnic conflict. The newly established peace secretariats in Killinochchi and Colombo remain

empty shells.

The one issue of displacement that the LTTE has taken up in earnest is the return of people to homes in the 'high-security zones', or areas held by government troops.

Ironically, there is no direct call for the withdrawal of the 40,000 Sri Lankan security forces in the areas. But it is indirectly demanded through the clamour surrounding the high-security zones, which prevent people from returning to their homes and their livelihoods.

The Sri Lankan government has appointed a retired Indian general, Satish Nambiar, to untangle the issue of the high-security zones.

In addition, there is the delicate issue of the return of the Muslims. In October 1990, the LTTE ordered an estimated 120,000 Muslims to leave the north within 48 hours.

Father Jayakumar of the Jaffna diocese claims that a few of the trading community have returned but without their families. The LTTE is making no gesture of reconciliation, let alone proffering an apology. "They are being asked to come back, like everyone else," Jayakumar added.

J Maheshwaran, part of the LTTE team at the peace table, said some 150 Muslim families have returned to live in the northeastern coastal town of Mullaitivu, under the immediate gaze of the LTTE supremo, Velupillai Prabhakaran. (IPS)

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Behind UN's veil humanity

The letter of intent (LoI) signed between the World Bank and the Sub-committee on Immediate Humanitarian and Rehabilitation Needs (SIHRN), brings proposals for the rehabilitation and resettlement in the northeast a step closer to execution.

The Bank will act as the custodian of the Northeast Reconstruction Fund. The two parties to the Ceasefire Agreement reached a consensus on nominating it for the job since there was, for the sake of transparency, the requirement for a neutral organisation to be custodian of the massive amounts that are apparently going to be pledged by donor countries.

This brings one international organisation more into the scene, which by definition is not primarily responsible to either of the warring parties though it must be said the two parties have agreed to its entrance.

To those who have been urging that unless there is immediate pledging of funds to commence reconstruction and rehabilitation activities in the northeast, the peace process is in imminent danger of disintegration and collapse, this comes as a timely move. But to others this only goes to confirm the tentacles of capitalist development penetrating further and further into the country disguised in the form of a 'do-gooder,' which is a mask the Bank as worn before, though not perhaps as a custodian of reconstruction funds in Sri Lanka.

The involvement of the Bank poses several grave questions because it has not come alone. Its 'arrival' in the northeast, in the strict sense, was preceded by other international organisations such as the United Nations Development Programme (UNDP) and the United Nations Children's Programme (UNICEF) agreeing to cooperate with the LTTE in the implementation of various projects in the northeast such as the de-mining project or putting the education system of the northeast back on the rails.

Together, these UN bodies are part of an international humanitarian effort that forms a formidable presence of 'do-gooders' in the northeast.

What we should not forget however is that this formidable presence of international do-gooders is an extension of the international community. It is to this international community that Prime Minister Ranil Wickremesinghe alludes to time and again (he did so during his recent visit to India as well) as being tasked with responsibility of ensuring the LTTE does not go back to war.

It is important for Tamils to therefore reflect on what exactly is the prime motivation of the ever-deepening presence of international organisations on northeastern soil and their intimate involvement with the two parties to the conflict.

This does not mean that we support or advocate the return to war - not for a moment. But it is indeed worrisome when the prime minister of a country goes about reminding everyone on the role of the international community and the most visible presence of that community, if we exclude the official diplomatic missions, is as 'do-gooders' in the northeast.

We wish to reiterate that this editorial does not wish to raise xenophobic hysteria. However, the overenthusiastic international response for the reconstruction and rehabilitation of the northeast, including from the UN agencies, throw up many questions. These questions become more disturbing when even a cursory glance at the international scene such as in the Middle East today, reveals only too starkly that the UN is not the neutral body it pretends to be.

Can the LTTE unlock itself out of 'limbo statehood'?

By D. Sivaram (Taraki)

Semi states have always lurked on the margins of long established and recognised states from the beginning of known history. In ancient times, little known warlords and their armed followers often rose out of dark backwaters on the periphery or the hinterlands of old civilizations to overwhelm great kingdoms.

Aryans, Hittites, Huns, Vandals, Mongols and a host of such peoples who were little known to the great civilizations of their time, rose out of semi-states in the inhospitable Tundra and steppes to swoop in on long established and militarily secure states.

Military historians such as John Keegan have attributed this phenomenon to the superiority of killing and manoeuvring skills of nomadic life over the tame mores of long settled civilizations (*History of Warfare*).

(It is but a version of a Darwinian interpretation of war and civilization - that the most aggressive of the species succeed over those who live in environments which no longer require the honing of basic, brutal skills of human survival).

In the 20th century, however, semi-states came into being largely due to the struggles of ethnic groups that wanted to secede from modern nation states.

During the cold war semi-states did not survive for long within the strategic power balance between the Soviet Union and the West, which permeated the world order during that period.

In this context, secessionists either succeeded where the geo-strategic equation was conducive, as in East Pakistan, or just withered away or were destroyed where the Cold War equations were wrong, as in the cases of Katanga in Congo and Biafra in Nigeria.

Biafra unilaterally declared its independence from Nigeria in May 1967. It constituted the former Eastern Region of Nigeria and was inhabited principally by Igbo (Ibo) people. Biafra ceased to exist as an independent state in January 1970.

In the mid-1960s economic and political instability and ethnic friction characterized Nigerian public life. In the mostly Hausa north, resentment against the more prosperous, educated Igbo minority erupted into violence. In September 1966, some 10,000 to 30,000 Igbo people were massacred in the Northern Region, and perhaps 1,000,000 fled as refugees to the Igbo-dominated east. The Non-Igbos were then expelled from the Eastern Region.

Attempts by representatives of all regions to come to an agreement were unsuccessful. On May 30, 1967, the head of the Eastern Region, Lieutenant Colonel (later General) Odumegwu Ojukwu, with the authorization of a consultative assembly, declared the region a sovereign and independent republic under the name of Biafra. General Yakubu Gowon, the leader of the federal government, refused to rec-

Both India and the US coalition 'managing' the talks know full well that an acceptable political solution to the ethnic conflict in Sri Lanka is not legally and practically possible. But both insist on the continuation of the talks

ognize Biafra's secession.

In the hostilities that broke out the following July, Biafran troops were at first successful, but soon the numerically superior federal forces began to press Biafra's boundaries inward from the south, west, and north. Biafra shrank to one-tenth its original area in the course of the war. By 1968 it had lost its seaports and become landlocked; supplies could be brought in only by air. Starvation and disease followed; estimates of mortality range from 500,000 to several million.

The Organization of African Unity, the papacy, and others tried to reconcile the combatants. Most countries continued to recognize Gowon's regime as the government of all Nigeria, and the United Kingdom and the Soviet Union supplied it with arms. On the other hand, international sympathy for the plight of starving Biafran children brought airlifts of food and medicine from many countries. Côte d'Ivoire, Gabon, Tanzania, and Zambia recognized Biafra as an independent state, and France sent Biafra weapons.

Biafran forces were finally routed in a series of engagements in late December 1969 and early January 1970. Ojukwu fled to Côte d'Ivoire, and the remaining Biafran officers surrendered to the federal government on 15 January 1970. Biafra, on the point of total collapse, thereupon ceased to exist.

The fate of Congo's resource rich Katanga province in the early 1960s was not dissimilar, though UN forces defeated the region's secessionist army.

At the end of the cold war, we saw the birth of Eritrea and East Timor. Both were brought into existence by the geo-strategic exigencies of the US and its military allies.

The end of the cold war also saw the survival of several semi-states such as the Shan in Burma, the Kurdish region in northern Iraq and the northeast region of Sri Lanka.

Unlike ancient and medieval times, today the big powers of the world tend to consider semi-states manageable and geo politically useful.

Take the Kurdish semi state in northern Iraq for example. It is a state for all purposes, except that it has no diplomatic status i.e. it is not recognised by the UN or by any country as a sovereign entity. It is

the case despite a decade of direct military protection and patronage it got from the US and its military ally, Britain.

The no fly zone imposed by the USAF and the RAF on northern Iraq gave the Kurds virtually a free hand to establish a state of their own.

For the US, the Kurdish semi-state in Iraq is nothing more than a strategic foothold to bring Saddam to his knees. What the US wants is the Iraqi state as a whole. It has no interest in the creation of a sovereign Kurdish state. America's main ally in the region, Turkey, is dead opposed to one.

The armed Kurdish secessionist movement is unable to extricate itself out of this trap either politically or militarily.

If a puppet regime backed fully by the US is installed in Baghdad after Saddam's defeat, we may see the withering away of the Kurdish semi-state in northern Iraq.

But, on the other hand, if the US thinks that the continuation of this semi-state would be a strategic check on Turkey and on unfavourable political developments in Iraq itself in the future, then the Kurds may continue in their 'limbo statehood'.

The Shan people too exist such 'limbo statehood' within Myanmar at China's strategic convenience.

The Shan are extremely conscious of their ethnic identity. They dominated much of Myanmar from the 13th to the 16th century. After their power declined, there were more than 30 small Shan states, most of which paid tribute to the Burman kings; under the British the Shan states of Burma were ruled by hereditary chiefs, subject to the crown. In 1922 most of the states joined the Federated Shan state, which had considerable local autonomy. Like the other states in Myanmar after independence, however, Shan state lost much of its autonomy under the constitution of 1974.

However, several armed Shan separatist groups that were formed in the 1960s have succeeded in establishing a semi state in the Shan region. It is an independent state in every aspect, except that it is not recognised as such by any country.

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The right to know and human rights abuse

By J. S. Tissainayagam

At a conference organised by the International Committee of the Red Cross (ICRC) in Geneva, participants urged for more effort in drawing up procedures for identifying and tracing missing persons, greater consideration for their grieving relatives and stronger legal frameworks to prevent the scourge of disappearance in the future.

Disappearances have featured very prominently in the Sri Lankan state's counter-insurgency campaigns both against Tamil rebels and Sinhala insurgents over the past 20 years or so. Disappearances that began in the northeast in the mid-1980s resulting in 100s of incidents, shifted to the south as the regime battled the JVP between 1987-1990.

With the PA's accession to power in 1994, commissions of inquiry were established to probe both sets of disappearances and for the compilation of reports for the payment of compensation. This was the result of international pressure from the UN, and bodies such as Amnesty International. However, though the commissions were established, reports compiled and compensation paid, the culture of terror as well as the assurance of immunity to perpetrators was yet to be dismantled.

With emergency regulations and the PTA still in operation and the military quite certain it would not be held accountable for the extermination of Tamils through extra-judicial killing following abduction and torture, the stage was set for disappearances to resurface in Jaffna between 1995-1996 when the military occupied the area after Operation Riviresa. It is believed between 400 and 600 persons disappeared during this period, though other estimates put the figure higher.

In the wake of this, relatives of the missing persons - Missing Persons' Guardian Association (MPGA) - filed action in court against the state for the abduction and disappearance of their kith and kin and demanded to know what befell the disappeared.

The Krishanthi Kumaraswamy trial threw up evidence on the existence of mass graves in Chemmani, in the outskirts of Jaffna town, which were presumed to hold remains of some of the missing. After a long delay the PA government allowed the exhumation of the graves. Though much was expected, they yielded only 18 skeletal remains of which three were identified.

The government, preferring to avoid further embarrassment, told members of the MPGA, who were lobbying for more investigation, that no more proof of their missing relatives were available and that it was willing to issue death certificates and pay compensation. The MPGA however would have none of it.

It rejected the enthusiastic offer by the government to issue death

In many instances human rights activists have used 'reconciliation' as they use the word 'peace' - in isolation. Sustainable peace is pointless and unachievable without human rights. Similarly reconciliation is impossible without unravelling the past. Local NGO activists, who try throwing up the magic word 'reconciliation,' should understand that just because it has deceived more gullible populations in the past, they cannot try it with the Tamils

certificates followed by compensation because it would have effectively closed its case. Accepting compensation meant acknowledging the missing person was dead, while his or her killer was still free. The MPGA demanded a proper investigation including DNA testing by matching the samples of the skeletal remains exhumed, with those of presumed relatives. The government rejected this on the plea the exercise was extravagantly expensive.

Members of the MPGA, meanwhile, initiated action to see whether their kin were among those incarcerated under the PTA in Sri Lankan prisons. Despite immense effort on their part they have been by and large unsuccessful and have been pushed from pillar to post by prison, police and military officers.

The PA government appeared to favour closing such cases because a relentless pursuit of an investigation would mean probing some of the military officers whose names had transpired during proceedings in the Kumaraswamy trial as being allegedly responsible for abduction and killing. It would also show up the army's general indiscipline. In other words, the government wanted to obliterate the human rights record of the police and the security forces to spare unwanted political repercussions.

There have been two recent developments in relation to the disappearances in Sri Lanka that are significant. The Human Rights Commission has appointed a one-man sub-commission to investigate the Jaffna disappearances and to report to it. Though the MPGA members have led evidence before it, they express grave doubt of its final success in fulfilling the objectives for which it was constituted.

The second development has been a request to the ICRC from the government and LTTE during talks in January, "to help set up an independent mechanism to verify cases of missing persons." The commission will independently verify about a) those missing in action (MIAs), which usually refers to Sri Lankan military personnel and b) voluntary disappearances that define missing civilians.

For the Tamils, the request is very important because experience in other parts of the world too reveal systematic moves to conceal the past by re-

fusing to carry out impartial investigations into human rights atrocities.

On the other hand, there have also been a number of initiatives by international human rights organisations on investigating large-scale human rights abuses, which involve setting up commissions of inquiry among other mechanisms. These organisations that are extra-judicial do not approach the issue on the basis that they necessarily help to mete out justice but that the public has the right to know of what took place.

Article 19 in 'Who wants to forget? Truth and Access to Information on Past Human Rights Violations,' states, "...we continue to believe that the 'right to truth' about past human rights violations derives from a more general access to information. This applies particularly strongly in situations where past violations have been on a massive and systematic scale."

Among such commissions the best known is the South African Truth and Reconciliation Commission, though it was not the first one. Article 19 goes on to say that the early truth commissions were not given that name but were set up to uncover facts that had been denied. Such commissions set up in Chile and Argentina, "Most obviously ... applied to 'disappearances,' a form of human rights violations that by its very nature is to do with concealment." These organisations, says Article 19, were more bent on uncovering the facts than the truth.

Article 19 goes on to state that in recent times - especially after the setting up of the South African Truth and Reconciliation Commission, "the production of truth has become increasingly yoked to reconciliation." It speaks of other instances when during moments of political transitions governments have failed to investigate the past thoroughly despite demands from human rights activists because their (governments') prime concern was reconciliation.

Article 19 continues, "Usually they would also point out that they relied upon the security apparatus that was itself implicated in abuse and could not risk testing loyalty." The human rights lobby's response is that no reconciliation is possible without uncovering the truth, about which Nelson Mandela said, "To forgive and forget

we should know what happened."

These words are of crucial relevance to present day Sri Lanka. The buzzword in NGO circles today is 'reconciliation,' and a week does not pass without a seminar, colloquium or talk that waxes eloquent on its sturdy benefits to Sri Lankans. In fact the 'Triple-R' process includes Reconciliation as well.

In many instances human rights activists have used 'reconciliation' as they use the word 'peace' - in isolation. Sustainable peace is pointless and unachievable without human rights. Similarly reconciliation is impossible without unravelling the past. Local NGO activists, who try throwing up the magic word 'reconciliation,' should understand that just because it has deceived more gullible populations in the past, they cannot try it with the Tamils.

Article 19 goes on to state that truth commission need not be the only means of accessing information about large-scale abuses; it could include other types of initiatives from civil society including the media, NGO investigations, criminal procedure and other court proceedings. Among these is an instructive instance where civil rights NGOs were able to uncover past human rights abuse.

The Lancaster House agreement (1979) that created independent Zimbabwe also guaranteed amnesty for all crimes committed by both the rebels and the Rhodesian security forces. What was more, the government of independent Zimbabwe continued with a law enacted by the Rhodesian government that indemnified the security forces against prosecution.

In the mid-1980s the Zimbabwean forces were deployed against ZIPRA a former rebel group, which opposed ZANU (PF) government of Prime Minister Robert Mugabe, now in office. The government used the army and air force against ZIPRA deserters known as 'dissidents.' Further the deployment of the paramilitary fifth brigade in Matabeleland ended in a huge human rights disaster during which 1000s of civilians were massacred or disappeared.

Due to the 'tradition' of granting amnesty to human rights abusers, those responsible for the Matabeleland massacres were given amnesty, which benefited both the Zimbabwean security forces and the

ZIPRA. The civilians caught in the middle however were left licking their wounds. But due to their pressure, Mugabe was forced to set up two commissions of inquiry, which reported promptly, but the reports were not published.

In 1986 the wives of nine of those who disappeared in Matabeleland filed action in the High Court. It was revealed that their husbands had been abducted and the police had failed to investigate five mass graves in the vicinity of the disappearance despite a Court order. In 1992 the courts decided the nine men were dead. What was now needed was a full-scale independent, impartial commission of inquiry to investigate the entire massacre, which the Mugabe government was unwilling to appoint.

It was finally left to two NGOs that had worked through the Matabeleland killings to come up with a research document 'Breaking the Silence: Building True Peace,' by collating archival material including interview notes, medical records and interviews with survivors. The two NGOs - Catholic Commission for Justice and Peace in Zimbabwe and Legal Resource Foundations - also made recommendations that the proceedings of the commissions the government had so far suppressed are published and those responsible brought to justice.

It will be interesting to see the terms of reference (ToR) under which the independent verification mechanism of the ICRC will function. It is believed the ICRC has sent a blueprint to the government and the LTTE, but is yet to get a response. It is expected to use the responses to refine the document before presenting it to the two parties for formal consent.

The ToR will determine whether the government will allow the body to investigate and recommend punishment of the military. It will be useful to remember in this regard that in 1994, the then Chandrika Kumaratunga government's enthusiasm in setting up disappearance commissions led to a lot of misgiving on the part of the security forces that was reflected when they were called upon to fight after war was re-declared in April 1995.

Similarly, an impartial investigation will reveal the truth or falsehood of the claim that 100s of policemen were allegedly killed in cold blood by the LTTE when Eelam War II began in June 1990 and other instances where the south asserts the Tigers had taken prisoners whom they later killed.

It is vital that the past is probed and the truth established if the peace process is to go forward in any credible way. What is more, it will be interesting to see who flinches first and the most at the revelation of the truth, the government or the LTTE, or whether it is all going to be another act of deception

Changing of the guard - 1977

By S. Sivanayagam

The year 1977 was a watershed in the political history of the Tamils in Sri Lanka: and in the history of the country as well. It was the year when at a democratically held election, the Tamil voters in the northeast gave their leaders of that time a clear, affirmative mandate for the establishment of 'a separate independent, sovereign state for the Tamil people.' Those who prattle about DEMOCRACY today, both within the country and outside, should try in all good faith not to sweep that fact under the carpet.

That year also saw the second major anti-Tamil riots, inspired by the machinery of the Sinhala state, and obviously meant as a punishment for the Tamil voter for daring to ask for 'separation.' That was also the year, which saw, earlier on, the untimely passing away of the Father of Tamil Nationalism - S.J.V. Chelvanayakam. Curiously enough, it was the year when the Tamil United Liberation Front (TULF) found itself propelled into the position of the second largest party in the Sri Lankan Parliament with 18 seats, pushing the alternate party of government, the SLFP, headed by Mrs. Bandaranaike, into third place with its paltry eight seats. That was an electoral quirk that was never anticipated by either the Sinhala or the Tamil people.

Quick to make profit of what was an electoral "accident," Jayawardene baited TULF leader Amirthalingam with the office of Leader of Opposition. The lure of office was too much to resist and the man who headed the electoral campaign for a separate state gratefully sat on the chair of the Leader of Opposition, conveniently forgetting the mandate, which the Tamil people had given him. There was no constitutional compulsion on him to accept that post. In the tradition of Whitehall, he had no earthly chance of becoming a Prime Minister in waiting at any time in the future, a fact not unknown to him.

Indeed, had Chelvanayakam lived, he would never have suc-

In that sense, Prabakaran was truly Chelva's political heir. If that is not apparent to many, it is because of a visual distraction: Chelvanayakam did not carry a gun as Prabakaran does. But it has to be realised that the non-violent leader as well as the armed revolutionary were both by-products of an unrelenting historical process, and the crystallisation of a 40-year old Tamil search for self-esteem and distinct identity

cumbed to that kind of political immorality and abuse of the people's trust. That one act of Amirthalingam put the political clock back for the Tamils. Today, twenty long years after a long-suffering Tamil people had given a loud democratic voice to their demand, there are enough jokers and Rip Van Winkles in the Sinhala south who keep asking: What grievances do the Tamil people have?! This is not political amnesia, which is forgivable. This is derision directed at a whole nation of people.

When Chelvanayakam launched the "Ilankai Thamil Arasu Kadchi" nearly 50 years ago - in 1949 - (loosely referred to in English as the Federal Party), he struck the first organised blow for Tamil Nationalism. The party's goal, as spelt out at the inaugural meeting held in December that year was "to work unceasingly for the achievement of a Tamil state within the federal framework of a united Ceylon, as the only way to ensure that the Tamil-speaking people in Ceylon could live with honour and self-respect."

It took two elections (1952 and 1956) and seven more years, and a direct threat to Tamil language rights before the Tamils themselves rallied behind Chelvanayakam's leadership. As for the Sinhalese, they set their face totally against any talk of Federalism. Let alone Federalism, any concession to Tamil well be-

ing was anathema to them, steeped as they were in the mythical Mahavamsa mind-set that told them that the island was a Buddha appointed country for Sinhala Buddhists only!

Chelva, on the other hand, was a gentle Christian (leading a Hindu following), with a touching faith in human nature, and a tireless trier in the politics of persuasion. But his was a futile course. Pacts were torn up, agreements were violated, non-violent protests were put down with guns, and racist mobs felt free to lay their hands on Tamils with impunity - as they did on Chelvanayakam himself and 200 silent sit-in protesters opposite the Parliament building in 1956, while the discriminatory Sinhala Only bill was being debated inside.

If the year 1956 saw the collective humiliation of the Tamil people, that was only the beginning. The perpetuation of that under Bandaranaike rule continues to this day, (with power passing from father to mother, and from mother to daughter) with increasing ferocity, until today it has reached genocidal proportions.

When in May 1972, faced with the threat of a new Republican constitution, three Tamil parties - the Federal Party, the Tamil Congress and the Ceylon Workers' Congress, in a rare expression of solidarity, got together under the banner of the Tamil United Front

(TUF), it seemed the Tamil worm, trod upon for too long, was beginning to turn.

When the 1972 constitution swept away even the meagre safeguards for minorities provided in the Soulbury Constitution, and brought in a Sinhala-Buddhist theocratic state, Chelva resigned his seat at Kankasanturai [now entirely within a military High Security Zone for good historical reasons if not for military ones] and dared the government to contest him on the right of self determination of the Tamils. The call was ignored by Mrs. Bandaranaike and the seat remained vacant until 1975.

At the by-election that was ultimately called, the Federal Party leader called for a mandate for Tamil Eelam and the voters gave him a crushing majority. He said in his victory speech "I wish to announce to my Tamil people and to the country that I consider the verdict at this election as a mandate that the Tamil nation should exercise the sovereignty already vested in the Tamil people and become free..." Thus, the formal pledge for Tamil Eelam came even one year before the Vaddukkoddai resolution.

In March 1977, three months before the elections, Chelvanayakam fell ill and in April he died. It was a severe blow for the Tamil political struggle during a crucial phase. The rumblings of youth unrest during Mrs.

Banadaranaiké's oppressive regime from 1970 to 1977 had already manifested in the sensational murder of her main collaborator in Jaffna - Alfred Durayappa - on July 27, 1975. The Tamils needed a moral force to legitimise their just grievances, which only Chelvanayakam could have provided, at a time when Tamil youths were being hounded by the Jayawardene government for their acts of violence.

Amirthalingam, who succeeded to the TULF leadership proved to be the wrong man at the wrong moment of Tamil history. Not that he did not have the right credentials. With his customary chest forward stance and the appellation 'thalapathy' (military commander), he had previously earned the trust of Tamil youths, including the young Prabakaran. But he had been too long a tongue-wagging politician to have the stomach to become a revolutionary, which was what the historical process demanded at that time.

The responsibility of carrying forward the 1977 mandate given by the Tamil people fell therefore on Prabakaran - Amirthalingam having shirked it. In that sense, Prabakaran was truly Chelva's political heir. If that is not apparent to many, it is because of a visual distraction: Chelvanayakam did not carry a gun as Prabakaran does. But it has to be realised that the non-violent leader as well as the armed revolutionary were both by-products of an unrelenting historical process, and the crystallisation of a 40-year old Tamil search for self-esteem and distinct identity. To Chelva, the search began in 1949, and to the LTTE in 1972. 'The Changing of the Guard' took place in 1977.

As much as Mahatma Gandhi and "Netaji" Subhas Chandra Bose fought for Indian freedom in their respective ways, so have Chelvanayakam and Prabakaran chosen their own different paths, except that they represent two different generations, and two different chapters of the Tamil freedom movement.

(Thamil Sangam)

Can the LTTE...

Cont. from page 6

It appears that the Shan secessionist movement is content with the 'limbo statehood,' as its principal interest by the late 20th century had apparently become the illegal production and export of opium from areas near the border with Thailand, an area known as the Golden Triangle.

For China, the Shan semi-state, which is contiguous with part of its Yunan Province, is a convenient wedge into Myanmar, one that gives it critical leverage over the strategic affairs of that country.

'Thamileelam' has also emerged as a 21st century semi state in the

northeast of Sri Lanka. The Ceasefire Agreement cemented the semi state-status of Thamileelam in February 2002, based, as it is, on the line of control and the strategic parity of military force in the island.

Among other things, the semi state of Thamileelam lies at the post-Cold War geopolitical juncture intersected by the strategic ambitions of India, the US (and its military allies, including Japan) and China in the Indian Ocean.

Of these three, only India and the US led military coalition have the capability to impact directly on the future of the Thamileelam semi-state.

But neither have the military or political compulsion necessary (as of now) to negate the semi statehood of Thamileelam.

Instead, it appears that the inclination on either side is to prolong this semi statehood as a potential check against the growth of the other's influence in the island.

For example, if we take Thamileelam's semi-statehood out of the strategic equation in Sri Lanka, what would act, for Delhi, as a critical brake on the island's slide into the US fold?

On the other hand, in the absence of Thamileelam's semi statehood

would the US and its allies be able to choreograph the peace process in a manner that could provide them a counter handle to India on the island's strategic affairs?

Both India and the US coalition 'managing' the talks know full well that an acceptable political solution to the ethnic conflict in Sri Lanka is not legally and practically possible. But both insist on the continuation of the talks.

This can mean only two things - they either want Thamileelam to continue in its current 'limbo' statehood for their respective strategic reasons or precipitate its withering

through 'containment.' The former seems more probable in view of the emerging geopolitical scenario in this part of the Indian Ocean.

Either way 'semi-statehood' is an entrapment.

(But one may still ponder the fact that powerful military forces in the past emerged out of 'limbo states,' which lurked long on the murky margins of the comity of ancient nations) Sliding smoothly out of this geo-strategic snare, unscathed, is the task that will politically preoccupy the LTTE in the next phase of the Tamil people's struggle for justice.

Pentagon, media agree on Iraq war censorship

By Henry Michaels

During the 1991 Gulf War, the White House and the Pentagon imposed unprecedented censorship on media coverage. With the willing agreement of the corporate-owned media, American military activities in the region were mostly off-limits to journalists. Defense Department censors cleared photos, video footage and battlefield dispatches. Reporters were allowed to travel only in "pools," accompanied by US military escorts.

With the help of this cozy relationship, the war crimes committed by the United States and allied forces were systematically covered up, while the Iraqi forces were demonized. Every mainstream media outlet reported ad nauseam that US "smart bombs" had inflicted devastating damage on Iraqi military targets, yet spared civilian lives. Only later was it revealed that the vast majority of the bombs were unguided missiles and that thousands of innocent Iraqi men, women and children were killed.

The same media organizations reported that 300 premature babies in Kuwait died when Iraqi soldiers removed them from incubators, which were sent to Iraq as loot. These Pentagon-inspired fabrications were afforded front-page treatment, but the retractions, which came months later, were buried on inside pages.

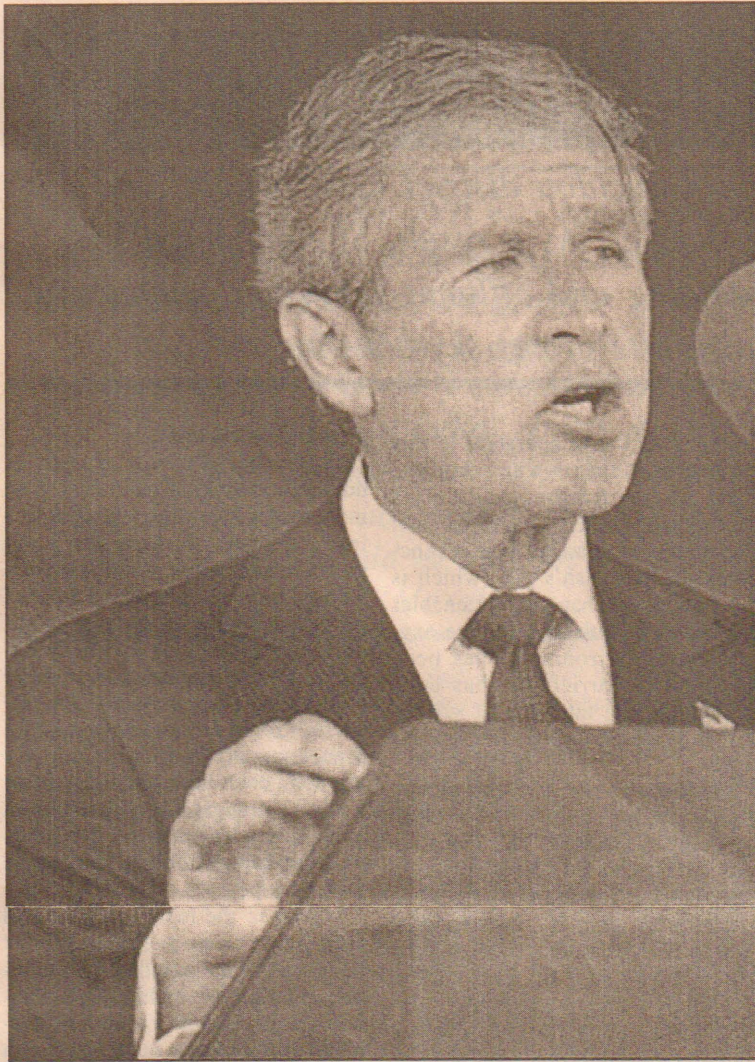
After the lies emerged, discrediting the media in the eyes of many people, the proprietors sought to blame US authorities. In a May, 1991 letter to then-secretary of defense Dick Cheney, the Washington editors of 15 big media outlets criticized the Pentagon for exerting "virtually total control" over coverage.

In reality, then as now, the media executives marched in lockstep with the US administration.

Reporters were instructed to follow "guidelines" to avoid coverage damaging to the war effort. With rare exceptions, journalists engaged in self-censorship.

Last week, confronted by deepening public opposition to the planned invasion of Iraq, the war planners and media chiefs unveiled a new, more sweeping system of media control, under the guise of providing greater access to frontline war reporters.

In the Pentagon's own terminology, about 500 journalists from selected Western media agencies will be "embedded" into the US military. Despite the White House pretence that it hopes to avoid war, reporters, photographers and camera crews have already been assigned to designated frontline



Another clause states that all interviews with military personnel should be on the record — an attempt to prevent the leaks that occurred during the Vietnam War, when servicemen anonymously divulged damaging information or expressed disgust about the conduct of the war. In the Iraq war, military staff will face disciplinary action for saying too much

units.

Attaching reporters to combat contingents is not entirely new — official war correspondents were employed in both world wars — but the embedding scheme is on a larger and more organized scale than has ever been contemplated previously. Handpicked reporters have already undertaken training to become accustomed to military discipline and conditioned to identify fully with their units.

Media commentators initially praised the Pentagon for its apparent agreement not to censor articles or broadcast footage. Yet a closer examination of the Pentagon's rules reveals numerous clauses designed to ensure that a false or sanitized picture of events is presented to

the world.

One section of the Pentagon document says there is "no general review process for media products." But a latter section says: "If media are inadvertently exposed to sensitive information they should be briefed after exposure on what information they should avoid covering."

It adds that where a military commander believes it would be beneficial to the interests of the Department of Defense to allow journalists to see sensitive information that would normally be restricted, reporters must agree to a security review of their coverage. In other words, journalists will be denied most newsworthy material unless they agree to be vetted.

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The Pentagon's rules also prevent journalists from using their own transport, so that most of the press will get to see only what the military high command wants them to see. There will be no safety guarantees for correspondents who take a chance on going it alone. On the contrary, they are being specifically warned that using their satellite phones could make them targets for unfriendly missile fire. On the Iraqi side, moreover, the opening days of blitzkrieg will make reporting highly dangerous.

In a February 18 interview on the US Public Broadcasting Service, Bryan Whitman, deputy assistant secretary of defense for media operations, disclosed some of the motivation behind the new system. He spoke of the "beauty of embedding" from the Pentagon's point of view.

"We want to be able to protect that information that is going to determine the success of an operation, and we don't want any reporting that's going to unnecessarily jeopardize those individuals that are executing that mission.... I also have never met a journalist, particularly one that's traveling with that unit, that would have any interest in compromising the mission of the unit."

Whitman confirmed that unit commanders will have final control over dispatches. "Well, clearly there is a need to protect any operational security out there. Reporters will be pre-briefed. They'll be debriefed if they come in contact with sensitive information on what it is that is inappropriate to either report on or inappropriate to report on at this time because it will affect the outcome of the operation or endanger the personnel that are engaged in that operation."

If any disputes arise, Whitman expressed confidence that the military and media "chains of command" will ensure that no adverse material is published. "I don't think that reasonable people will disagree. I think the disagreements on that type of information will be rare. And if necessary, they'll be adjudicated not only through the news organizations' chain of command but also through the military chain of command."

British and Australian correspondents may be similarly attached to their military, whereas journalists from other countries will

be excluded, making most frontline coverage dependent on the major agencies from countries actively engaged in the assault.

Some veteran war correspondents have spoken out against the Pentagon rules. Former CNN correspondent Bernard Shaw, one of a handful of journalists to report from Baghdad during the 1991 war, said in a CNN television interview:

"The idea of journalists allowing themselves to be taken under the wing of the United States military to me is very dangerous. I think journalists who agree to go with combat units effectively become hostages of the military, which can control the movements of the journalists and, more importantly, control their ability when they file their stories."

In general, the media has buried these criticisms. A greater concern, registered in a number of comments, is that a too transparent identification with the Pentagon will further tarnish the credibility of the media, especially since millions of people now have access to alternative sources of news, information and analysis via the Internet.

One comment in the British *Guardian* noted: "When Allied forces were last on their way to the Gulf in 1991, the Internet was little more than a gaggle of bearded academics swapping information on their latest computer programs. The last Gulf war heralded the coming of age of rolling news television. CNN, with reporters on the ground and in the studio, made its name by comprehensively outperforming its traditional rivals."

"But now 24-hour news is commonplace; it is the web that is opening up a world of different perspectives and viewpoints. As we've seen over the past two years, from September 11 to the subsequent war on terror and the current countdown to war, after the initial rush towards recognised news sources such as the BBC and CNN, web users started to cast their net far wider as they searched for explanation and context."

These reservations are revealing. Once the US-led bombardment of the people of Iraq commences, the Pentagon and the corporate media will be doing everything in their power to strictly control and massage the coverage of the ensuing carnage. Yet, their efforts are likely to only widen the gulf between the official political and media establishment and the international public, which has already expressed its growing hostility to US militarism. (WSWS)

Urbanisation kills nature at Sinnauppodai

By Manoharadas Manobavan

It was a blisteringly hot day in April, the year 1991. The time was about half past two in the afternoon. The heat was unbearable, even in the usually cooler environments of Sinnauppodai. It was quiet, very quiet, apart from the occasional whisk of a bicycle on the road. Suddenly, there was a cry, a cry of somebody, something, in agony. A cry of an animal dying; a cry of fear! Rushing towards the sound I found a goat being strangled by a 'cat like' thing. 'Cat like' - that's where the similarity with the domestic felines ends.

It was bigger than the goat, stockier and, with powerful jaws it was draining out the last of the life source off the goat. As if I was pre-programmed to safeguard the livestock of human kind, I found a piece of rock big enough to frighten the 'thing'. After the third stone, which was successful in making an impact on its physique, it left the goat and began to walk towards the Kannamadu on the westerly fringes of Sinnauppodai. Mind you, it didn't run, but just walked casually. There was an aura of authority about the beast.

For a moment it turned back - looked at the state of its prey and then at me, directly in to the eyes. It was the first time I had faced a 'real' predator in action - the gaze was unbearable, it penetrated deep into my eyes, very hypnotic. I can still remember the fire in its eyes. There was something very majestic about the beast - which I understood, was a wildcat or minx. A dying breed of the big cats, which was once present all over in Eurasia in plenty. I realised that it had done nothing wrong. It was simply defending its border against human encroachment. I was the wrongdoer for having disturbed its act of defending its territory. The goat died a few minutes later...

This was Sinnauppodai about a decade ago. There were myths about crocodiles in Kannamadu near the Sinhala Mahavidyala. (Kannamadu been completely filled up and is getting overcrowded with houses and a lot of concrete pavements). We had a lot of trees, most of them endemic to the eastern province. I spent most of my time wandering in the marshy woodland looking at birds and just marvelling at the trees, which would probably explain why I am still stuck at the Kingston University trying to finish a postgraduate research project in vegetation dynamics. Growing up in Sinnauppodai was

Sinnauppodai being, subjected to rapid urban development over the past decade has become a prime residential area. Displaced people from all over the Batticaloa district have bought land and have begun building houses. As a result, Sinnauppodai has become a rapidly expanding and affluent suburban community with real estate prices skyrocketing

an experience, a happy experience that I'll treasure for the rest of my useful life.

Eleven years later, on another hot day in early September, I was shocked when I looked into our well. There was hardly any water there. All the wells in Sinnauppodai were running dry. People were blaming it on the drought, saying that the year 2002 was exceptionally dry. But, this never happened in Sinnauppodai before. The yearly Statistical Handbook for Batticaloa District revealed that the district had received rainfall in excess of 2000mm in 2001, way above the average 1500mm for the district. So, we had received enough water, which leads to the logical argument that we were wasting it or not retaining it properly as ground water.

Sinnauppodai and its surroundings have been blessed with a system of interconnected water bodies, which act as recharging facilities for ground water. Thamaraikerni off the northeastern borders of the area, which lies on both sides of the Bar Road, collects runoff water and drains it to the marshes near it. When the marsh reaches its carrying capacity it then drains the excess water to the Sinnauppodai (a generic name), which is a combination of the Keeriodai, Sinnauppodai and Periyauppodai.

On the western side, Kannamadu receives run off water via a drainage system from the vast areas of Urani. And likewise excess water drains into the Sinnauppodai.

When Sinnauppodai exceeds its capacity the water is then drained onto the Batticaloa lagoon near the point where the Periyauppodai police post is located nowadays. Anybody who has tasted water from these water bodies in the late monsoon periods just after the rains will know that the salt contents of the water bodies differ. Compared to the lagoon Sinnauppodai is less salty; whereas Thamarikerni and Kannamadu have fresh water.

Speculating on this perspective with a slightly scientific eye, you would probably realise that a Sodium Chloride ('salt' to the non chemists amongst us) concentra-

tion gradient is in operation in this natural system of water bodies. This concentration gradient is something similar to the oxygen concentration gradient that is functions inside a fish's gill (which is the natural mechanism that enables the fish to breath in a relative oxygen poor environment) has been the natural barrier that has been preventing the intrusion of saltwater in to the freshwater table in the area.

Historically, the area surrounding these water bodies has been sparsely populated. The main areas of human inhabitation being the Burgher communities found in the eastern end of Sinnauppodai and in Periyauppodai. In those days this was an area of semi-natural woodlands and marshlands intercepted by the occasional coconut plantations. And, this was the case, almost to the turn of the last century.

But, what we have now is an altogether different scenario. Sinnauppodai being, subjected to rapid urban development over the past decade has become a prime

prices skyrocketing.

This relatively new growth of human inhabitation has resulted in more wells being dug thus imposing yet more strain on the local ground water table. And, how this affects the recharging capacities of the water bodies of the area is another big question as the encroachment by human populations, clearly evident in these wetlands, has resulted in the 'choking' of the Sinnauppodai. This has lead to very dramatic conditions in the environs - severe drought in the hot season and increased (most of the times uncontrollable) flooding during the monsoon periods.

However, the main scope of this article is to give a snapshot of what happened in the months of September and October of last year. Having talked to some concerned residents of the area, we, together with a lot of support from a few academics at the Eastern University began negotiating deals with the Batticaloa Municipal Council. And it was agreed since what Sinnauppodai and the surroundings was experiencing is a problem

As wetland-based ecosystems such as Batticaloa and its peripheries are becoming degraded due to human action, restoration efforts need to be more pronounced. Developing a successful restoration plan, however, depends on a solid knowledge of the system concerned. But, my question is do the developers have any idea about the system as a whole or even know enough to appreciate the fact that such a system exists?

residential area. Displaced people from all over the Batticaloa district have bought land and have begun building houses. As a result, Sinnauppodai has become a rapidly expanding and affluent suburban community with real estate

that is faced by the whole of Batticaloa in general, we called on all the government departments and local authorities concerned for a preliminary meeting to discuss the future of Sinnauppodai (or the fate

of the wetlands of Batticaloa in general).

We were fortunate enough to stumble upon some historical data in the form of survey department maps (or plans), which dated back to the year 1967. After looking at the plans it was clearly evident that whoever had planned the drainage systems in those times has had made provisions for the water bodies to function to their potential. It was also evident that they had known about the importance of the water bodies and had appreciated their environmental significance. But, what has happened in the recent times - mainly due to human inhabitation without proper foresightedness - had aggravated the problems in this highly sensitive area. These are in these modern times more advanced scientific knowledge than that of the sixties and we should be ashamed that we have done nothing, not taken even a single step, to preserve what was handed over to us by the planners of an earlier era.

So, after a lot of hype, a meeting was finally called on the 7 October 2002 in the District Secretariat auditorium. I was pleasantly surprised to see the turnout - a lot of people attended the meeting. We, the campaigners gave a general framework about the problem and let the authorities take it on afterwards. But, what happened later was not what was expected from the people who were getting paid to manage the district's natural resources. They went about criticising everything under the sun and reached no conclusion. However, a committee was set up - to take this issue forward to the people of the area.

And, a few weeks later the authorities did go to the people, meetings were held in the localities and vigilante committees were set up. Sinnauppodai was cleaned for the first time in years - thanks to a *shramadana* campaign. The people participated eagerly and the municipality made promises to collect garbage on regular basis. We, the hardcore fundamentalists were very happy about it. We even thought that environmental awareness in Batticaloa was taking on a favourable turn. It was all's-well for a few weeks, but it's back to the sad old ways of mismanagement again.

Here is an excerpt from an e-mail sent to me from one of my fellow campaigners:

"Keeriodai is getting abused day by day. Not only the garbage dumps are getting bigger, but also encroachments are getting larger. A barbed wire fence appeared suddenly on the little piece of bare



land just opposite to our house, across the odai. I informed to one of the relevant high officers immediately, he promised to inspect the place. But to my amusement two days later coconut trees were planted; garbage has also been dumped in attempt to raise the level of the land. It seems that someone bought the bank of the odai.

"I am sure in few years time half of the odai will be filled up. I am living here for the past six years. I could see that the depth of the odai is becoming less as time goes on. Nobody bothers to care. All my complaints go unheard. This December Sinnauppodai road went under water unlike in the earlier years. The Kannamadu area has been filled up completely. To reach my house I detoured through Periyappodai. The garbage dump is growing both sides of the road near the culvert day by day. It seems the authorities are determined to destroy this beautiful and a very useful water body."

What that little paragraph states in a nutshell is what has happened in the last four months after the Sinnauppodai rehabilita-

tion meeting. If these things go unattended right in the middle of the urban fringes of the city, then what is the fate of the issues in the backward areas? I am totally disappointed with the way this was treated by the people who are responsible.

On another hand, this experience can be used as a model to understand the situation prevailing in this war-torn land from an environmental management perspective. In a district that was rampaged by the cyclone of the late 70s, the natural environment was not given a single chance to repair itself due to the last twenty year's of civil war. These natural and anthropogenic influences have degraded a very sensitive environment - giving it no chance to recover. I purposely use the word 'sensitive,' as the Batticaloa district is unique in many aspects from a climatological point of view. Even though it's generally accepted that this region belongs to the Monsoonal Dry Zone, what everyone forgets is the fact that the narrow strip of land bordering the Batticaloa lagoon from Eravur to Kallar in the south belongs to the very arid climatic zone. But, this is never felt, by us the locals, thanks

to the ample supply of ground water and the wetland vegetation in the region.

This narrow strip of land is where most of the 50,000 plus of the district's population live. This is a region that is rapidly expanding as one of the East's largest spreads of the urban sprawl. As the wetlands are disappearing day by day - the threat to the environment is becoming much more severe. Drinking water will definitely be a problem. On the other hand, flooding during the monsoonal periods will become uncontrollable. Whilst this is happening in the land, the lagoon is being mismanaged in all possible ways. Land filling and prawn farming are just two examples of these acts.

I totally agree with the fact that human migration to the urban areas (in this case aggravated migration from rural areas to the city, due to the war) is unpredictable and unavoidable. But, what has happened to the planners and resource managers? Why are they allowing unauthorised landfills and uncontrollable clustering of houses?

As wetland-based ecosystems such as Batticaloa and its peripheries are becoming degraded due

to human action, restoration efforts need to be more pronounced. Developing a successful restoration plan, however, depends on a solid knowledge of the system concerned. But, my question is do the developers have any idea about the system as a whole or even know enough to appreciate the fact that such a system exists?

"Wetlands are among the most important ecosystems on earth. They provide habitats for a wide variety of fauna and flora, they perform valuable functions in hydrologic and chemical cycles by cleansing polluted waters, preventing floods, protecting shore lines and recharging ground water aquifers."

Any school child that has read his or her social studies textbook is aware of the statement above. But, why do the authorities that boast of qualifications in planning and resource management disregard these as next to nothing? A Chinese proverb that says, "it's better to be kind at home than to burn incense at a faraway place." My question is: "are we being kind enough with our environment, which is the very basis of our existence as a community?"

In the past a lot of environmental

rehabilitation projects have been started and failed to go on due to a lot of factors within, and beyond our control. The Sinnauppodai movement is yet another example of this. What is left is the sense of disappointment of a few keen individuals who have tried hard, but failed to have their voices heard amongst the humdrum of the bureaucratic machinery. So where do we stand? Where are we heading? As someone who has been trained to foresee the fate of natural systems, I fear for the fate of Batticaloa's natural environment.

Development is not about building houses or increasing the number of industries. It is also about learning to co-operate with the natural environment and developing gradually, in a more sustainable way. I am ashamed to say that the word 'sustainability' has totally been ignored in Batticaloa.

And to end all my frustration I quote a saying from the Native Americans: "We have not inherited the earth from our forefathers, but have borrowed it from our children..." (*Centre for Earth and Environmental Science Research, Kingston University, UK*)

Pullumalai awaits justice



*The ruins of a Catholic church in Pullumalai
Pic. by S. Jeyanandamoorthy*



The Pillayar kovil Pullumalai on the A5 road where, on the morning of Thiruvembavai festival in December 1984 nine persons were arrested, now lying in ruins.

By D. Sivaram

"The Sinhala soldiers came to the place in Moonkilmalai (Bamboo hill) where we were hiding. They rounded up and took away everyone who was hiding in the (Chena) plantation there. My younger brother and his wife were also captured by the soldiers. My sister in law was eight months pregnant at the time. Several soldiers raped her in front of my brother as she lay bleeding and screaming in pain on the ground. Then they slashed open her stomach, took out the foetus and trampled it with their boots. As she lay dead in a pool of blood they shot my younger brother dead through his ear. Then they put him on top of his wife.

"Near them lay six men from the village including Yoganathan, his father Aarumugam, Jeganathan and Ramaiah. The soldiers had ripped open one of the dead men's chests and had stripped out his liver and entrails. To this day still do not know what happened to the others who were taken away by the army", says Soosaimuthu Thambimuthu, who has been living in Rugam, a hamlet, 32 kilometres northwest of Batticaloa, since his family was

massacred in Pullumalai by the Sri Lankan army in 1984.

Pullumalai (which in Tamils means 'grass hill) was once a prosperous village on the A5 highway, lying not too far from the Sinhala border. The village's population was brutally terrorised and driven out of the region since 1983 by the Sri Lankan army and the elite Special Task Force commandos. The SLA and later the STF, chased the Tamil population out of the town by massacring innocent civilians in the area at least five times since 1983. No one in the village knows what happened to more than four hundred men, women and children who were taken away by the SLA and the STF during their raids into Pullumalai.

All of these are still missing according to informed persons from the village who now live in Batticaloa and the Thannamunai village, 5 kilometres northwest of the eastern town. The SLA continued to systematically massacre innocent civilians in the place until it became a ghost town by 1987. The few Tamils of Pullumalai who escaped the SLA massacres live in chill penury today. Their homes were burnt and most of their properties were subsumed or forfeited by the Sinhala state (SLA, STF) under Emergency Regulations and

the Prevention of Terrorism Act.

The Sri Lanka army arrested and murdered all the children of Kathirvelu Rasammah. "In 1983, 1984 and 1990, one by one, they (the SLA) took away her boys from Batticaloa and shot them dead", said a senior human rights lawyer in Batticaloa.

"In 1986 the SLA put up a camp in the heart of Pullumalai itself. Most young men in the village hid in the surrounding jungles on the hillocks to avoid detection and capture.

The soldiers would come to our village regularly and wreak havoc

there", Kathirvelu Rasammah said. Her husband too was murdered by the army.

Pullumalai is on the 253rd milepost on the A5 highway between Chenkaladi and Badulla in the central hills of the island. Nine men were arrested from the Pullumalai Pillaiyar temple on the morning of Thiruvembavai Festival in December 1984. Later they arrested and took away the temple's priest and several persons who had shops around the shrine. All are believed to have been murdered by the SLA. In 1986 seven men who were arrested in the village were shot dead

and were burnt before the temple.

In 1990, the SLA massacred more than 50 innocent civilians in the village. Describing the massacre, Soosaimuthu Joseph, a survivor, said: "We hid in the shrub jungle until the troops left the village. When we went back we saw a mangle of bodies. Peter and his family lay dead. There were naked bodies of women shot and killed by the army lying about. Your blood would boil over if you had seen the infants whose bodies they had ripped apart."

Pullaumalai awaits justice.