



All Quiet on the Eastern Front: Commander, women's military wing Nilavili (left) and women's political wing leader Banukaa (centre) of the Batticaloa-Amparai region meet Lt. Col. S. G. Gunasekera (civilian affairs coordinator, Batticaloa) in Batticaloa Pic. by S. Jeyanandhamoorthy

Health experts concerned

Insufficient subsidies force IDPs to drink poisoned water

By a Staff Correspondent

Internally displaced persons (IDPs) returning to Jaffna will be forced to drink contaminated groundwater because the government subsidy given to re-settlers for constructing toilets is insufficient to build septic tanks, the *Northeastern Herald* learns.

This is taking place as German Technical Cooperation (GTZ) and European Community Humanitarian Office (ECHO) try to salvage a desperate situation in Jaffna as underground freshwater reservoirs (lenses) are contaminated due ill-planned latrines.

"Due to the cost IDPs can only afford to build water-seal (or pit) latrines that are a health hazard in Jaffna due to the porous limestone soil," said Dr. N. Sivarajah, head, department of community medicine, University of Jaffna.

Environmentalists fear that the limestone rock that forms just below the surface of the soil has conduits that allow faecal and other contaminated matter to percolate to the groundwater sources and within matter of minutes pollute the wells that usually stand just a few feet from the latrines.

"The (latrine) pits are dug in the summer; in December when it rains the pits flood and the water gets sucked in through the limestone, taking with it the sewage, which end up in the freshwater - it is a perfect cycle," said Herald Kraft, consultant engineer on water management for the GTZ.

Sivarajah said the septic tank was an expensive affair, but ensured that most of the living organisms in the faeces are destroyed. "The septic tank has three chambers. The second chamber is both air and watertight. It is designed to hold faecal matter for

two weeks during which time 90% of the pathological organisms die. It then goes into the third chamber into the soil," he explained.

The recent rains and unprotected water-seal pits have given rise to the threat of cholera in Jaffna. Kraft had visited the house of a cholera victim. He said the water table had risen due to rains and opening the toilet pit he found water up to the brim. Since there was a well nearby and channels for the contaminated water from the pit of the cholera victim to reach wells used by his neighbours, the pit was sealed.

The disregard of the authorities to sewage in the reconstruction programme in the urban areas is even more hazardous than in the rural areas. "I have told the authorities that before they begin the reconstruction programme at Chavakachcheri the sewage sys-

tem has to be installed. So far my advice has fallen on deaf ears," said Sivarajah.

He said he had proposed to the first Jaffna Plan that due to the congestion in the urban areas in Jaffna there was no alternative but to build a sewerage system. He said in areas such as Gurunagar there was scarcely 10-15 feet between the wells and the toilet pits leading to wells holding contaminated water.

This phenomenon he said is not new. "About 10 years ago, ice cream from a factory in Jaffna town was causing widespread stomach infection. Investigating, I found the water in the factory's well was being contaminated by the water from the nearby Ariyakulam," he said.

He said the sewage from homes near Ariyakulam was going into the *kulam* (tank). However, not only did the tank become polluted, but

also the porous limestone had succeeded in permitting the water to seep into the nearby wells.

Kraft agreed the groundwater that entered the lagoon near areas such as Gurunagar was highly contaminated leading the GTZ to repair the pipe-borne water network, which pumped fresh water from the Thirunelvely and Kondavil well fields.

Sivarajah said there were about 12 towns in Jaffna and if sewers could be built in each of them about 30% of the Jaffna population would have access to well-sealed toilet systems that did not pollute the ground water.

"People do not understand the importance of prevention. You have to realise the public does not drink boiled water. Therefore, a way has to be found to prevent contaminated water getting into soil - that is the bottom line," Sivarajah said.

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India mulls participation in Lanka peace meet

India said on Wednesday it had not yet decided whether it will participate in a meeting in Norway where international political support is expected to be declared for Sri Lanka's peace process with Tamil Tiger rebels.

"The matter is under our consideration. There has been no decision taken on India's participation," India's foreign ministry spokesman Navtej Sarna said.

He added there was no change in India's ban on the rebel Liberation Tigers of Tamil Eelam (LTTE).

Sri Lankan government peace negotiator Milinda Moragoda said in Colombo that he would be going to New Delhi on Thursday to brief Indian Foreign Minister Yaswant Sinha on the developments in the Norwegian-backed peace process.

Moragoda, who is also Economic Reform Minister, said his visit was in line with an agreement between Prime Minister

Ranil Wickremesinghe and Prime Minister Vajpayee.

The Oslo "support meeting" has been called for the international community to pledge their backing for the peace process with a strong political message as well as cash to rebuild the island's embattled regions.

The meeting is to be addressed jointly by Wickremesinghe and the chief negotiator of the Tamil Tigers, Anton Balasingham, on November 25.

The Tigers had been leading a drawn out campaign for an independent homeland for minority Tamils. More than 60,000 people have been killed in fighting in the past three decades.

However, the two sides have been observing a Norwegian-arranged truce since February. There had been ceasefire violations, but a Scandinavian monitoring team has said they were not serious enough to jeopardise the peace process. (AFP)

Security for all means rights for all

Real security can only be achieved through full respect for the human rights of all, Amnesty International warned today as Ministers of Defence from all over the American continent meet in Santiago, Chile, to discuss regional security.

In the aftermath of the 11 September attacks in the USA and in the face of the serious regional ramifications of international drugs trafficking and the Colombian conflict, governments in the Americas are coming under increasing pressure to adopt measures to ensure national and regional security.

"Action taken region-wide to respond to these serious challenges to security has raised grave human rights concerns, and

appears to be based on the premise that the basic human rights of individuals can legitimately be sacrificed in the name of collective security," Amnesty International said.

"This is a false assumption and a dangerous one. Far from being incompatible, security and human rights are complementary. Undermining individual rights and freedoms can only exacerbate insecurity and political volatility," the organization warned.

Amnesty International insisted that human rights, as enshrined in UN and Inter-American treaties, must be the cornerstone of national and regional security policies, and that strict human rights conditions should also apply to all agreements of cooperation between countries, including the transfer of military aid.

TNA wants EPDP disarmed

The Tamil National Alliance (TNA) Wednesday appealed to the United National Front government to take immediate steps to ensure that no one engaged in political activity in Neduntheivu and Kayts in Jaffna district is armed. "The UNF government should take appropriate action to diffuse the situation and to assure the people of Neduntheivu and Kayts that they will not be subjected in the future to the violent and undemocratic actions of the Eelam Peoples Democratic party (EPDP)," said in a press release issued by the parliamentary group leader of the Tamil National Alliance Wednesday.

The full text of the press release is given below: -

"The parliamentary group of the TNA desires to keep the country informed of the background and circumstances relating to the confrontation now taking place at Neduntheivu in Kayts, between the public and some members of the EPDP who claim to have entered Neduntheivu in order to recommence their political activity.

"Neduntheivu is an isolated island within the original Kayts electorate in the Jaffna district.

"For more than the past ten years the Kayts electorate inclusive of the Neduntheivu Island was under the armed control of the E.P.D.P. The people of Kayts electorate inclusive of Neduntheivu were suppressed and not free to

exercise their civil and democratic rights. The people of Kayts Electorate including Neduntheivu strongly feel that members of the E.P.D.P are responsible for several unresolved crimes, including murder. Not even a police station could be established in Neduntheivu in view of the opposition of the E.P.D.P. It is well known that the Naval personnel present in Kayts were blindly supportive of the E.P.D.P. and all its activities.

The E.P.D.P did not permit any other political party to engage in any political activity in any part of the Kayts Electorate. In November 2001- the candidates and supporters of the Alliance of Tamil parties who went to Kayts, to conduct their election campaign, were obstructed and severely beaten up. Two supporters were killed and several others were grievously wounded, amongst whom were Mr.M.K.Sivajilingam and Mr.Mavai.S.Senathirajah who were elected Members of Parliament, and who have not yet fully recovered from their injuries.

"During the 2001 elections, the Alliance of Tamil parties appealed to the Commissioner of Elections to have a police post opened at Neduntheivu, but it was not possible to do so.

"The E.P.D.P in this situation was able to carry on mass impersonation and stuff the ballot boxes. The officials posted to the polling Booths within the Kayts Electorate either connived with the

E.P.D.P or were mute spectators.

"It was the resentment against such violent and anti-democratic actions of the E.P.D.P that was the cause of the agitation carried on by the civilian population at Neduntheivu against the E.P.D.P. The absence of any agitation by the civilian population on behalf of the E.P.D.P despite the presence of the E.P.D.P members at Neduntheivu is clearly indicative of the genuine feelings of the people.

"It is essential that this background to the present situation is clearly understood.

"There are allegations that the E.P.D.P members who entered Neduntheivu did so in service fatigues and that some of them were armed. Some members of the E.P.D.P were transported in Naval Craft.

"It is imperative that the Police and naval personnel at Neduntheivu should act impartially. The genuine resentment of the people of Neduntheivu cannot be suppressed by force either by E.P.D.P or security personnel

"We request the Government to defuse the situation; by taking appropriate action to ensure that no one engaged in political activity is armed and also assure the people of Neduntheivu and Kayts, that they will not be subjected in the future to the violent and undemocratic actions of the E.P.D.P.



Children in a school at Olumadu pic by D. Sivaram

Truth, triumphalism and time – and the ‘conflict flick’

By Rajpal Abeynayake

There is news that a movie on the war in Sri Lanka has made it big in Oslo. The title *In the name of the Buddha* suggests that the movie is not very flattering from the point of view of the Sri Lankan state.

War movies can be like history. They say the winner writes the history – and often the winner controls the war memorabilia, including the movies, even though this may not be strictly relevant in the Sri Lankan case.

The Vietnam War for instance, spawned a whole culture of movies, which however looked at the war from the point of view of the often-victimised American GI. After all, America did not have the very sanguine hoped-for outcome in the Vietnam War. If the Vietnam War took a different trajectory than it did, the movies that emerged from that era would have been entirely different, and would have been marked by unabashed triumphalism.

But, as always, with time, the true picture tends to emerge. The true histories of wars or nations get written, often very much after the dust has settled on the war. For example, there have been

various movies on the holocaust, but some survivors such as Roman Polanski have waited until very recently to come out with their movie versions. The criticism these days of Polanski has been that he has been ‘too faithful to the story’ – that ‘too much history makes for too little artistry.’

Obviously, immediate post-war recreations of the holocaust were playing to the immediate feelings of outrage of the people. But with time, the real, if not sober versions tended to arrive.

Though there may not be direct parallels, so will it be with the Sri Lankan conflict. *In the name of the Buddha* may or may not be very disparaging of the role of the Sri Lankan state in the conflict (I do not know, I haven’t seen the movie), but it appears that the film is ‘heavy on artistry and probably not necessarily faithful to the actual history of the conflict. At least the title seems to suggest so. Anyway, at least a movie I have seen on the Sri Lankan conflict (*Saroja*) seems to suggest that it is difficult to get at the sober reality of a conflict, while the conflict is ongoing. *Saroja* is an emotional roller-coaster, and recently I was bemused on seeing one lady complaining at a public

Saroja cannot be accused of being a peace movie or a war movie, but Saroja is a film that portrays the conflict from one dimension – and essentially ignores the multi-dimensional complexity of the war that was fought. It is not as if the director can be faulted for not going into all aspects of the war – he made his movie, he didn’t make ‘our movie’, in the sense that Saroja is his particular take on the conflict.

showing of *Saroja*, that it is a ‘peace movie.’

Saroja cannot be accused of being a peace movie or a war movie, but *Saroja* is a film that portrays the conflict from one dimension – and essentially ignores the multi-dimensional complexity of the war that was fought. It is not as if the director can be faulted for not going into all aspects of the war – he made his movie, he didn’t make ‘our movie’, in the sense that *Saroja* is his particular take on the conflict.

But the point is that with the

advent of time, and with within a more dispassionate setting that is removed from the immediate one that is associated with the conflict, truer works are bound to emerge. These will probably not have names such as *In the name of the Buddha*. *In the name of the Buddha* seems to have bought the movie rights for Thambiah’s *Buddhism Betrayed*. No I am not being serious – but a compendium of artistic interpretations to date of then Sri Lankan conflict, seems to suggest that artistes are just

beginning to come to terms with the conflict.

Polanski in his movie gives out the clear message that all generalisations are unfair. For instance, his holocaust movie tackles the subject of the Jewish police in the Warsaw ghetto. “They were no less dangerous and pitiless than the Germans themselves,” writes the author in the work on which the film is based.

But you could bet that such an authentic treatment of the holocaust is now emerging for the simple reason that there is a certain ‘permission’ that time has granted for artistes to be authentic and not necessarily pander to the emotional needs of the victims or any of the other key actors that emerged in the aftermath of the event.

If movies such as *Saroja* – or *In the name of the Buddha* – get rave reactions, it is better to sit back and enjoy, and leave with the reaction ‘movies will be movies.’ But, maybe 15 years down the road, there will be a real work about the Sri Lankan conflict, that will at that time perhaps, be accused of ‘being too faithful to history.’ But everybody will know of course by that time that this was the real story.

How Ottawa is selling out our privacy

By Jim Travers

High on the embarrassingly short list of this government’s accomplishments is a nasty piece of deception. With help from its Washington friends, politicians first convinced themselves, and are now trying to convince the rest of us, that it’s possible to guarantee national security but not personal privacy.

Sadly, Jean Chrétien’s folks have grasped that argument firmly by the tail, not the more elusive head.

At best, security is a distant goal, something that can only be marginally improved short of closing an open society.

Talk to anyone here who knows anything about terrorism and they candidly admit that, 15 months after the attacks on New York and Washington, this continent remains vulnerable to another, equally twisted atrocity.

Instead of turning North America into a fortress, governments on both sides of the longest blah, blah border have essentially issued themselves a multi-

billion-dollar political insurance policy.

Should Al Qaeda or a fanatical affiliate strike a second time, the Bush administration will claim it has done everything possible to protect the American people.

Its proof will be the War on Terrorism, the Hollywood-ready confrontation with the Axis of Evil and last week’s decision to merge nearly two dozen independent enforcement agencies under a single homeland security umbrella.

Up here, Liberals will parrot parallel claims. After all, the federal government pushed draconian anti-terror legislation through Parliament, reversed the decline of the Canadian Security Intelligence Service and, in total, committed more than \$7 billion to smart borders and more policing.

That money will be judged well spent if the primary goal is accomplished: giving the U.S. enough confidence about its northern border that it doesn’t squeeze this economy’s sustaining exports. But it doesn’t make Canada bullet- or bomb-proof and, worse still, \$7 billion is a small part of the

cost.

As federal Privacy Commissioner George Radwanski warns, the search for largely illusory security is stripping citizens of a fundamental right that both the Supreme Court and Charter of Rights and Freedoms recognize as a cornerstone of free societies and Canadian life.

What rightly worries Radwanski is that privacy is being lost to government initiatives that fail the critical test that they are necessary and make the nation demonstrably more secure.

His fears are far from abstract. Along with intrusive measures introduced last year in omnibus anti-terrorism legislation, government agents are now collecting detailed data on all international travellers, will soon try to snoop on electronic communications and, remarkably, are talking foolishly about a national identity card loaded with personal, intensely private information.

Leave it to politicians, mandarins and civil libertarians to argue over the balance between security and privacy.

What really matters is that

criminal investigation is moving from the specific to the general. Rather than using accepted, carefully controlled methods to pursue individual suspects, government and police are together gathering, collating, storing and sharing personal information on everyone just in case it proves useful.

That’s dangerous and wrong. Against all available evidence, it assumes police and bureaucrats won’t abuse their authority or simply make mistakes. And it’s wrong because it relies on a facile argument to take by stealth something that is irreplaceable.

That argument, one Radwanski hears too often, is that those who have nothing to hide have nothing to fear. If that were so, Canadians would willingly present their papers on demand, allow authorities to randomly search homes and cars as well as monitor any conversation.

More reminiscent of faded spy movies than a country Canadians would recognize, those are the common characteristics of police states.

What most worries Radwanski and provincial privacy watchdogs now

joining his cause is that a government desperate to please Washington is, without much opposition, selling out our privacy. “Canada is a different country, a sovereign country, with our own values and rights and saying ‘the Americans are making us do it’ is just not a good enough argument.”

Washington has every right to protect itself just as the rainbow of Canadian security and law enforcement agencies has every right to lobby for powers letting them do their jobs better and more easily.

But it is the federal government’s inescapable duty to scrutinize every demand, every request to ensure citizens are protected from unwarranted nosiness.

The sweeping erosion of those rights without even a credible explanation is damning evidence that politicians are protecting themselves from future political fallout by deceiving Canadians that they can make us secure while they undermine one of the few things that will keep us safe.

(Toronto Star)

Scathing report on Human Rights Commission of SL

By J. S. Tissainayagam

The Alternate NGO Consultation of the seventh Asia-Pacific Regional Workshop on Human Rights Institutions released a scathing report on the Human Rights Commission of Sri Lanka (HRC), which was prepared for a meeting held in New Delhi earlier this month.

The report that covers countries in the Asia-Pacific region minces no words in the very first paragraph on Sri Lanka when it says, "The operations of the HRC were ineffectual, hampered by internal divisions and administrative lethargy. This period of 'toothless' weakness extended into the beginnings of the next commission. However, since last year's meeting of the Asia Pacific Forum of National Human Rights Institutions in September 2001 in Colombo, the HRC has shown noticeable improvement in its strategic vision, although practical problems remain in abundance."

The report goes on to state critics of the HRC "ascribe responsibility for its failures to a lack of implementation of its own enabling legislation." But the transgressions of the HRC go deeper than that when one considers the powers bequeathed on that institution and the socially irresponsible way its present and past commissioners used it.

The Human Rights Commission of Sri Lanka Act No.12 of 1996 gives extensive powers to the commission to "address complaints of fundamental rights violations and to assist the government in furthering the promotion of those rights." Among these, the report says, is the power to assess the compatibility of Sri Lanka's national laws with international standards.

During the past four - five years, Sri Lankans on both sides of the ethnic divide have been engaged in denouncing the PTA as a draconian legislation that contravened standards laid down in the UN Declaration of Human Rights and other international instruments such as the ICCPR and ICESCR. Did we even hear a murmur of protest against the PTA by the esteemed members of the commission, either past or present?

It has been left to human rights activists, lawyers and journalists to shoulder the burden of working towards either the total repeal of the legislation or its reform. Sustained public encouragement from an institution of the standing like the HRC would have given a tremendous boost to that campaign, but it did not come.

On the other hand, it could have applied silent pressure on the government towards achieving the same objectives. Even if it did do

so, there was scant regard paid by the government. If indeed the HRC were an independent organisation of standing the government would have been forced to adhere to its call. But it remained for the MOU - signed by two armed groups - Sri Lanka and the LTTE - to apply effective pressure even if it was only to suspend the operation of the PTA for arrest and detention in the north-east.

Continuing its castigation the report states section 14 of the Act allows the commission to initiate investigations, "indicating the HRC should be a proactive organisation ... seeking out violations and implementing preventive measures."

The HRC has been disgracefully negligent of its responsibilities despite these powers conferred on it. The police arrested Anthonipillai Napoleon, a lad medically described as being mentally unsound. After 40 days of detention, the police produced him before the Polonnaruwa magistrate who remanded him on a fabricated charge that he had spied for and fed the LTTE. He was released after 21 months in remand on a FR application filed by the Home for Human Rights and is now undergoing treatment at the Tellipalai mental hospital.

Napoleon's mother had complained to the HRC's Vavuniya office. Though Vavuniya forwarded the case to the Colombo office, absolutely no action was taken against the errant policemen. Therefore, let alone initiate investigation, the HRC compromises its mission by even evading taking action on state officials whose misdemeanours have been referred to them.

The powers conferred on the HRC include recommending "to the appropriate authorities, that prosecution or other proceedings be instituted against the person or persons infringing such fundamental rights." There have been numerous examples of custodial torture and even rape by members of the security forces on prisoners but nary a word by the commissioners against such practices. It has been left to NGOs to highlight these matters.

It is on record the attorney general has indicted members of the security forces for torture on only six occasions during the 23-year period the PTA has been in existence. And why not, when statutory bodies like the HRC have been so shamelessly irresponsible in carrying out their functions?

The report also accuses the HRC of being Colombo-centric despite 53% of its 5,400 complaints being recorded at its regional offices. Quoting the UN Handbook, which recommends that national institutions develop procedures whereby witnesses and complainants do not have to come in search of redress but national human

To the south, all institutions - state, semi-state and private - have to be harnessed towards one objective: to see the unity of this country is preserved. And the HRC in the past has worked more towards such an end than adjudicate justly and fairly in matters involving the Tamils

rights institutions go to the public, the report states the HRC's regional offices are starved of resources.

It says further that though the Act provides for sub-commissioners, "the procedure has never been followed ... so that cases are sent to Colombo, without the accompanying benefit of in-person supervision by a regional officer."

The importance of resourceful regional offices cannot be gained when we look at what happened in 1995 after Operation Riviresa in Jaffna. Though admittedly before the establishment of the HRC, the obvious shortcomings of a Colombo-centred human rights organisation may be seen in this quote from Gaps in the Krishanthi Kumaraswamy case: Disappearances and Accountability, by the UTHR. Describing the suicide bomb attack aimed at former Minister Nimal Siripala De Silva in which Brigadier Hamangoda was killed, UTHR says, "The system went into panic and Jaffna was blacked out to journalists. The defence ministry ran the show... The HRTF was told to stay out of Jaffna till things improved."

The HRTF (Human Rights Task Force) was the HRC's predecessor. The fallout of having organisations without adequate authority and presence on the ground in the regions is best seen only during times of war. Human rights enforcement has had and will have similar setbacks because the HRC too has a Colombo orientation.

One can go on enumerating the shortcomings of the HRC ad nauseum. But we should ask ourselves why is this sorry state of affairs prevails in a statutory body created with, apparently, the best of intentions. The report attempts some explanations.

It says, up to now there have been two commissions, each serving a three-year period. Referring to the shortcomings of the first commission, the reports describes Justice O. S. M. Seneviratne's incorrigible laziness as the "first chairman's temperamental resistance to all activity," and, "attempts to launch ... (an) institution ... for human rights protection was stymied by a leadership

that preferred stasis to action."

The report's indictment of the present commission (the second) is less voluminous but equally damning. Stating that concern about its independence has not been felt as acutely as its predecessor's, the report says, "Whatever limitations imposed on the HRC's activities comes from political timidity within the Commission."

Political timidity is a euphemism. Godfrey Gunatilleke (acting chairman), N. Selvakumaran, Manori Muttetuwegama, Sarath Cooray and Faiz Mustapha (who resigned to become Sri Lanka's high commissioner in London) stand here accused of spinelessness. What are they frightened of: the executive president, the police and the security forces, Sinhala extremists? We do not know.

The competing explanation is more sinister, but it has been observed in Sri Lankan public life. Commissions, both statutory and non-statutory, appointed to discharge judicial or semi-judicial functions have deliberately acted in ways detrimental to the Tamils.

Why is it that the HRC spends its time looking into "pension delays, premature retirement, denial of promotions, unfair transfers ..." while there are more pressing matters? The report alleges it is the result of incompetence. But is the preoccupation of the HRC over such trivia, while matters that vitally affect the Tamils - reform of the PTA, bringing torturers to book, adhering to the Supreme Court's orders to forward reports etc - lie unattended, merely incompetence or deliberate racism?

Though the matter is yet to be finalised, the committee appointed on the STF shooting at Kanchirankudah produced a report where there was an obvious divide along ethnic lines in the conclusions. While Air Vice Marshall Harry Gunatilleke (Rtd.) and Retired Judge Oliver Weerasena held the STF was justified in using force, the sole Tamil member Samithamby Vivekanandan vehemently criticised the action in his dissenting report.

Vivekanandan at least had the guts to stand up for what he thought was the truth. Tamils appointed to other commissions do not always

possess the same rectitude to show open dissent, either through fear or other 'obligations.' Unfortunately, such 'political timidity' gives rise to unanimous verdicts and recommendations cutting across ethnic lines on important matters for which these commissions are appointed resulting in a compromise of the rights and freedoms of the Tamils.

The report states the composition of the HRC gives priority to ethnicity at the expense of gender. While being in total agreement with this opinion, it has to be also said that weight age given to ethnicity has not delivered the goods. The working of the commission goes to show that institutional responsibilities, adherence to uniform regulations and ethics are hardly more than myths in this country. It is the individuals and their predilections that rule the day.

The report has come out at a crucial time for the HRC. The time has come for the incumbent commission to go and a new commission is to be appointed and a women's rights activist, well entrenched in the UN system is expected to chair it. The report sounded positive because the appointment of the new set of commissioners is to be vetted by the Constitutional Council, which was not in existence for the previous two appointments leading to the ruling party making the selection.

One is sceptical as to whether the Constitutional Council will help. The HRC in the last six years has developed a work culture and biases. Some months ago this writer met one of the commissioners. You should have seen the anxiety and concern with which he inquired whether the LTTE was adhering to human rights. Rather than putting his house in order, here he was shedding crocodile tears for Tamils suffering under the LTTE.

More than incompetence or racism, the mindset of the commissioners seems to emphasise the working of the HRC should not destabilise the state, because it will be of advantage to the LTTE. To the south, all institutions - state, semi-state and private - have to be harnessed towards one objective: to see the unity of this country is preserved. And the HRC in the past has worked more towards such an end than adjudicate justly and fairly in matters involving the Tamils.

It is best the new commission is reminded that fair play and justice towards the Tamils and standing up against the executive and administration when the rights of citizens are violated might be the very thing if this country is to remain united. This could very well be our last chance.

Privatizing transport: helps profit but not the public

By Jude L. Fernando

The post-1977 economy of Sri Lanka can perhaps best be characterized as 'free market anarchy.' It neither follows economics textbooks, or the experiences of the 'advanced capitalist' countries.

First, there is virtually total freedom for anyone to engage in any type of economic activity. There is no national development plan, nor are there any enforceable rules and regulations to guide the economic activities as long as one can solicit political patronage, pay bribes, or use muscle power. Second, the planners suffer from the gross misunderstanding that the capitalist economies are unplanned and that the role of the state is minimal. Third, the rationale underlying post-1977 economic restructuring is based on the belief that under the prevailing global economic climate, developing countries can successfully emulate the economic models of the 'developed' countries.

Take privatization of transportation as an example. By privatization I mean both progressive dismantling of the public transportation system and increasing use of private vehicles. Theory and empirical evidence worldwide, particularly in the context of third world countries, do not support the arguments in favor of a positive relationship between privatization and economic development, even when the latter is defined in pure capitalist terms. In developing countries, privatization undermines and places insurmountable obstacles for capitalist development and accentuates the economic and social disparities and makes the environment inhabitable.

Current transportation planning worldwide is biased toward private automobiles and the privatization of the public transportation systems. The primary motive is not economic efficiency, but the profitability of the automobile industry desperately seeking new markets and inexpensive dump yards to dispose of used vehicles.

The post-1977 increase in the volume of traffic in Sri Lanka has significantly increased travel speed and reduced the safety and mobility of pedestrians and cyclists. New roads and well-mannered drivers are unlikely to mitigate these travel hazards. The increase in private automobiles has overloaded the environment's finite capacity to absorb waste, physically modified or destroyed habitats, and consumed resources more rapidly than they can be regenerated or replaced. This has slowed the efficient

It is rather unfortunate that the bus operators are primarily blamed for the traffic congestions and accidents. These are really a result of a chain of decisions made by high-ranking politico-business alliances responsible for unsustainable transportation planning and implementation

movement of labor and commodities essential for capitalist development, in addition to increasing the fiscal costs of traffic management and new infrastructure.

People pay a horrendous price for transportation and suffer from serious health hazards due to auto emissions and smog. The urban neighbor hoods are fast becoming uninhabitable. Due to the heavy concentration of the industry in the western province and privatization-induced social dislocations the poor especially, pay a higher percentage of their income on transportation needs than middle class and wealthy households.

From a social perspective, the towns and streets in Sri Lanka are becoming extremely unattractive places to be. Aesthetically pleasing scenery and greenery is rapidly being destroyed, the air is tainted with carbon monoxide, and vehicles only three feet away from the sidewalk provide for a non-existent street and community life. The proposed high-speed roadways will divide and displace communities, and create barriers more efficient than concrete walls.

Sri Lanka does not understand the difference between a bus stand and a city. The entire city of Kandy is one big bus stand. The city is no longer attractive either for pleasure or for business. Unpleasant exchanges between people trying to vent their frustrations are more common than smiling faces that once characterized the city. The concentration of over 10 schools and hospitals along main roads, in addition to numerous offices and businesses in the town and chaotic traffic congestions is a classic example of Sri Lanka's failure to combine land use patterns with transportation planning.

The lack of civic responsibility and the power of the private entrepreneurs are well illustrated by taking over of land by car sales companies, (who ironically advertise their products on the elephants in the Esala Perahera) and the pri-

vate hospitals using public roads as parking lots despite legal stipulations against it, are just two examples

The benefits from the increasing use of mini vans has, in addition to increased travel times and costs, raised parent's anxieties for their children's safety. Children are also deprived of a wider social life that they enjoyed in the conventional school bus system. Their life is constrained to travel, school and tuition. The privatization of the transportation system also privatizes and fragments social life and creates a false system of values that undermines the community.

Increasingly, poor students are confined to schools with lower travel costs and in the poor areas and there social divisions between those to travel to school

unto themselves. They can afford to do so partly, because of the backing of the politico-business alliance and the law enforcement authorities, which happen to major investors in the sector. *It is rather unfortunate that the bus operators are primarily blamed for the traffic congestions and accidents. These are really a result of a chain of decisions made by high-ranking politico-business alliances responsible for unsustainable transportation planning and implementation. The majority however, believes that the private bus operators are typically uneducated, unruly and uncivilized, are held completely responsible for the horrendous increase in accidents as opposed to the gentlemen and ladies in private automobiles!!!*

The increase in traffic volume under the present conditions has also increased air and noise pollution, contributed to the greenhouse effect and the depletion of fossil fuels. Paved surfaces for parking lots and roads divert rainwater into storm drains preventing the natural replenishing of the land with water and leads to the concentration of pollutants and toxins into the waste stream to be dumped into our lakes, rivers, and oceans. This is not to say that we don't need new roads, but the construction of new roads is not going to address the problems of transportation. The expansion of road capacity and other infrastructure is harmful to the majority and the economy. Wider roads and larger

profitable or increase their market share. Within the context of the current global economic slowdown and the trends in foreign investment, Sri Lanka is unlikely to economically benefit from another airport. The takeover of 25,000 acres of land will not only displace populations, but also bring serious environmental consequences and increasing external debt.

Dismantling of public transportation by the automobile has subjected the country to the vicissitudes of world petroleum prices. In the developed countries, the automobile industry spurs economic growth and its profits are invested in their economies and the basic standards of living increase. Whereas in Sri Lanka, the privatization of transport systems does not, for the most part, boost economic growth. It simply increases the production costs and has resulted in drain of foreign resources and increases the country's personal and external debt, and consequently undermines the overall well being of its population.

Privatization benefits only a few automobile manufacturers, their countries and their sales agents in the developing countries. The automobile industry worldwide functions as a Mafia by controlling the media, the political and cultural values of the people, and seeks to destroy any other mode of transportation that obstructs the profitability of the industry. People are ideologically conditioned toward private ownership of automobiles and to change the models of their autos as frequently as possible. The models are sold not simply as a means of transportation, but a source of identity, freedom and security. In order to sustain cheap petroleum prices, developed countries have no option but to politically control the lives of those who live in the petroleum producing countries now posing serious threats to the global security. Why should Sri Lanka be a part of the highly probable global economic turmoil centered on a few people's love affair with the private automobile?

Even in the developed countries, automobile-spurred growth is in a serious crisis. Congestion costs urban regions billions every year, air pollution and runoff have grown to unacceptable levels, and inner cities have become cash-strapped wastelands. Efforts to stop highway construction, encourage mass transit, pedestrian and bicycle modes are now gaining currency in some of those communities.

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In reality planning and markets are not analytically or empirically distinguishable. The false dichotomy between them is based on a widely held association between planning and public intervention and governmental or state regulation and action, as opposed to private enterprise in the supposedly unplanned market

public transportation and those who do not are widening. Walking long distances to school has a negative impact on school attendance and the educational performance of students, as parents have to spend more for mini vans than education and nutrition of children.

Private bus drivers are a law

parking facilities cause environmental hazards and increase local property values and tax rates.

The proposed international airport in Mathugama does not make economic or environmental sense. The global airline industry is in crisis and it is becoming extremely difficult for even economically and politically powerful ones to remain

NORTHEASTERN HERALD

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Bureaucracy, the stumbling block

At the cost of repetition the *Northeastern Herald* highlights again this week, the challenges re-settling internally displaced persons (IDPs) and refugees will have to encounter due to poor planning by government authorities. Though poor planning is not exactly a new phenomenon in this country, it assumes a new dimension in the face of refugee and IDP re-settlement.

There has been a keen interest shown by the international community in the peace process, which the Oslo meeting scheduled for 25th November is expected to endorse.

The interest cannot be without an underlying selfishness. Their societies are swollen with what they regard as a criminal underclass – refugees – that has to be sent home. Therefore, it is in the interest of the international community to see not only a semblance of normalcy is restored in the conflict situation in the northeast, but also a tolerable welcome awaits the refugees when they return to the land of their birth.

But what will the refugees and IDPs find when they arrive? Brand new houses perhaps, but with inadequately protected sewage disposal systems, which at least in Jaffna, is bound to cause severe epidemics and diseases. Cholera, prevalent in Jaffna right now, is attributed to groundwater contamination through latrine pits allowing faecal substances to seep into the soil.

The question is: is this the life these wretched people will return to? They were displaced due to actions by the state apparatus – military and the bureaucracy. Their return is in the expectation that the state would have provided for their wants including a habitable home with facilities that adhere to basic hygiene.

NGOs and other experts have complained time and again that despite advice given with the best intentions, state institutions lend a deaf ear. In the case of groundwater contamination there have been several interventions by relevant authorities requesting that government organisations like the hospital desist from pumping poisonous waste into the sea, that the military stop emptying oil in areas which could lead to groundwater contamination, that the government encourage the use of tiles rather than asbestos for roofing as the latter causes cancer.

But these admonitions have either been ignored or not taken too kindly by government authorities. As in most other things, NGOs and experts have come to regard Sri Lankan officialdom as the proverbial donkey that may be taken to the water but not able to be made to drink.

The added problem is the plethora of institutions that are involved in rehabilitation, reconstruction and resettlement of refugees and IDPs. Officials dealing with government ministries and department cry out in consternation at the duplication of work and red tape, which goes with permissions and approval, obstructing the smooth implementation of rehabilitation programmes.

The racism inherent in small-time government officials is well known in this country. Once before, in 1987, the EPRLF provincial government became keenly aware of the obstacles they put in executing the 13th Amendment to the Constitution. It appears the remnants of such an attitude remain, causing needless problems.

It has to be clearly emphasised that if the peace process were to suffer due to a recalcitrant state bureaucracy the blame will lie squarely on the government's head. At a time when the military seems prepared to accommodate some of the Tamil demands, a stubborn bureaucracy should not be permitted to remain a stumbling block.

Creeping pogrom against Muslims in the south

"There is a creeping pogrom against the Muslims in the South. It is being well orchestrated by a powerful group of Sinhala Buddhist nationalists that includes some top business families and ruling party and opposition politicians. The press is trying to cover up and deflect the matter by describing the clear manifestations of this creeping pogrom as clashes between two groups of people", observed a Muslim intellectual in Kattankudy in Batticaloa during a discussion about the Muslim question in Sri Lankan politics with the *Northeastern Herald* this week.

"The attack on Muslims in Mawanella was also described in this manner. The Sri Lanka Muslims Congress (SLMC) knows there is a concerted effort by Sinhala extremists backed by several big business houses to undermine the Muslim community physically and economically in the south. But the political and business interests of its present leaders are closely bound to the Sinhala establishment in the south. Hence, the SLMC is able to make only mild noises about this emerging threat to our safety and security in the south. As in 1915, the fundamental reason behind the antipathy appears to be trade competition", he explained.

"The Sinhala Buddhist aversion towards the Muslims runs deep in the south. Sinhala traders began hating Muslim businessmen in their midst long years before they turned their guns on the Tamils. Even Sinhala academics are scarce able to hide the sentiment," said the Kattankudy intellectual said.

To drive home his point he read out a relevant part from *A History of Sri Lanka* by Prof. K. M De Silva where the historian quite unsubtly justifies the 1915 Sinhala pogrom against the Muslims.

"The Coast Moors were not only tenacious in the protection of their trading interests, but they were also more vociferous... in the dogged and truculent assertion of their civic rights... This streak of obduracy and their insensitivity to traditional rites and customs of other religious groups (read Sinhala-Buddhist) brought them, at a time when there was a resurgence of Buddhism, inexorably into conflict with the Singhalese Buddhist masses." (Page 382)

"As one can see quite plainly in Silva, anti-Muslim sentiments do have academic backing too. It is part of a wider scheme. People talk only about Mawanella. Actually the Muslims in the south have been facing problems for several years from the well-organised Sinhala nationalists groups in the rural areas and towns. What happened in Nochchiyagama three years ago?" he asked.

Forty shops and businesses belonging to Muslims were completely burnt in Nochchiyagama town in February 1999.

The police said at the time that steps are being taken to withdraw few of the guns issued to Sinhala

They alleged that the United Sinhala Traders Association (USTA) was behind the attack. SLMC sources in Colombo confirmed the opinion of the Muslim traders in Nochchiyagama. While Muslims shops were burning in Nochchiyagama, a Sinhala mob set fire to a Muslim school in a village called Heel Oya in Bandarawela

farmers living close to the Tamil border, north of Nochchiyagama to pre-empt any further attacks. The weapons were issued by government with a view to organising able-bodied Sinhala farmers into a militia to assist the army against the Liberation Tigers along the border between the North Central and Northern provinces.

The police claimed at the time that the conflagration was sparked off by a love triangle involving a Sinhala girl courted by a Muslim shopkeeper and a Sinhala youth.

The girl had rejected the latter and confirmed her love for the former. This led to a fisticuff in which the Sinhala youth had got a severe drubbing. He had soon after returned with a large Sinhala mob that had first smashed the Muslim lover's shop and had then gone on a rampage, burning and looting Muslim businesses in the town.

However, Muslim businessmen in Nochchiyagama refuted this story at the time, saying that the love affair was just a flimsy pretext for a well organised and politically backed pogrom against their community.

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An SLMC spokesman, responding to questions from a section of the Tamil press about the situation in Nochchiyagama at the time said that there was increasing evidence that United Sinhala Traders' Association (USTA) which belongs to the powerful umbrella organisation Sinhala Veera Vidhaahna (SVV) or Sinhala Warrior's Society, is involved in a systematic pogrom against Muslim businesses in Sinhala towns and villages. He charged that the USTA in Amparai was allegedly behind the eviction of Muslims farmers from the village of Alimsenai in Akkaraipattu in 1997.

Yet, SLMC leaders could not do anything about it because they were the main coalition partners of the PA at the time and several PA politicians were working hand in

glove with the STA.

According to informed sources, the USTA is the most powerful and influential wing of the Sinhala Veera Vidhaahna. The Association has 614 branches in many parts of the island and allegedly has more than 80 million rupees in reserves for its activities. It urges Singhalese to boycott Tamil and Muslim businesses in rural and provincial towns of the south and the suburbs of Colombo.

The Association prevails on Sinhala landlords not to rent out shops and business premises to Tamils and Muslims. Several prominent (SLFP) politicians are either leaders or tacit supporters of the Sinhala Traders' Association.

An SLMC source in Colombo said that the USTA began its activities in the large Colombo suburb of Kiribathgoda in 1990 when it told a Sinhala-owned business called Sunanda Trade Centre to erase the Tamil on its hoarding. The order was complied with immediately.

The same year it began a campaign against the opening of an outlet of the Bairaha Farms owned by the Muslim multi-millionaire Nalim Haajiyar who, nevertheless, managed to start his business in the face of strong opposition from USTA.

However, in May 1996 a Sinhala mob attacked the Bairaha outlet, lobbing grenades and smashing up the shop.

The local PA MP, Jinadasa Nandasena at the time who is a patron and permanent member of the USTA, had allegedly instructed the police in Kiribathgoda not to be present in the neighbourhood after 9 p.m. on the night the shop was attacked.

The mob had also thrown grenades that night at the house of an USTA member who had been to the shop's opening.

Later the PA MP had instructed the CID of the Police to collect the details of all Tamils and Muslims working in shops and other enterprises in Kiribathgoda. This created an atmosphere of fear and uncertainty among the non-Sinhalese living in this large suburb of the city.

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We are divided - you are ruled: the new form of oppression

By V. T. Thamilmaran

"It might be in your interest to be our masters, but how is it in our interest to be your slaves?" Abraham Lincoln

It is reported the third round of the first phase of peace talks would take place between the Government of Sri Lanka and the LTTE in Oslo in the first week of December and the 'core, or, substantial issues' would be theme of the talks this time. I do not think it is a coincidence that it is to follow immediately after the next week aid community meeting in Oslo, which was described by Prof. G. L. Peiris as "not an aid-pledging, but guaranteeing a political solution."

It is interesting to note that the participation of the theoretician and other members of a 'proscribed' organization, along with officials of those foreign governments which proscribed it, seems to worry not those who proscribed it, but those in Sri Lanka, who have entertain great fears about the third party overstepping its expected limits in its partiality towards the proscribed organisation.

The fears expressed by the President of the Republic of Sri Lanka and the PA hierarchy certainly reflects the views of a typical opposition party in Sri Lankan politics. The admittedly fair claim made by the President and her party, that it was she who initiated the peace process and first invited the Norwegians to get themselves involved in the process, did not make any difference when it came to playing party politics.

But the sad part of the story is those who claim to represent more than 30 million voters in Sri Lanka fail to realize that it was party politics that ruined this country beyond recognition. It has been a path of no return. Every time an agreement was sought, the opposition to it came from the rival party. Their politics is such it is very difficult to comprehend what such people mean when they speak of patriotism, sovereignty and the territorial integrity of the state.

However, the pursuers of this type of politics have successfully brought it to a turning point. There is no point of repeating the present political negotiations are the 'last and the only chance' because those who are in the

opposition are hopeful that 'they can start the process again'. In other words, the scene would be the same but only the actors are different.

Although democracy, the rule of law, pluralism and human rights have been imperiled by destructive party politics in this country, despite our belief of the complicated nature of such politics, it is actually very simple. The position is made simple, thanks to the foresightedness of our party leaders. By now, not only we but the international community too would have realized where the real problem lies. It goes as follows:

"No compromise on sovereignty, territorial integrity, and on the one nation theory. Being a democratic country, any political solution has to be found only with the consensus of the majority. And, 'the majority' means only the majority community of the country. The last 55 years of our sorry history has taught the lesson that such a consensus is never forthcoming and impossible to obtain. But nevertheless be sure that as long as there is no consensus, no solution can be found."

To put it in another way, the majority community, which numbers more than 75% of the total population of the country,

But, something is preventing them from getting together to find a solution to the conflict. They expect the people of this country, particularly those from the non-majority communities, to believe that it is political party rivalry that prevents them from finding a solution

All of us are familiar with the colonial doctrine of divide and rule but its meaning in Sri Lanka today is quite different. On the one hand, we speak of democracy and taking decisions according to the will of the majority of the people (majority community). On the other hand, we argue that no solution is possible because of our inability to get the consensus of the same (majority) people. This led inevitably, to protracted conflict, which has manifested itself in the worst forms of violence. But no matter, you should stick to the democratic principle of seeking the consensus of the majority.

It has become an unwritten rule in this country that as long as the two major parties, which govern the country alternately,

normal constitutional requirement of a two-thirds majority cannot be obtained in the legislature if both parties flaunt their differences. And these differences are flaunted in perpetuity when it comes to dealing in the affairs of other communities. At the same time, it seems that both parties are concerned about the sovereignty and territorial integrity of the state!

Looking back, it all started with the Mahendra Pact of 1920. It was entered into between the Tamil leaders in Jaffna and the prominent Sinhalese leaders who went all the way to Jaffna to negotiate the Pact. The Ceylon National Association and the regional Jaffna association were the respective parties. When the name of the organization was changed into Ceylon National Congress, it was argued that the agreement was no longer binding, as the new entity, the Congress, was not a party to the Pact. Sovereignty of the country was to be negotiated in this fashion in the future too.

The fate of the Banda-Chelva Pact of 1957 and the Dudley-Chelva Pact of 1965 were determined by the same consensus (or the lack of it) of these two major political parties of the South and others were forced to wait for another occasion for success. Then came the adoption of the First Republican Constitution of 1972. No agreement was reached between the major parties over the plight of the non-majority communities. The path was traversed in 1978 when the Second Republican Constitution was introduced.

At no stage were the non-majority communities given the opportunity of negotiating the sovereignty of the state on the basis both of power-sharing and the plural nature of the polity. Hence, 'sovereignty of the people' has come to mean people of majority community alone, and territorial integrity what Sri Lankan territory means

to that group of people.

What meaning will these notions of sovereignty and territorial integrity hold for those other than the members of the majority community? Were the non-majority communities given an opportunity to express their views on it, and if not, why?

The reason for the conflict is that there is no consensus among the major parties of the country. This is a real challenge to the intelligence and prudence of every one of this country.

We have witnessed almost the worst horrors of any civil war. The number of people killed, maimed, injured physically and psychologically across the ethnic divide, the amount of destruction caused to property belonging to the people of all groups, the deterioration of social values, and above all, the erosion of democratic norms and loss of hope in the system seem to be not enough to deter the leaders in the saddle of power. The wisdom that lives on is that 'consensus of the majority' is the key to any solution.

The funniest part of the story is the same leaders agree in principle there are grievances of the non-majority communities and they should be addressed through constitutional means. But, something is preventing them from getting together to find a solution to the conflict. They expect the people of this country, particularly those from the non-majority communities, to believe that it is political party rivalry that prevents them from finding a solution.

Are we to innocently believe this is so? There is a saying in Tamil about make-believe: 'You pretend to hit and I will pretend to cry.' Is this what these parties have been staging for more than half century of governance? In other words, what is the logic in asking two people to wait until three people agree among themselves to talk to the two?

This has been the plight of the non-majority communities of this country. Now however the time has come to say, "Enough is enough. Whether you agree among yourselves or not, we can't be ruled any longer by you without our consent."

This is the only question that remains for the Sri Lankan polity today: Is the political wisdom of the majority community adequate to understand the reality of the question posed?

It has become an unwritten rule in this country that as long as the two major parties, which govern the country alternately, do not jointly agree to share power, the non-majority communities will continue to suffer. Time and again, both parties have made it clear that they would not agree to any power-sharing, whether within Parliament, or outside of it.

is divided according to party lines and never prepared to get together with other communities to discuss the issues of power-sharing. The excuse for the last 55 years has been: "as long as we cannot get together, you have to be ruled by us. Any other solution would undermine the sovereignty and territorial integrity of the state."

do not jointly agree to share power, the non-majority communities will continue to suffer. Time and again, both parties have made it clear that they would not agree to any power-sharing, whether within Parliament, or outside of it.

The introduction of the 1978 Constitution of the Republic has ensured that even the

The benefits and social costs of exporting Lankan labour

By Feizal Samath

Despite growing concerns about the human cost of overseas migration, Sri Lankan experts are cautious about tightening the procedures for working abroad and say this has to be balanced with the risk of undercutting the economic benefits of the labour exodus.

"On one hand, we need to protect our workers. On the other hand we don't want to lose our share of overseas job markets in the Middle East and Europe to competitors," said M. Seevaratnam, a consultant at the state-run Sri Lanka Foreign Employment Bureau (SLFEB).

Seevaratnam's remarks sum up the dilemma faced by labour-exporting countries like Sri Lanka, a nation that has one million workers overseas, most of them women in the Middle East.

He acknowledged the need for the government to find ways of protecting Sri Lankan workers from unscrupulous job agents here and abroad, rape and physical abuse by employers and a host of other problems.

"We need to protect our workers but we also need to be cautious in this process," S S Wijeratne, chairman of the Legal Aid Foundation of Sri Lanka's Bar Association, said at a seminar Saturday on legal aid for migrant workers. "If labour-receiving countries feel we are placing restrictions on foreign employers, they may go to other labour-supplying markets that

According to a survey of returnee female domestic workers conducted by the MSC last month, more than 20 percent of those interviewed suffered injuries or physical abuse from employers. More than 50 percent who have returned were under medical treatment for ailments like back pain, asthma, heart disease and other complications

are less restrictive," said Wijeratne, who added that the demand for foreign labour in Europe and the Middle East was rising.

Wijeratne said the foundation plans to station lawyers in the Middle East to provide assistance to workers. Legal experts like him hope that the U.N. convention on the rights of migrant workers would be implemented this year after a 20th country, the last needed for it to come into force, ratifies it. "We are expecting Bangladesh to ratify it before the end of the year. That I hope would provide added protection to our workers," said David Soysa, director of the Migrant Services Centre (MSC), a non-governmental organization.

According to a survey of returnee female domestic workers conducted by the MSC last month, more than 20 percent of those interviewed suffered injuries or physical abuse from employers. More than 50 percent

who have returned were under medical treatment for ailments like back pain, asthma, heart disease and other complications.

The study, conducted in 400 households in three Sri Lankan districts that provide the bulk of migrant workers, also found that 24 persons were subject to sexual abuse while in employment. Two of them became pregnant as a result. "Many returnees also said that they have changed socially and psychologically as a result of their foreign experience, that their families and community failed to recognize it and it was an additional push factor to re-migrate," it said.

In the sample survey, about 27 percent said their employment experience had a negative impact on the family with problems like divorce or separation, social and health problems, husbands being addicted to alcohol, children dropping out from school and depression among family members. But the survey also found that

annual incomes of migrant workers went up to 25,000 rupees (nearly 250 U.S. dollars) a month for 80 percent of those interviewed. Many had previously been homemakers who were not earning any money or were involved in small jobs.

Sri Lanka's migrant workers are the country's highest net foreign exchange earner, making some one billion dollars annually.

Such is the power of the industry that the government had to hastily withdraw a proposed 15 percent tax on remittances by migrant workers that it proposed in the budget on Nov. 5. Public fury over the proposal was spread across the newspapers, television and radio stations, forcing Finance Minister K N Choksy to concede that there had been some misunderstanding and that all references to a tax on remittances were being withdrawn. Meantime, Seevaratnam said the government was considering amendments to the Sri Lanka Foreign Employment Bureau Act, which governs all migrant workers, and would invite suggestions from the public to update it.

"There is a desperate need to update the Act and bring in line with modern trends. It was enacted in 1985 at a time when there were not many women going abroad," he said. Priyadarshini Karunaratne, deputy director of the consular affairs division of Sri Lanka's Foreign Ministry, said new laws were also being drafted for submission to parliament shortly.

These would enable women to

register children conceived abroad and apply for Sri Lankan citizenship from the country's embassies abroad, a right that only males have right now. Right now, migrant women workers who have had children out of wedlock or after being raped are not able to get citizenship for their children, who end up stateless. Karunaratne said 273 Sri Lankan migrant workers in the Middle East have died so far this year. Most died from heart failure due to heavy workloads in the homes where they work. She said the SLFEB also had a safehouse for pregnant women who return home and give birth under the care of the state, without informing their families and husbands who often reject them. "After the child is born, they either go home or opt for the child to be adopted," she said.

But Padmini Samarasinghe, a counsellor, says the social cost of migration is so that it is time to ban the export of women labor.

"There are serious problems after women leave their children and go abroad. Yes it is nice to talk of the government earning foreign exchange but what about the children who are left behind to fend for themselves?" she asked.

Samarasinghe, a group director at one of Sri Lanka's top companies, said her organization has tried to convince women at a village outside Colombo, who want to go abroad, to do so only when their children are grown up.

(IPS)

Spanish govt. must act against torture

Amnesty International today called on the Spanish government to take immediate action to implement the recommendations of the (UN) Committee against Torture, which called on the Spanish authorities to take action to remove conditions facilitating torture and ill-treatment, to act against racism or xenophobia, and to investigate promptly and impartially all reports of torture.

The Committee, which examined Spain's fourth periodic report on its implementation of the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, expressed its particular concern about reports of rape and sexual abuse, ill-treatment of unaccompanied children during expulsion procedures and other acts of ill-treatment against immigrants.

Noting that Spain has become

an important point of entry into Europe for immigrants, the Committee urged the authorities to include "discrimination of any kind" among the purposes by which torture is defined in the Spanish Criminal Code. The Committee also expressed its "profound concern" that people can be held in incommunicado detention for up to five days. While aware of the difficulties for a government facing "grave and frequent acts of criminal violence and terrorism", the Committee stated that torture and ill-treatment were facilitated by the incommunicado regime.

The Committee also drew attention to the excessive length of investigations into complaints of torture and ill-treatment, the reluctance of the authorities to initiate disciplinary proceedings against officers, and the harsh conditions to which some prisoners were subjected.

Amnesty International notes

the Committee's recommendation that police interrogations should in general be recorded on video as a means both of protecting the detainee and officers who could be falsely accused of torture; that medical examinations of detainees held incommunicado should be held jointly by a forensic doctor and a doctor who had the trust of the detainees; and that disciplinary proceedings involving public officials accused of torture or ill-treatment should be initiated irrespective of the status of the judicial proceedings against the accused police officers.

"Regrettably, the government's assertion in its report to the Committee against Torture that cases of torture or ill-treatment are 'very isolated' in Spain is far from true," Amnesty International said. The human rights organization has documented a large number of detailed allega-

tions of torture and ill-treatment, many of these arising out of police identity checks based on racial profiling.

In a briefing it submitted to the Committee, Amnesty International also highlighted that rape or serious sexual assault committed by or with the consent or acquiescence of public officials should always be treated as a form of torture and that the definition of torture in the Spanish penal code should be widened in a manner consistent with the Convention, which prohibits such acts committed for any reason based on any kind of discrimination.

Amnesty International has urged the Spanish authorities to introduce strict rules for the registration, transfer and custody of detainees by public officials, to protect detainees from the criminal intent of police officers or Civil Guards; and the initiation of an

active policy of employing women police officers or Civil Guards to supervise women detainees.

The human rights organization took the opportunity to welcome recent reports that expulsions and ill-treatment of unaccompanied foreign children have diminished in recent months. "However, we will continue to investigate allegations of ill-treatment, including sexual harassment, in some reception centres for children," Amnesty International said.

Amnesty International has repeatedly urged the Spanish authorities to comply with international standards on the care and protection of unaccompanied foreign children - particularly in view of recent allegations about the ill-treatment and unlawful expulsion of Moroccan children in Ceuta and Melilla.

(Amnesty International)

The first shoot-to-kill victims

On the night of 11 November 1982, two young IRA volunteers, Eugene Toman and Sean Burns were sitting in another volunteer, Gervais McKerr's house in Lurgan, County Armagh, drinking tea, and waiting for a lift to a safe house. The atmosphere was friendly and relaxed, according to a girl in the McKerr house that night, with the lads joking as usual and enjoying the company. Within a few hours, the three volunteers would be dead, first victims of an horrific shoot-to-kill policy by the RUC.

The fact that this was a planned assassination operation was vehemently denied by the British government and the RUC at the time. The RUC claimed that McKerr, Burns and Toman had been speeding through a roadblock when they had opened fire on the car. This point was later disputed as a result of the forensic and medical evidence at the scene of the deaths of the three men.

Gervais, Eugene and Sean were valued members of the IRA and were respected and admired by their friends and neighbours, as the enormous turnout at their funerals showed. They were mourned deeply by their families. Sean and Eugene were just 21 years of age, and Gervais (30) had a wife of ten years, Eleanor, and two children. Gervais was primarily a family man, who was considered easy-going and kind. He was multi-talented and was a keen photographer as well as an expert handyman. Eugene and Sean were friends since childhood, and in republican terms were considered dedicated, fearless and resourceful. Socially, they both enjoyed life to the full; both were interested in traditional music and Eugene was a talented artist. Eugene, at the time of his death, had been going with Colette Gaskin for six years and the young couple were due to get engaged.

The version of events given by the RUC on that night is that Gervais McKerr's green Ford Escort, which was well known to them, had approached a checkpoint that they had set down at the junction of the old Portadown Road and Tullagally Road East, initially slowed down and then accelerated through the checkpoint, knocking down an RUC man in the process and slightly injured him, (so slightly that the man needed no hospital treatment). The RUC claimed they pursued the car for some time before opening fire on it.

However, all the evidence found disagreed with the RUC's account.

In the immediate aftermath of the shooting, the RUC cordoned off the area where the car eventually crashed for five hours, and physically restrained the local priest, Fr. Poland, from administering the last rights to the men. This information is even more horrific in the light of subsequent

Forensic evidence was also at odds with the RUC's version of events. Firstly, it was established that the RUC had fired roughly 109 bullets, and that the majority of these were fired into the bodywork of the car on the driver's side. Only five of the bullets had in fact been fired into the bodywork at the back of the car, which is precisely where the majority of the bullets should have gone if in fact they had been fired at a fleeing car. Secondly, medical evidence revealed that Eugene Toman had received most of his injuries, not in the back or the side, but in the chest. His body, when found, lay half way out of the car, as though he was trying to escape the onslaught of bullets

medical evidence which found that backseat passenger Sean Burns may well have died from shock and loss of blood over a period of time, rather than from his initial wound, a one bullet shot to the side of his body.

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Further to the forensic and medical evidence were the reports of witnesses, some of which said that they had seen no checkpoint on the road, but had in fact seen an unmarked RUC vehicle parked in a lay-by along Tullygally Road East from 7pm, and that of a man who when listening to RUC messages

bodies at the scene and believed that Eugene's body had been moved to accommodate the RUC's story (the new position didn't tally with the photos taken by the RUC 30 minutes before the doctor arrived) added to the belief that the RUC had either ambushed the men and shot them, or did stop them at a checkpoint and allowed them to proceed before shooting them.

Three of the RUC men were tried and acquitted of the three men's murders.

The coroner appointed to the case afterwards could not gather enough evidence to state exactly how the men were killed and Sean's father says that they received a death certificate with nothing on it.

Ten years after their deaths, the inquest was reopened. The ill-fated Stalker inquiry began, and brought into the open a range of official lies and false evidence. The protracted delay of inquests into killings by British crown forces is one of a wide range of practices in the Six Counties, which human rights groups and legal representatives have highlighted as restrictive and detrimental. At this time also, the replacing at inquests of 'verdicts' with 'findings' was slammed by families seeking justice.

led to another. John Stalker, senior officer in the greater Manchester police, was sent over to investigate the shoot-to-kill incidents. When it was clear that his report would expose serious and criminal wrongdoing by the crown forces, a cover-up began at the highest level. Stalker himself became a victim of what many believe was a dirty tricks campaign and was taken off the case, his work discredited.

Stalker had concluded in his investigation that Special Branch had played a central role in the direction and carrying out of shoot-to-kill incidents, although his report, nor the version produced by his replacement, Colin Sampson, was never published.

Twenty years on, and the families of the three men are still seeking justice. Sean's father is still angry that the families have yet to receive any acknowledgement from the British government.

"We've had no satisfaction," he said. "Initially, we went with another solicitor who wasn't pushing the case at all, so eventually we transferred to Madden & Finucane, which has taken the case to the European courts but still can't get justice. We are still grieving. The lads were ambushed, it's clear for anyone to see, but I don't think we'll ever get an acknowledgement from the British government."

Earlier this year, the family of Gervais McKerr was granted leave in the High Court to apply for Judicial Review against then Secretary of State John Reid for his failure to provide an effective investigation into McKerr's death.

Solicitor for the family, Peter Madden of Madden and Finucane said:

"This case is the first of many that will test the failure of the British government to provide proper public inquiries into the deaths of hundreds of people killed by British crown forces. The European Court of Human Rights ruled last May that the current legal process for public inquiry (the coroner's inquest) was in violation of Article 2 of the European Convention on Human Rights (the right to life). Even though this judgement was delivered in May of last year, so far the British gov-

ernment has not told any of the families how they intend to comply with the ruling. It is clear to us that the only chance the McKerr family have of receiving the type of effective investigation, that the European Court has said they are entitled to, is for an independent judicial public inquiry to be established immediately."

In another attack, on Wednesday 24 November 1982, 17-year-old North Armagh youth, Michael Tighe became the fourth fatality of the RUC's shoot-to-kill policy. The shooting was another deliberate planned attack involving three carloads of RUC men, not a routine patrol, on a shed on the Ballinarry Road where Michael and a friend of his, 20-year-old Martin McAuley were shot down. Three rifles were claimed to be subsequently found on the premises, though none of them had been fired. The youths were given no opportunity to surrender, and the RUC shot at the shed for up to four minutes. The two young men had been legitimately on the premises, and a witness later stated that it was dark and would have been almost impossible for the RUC to see what they were firing at.

Within minutes of the killing being announced, local DUP Assembly member David Calvert was expressing full backing for, and satisfaction with, the RUC action.

On Sunday, 12 December, INLA members Roddy Carroll and Seamus Grew became the fifth and sixth victims in North Armagh of the RUC's new shoot-to-kill policy. The pair were unarmed when they were gunned down by the special undercover RUC unit. As in the case of the three IRA Volunteers the previous month, the crown forces claimed that the pair had accelerated through a checkpoint at Girvan's Bridge on the Armagh to Keady Road, injuring an RUC man. The RUC claimed the men were shot after a chase that went on for several miles, but an eyewitness reported that Seamus Grew had waved at him as he passed him on the Killylea Road. He estimated that the car was doing no more than 30 mph. He reported that an RUC car travelling at high speed caught up with and overtook Grew's car. He did not see what happened next but heard a burst of gunfire, followed by two single shots. Both men were later found to have been shot three times, in the arm, the chest, and the back of the head.

Ronnie Flanagan, the former Chief Constable of the PSNI, was during the 1980s Detective Chief Inspector of the Headquarters Mobile Support Units, or HMSUs, which were involved in a number of the controversial shoot-to-kill incidents.

(An Phoblacht Republican News)

Solicitor for the family, Peter Madden of Madden and Finucane said: "This case is the first of many that will test the failure of the British government to provide proper public inquiries into the deaths of hundreds of people killed by British crown forces. The European Court of Human Rights ruled last May that the current legal process for public inquiry (the coroner's inquest) was in violation of Article 2 of the European Convention on Human Rights (the right to life)"

on his radio heard exchanges about 'three suspects' in a 'green car', and orders given to follow 'our three friends'.

Other evidence, such as that from a doctor who examined the

The trial indicated the lengths the RUC had gone through to cover up what really happened the night of the three men's deaths.

As was so often the case in disputed killings, one injustice soon

Letters to the Editor

Write to: The Editor, Northeastern Herald,
4/1-1/3 Schofield Place, Colombo 3.

FRC and the sixty million-rupee question

Dear Sir,

There was a news item in the *Daily Mirror* of 19th October 2002 under the heading 'Danish ambassador promises aid for rehabilitation' which has prompted the following question:

During a speech delivered at the Family Rehabilitation Centre (FRC) the Danish ambassador, Mr. Stornberg has claimed over the past decade Denmark has supported the victims of the war by funding the FRC at an annual cost of around six million rupees.

That means, so far a total of 60 million rupees have been pumped into the coffers of the FRC.

Will the FRC enlighten us general public, on how many Tamil war widows, war children, air raid victims were

helped through funds pumped into FRC, or where all that money went?

This is one example of foreign donors being hoodwinked by the so-called local armchair NGOs. Will the ambassador for Denmark use his good offices to verify as to where the 60 million rupees went?

I sincerely feel the major portion of the aid pumped should have gone to Tamil victims who have nobody to look after them. On the other side, the government and others looked after Sinhalese victims.

If this is the case will the Danish ambassador use his good offices to see that fair share of his country's aid reaches Tamil victims?

V. E. Ranjit,
Uruthirapuram,
Kilinochchi

Twenty-fourth anniversary of the Batticaloa cyclone

When people of Batticaloa faced the day on the 22nd of November 1978, they little knew that the entire face of the area would be changed within the next 24 hours.

There had been rain and by the evening of the 22nd the populace was in utter fear because they could hear the continual and fiendish whine of the wind, which grew louder and louder bringing with it utter panic.

This was accompanied by tumult of trees and buildings crashing down and adding to the misery of the people, because it plunged the area into utter darkness and disrupted the water supply. One wondered whether a team of parachutists were landing, for the number of roofing sheets from modest houses was seen floating skywards. The fearful whine of the winds, the sound of falling buildings scared even the bravest of hearts.

One wonders why it is Batticaloa's fate that every time cyclones target Batticaloa in the east, for in the past this area has been in the wake and eye of cyclones in the years 1845, 1907, 1921 and again in 1978.

I sat as a helpless and frightened spectator when Batticaloa's oldest building Burleigh House dating from colonial times, with its two stories, swayed and gave up its

ghost, accompanied by an ear-splitting cacophony.

The historic landmark, Burleigh House, facing the Batticaloa esplanade was so named after a ship's surgeon Dr. George Burleigh who was in the British army who had fought in the Kandyan Insurrection in 1817 and 1818. At the time of the cyclone the building was used as the YMCA hostel and three hostellers – an education officer, a probation officer and the karate coach of the YMCA managed to jump off just in time and save themselves.

Batticaloa suffered utter devastation and its economy was down to smithereens in just a couple of hours. A count taken days after the cyclone had abated revealed that out of the 31,500 coconut trees about 28,000 had been uprooted, smashed almost to matchwood. Some of them near the lagoon and seacoast had fallen into the water and fishermen found fishing impeded by their trunks getting entangled in the fishing nets. It was reported that about 240 schools had been almost flattened and well over 100s of miles of electricity cables were in tatters.

One highlight of this sad even was the action of forethought and valour amidst falling debris of a Sinhala police sub-inspector who

ran to the power house to switch off the supply thereby lessening the casualties who would have stepped on live wires and got electrocuted. All my efforts to trace this gallant officer, who deserved a medal, have been futile.

Among the casualties were cadju and coconut plantation and paddy. An estimate revealed that one-fifth of Batticaloa's fishing fleet was affected.

A happy feature was that some doctors working at the general hospital, faced with the lack of water, were seen rolling up their sleeves and carrying buckets to the upper wards.

One of the few buildings, which stood up to the terrific gale was the ancient Dutch fort, which even now houses the nerve-centre of the Batticaloa administration.

A former State Council member in his book *Monograph of the Batticaloa District* states that in the building of the walls of this mighty fort a former chieftain had donated 300 pots of honey, which went into the mix used in the building the walls. This same fort figured when major floods overran Batticaloa, when the tank in Unnichai was breached.

Prince Casinader
Batticaloa

Creeping pogrom *Cont. from page 6*

PA supporters and members were involved with the Sinhala Veera Vidhaahna and the USTA in instigating the attack on Muslims in Pannala during this period according to an SLMC politician in Colombo.

The USTA has successfully campaigned against Muslims buying land in the Ampara town. It is also in the process of buying up some lands in that town, which still belong to Muslims. (Tamils who owned real estate here were massacred many times since 1956. Almost all left the town after many of them were massacred in 1990.)

The USTA's biggest venture in recent years is the purchasing of rice from Sinhala farmers at reasonable prices.

This venture is aimed at gathering popular support among the rural rice cultivators who constitute the largest segment of the Sinhala population and whom World Bank IMF and World Bank have hit, recommended withdrawal of the fertiliser and price subsidies.

The SVV and USTA are reinforcing their growing influence among paddy farmers by supporting with additional fees the poorly paid rural Cultivation and

Colonization Officers (COs) who work for the government department of agricultural services.

The USTA has sent many of them abroad on scholarships negotiated with foreign governments through a front called the Lanka United Merchants Associated (LUMA).

SVV is led by the former University student leader Champika Ranawaka, who is also the moving force behind the Sihala Urumaya party. Powerful Buddhist monks, Sinhala ideologues and academics comprise the ruling body of the organisation. A very powerful family in the entertainment and gold business is believed to be behind the USTA. Several Sinhala-Buddhist nationalists in the UNP and the PA either support the Vidhaahna or are active members in many of its wings, including the USTA.

The most worrisome development in recent years, however, has been the inroads the Sinhala extremists have been making into the armed services.

The question is: Against whom will they strike first? Right now the Muslims in the south appear to be in their crosshairs.

Privatizing transport... *Cont. from page 5*

Efficient transportation is simply about moving people from one place to another as quickly and conveniently as possible. It involves the construction of roads, telecommunication and other utilities, house planning, environmental sustainability etc., In Sri Lanka there is absolutely no coordination between different departments that are responsible for these different aspects of the transportation system. Roads are dug and filled by different departments as they wish without any coordination between them and projects don't get completed.

The economic, social and environmental benefits from public transportation systems including the reduction in the volume of vehicles far outweigh the benefits from the privatization of transportation. We need a national transportation plan for at least the next 25 years, which will improve human and ecosystem well being simultaneously - not one at the expense of the other.

Planning sustainable transportation system is a multifaceted task. It can be only achieved only through planning. It should aim at reducing the number of automobiles, transportation costs and land use, increase public transportation, the use of bicycles, and to reduce the use of national resources to sustain transportation systems.

The juxtaposition between planning and markets is based on ob-

solete economic theories and does a disservice to its contributors and readers. 'Planned interventions' versus 'market approaches' implies that planning and markets are separate, opposed, and mutually exclusive. In reality planning and markets are not analytically or empirically distinguishable. The false dichotomy between them is based on a widely held association between planning and public intervention and governmental or state regulation and action, as opposed to private enterprise in the supposedly unplanned market. Given the fact that capitalism is filled with internal contradictions and crises due to the constant threat of falling profitability, its long-term survival depends on planning and control.

In developed countries, the transportation industry is subject to detailed and rigid planning and controls that partly explain their high economic growth and relatively disciplined transportation system. Sustainability is increasingly given a priority place in transportation planning and various civic groups are straggling the increase the investments and use of public transportation.

Today, Sri Lanka has abundant knowledge and expertise to plan a sustainable transportation system. Morotuwa University is equipped with world-renown experts in transportation. However, their technocratic efficiency is sidelined or

given only token respect by the politico-business alliances that personally profit from the transportation industry. Such alliances have reduced the country's bargaining power vis-à-vis the automobile manufacturing donor countries and the World Bank treats the people and the environment as sources of commercial profit. Isn't it ironic that even the environmental NGOs do not advocate for an efficient public transportation system and the reduction in private ownership of automobiles?

We should scrap the series of ministries and departments now in charge of several related aspects of transportation and create one centralized Department for Public Utilities and Infrastructure. Several sub-departments would be under it, managed by technocrats and civil servants to oversee land use, telecommunications, roads, water, sewerage etc. Sri Lanka is a small country that does not require several ministries.

Having one autonomous department will shield the evolution of a sustainable transportation system from being interrupted by the frequent changes of state power and widespread corruption in the transportation 'industry.' The duty of the minister would be to ensure that the technocratic decisions are insulated from the politico-business pressures that undermine the goals of the national transportation plan.

"Jaffna hospital the biggest threat to human health"

By T. Sittampalam

After enduring years of unrelenting war, the people of Jaffna have been told they literally sit on top of another lethal agent, which might not kill as efficiently as a bullet or shell, but through disease, epidemics and wasting illness that leads to lingering death.

Studies conducted by the German Technical Cooperation (GTZ), which began the Jaffna Rehabilitation Project in 1996, soon after Operation Riviresa had devastated the peninsula, have revealed the groundwater in the area is heavily contaminated and is probably the cause of the recent outbreak of cholera and could result in widespread incidence of cancer, unless speedy remedies are not put into operation.

"Though contamination is potentially more dangerous, there are two water-related problems in Jaffna, the quantity of water and the quality of water," said Herald Kraft, consultant engineer in water management for the GTZ.

Both man-made and natural agents in the peninsula have contributed to rainwater, which contrary to the popular myth the area receives in abundance, to flow out into the Jaffna lagoon without being tapped and retained efficiently. The peninsula, which water experts describe as an island due to the narrowness of the neck that connects it with the rest of the landmass, is surrounded by salt water. What is more, there is a layer of salt water deep beneath the surface of the soil as well.

The soil is predominantly limestone, on top of which there is an insignificant layer of sand. There is some red soil near the sea but that again is negligible. On the islands northwest of the peninsula like Kayts the soil is almost exclusively limestone. Therefore the soil of limestone, which is porous, with the thin layer of sand on top of it does not protect water from seeping deep into the ground.

Since there is only salt water all around and beneath the surface of the peninsula, sweet water, which is what is used for irrigation as well as for human consumption, may be obtained only from the water that precipitates through the limestone soil – principally from the rain – and forms what is known as a freshwater lens that floats on the saltwater beneath soil's surface. The ratio of saltwater to freshwater is fairly substantial.

According to the water management study known as the Market Town Water Supply

Project conducted in 1984 by local and foreign experts – Kraft called it the Bible of water management in Jaffna – over the layer of saltwater beneath the surface there lies a depth of 40 meters of a transitional zone of sweet water. Potable water however is only nine meters deep. This indicates the amount of infiltration of rainwater that is required for potable water, which is fit for drinking.

"We do not know for certain what has gone on for the past 18 years since the study was conducted. Tests are still going on," said Kraft.

There are however ways whereby the freshwater in the soil could be retained in much larger quantities than it is now. "Farmers in the peninsula had built a series of bunds to retain rainwater, but with displacement due to the war they have fallen into disuse," explained Kraft.

He said there is ample evidence that farmers had the knowledge to exploit rainwater efficiently for rain-fed agriculture and human consumption. Though this knowledge, which had fallen into non-use due to human displacement from the war could be recovered, methods of water retention in traditional lore, which appears superior to what farmers of Jaffna conventionally utilise at present, is all but lost.

On the other hand, deliberate mismanagement too resulted in rainwater flowing into the lagoon untapped. In certain areas on the

In the resettlement of IDPs, the practice of building toilet pits by open wells is yet to be abandoned. Unless immediate measures are taken to suspend the building of toilet pits in the resettlement of IDPs, the people of Jaffna might be courting illness and death in the coming years

tion. Efficient management could however result in better water retention.

While retaining rainwater from running into the lagoon is one way of preserving the water required for human consumption, another method is to make the lagoon into a massive freshwater pool by ensuring seawater does not come into it. Barrages built at strategic points where the lagoon meets the sea achieve this. The barrages at Thondamannar, Ariyalai and Arali, which were used for this purpose, have fallen into disuse through neglect and improper maintenance.

It also appears that in certain instances, fishermen deliberately breached the barrage to permit sa-

that will help to retain it in the ground and to repair the barrages at the three points so that there is no inflow from the sea.

The tragedy of untapped rainwater running wasted into the sea maybe seen in the following statistics. The peninsula receives 1.4 million cubic metres of average rainfall a year. Irrigation and other consumption account for 1.17 million cubic metres of water. This means there is an outflow of 230,000 cubic meters of water into the sea.

If with the return of the IDPs and a semblance of normalcy the peninsula's population increases to one million, only 14 million litres a year will be required according to current rates of consumption. Even if the rate of consumption increases to the level of industrial societies with high living standards, water requirement will be only 60 million litres, quite within the supply potential from rainwater.

"So if technology could be applied successfully to prevent water from running into the lagoon and sea, the quantity of water will not be Jaffna's long-term problem; it is the quality," said Kraft.

The permeability of the limestone that allows rainwater to be retained beneath the surface becomes a hindrance and a massive health hazard when virtually any pollutant that drops on the soil comes into contact with the groundwater by seeping through the porous rock. The most potent threat comes from faecal discharge.

"The bucket system was perfectly designed to suit Jaffna. It did not allow the sewage to get into contact with the groundwater because it was safely disposed of," said Kraft.

Traditionally Jaffna has used the bucket system where sewage was taken in buckets and disposed of into the sea. Though he admits it did pollute the sea, Kraft says as a

choice between polluting freshwater used for human consumption and disposing sewage in the sea, the latter was definitely preferable.

With modernisation, not necessarily due to war but to social change, including the segment of society that traditionally collected sewage moving into other areas of work, new ways of sewage disposal began to come into use. The Jaffna population switched to using the water seal or the pit latrine. The pit is necessarily an underground chamber without the bottom sealed, unlike the septic tank in the urban areas in other parts of the country.

"The pits are dug in the summer; in December when it rains the pits flood and the water gets sucked in through the limestone, taking with it the sewage, which end up in the freshwater – it is a perfect cycle," Kraft said letting the unspeakable remain unsaid.

Dr. N. Sivarajah, head department of community medicine, University of Jaffna agrees. "The limestone rock in Jaffna has conduits that allows faecal matter from the pit to enter the wells in five minutes because the wells are so near the latrines. The system is totally unsuitable for Jaffna," he charged.

Kraft had visited the house of a cholera victim. The water table had risen due to rains and opening the pit he found water up to the brim. Since there was a well nearby and channels for the contaminated water in the latrine pit of the cholera victim to flow into wells used by his neighbours, the pit was sealed.

"What I am concerned is that the entire resettlement programme of IDPs comes with houses having the pit system – that is disastrous," Kraft said.

In the resettlement of IDPs, the practice of building toilet pits by open wells is yet to be abandoned. Unless immediate measures are taken to suspend the building of toilet pits in the resettlement of IDPs, the people of Jaffna might be courting illness and death in the coming years.

The volume of water that empties into the Jaffna lagoon untapped does not come fresh and usable. It flows into the sea contaminated by all the sewage it gathers on the way. The worst affected are those in Jaffna town who live by the lagoon. This problem was particularly acute in 1996 when the population was forced to drink water from open wells because the pipe-borne water supply to the town was in a state of disrepair due to the devastation after operation Riviresa.

Cont. on page 12

The hospital's assault on the environment does not end here. Solid waste from the hospital, which does not have an incinerator, is dumped untreated into waste disposal yards in the neighbourhood of the town. One of them is in long-suffering Gurunagar, by the beach where the boats are drawn up

islands off Jaffna, the permeable limestone soil allows water to infiltrate into the ground and form freshwater lenses. Deplorably however, there are canals cut to help the rainwater to flow out into the sea, rather than retain it for human exploitation and consump-

linity remaining in the lagoon water so that prawn farming could be carried on.

The method of increasing the supply of freshwater is therefore straightforward – un-trapped rainwater flowing into the lagoon has to be tapped by building bunds



The rope-cage, symbol of double oppression - as women and as Tamils

Pic by D. Sivaram

Jaffna hospital...

Cont. from page 11

The GTZ and the European Community Humanitarian Office (ECHO) executed a series of programmes that were completed in 1999 to provide safe drinking water to the Gurunagar area by repairing the pipes and pumps connecting the area to the well fields at Thirunelvely and Kondavil. But Kraft says this will have to be extended to other parts of Jaffna town in the interests of long-term hygiene of the community.

Gurunagar and other parts of Jaffna town have come to Sivarajah's attention too. He says the disposal of human faecal matter in the towns is of topmost priority. "The Jaffna municipal council area and the 12 towns in the Jaffna district have to have sewage systems," he said.

Under the circumstances, storage of rainwater is the cheapest and cleanest way of obtaining water and GTZ has installed 2000 litre fibreglass storage tanks in schools and other places.

The war has been beneficial in an oblique way. According to the 1984 Market Town Water Supply study there was three times the permissible levels of nitrates in the groundwater of the peninsula - 150 milligrams per litre. Today's surveys however show they are much reduced between 75 and 100 milligrams per litre. This is because the war has forced a sharp decline in cultivation using fertilizer.

"Seventy-five percent of the fertilizer applied dissolves into the ground, only 25% reaches the plant," explained Kraft.

An attendant evil is the presence of unacceptable levels of agro-chemicals in the soil. Kraft said on an average there was 2.4% more agro-chemicals per head in the soil of Jaffna compared to that of Germany. "On a rough estimate I would say there is 1000

times more agro-chemicals in the Jaffna soil than the permissible limits," the expert, who is a German national, said.

The upshot of this is agriculture in the peninsula in the future has to be well thought out. It would be suicidal to practice chemical-intensive cultivation in such a densely populated area.

The war, needless to say, has had a huge direct impact on the groundwater situation in Jaffna. Acres of palmyra, coconut and other trees were uprooted or decapitated due to aerial bombardment or shelling. Trees prevent a burden on soil, which is absent if the tree-cover is removed. Further, the presence of heavy metal in the form of shells, bullets and other projectiles buried in the soil contaminate groundwater sources too.

Believe this or not, one of the biggest sources of contamination of water in Jaffna was the Jaffna hospital. It is understandable because it was caught up

in a war situation. Originally, the contaminated water from the hospital used to be pumped directly into the lagoon. However, with funding and sound advice a water treatment plant was employed to sterilise the water before pumping it. But Kraft feels the treatment is insufficient for the high standards of hygiene necessary before discharging hospital waste.

The hospital's assault on the environment does not end here. Solid waste from the hospital, which does not have an incinerator, is dumped untreated into waste disposal yards in the neighbourhood of the town. One of them is in long-suffering Gurunagar, by the beach where the boats are drawn up.

An environmentally friendly construction of a solid waste disposal area is to have adequate barriers to prevent seepage through the bottom. This is however absent in such places, compelling the refuse - and in

the case of the hospital waste contaminated with germs and bacteria - to enter the soil. Unless acceptable solid waste management techniques are implemented such as making compost out of biodegradable waste and hygienically flush out the balance, there will be a crisis in waste disposal in the peninsula soon.

"Jaffna hospital is the biggest threat to human health," quipped Kraft.

As Jaffna looks forward to the return of IDPs in the event a durable peace can be cobbled together, deep-seated problems of groundwater contamination will be an important factor in the environment's flexibility and suppleness to absorb such an influx of humanity.

"When people have been displaced, plans on how to absorb them back have to take place before their return. The time for that planning is now," Kraft emphasised.