

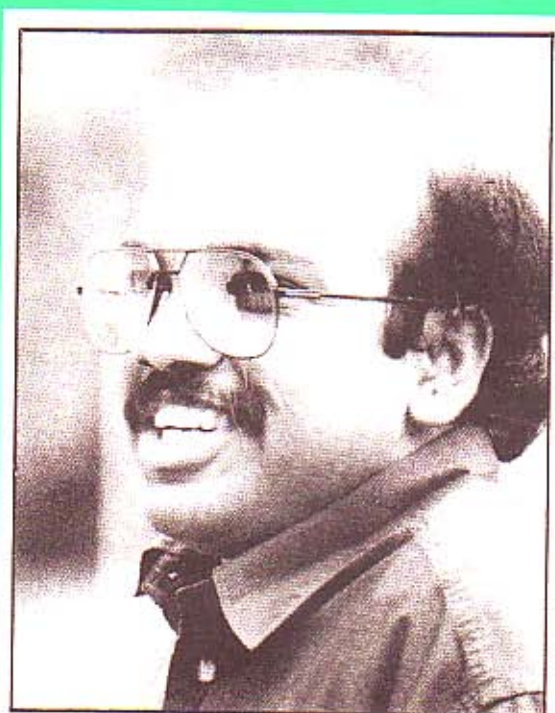
Tamil **TIMES**

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"I do not agree with a word of what you say, but I'll defend to the death your right to say it."

— Voltaire

The Tragic Saga of M.V. Ahat



Sathasivam Krishnakumar (Kittu)

★ **Bishop Fernando Meets LTTE Leader**

★ **Unitary State and Federalism**

★ **Indo-Lanka Relations and the Tamil Question**

★ **Amnesty International on Human Rights in Sri Lanka**

★ **UNHCR Dilemma Over Refugee Camp**

★ **News Roundup**

★ **SLFP Tamil MP Rejects 'Srinivasan Proposals'**

★ **Refugee Family Attacked in Norway**

★ **India Targets Tiger Arms Shipments**

★ **'Seeking a Safe Haven'**

★ **A Safe Passage for Civilians**



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A SAFE PASSAGE FOR CIVILIANS

The death of 40 to 50 Tamil civilians on 2 January when security forces attacked the boats in which they were crossing the Jaffna lagoon at Kilali point to get to the mainland most dramatically demonstrated the plight of Tamil civilians who are by force of circumstances compelled to undertake the hazardous journey.

The Elephant Pass has always been the traditional crossing point between the northern Jaffna peninsula and the Sri Lankan mainland. The road connection at Elephant Pass remained open throughout the years of conflict for civilian travel. However, shortly after the June 1990 war broke out between government forces and the LTTE, the latter prevented the civilians from using the Elephant Pass, and for good measure mined the approach roads. Thereafter, the people used the Sangupiddy-Pooneryn causeway to travel by ferry and at this time this causeway was under the control of the LTTE. Some time ago, the security forces regained control of this causeway and set up an army camp near its approaches. Again the people were prevented from using this causeway, and the LTTE demanded that the army camp should be removed as a precondition for civilians to be allowed to cross, but the government refused.

It was following the closure of the Sangupiddy-Pooneryn route that people commenced crossing at Kilali by boats mainly under the control and run by the LTTE. Recently, the government declared the Jaffna lagoon as a 'prohibited zone', and the security forces threatened to shoot at any boat that violated the prohibition, and in fact on several occasions they have carried out their threat with tragic consequences for the civilians who attempted to cross. And the 2 January incident was one of many.

The security forces insist that the civilians can use the Elephant Pass, but the LTTE does not want them to. The people are paying the price with their lives in the resulting crossfire. During his recent

talks with the LTTE leader, Anglican Bishop Rt. Rev. Kenneth Fernando had raised the question of the difficulties and dangers faced by the people in the absence of a safe crossing point. The LTTE leader had reportedly replied that he would not agree to the reopening of the Elephant Pass for 'military reasons', and added that 'the government was responsible for all the people; they claim that they are the protectors of the entire people. You cannot compare the methods and objectives of a liberation organisation with the government of a country. The government has certain responsibilities which a liberation organisation does not have'!

It is clear beyond doubt that the people have been deprived of a safe passage to and from Jaffna because of the military needs and requirements of both parties, the security forces and the LTTE. Even in times of war, civilians are entitled to certain rights under international humanitarian law. People who travel to and from Jaffna are compelled to do so by reason of absolute necessity and not for fun. In spite of the exigencies of the war and the military needs of the parties, the government and the LTTE cannot shirk their responsibility to ensure a safe passage for the non-combatant civilian population.

The traditional and the only proper roadway to and from Jaffna to the mainland is the Elephant Pass, and a way must be found to reopen it for civilian traffic. It is by reopening this route that the civilian population of the peninsula can also be adequately supplied with goods essential for their survival. The International Committee of the Red Cross is present in Sri Lanka in reasonable strength, and both parties seem to have no complaint in regard to the contribution made so far by the ICRC. It is in this context, the prospect of reopening the Elephant Pass exclusively for civilian traffic under the control and supervision of the ICRC should be considered by the government and the LTTE.

Kittu and 9 Senior Tiger Cadres Commit Suicide Refusing to Surrender to the Indian Navy The Tragic Saga of M.V. Ahat

Ten of our fighters including our movement's senior leader and former Military Commander of the Jaffna District, Colonel Kittu were intercepted in international waters by the Indian Navy on 13.1.93. Following intimidation by the Indian Navy demanding their surrender, they died heroes' deaths by committing suicide in a self-destructive heroic effort. This atrocity by the Indian government occurred in international waters at a time when Col. Kittu was taking with him to Tamil Eelam certain peace proposals put forward by certain countries and peace organisations', a statement issued by the LTTE's international headquarters based in London said in announcing the tragedy that struck the cargo vessel *M.V. Ahat* and its inmates on 16 January in the Indian Ocean off the Tamil Nadu coast.

The 280 ton cargo ship *M.V. Ahat* owned by the LTTE was intercepted by Indian naval and coastguard authorities in the Indian Ocean on 13 January. The first news of the vessel's interception was announced on 15 January by Lawrance Thilakar, the Paris-based international spokesman and Central Committee member of the LTTE, when he telephoned press agencies to inform that the former Jaffna Commander and Central Committee member of the LTTE, Colonel Sathasivam Krishnakumar alias Kittu, was one of those on board the vessel owned by the LTTE. 'He was taking a peace plan with him. Then he planned to bring a second-level leadership of the LTTE with him, most probably to Geneva to discuss details', Thilakar added, but denied any knowledge of the port from which the *M.V. Ahat* had set out. He accused the Indian Navy of intercepting the vessel in international waters when it was 440 miles away from the Indian coast.

It would seem that the Indian Coast Guard Donier on a routine surveillance flight between Point Calimere on the Tamil Nadu coast and Point Pedro in Jaffna in northern Sri Lanka first sighted the vessel later identified as *M.V. Ahat* on 6 January which was kept under watch from then on. Two days later, Indian naval aircraft on reconnaissance flight reportedly noted that the vessel had entered Indian waters and was proceeding towards the coast in a suspicious manner fre-

quently changing course. It was at this point 200 km. off the coast of Tamil Nadu. By 12 January, the Indian naval intelligence reportedly had confirmation that *M.V. Ahat* was indeed a vessel belonging to the LTTE and that its passengers included key LTTE figures. Thereafter 'Operation Zabar-dast' was launched by the Indian Navy on 13 January. On the following day, two coast guard vessels, CGS Vivek and a missile corvette INS Kirpan surrounded the LTTE vessel, and as it was being escorted towards the Indian coast, navy commandos made preparations to board the targeted vessel, capture the passengers and seize all the arms and ammunition on board.

Official Version

The above account was later confirmed by an Indian Defence Ministry statement issued later on 16 January which said that Indian Coast Guard and Naval vessels monitoring India's exclusive economic zone detected *M.V. Ahat* on 6 January and was shadowing it after it was seen acting 'suspiciously and frequently changing course. Considering the activities of the LTTE and the smuggling of arms and ammunition into India and Shri Lanka, the movement of the ship was monitored. On inquiry (by radio contact), it was found that the vessel *M.V. Ahat* was carrying arms, ammunition and explosives for the LTTE. Naval reinforcements were rushed immediately'.

The Defence Ministry statement added that the crew members of the ship set it on fire after it had been surrounded by Navy boats when it was about 12 nautical miles off the southern Indian city of Madras. 'Some individuals were seen throwing some articles into the sea and jumping overboard after setting the ship afire' and 'nine persons were rescued from the waters... The crew and LTTE cadres onboard were given every opportunity to surrender. Efforts to put out the fire and save the ship from sinking have been hampered by the large quantities of high explosives on board', and that 'there could be still nine persons on board' whose fate was not known. The statement also confirmed that Kittu was on board the ill-fated ship, and that Kittu had threatened to blow up the ship if the marines tried to board the ship and take him prisoner.

Conflicting Accounts

There is some discrepancy between available accounts as to how *M.V. Ahat* caught fire. One account states that the LTTE cadres on board opened fire first on the approaching commandos, and the coast guard vessels responded with return fire, and as the gun battle continued INS Kirpan started shelling the LTTE vessel with artillery which resulted in setting *M.V. Ahat* on fire after a shell hit barrels of petrol on board. However, Director General Admiral Kailash Kohli denied that there was an exchange of fire. The other version is that the LTTE cadres set the ship ablaze before committing suicide by consuming cyanide.

Among the nine members of the crew that jumped off the burning ship and rescued by the Indian navy was Captain Jayachandran who skippered the ship.

Tamil Nadu police confirmed that on 13 January the Indian navy had asked them for an antidote for cyanide. 'We were not told why the navy wanted the antidote'. It was believed that the antidote was wanted in case any of the LTTE cadres on board *M.V. Ahat* swallowed the cyanide capsule to avoid capture.

Following the Indian Defence Ministry statement, in telephone interviews with press agencies, Lawrance Thilakar rejected the official version. 'This is totally fabricated. The Indian government has a sinister motive behind spreading such false news. We are sure that Kittu landed in Madras and was briefly interrogated by Indian intelligence. The government of India is spreading false information with the intention of killing him (Kittu)'. Accusing the Indian navy of impounding the ship in international waters, Thilakar said Kittu would fast unto death if he was not released by the Indian authorities.

P. Nedumaran, leader of the south Indian-based Tamil National Movement and generally believed to be pro-LTTE in his sympathies, also claimed in a statement that Kittu was arrested by a naval patrol boat 440 km. from the Indian coast on 13 January. 'Tamil Nadu would have to face terrible consequences if Kittu is not released immediately', he added. 'Why should Kittu be arrested when he is not an accused in either the Rajiv Gandhi, the Padmanabha or any other case in India?', he asked.

LTTE Confirms Deaths & Mourns

Contrary to Thilakar's claim of Kittu having been taken to New Delhi for interrogation, a radio broadcast by the

LTTE in Jaffna on 16/17 January confirmed that Kittu along with nine other senior military cadres had committed suicide in true Tiger fashion and 'died a martyr's death'. The 'Voice of Tigers' radio identified the names of the victims as Sathasivam Krishnakumar alias Col. Kittu of Valvettiturai; Rasaiah Sri Ganeshan alias Lt. Col. Kuttisiri of Sudumalai North, Manipay; Sunderalingam Sundaravel alias Malarvannan alias Maj. Velan of Viyaparimoolai, Pt. Pedro; Nadarajah alias Jeyaraj alias Sea Tiger Capt. Jeeva of Pasaiyoor, Jaffna; Gunaraja alias Sekaram Michael Jeeva alias Sea Tiger Capt. Gunaseelan of 2nd Cross St., Jaffna; Ratnasingham Arunarajah alias Sea Tiger Capt. Roshan of Nallur, Jaffna; Sivalingam Kesavan alias Sea Tiger Capt. Nayakan of Polikandy, Valvettiturai; Mahalingam Jayalingam alias Sea Tiger Lt. Kuyavan of Kandy Rd., Jaffna; Sivagnasundaram alias Sea Tiger Lt. Nallavan of Maniyamthottam, Jaffna; and Aloysius Jeyanathan alias Sea Tiger Lt. Amuthan of Navanthurai, Jaffna.

The death of so many of the senior military cadres of the LTTE in one incident, and the loss of a ship load of weapons including the ship itself constitutes one of the biggest blows that the LTTE has suffered, and the death of Kuttisiri in particular would be regarded as a major loss because he is believed to have been the arms and explosive expert of the organisation.

The Tiger leadership in Jaffna announced three days of mourning for the 'martyred heroes' of the LTTE commencing 18 January. Following the announcement all shops, private and public institutions and schools were closed. The Tigers organised a large demonstration on 16 January that started from Thirunelveli and went through the main street of Jaffna reaching the office of the ICRC in the town. Anti-Indian slogans were shouted and effigies of the Indian Prime Minister Narasimha Rao and Tamil Nadu Chief Minister Ms. Jayalalitha Jeyaram were publicly burnt in front of the ICRC office.

On 17 January, the LTTE organised a well attended memorial meeting for Kittu preceded by a long march starting from Nelliady to the venue of the meeting at Thiruvil in the Vadamarachchi region. A float of the LTTE ship *M.V. Ahat* was also carried along the demonstration. The participants were carrying anti-Indian placards, black flags and effigies of Narasimha Rao and Jayalalitha which were later burnt. Kittu's mother, Luxmi, unveiled a portrait of her son. LTTE leaders including Prabhakaran and Balasingham paid their respects at the

portrait. One of the main themes of the speeches at the meeting was that anyone interfering with the LTTE and its aims would be destroyed.

Indian Treachery

Accusing the Indian Government of joining hands with the Sri Lankan government to crush the Tamil people's struggle for independence, a statement issued by the LTTE in Jaffna stated: *'The former Jaffna Commander of the LTTE was on his way to meet the LTTE leader Velupillai Prabhakaran to brief him on the latest peace proposal arranged with the assistance of certain European countries to find a solution to the ethnic crisis in Sri Lanka.'*

'Kittu had explained to the Navy officials who surrounded him, but they had rejected his explanation and had taken the LTTE ship by force to the shores. Following this action by the Indian Navy, Kittu and nine of his comrades committed suicide to prevent themselves from becoming prisoners of the Indian government.'

'Thileepan, Kumarappah, Puledran and Johnny were the earlier victims of the treachery of the Indian Government and now Kittu has been added to this list.'

'India is all out to crush the independence struggle of the Tamil people of Sri Lanka. It did not want the Western countries showing interest in solving the ethnic question. Weakening the LTTE and strengthening the Sinhala chauvinist government were the major intentions of the Government of India.'

At a meeting to commemorate Kittu held on 25 January, at the Kailasapathy Auditorium of the Jaffna University, LTTE spokesman, Anton Balasingham is reported to have mounted a scathing attack on India, its diplomacy and its alleged interference in the Tamil struggle. He characterised Indian diplomacy as not genuine, rude, tricky and extremely self-centred. Indian diplomacy was so dishonest that no genuine deal could be made with Indian diplomats or politicians.

Balasingham said that it was due to Indian interference that the 'Eelam struggle' faced severe setbacks. 'India had been interfering in the Sri Lankan Tamil issue since 1983. Its interference is only for its own national and regional interests and not in sympathy with the interests of the Sri Lankan Tamils who are struggling for an independent homeland. The Tamil struggle had met with irreparable losses due to Indian interference and now those losses have been aggravated with the death of Kittu.'

Indian rulers had suppressed the rights of various nationalities in their own country. 'The whole world is aware of the atrocities committed on the minorities in India. The LTTE will in the future support the struggle of the nationally oppressed people in India while we carry on our own struggle', Balasingham added.

At the same meeting, the present LTTE leader of the Jaffna district, Tamil Chelvan, urged the intellectuals including the university teachers and students to be totally committed to the 'struggle for Eelam'.

Tightened Security

Following confirmation of the death of Kittu and his comrades, the Indian High Commission in Colombo fearing retaliation by the Tigers, asked for tighter security for its mission by stepping up mobile patrols to protect Indian interests in Colombo. The government also tightened security in and around Colombo particularly near military establishments.

Reports from Tamil Nadu indicated tightening up of security particularly in Madras. The Chief Minister, Ms. Jayalalitha's security was also tightened up with additional crack commandos. The state government issued a warning that any action against the central and state governments would be seriously dealt with. Three Tamil Nadu politicians, P. Nedumaran, Suba Veerapandiyan and Pulamai Piththan were taken into custody for organising a march in protest against the impounding of the LTTE ships in international waters and the resulting death of Kittu and other LTTE cadres on board. The protesting organisations had passed a resolution urging the UN Secretary General to institute a commission of inquiry into the impounding of the LTTE ship in international waters which they claimed amounted to 'international piracy'.

New Delhi has ordered additional navy craft to patrol the Palk Straits to prevent Tigers from crossing from Jaffna into Tamil Nadu, and the Sri Lankan Navy also has intensified its surveillance.

Amidst the tight security, a series of bomb attacks rocked Tamil Nadu on 25 January, but caused no casualties, according to PTI news report. The report added that the Tamil Liberation Army (TLA), alleged to be a front for the LTTE, exploded a device in the coastal town of Villupuram destroying the statue of Mahatma Gandhi. There were two other explosions destroying a regional office of the Congress(I). A TLA statement left behind

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at the latter two explosions claimed that the attacks were in protest against the Indian Navy's action in which a leading Sri Lankan Tamil leader was killed.

Meanwhile it was announced in Madras that the dead body of a Tiger cadre and two injured cadres from the burnt out ship had been recovered and taken to Visakapatanam naval base by naval commandos. The two injured men were being treated aboard an Navy Hospital ship under strict security.

Although the *M.V. Ahat* had been badly burnt and damaged, reports and photographs in Indian newspapers indicate that the ship had not capsized as previously reported, but was afloat. According to the General Officer Commanding the Indian Navy's Southern Sector, Vice Admiral Kailasha Kumar Kohili, the Indian Navy Frigate 'Vivek' and another vessel had first attempted to bring the fire under control. When difficulties were encountered, they had to bring in the better equipped Navy frigate, 'Feroze Gandhi'. It not only brought the fire under control; navy commandos had also boarded the LTTE ship after the fire had been put out.

Capt. Jayachandran Reveals

The Captain of the ill-fated ship, Jayachandran and eight other members of the crew who were rescued by the Indian navy were charged on 18 January under the Terrorist and Disruptive Activities Act (TADA) before the Magistrate of Visakapatinam, M. Ramakrishnan. Jayachandran was placed in police custody for three days for interrogation and the other eight were remanded for 14 days and who were identified as Satkunalingam, V. Krishnamoorthy, K. Nayakam, S. Sivarasa, S. Indralingam, S. Balakrishnan and T. Mohan.

It is learnt that Jayachandran, a long time associate of Kittu, during questioning, had told the Indian police that Kittu had left Switzerland some time ago, later he was in Stockholm from where he went to Austria, and it was when he was in Austria that Prabhakaran had given instructions for him to return. Kittu had boarded the ship one hundred miles off the coast of Singapore along with five other LTTE cadres on 7 January. He further had reportedly revealed that Kittu had first thought of dropping anchor and surrendering ship, himself and others on board, but had finally decided on swallowing a cyanide capsule and blowing up the ship, while ordering the crew to jump overboard.

Jayachandran is also reported to have revealed that Kittisiri (LTTE's arms and explosives expert) had set out on the arms purchase mission on 11 August last year carrying with him approximately 10 million US dollars.

Weapons on Board

News reports quoting Indian High Commission sources in Colombo stated that *M.V. Ahat* was carrying several anti-aircraft 9-zero cannons capable of striking targets at 6000 feet. They said that the arms and ammunition that the ship carried were reliably believed to have been purchased from a Gulf country last month, and another deal was believed to have been struck in Afghanistan by the LTTE's agent Kumaran Pathmanathan.

The High Commission sources also stated that the ship had been first detected by the Indian reconnaissance flights operated by the Indian Aviation Research Centre (ARC) located at Chabrattha in the state of Orissa. Later, when the Indian navy spotted the ship two miles off Indian territorial waters, the naval security commander in Visakapatinam had informed the Sri Lankan navy to intensify its surveillance. The same message was also sent to the Naval Attache at the Indian High Commission in Colombo and also the Defence Ministry in Colombo. At the point of detection, the vessel was reportedly 23 miles east of Point Pedro, two miles outside Indian territorial waters.

Speculation about Tip-off

Kittu's last known place of abode was Switzerland where he sought asylum after he received a notice of deportation from the British government. While he was in London, he was in charge of the International Secretariat of the LTTE, 54 Tavistock Place, London WC1.

LTTE sources summarily dismissed speculation that the information relating to the ship in which Kittu was sailing might have been leaked to the Indian intelligence by those within the LTTE itself who did not relish the prospect of Kittu's return and his rehabilitation in the LTTE leadership. According to LTTE's rival Tamil groups factional rivalry within the Tigers had aggravated after the elevation of Baby Subramaniam to the previous position held by Gopalaswamy Mahendrarajah (Mahathaya) who has fallen from grace and is reported to have been removed from all positions in the LTTE leadership. Jaffna sources also disputed the truth of the speculation in the Sri Lankan media that Mahathaya has already secretly gone to Singapore.

The reported recent grenade attack on Shanmugalingam Sivasankar alias Pottu Amman, in which he suffered serious leg injury, is seen as a reflection of the internal rift within the LTTE. Indian and Sri Lankan authorities have identified Pottu Amman as the leader of the intelligence wing of the LTTE, and he is one of the prominent accused persons in the Rajiv Gandhi and Padmanabha murder cases.

Another story that is being circulated, the authorship of which is attributed to the 'Voice of Tigers' radio from Jaffna, is that one Shanmugam, former telex operator in the LTTE office in Paris, had given the tip-off to the Indian authorities. Shanmugam was killed under mysterious circumstances at the Orly Airport in Paris last month.

Reactions to Kittu's Death

The news of Kittu's death and the scuttling of the ship by the Indian navy brought about predictable anti-Indian reactions from pro-Tiger sympathisers among expatriate Sri Lankan Tamils in many countries. In London, LTTE sympathisers kept a day-long vigil outside India House followed by a protest march on 18 January. There were similar protests in Paris, Bonn, Switzerland, Canada and Switzerland.

The London-based 'International Federation of Tamils' said in a statement that India's action against Tamil leader Kittu was 'not only a crime against the Tamil people and their struggle for freedom and justice, but also an act of piracy and a crime against humanity. We urge that the international community cannot and should not allow crimes such as these to go unpunished and unnoticed'.

LTTE's international spokesman based in Paris, Lawrance Thilakar, said, 'Kittu was building with governmental and non-governmental organisations in Europe. He was arranging talks between the Sri Lankan government and the LTTE, and his death has damaged efforts for a peaceful solution'. He also said that Kittu 'had been getting well versed with international norms while he was in Europe. His return to the island would have helped the organisation to get recognised and legitimised by the international community'.

Conceding that LTTE relations with the Indian government were in a bad way, Thilakar added that this serious incident had made it worse. He accused India of having 'shown itself as a country against freedom and peace and against the welfare of the oppressed'.

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Anglican Bishop Meets LTTE Leader

'One Small Step on a Long Road to Peace'

At least in one respect, the recent visit to Jaffna of the Anglican Bishop of Colombo, Rt. Rev. Kenneth Fernando, was exceptional. The Jaffna peninsula in northern Sri Lanka is under the effective control of the most militarily powerful Tamil militant group, the Liberation Tigers of Tamil Eelam (LTTE). Many a delegation from the south of the island and from abroad and many a foreign correspondent has visited Jaffna in recent years with the intention of meeting the LTTE leader, Velupillai Prabhakaran, but returned without success, the exception being the American TIME magazine's correspondent Ms. Anita Pratap. Not only was Bishop Fernando able to meet the Tiger leader, he also had the unique opportunity of talking to him for two hours and forty-five minutes.

In summing up his peace mission to Jaffna, Bishop Fernando felt that 'it was one small step on a long road to justice and peace in our land'. The Bishop's mission of peace was welcomed by many, but the Colombo-based Sri Lankan media, whether state-owned or otherwise, did not fail to indulge in their characteristic doublespeak and cynicism.

The Bishop's visit received much publicity in the media even before his departure. He was accompanied by Rev. Dr. Rienzie Perera and left Colombo on 7 January. He reached Kilinochchi town just outside the Jaffna peninsula on the same day. But the issue of how the Bishop's mission was going to cross into Jaffna became a moot point. The traditional gateway to and from Jaffna, the Elephant Pass, was not in use since June 1990 when the present war broke out; the LTTE has banned its use by anyone. For a long time now, people have been using the Kilali point to cross the Jaffna lagoon in spite of the danger of indiscriminate military attacks by the security forces. Only two weeks before the Bishop's visit, the entirety of the Jaffna lagoon had been declared by the government as a no-go prohibited zone, and the military had warned that anyone seeking to use the lagoon for any purpose would be shot.

Crossing Into Jaffna

The Bishop had discussed his problem of crossing into Jaffna with Joint Operations Command of the military which advised him that he would be at risk if he sought to cross into Jaffna by boat using the Kilali point. The Bishop could have flown straight into the Jaffna peninsula by Sri Lanka airforce plane

and landed at the Palaly airbase and from there gone to the Jaffna town, and in fact the military offered a plane; or he could have sought the assistance of the ICRC with whom he could have reached Jaffna. But the Bishop did neither.

Having participated in church ceremonies at Kilinochchi, Tharmapuram and Thanniyootu, the Bishop along with his clerical colleagues took the risk of crossing the lagoon at the Kilali point on 7 January on a boat, presumably skippered by a Tiger cadre.

The meeting with the LTTE leader took place at 7pm on 10 January. From Jaffna Bishop's House, we travelled about ten minutes in two Pajero vehicles wearing dark glasses. We reached a beautiful mansion. The security was tight there. Prabhakaran met us there, the Bishop said.

The church delegation consisted of the following: Rt. Rev. Kenneth Fernando, Rev. Dr. Rienzie Perera and Rev. P. Nesakumar of the Anglican clergy; Rt. Rev. Dr. Thomas Soundranayagam (Bishop of Jaffna) and Rev. Dr. S.J. Emmanuel of the Roman Catholic Church; Rt. Rev. D.J. Ambalavanar, Rev. Dr. S. Jebanesan, Rev. S. Jeyanesan and Rev. A. Jeyakumar of the Jaffna Diocese of the Church of South India.

From the LTTE, the following participated: LTTE leader V. Prabhakaran, LTTE spokesman Anton Balasingham, Mr. Soosai, Mr. Thamil Chelvan and Mr. Cheraman.

Discussions

The Bishop in the presence of the other members of the clergy, had a two-hour meeting with the LTTE leader and later a 45 minute private meeting. The latter meeting led to the LTTE releasing two of the 41 policemen who have been in LTTE captivity since 13 June 1990 following the Tiger attack on the Oddusuddan police station.

The following is the text of an abridged account reportedly approved by Bishop Fernando of his discussions with the LTTE leader.

'At first Bishop Kenneth Fernando started talking about the Select Committee Recommendations. He said it was a breakthrough as far as the Sinhalese are concerned. For the first time the major political parties have accepted Federalism - the word which was allergic to most of the Sinhalese people, and he explained about the other advantages

in the recommendations and he wanted Mr. Prabhakaran's views on the matter. Mr. Prabhakaran replied that the Select Committee's recommendations were rejected even by those Tamil parties which are now co-operating with the Government, and he did not want to say anything more.

Bishop Kenneth Fernando told Mr. Prabhakaran about the untold sufferings of the Tamil people because of the closing of the exits of the Peninsula. He wanted Mr. Prabhakaran to co-operate with the Government and secure a safe path for the Tamil people. For this Mr. Prabhakaran said that it was entirely in the hands of the Government. The Government was not able to prevent the flow of the militants to the mainland and from the mainland to the Peninsula. In one day about four-hundred militants cross the Jaffna lagoon and the Navy is fully aware of this. They do not attack the armed militants. They attack only the unarmed civilians. Closing off the routes to Colombo have not affected our operations in any way.

Mr. Prabhakaran expressed the view that it was the intention of the Government to isolate the LTTE by harassing the people. But so far our experiences are that people are coming closer to us because of the persecution, we are not isolated. He said that on Christmas Day the government forces chose to drop bombs.

Mr. Prabhakaran also said about the killings of innocent civilians at Sithankerny. They were old people, children and women.

Giving up Eelam

The question was asked by Bishop Kenneth about giving up the Eelam demand. For this Prabhakaran replied that they were prepared to give up the Eelam cry if any substantial alternative to Eelam is given. But Mr. Prabhakaran was very pessimistic that the government would give nothing equal to Eelam.

The question was asked about the Elephant Pass. Bishop Kenneth said that the government was giving more than what is given by the LTTE and that the LTTE should reciprocate; for this Mr. Prabhakaran said that the government was responsible for all people, they claim that they are protectors of the entire people. You cannot compare the methods and objectives of a liberation organisation with the government of a country. The government has certain responsibilities which the liberation organisation does not have.

Bishop Kenneth Fernando said when he returns to Colombo the Press men will call me and ask me what Mr. Prabhakaran said about the clauses of

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the Select Committee recommendations. Mr. Prabhakaran said the problem is not whether the clauses are satisfactory, but whether the government is in a mood to implement any of the clauses. Bishop Kenneth Fernando said the concept of homelands is considered unhelpful by the Sinhalese people, that means the Tamils have a home and the Sinhalese have a home; and the Tamils should not enter the Sinhalese homeland and the Sinhalese should not enter the Tamil homeland. The Sinhalese will not be safe in the North and the Tamils will not be safe in the South. For this Mr. Prabhakaran said that they will give protection to the Sinhalese people and till recent times Sinhalese have been living peacefully in the North.

It was also pointed out that the Sinhala people disliked the word federalism till recent times but they have accepted it for the most part.

Bishop Kenneth asked if Buddhist monks or other people from the South could come to Jaffna and meet the LTTE. For this Mr. Prabhakaran said that the LTTE will always be glad to meet anybody coming from the south and asked Bishop Kenneth to bring a group of Sinhala intellectuals.

'As the discussion was proceeding snacks were served by the members of the LTTE at which all participated.

'After discussions Mr. Prabhakaran and Dr. Anton Balasingham met the Bishops separately for about 45 minutes'.

Bishop Speaks to the Press

On his return to Colombo on 14 January aboard a Sri Lanka Airforce plane, the Bishop spoke to the press. He said that before his departure to Jaffna, he did not meet or have discussions with President Premadasa, but he had spoken to Presidential Advisor Bradman Weerakoon, Chairman of

the Parliamentary Select Committee Mangala Moonesinghe and some other political leaders.

The Bishop confirmed that he had asked Prabhakaran about giving up the LTTE's demand for a separate state of Eelam to which the LTTE leader had replied that they were prepared to do so if a substantial alternative was offered by the government. He said that the release of the two policemen had been a 'gesture of goodwill for peace' on the part of the Tiger leader. The Bishop said that the people of Jaffna were undergoing severe hardship due to the unavailability of electricity, petrol, kerosene, medicines, paper, fertilizers etc. Even food items were not allowed into Jaffna - 48 items were not allowed to be transported to Jaffna which included chocolates, biscuits, bicycle tyres, tubes, soap and many other essential items. He said that the government could reciprocate the LTTE's gesture of goodwill by reducing the number of banned items and by opening a suitable passage between the mainland and the peninsula.

The Bishop giving an assessment of the Tiger leader said: 'He was courteous, quick-thinking, soft-spoken, humane, and decisive in answering questions'.

The Bishop said that the people of the north - teachers, students, government employees, businessmen, sick people and others needed to travel between the peninsula and the mainland. The declaration of the Jaffna lagoon a prohibited zone had made travel dangerous.

'Mr. Prabhakaran agreed with me that the relaxation of restrictions affecting civilian life in Jaffna, the opening of a suitable passageway between Jaffna and mainland and the participation in political negotiations are linked together and should take place concurrently', the Bishop said. Prabhakaran said that for military

reasons he would not agree to the opening of the Elephant Pass for civilian travel.

The Bishop said that negotiations should be without preconditions and any talk of laying down of arms will block any talks taking place. He considered Prabhakaran's agreement to respond to the forthcoming report of the Parliamentary Select Committee as significant.

Responding to a question, the Bishop said that he would not say that the LTTE had 100 per cent support of the Jaffna people. There was an air of dissent in the peninsula and that human rights and democracy had to be restored once peace was restored.

To a question: 'You did say that Mr. Prabhakaran was quite human. Did you talk with him about the many killings such as at Palliyagodalla where innocent children were butchered?', the Bishop replied: 'I must say that I did have the question of the killing of innocents in my mind, but I was too embarrassed to raise this question in my conversation with Mr. Prabhakaran, because at that time I was in Jaffna, and all Jaffna was mourning the killing of over 30 innocent Tamils at Kilali on the night of January 2nd. With this in my mind, I could not pose the question about the killing of innocents'.

UNHCR in a Dilemma over Relief Camp*by Rita Sebastian*

Officials of the United Nations High Commission for Refugees (UNHCR), engaged in humanitarian assistance in the North-East are seriously considering their options in the administering of the Madhu 'Open Relief Centre' which up to now has been observed as a *de facto* neutral zone, by both warring sides in the North-East conflict, the government forces and the Tamil Tigers.

The jungle shrine in Madhu, turned into an open relief centre, houses around 29,000 refugees, and is the

largest relief centre in the country.

Last week, UNHCR's representative Hasim Utkan, visibly disturbed, spoke out publicly for the first time at what he feels is a violation of the normally accepted international norms in the administering of a relief centre in a conflict zone.

'We had no problems at all till about November last year, says Mr. Utkan. Somewhere in the third week in November last year began a series of

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Unitary State Versus Federalism: Has the Debate Begun or Ended?

by N. Shanmugaratnam¹

Recently, there was much talk in the Sri Lankan press about a federal approach to the national question. It appeared as if at last the stage was being set for an open debate, which was long overdue, on alternatives to the present organisation model of the Sri Lankan state. But now it appears that the two main Sinhala parties – UNP and SLFP – have opted out by reiterating their commitment to the present unitary model. Are we back to square one? In any case, the UNP and SLFP are not 'back to square one' for they did not ever dare to move out of it; they have simply chosen to stick to the unitary model for opportunist reasons. It is not that federalism *per se* is superior to any form of unitary state but that there is a great need to explore alternative organisational forms for the Lankan polity with the view to reach a consensus on a workable model. Given their present and past positions on the national question, one may be justified in believing that the unwillingness of the UNP and SLFP to seriously consider the federal alternative has been inspired by chauvinist political calculations. Again, one may not be mistaken to conclude that these two parties, which have been taking turns since 1947 to preside over the disintegration of the country along ethnic lines, are not prepared yet to repent their actions and make a fundamental policy shift toward a democratic re-unification of the Lankan social formation. For there is no way of avoiding the question of how to reorganise the Lankan polity as a multi-ethnic democratic state if a political party is really concerned about ending the war and winning lasting peace for the people.

Liberal Concept of Civil Society

Theoretically, it is possible to imagine a unitary state in which members of different ethnic and racial groups peacefully coexist without any discrimination on ethnic or racial grounds. In the ideal model of the state according to the Anglo-American liberal tradition, the basic building block is the rational self-interested individual who enters into reciprocal

and equal relations with other similar individuals. This forms the basis for the liberal concept of civil society, the essence of which is the right to private property and enterprise and to pursue one's self-interest without extra-economic constraints in a world of free markets. To such a model of society, interferences of ethnic or racial factors into contractual relations between individuals are irrational. What is crucial is the individual's right to self-preservation as an individual human being.

The liberal concept of human rights flows from this notion of the sovereign individual. However, we know that in the real world, nationalism has played a major role in the formation of the modern bourgeois state. Furthermore, liberal democracies have blossomed mainly on the basis of monolingual nation states and through major struggles taking class and cross-class and violent and non-violent forms. Many monolingual nations were formed by the assimilation of minority ethnicities into the dominant majority ethnic or linguistic group.

However, in several instances where more than a single ethnic formation had to be accommodated within a single country (i.e. where assimilation into the majority ethnic had failed or was not possible due to national resistance from the minorities) the leading political parties chose a federal structure to guarantee ethnic equality and counter any tendency toward institutionalised ethnic discrimination. Canada and Switzerland are two cases in point.

We also know that the history of capitalism is not simply one of an automatic development of individual liberties and liberal democracy. Fascism, Nazism and other forms of authoritarianism and genocide were also products of particular historical conjunctures of capitalism. Democracy and capitalism are not Siamese-twins although the heretical Marxian political economist Bill Warren says they are. Yet one comes across genuine liberals who believe that the liberal utopia of a society of free, rational and equal individuals unencumbered by class, ethnicity, race, caste or gender is within the reach of humankind. I think such idealism should have a place in political debates although I do not subscribe to it myself.

It is the liberal alternative to the

Marxist view that a stateless and classless society is the final destination toward which history is moving – a view that appeals to me. However, we have no valid reason to believe that the UNP's and SLFP's commitment to a unitary state is motivated by the values of liberal democracy and equality of individuals irrespective of ethnic and other differences. On the other hand, there are reasons to fear that powerful elements in these two parties do not want any change in the present structure that might pave the way for an alternative secular and pluralist political environment.

Perverting Parliamentary Democracy

In Sri Lanka, the basic reason for the Tamil people's distrust in the unitary state is not hard to find. They have experienced the workings of the unitary state in a variety of ways. Let us take one important institution of governance, the parliament. For more than four decades, the democratic principle of rule by the party winning the majority of seats at the general election has been consistently perverted to mean rule by the biggest elected party of the majority ethnic, i.e. the **Sinhalese**. The disenfranchisement of the upcountry Tamils was instituted by an Act passed in parliament. The Sinhala Only Act was passed 'democratically' too. The elevation of Buddhism to the status of state religion was a constitutional feat. And the unseating of the TULF MPs, the lawfully elected representatives of the Tamils, was accomplished by a majority vote in parliament. This was the final act in the tragic drama of parliamentary democracy in which the Tamils found themselves to be permanent losers. It was symbolic of how delirious majority chauvinists could get and shamelessly forget even the most elementary formal rules of running a parliament let alone a parliamentary democracy.

The Tamils and their elected representatives stood helpless without any possible constitutional recourse to legally fight for the reversal of all these grave violations. They were equally helpless to stop state-aided land colonisation and other forms of discrimination by legal and political means.

The practical rules of the game of parliamentary power were unilaterally worked out by the Sinhala majority parties. These rules permitted the participation of Tamils and Muslims in decision making only as clients of the ruling party. At times, there were a few places in the cabinet for token Tamils and Muslims. There was no

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sustained attempt by the ruling parties to develop regular and legitimate mechanisms of consensus building which are a hallmark of western parliamentary democracies.

This is a short history of parliamentary democracy within the unitary state system in Sri Lanka. It is a history of distortion and perversion of the basic principles that are supposed to guide the development of a system of governance based on popular consent. It is a sad story of how the actions of successive ruling parties made the minorities lose confidence in the political system and the ruling parties' dispensation of social justice. Is it any wonder that the minorities have misgivings about this form of parliamentary democracy and the unitary state which gives it sanctity and in turn receives legitimacy from it?

The demerits of the unitary state and its main arm of representative democracy in Lanka are quite transparent from the point of view of finding a solution to the national question. If we discount the liberal idea of a fair and just unitary state as too utopian to be of practical value at present in the Lankan context, then we have to look for feasible non-unitary alternatives. Naturally, federalism crops up as an option. However, the merits of the federal alternative still remain theoretical and have not been debated thoroughly. The case for federalism can not be built by a negative approach and pointing at the failures of the unitary model. It has to be based on its positive qualities as an institutional alternative to solve the problems at hand.

Merits of Federalism

Let us not confuse means with ends. Federalism is a means to an end. Its merits have to be judged by its value as an institutional mechanism to ensure security for the minorities, ethnic equality, inter-ethnic harmony, democratisation and the social economic development of all the regions in the country. Therefore, it is the content, not just the form, that really matters. In the last contribution to *Tamil Times* (15 January), the author raised the need for a debate on reconstructing Lanka as a multi-ethnic people's democracy and the usefulness of federalism as a means toward that end. One of the merits of federalism is that it can be helpful in re-modelling the Lankan polity to accommodate the aspirations of the Tamils to nationhood within a larger united country. Such a solution is also better than secession given our internal and geopolitical conditions.

However, if federalism is to be a device to develop a civilised multi-ethnic society, there has to be mechanisms to constantly counter region-ethno nationalisms. In the absence of such mechanisms, federalism may serve merely to contain ethno-nationalism for some time without any guarantee that it will not take more extreme forms again. Irrational feelings like 'Sinhala blood' and 'Tamil soil' are not conducive to the development of a civilised multi-ethnic polity. The most effective way to counter such divisive, reactionary ideologies is a combination of equitable economic development and democratic cultural education consciously aimed at internalising universal human values. People's democracy should be conceptualised with due regard to this cultural need.

The term people's democracy connotes something more than a multi-party system, universal franchise and free speech. These conditions are necessary for people's democracy (PD). No doubt. But PD takes us to the heart of the question of empowerment of people in terms of their abilities to command the resources needed to satisfy their basic needs and to

meaningfully involve themselves in the political life of the society through participation in decision making at local community levels. PD means self-determination at the community and individual levels. It implies struggles to transform power structures that oppress people due to ethnicity, caste and gender at the local level. It means rights to people as producers and consumers. Therefore, PD goes beyond the abstract equality of individuals proclaimed in constitutions as well as the equally abstract notion of national self-determination which does not necessarily mean the liberation of the people who constitute the oppressed nation as members of particular classes and castes, and as students, men, women and children.

These considerations compel us to go beyond liberal conceptions of society as civil society toward a closer understanding of the contradictory and complementary relations between the state, markets and communities. The 'invisible hand' - the Smithian metaphor for the free market - is an efficient allocator of resources, but it does so within given structures of distribution and in terms of a narrow

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In the Paradise Isle

● The judge of a Colombo magistrate's court was recently faced with a rather strange and novel case of a young mother who had financed her trip abroad for employment by handing over her two small children as 'surety' to an agency without even informing her husband.

It transpired that the job agency concerned was providing financial and other facilities to women who seek employment abroad, particularly in middle eastern countries, and in return retain their children as 'surety' to guarantee that the women remit back funds to the job agency not only to meet the repayment of the facilities provided, but also for the upkeep and welfare of their children while held by the agency.

In his evidence to Court, the father of the children said that he and his wife had six children; he was employed as a driver; on the day of the incident, he went to work as usual leaving his wife and children at home; when he returned home after work, he was informed that his wife and two of his younger children, aged 3 and 5 had disappeared; his frantic enquiries re-

sulted in his going to the job agency in question and finding out that his wife had gone abroad leaving the children as 'surety' at the agency.

The father demanded his children back from the Director of the agency who produced an affidavit signed by his wife which stated that his wife had voluntarily handed the children over to the agency. The father was not allowed to see the children, but was asked to return on a later date when he could see them. However, when he went back on the appointed date, the father was not allowed to take the children home. He made a complaint to the police which led to the matter being brought before the Court which ordered that the children be delivered to the father.

★★★★

● When President Premadasa recently met the Buddhist Mahanayakes of the Malwatte and Asgiriya Chapters, he is reported to have said: 'When I assumed office as President, Rs. 80 million was being spent yearly on the North-East war, and it has now increased to Rs. 230 million'. What an achievement!

Fear Of The Dreaded 'F' Word

by Chanaka Amaratunga

I refer not to an obscenity but to an enlightened constitutional form which among Sinhala nationalists of various hues has been converted in Sri Lanka into an obscenity – federalism.

With increased interest in that forever elusive process of seeking a political solution to the crisis in the North-East, the debate on federalism has become accentuated. It is an unmitigated tragedy that this debate is conducted in an atmosphere of blind ignorance and prejudice or in one soaked with cynicism and lack of vision.

Thus those who know no better are sincerely convinced that federalism is a short route to the division of Sri Lanka and those who should know better are determined to avoid its adoption, because federalism does not serve their partisan political interests.

While on the one hand the rabid Sinhala nationalists, whose point of view is the only one which so-called independent Sinhala newspapers of the mainstream will publish, preach the superior virtues of a military solution through enhanced defence spending, the cutting down of 'extravagance' even on the part of private citizens who should in a free country be permitted to spend their own money as they wish, others among whom are cynical politicians and sincere but faint-hearted friends of devolution and the rights of minorities exhort us to be happy with the genuine implementation of the Thirteenth Amendment.

With the aid of such elements does Velupillai Prabhakaran proceed on his mad caravan of brutal intolerance, totalitarianism and separatism.

Bald assertion

Among the nationalists, the sweeping, bald assertion, entirely innocent of empirical evidence, is the most popular currency. The Nalin de Silvas, the Gunadasa Amarasekera, the Dinesh Gunawardene of this world assert that federalism is a condition in which the unity of a nation is irreparably sundered. It does not matter that the United States of America, Canada, Australia, Germany, Switzerland, and so many others remain united, cohesive, nations, not despite, but rather, **because of** their federal constitutions.

They cite as if they were citing Holy Writ, the examples of the break up of Yugoslavia and the Soviet Union as irrefutable proofs of the destructive nature of federalism. It does not seem

to bother them that neither Yugoslavia nor the Soviet Union were federal states in anything but name – that on the contrary, they were highly centralised, totalitarian one party states subjected to the iron rule of their respective Communist Parties.

It is this attitude that convinces me that pathetic ignorance (if not outright maliciousness, and I do not want to believe the latter) is at the root of their convictions. For to believe that the Soviet Union or Yugoslavia could have been federal states is not to know the essence of federalism.

Federalism

Federalism involves a clearly demarcated, irreversible sharing of co-ordinate sovereignty by federal authorities and provincial or state authorities. Political diversity, the sharing of power, the supremacy of the federation and the provinces in their respective spheres of authority, are the hallmarks of such a system of government. It is the constitution, not any one institution of government, (such as parliament in our current constitutional arrangements) which is supreme in a federal system of government. Its entire approach is based on the desirability of placing limits on the exercise of power. Communism is as close to federalism as the earth is to the sky!

What of the arguments of the other group, the cynical politicians and faint-hearted friends of devolution? Among the politicians are those whose political judgement remains firmly rooted in the era in which they cut their political teeth, when in opposition to the eminently reasonable demands of the Federal Party they had developed the wholly a historical theory that federalism was the first step which inevitably concluded in separation of existing states.

Such politicians believe that in the 1950s and 1960s they had so well done their work that the Sinhalese would never accept the term 'federalism' which has pejorative connotations. They therefore seek a maximum degree of devolution 'within the framework of a unitary constitution'. Among such politicians are many who know full-well the limitations, constitutional administrative and practical, which would be the consequence of retaining a unitary constitution – and the suspicion is inescapable given the woefully dishonest implementation of

the Thirteenth Amendment to the Constitution, that such a situation is positively welcomed by such politicians.

13th amendment

Equally, the other attitude of believing that a maximum degree of devolution could be conferred within a unitary constitution ignores the reality that even in 1987, the Supreme Court deemed the Thirteenth Amendment constitutional by a judgement of 4-4-1 with a single judge holding the balance of power which then became 5-4.

It is more than likely that any further extension of the constitutional powers of Provincial Councils will be deemed to require the support of the people at a referendum.

Faint-hearted friends of devolution who think that obtaining a two thirds majority in parliament and a majority at a referendum is impossible, that a political settlement of the North-East can only come through effective implementation of the Thirteenth Amendment or by enhancing some of its powers suffer from a state of mental confusion.

If the powers of Provincial Councils are to be increased, even within the framework of a unitary constitution, amendment of the constitution by a two third majority becomes a necessity. Today it seems very unlikely that such a majority can be created without the support of the principal parties. The principal parties, in turn, would respond only if they believed that there was no negative impact of public opinion.

Referendum

Even if such a majority were to be created, the Supreme Court may require a referendum to be held on this issue. The choice for the politicians and for the faint-hearted friends of devolution, is twofold. Because of their lack of willingness to face a referendum, they could advocate the preservation of the Thirteenth Amendment or they could improve on the powers granted by the Thirteenth Amendment and hope it will get past the Supreme Court.

Neither strategy will inspire the liberal democratic parties among Tamils into a belief that they can marginalise the LTTE. The only means whereby the marginalisation of the LTTE could begin would be the real implementation of 'real and substantial devolution' – that means the adoption of a federal constitution.

Misunderstood

I, believe, too, that the cynical politicians and the faint-hearted politicians

and the faint-hearted friends of freedom have totally misunderstood the real problem of how the public can be convinced to accept an enlightened political settlement. The fear of the adoption of a federal constitution rests largely on the fear of a referendum on the adoption of a federal constitution.

The conventional wisdom in the debate on minority problems in Sri Lanka has always been the need to come to terms away from public scrutiny. This attitude has been utterly wrong. The Bandaranaike-Chelvanayakam Pact, the Dudley

Senanayake-Chelvanayakam Pact and the Indo-Sri Lankan Accord were conceived in secret and ultimately failed because they could not shed the image that they were conceived as conspiracies against the people.

Last hope

The constitutional, political and historic truths that federalism strengthens individual liberty and liberal democracy, that it keeps nations of diverse people together, must boldly be presented to the people of Sri Lanka. When these truths, the cost of the conflict, the impossibility of a military

solution and the consequent necessity of marginalising the LTTE by reducing its base of support, are presented to the people, that which has been regarded as a political obscenity to be feared and avoided at all costs, may be recognized for what it is, the means of our political salvation, the last hope for a united, free and prosperous Sri Lanka.

Ignorance, cynicism and faint-heartedness alike must be banished into the outer darkness. The dreaded 'F' word's benign qualities must quickly and unreservedly be recognised.

India Targets LTTE Arms Shipments

Two major events are being viewed by political and defence analysts in south Sri Lanka as harbingering a crisis in the Liberation Tigers of Tamil Eelam (LTTE). The reported grenade attack at Koppai in Jaffna on Pottu Amman and the death of Kittu when MV Ahat along with its lethal cargo blew up in midsea have given rise to strong speculation and belief that the crisis is both external and internal. The two events no doubt are unprecedented in LTTE's history.

Although it has been known for a long time that the Tigers owned ships registered under several companies set up in many parts of the globe, and that this shipping network was used extensively to procure arms, ammunition and explosives for the LTTE, The Indian intelligence agencies and the Sri Lankan government had no tangible evidence to convince themselves about the actual modality involved in the process of transporting and unloading large quantities of weapons unknown to India's blue water navy and advanced electronic surveillance systems.

The logistics of LTTE's offshore unloading still remains as mysterious as ever despite the interception of MV Ahat. This is a great advantage the Tigers still have. How do the Tigers unload large quantities of arms and ammunition in high seas - a task which could normally take several days - without being detected? The Indians are yet to figure out the answer to this question. But it has become fairly clear to them that the Bay of Bengal beyond Sri Lanka's eastern seaboard has to be under surveillance for Tiger ships. The problem however is that it has a busy sea lane used by a large number of merchant vessels and tankers. Almost all

the traffic to southeast Asia and the western ports of India such as Madras and Calcutta, pass through this lane. Therefore checking out every ship for supplies to the LTTE is almost an impossible task. Hence the Indians appear to be looking into two things - one, unusual activity of any ship in this part of the lane; the other, information at source.

The claim made by Indian officials that their coast guard was responsible for the detection of Tiger vessels in their territorial waters, is clearly intended to give legitimacy to their task. But they are in fact policing the Sri Lankan territorial waters and the international sealanes which skirt them. The Sri Lankan navy which is hard-pressed for resources and modern technology is in no position to effectively monitor and intercept the LTTE's arms shipments and midsea unloading in international waters bordering its maritime zone.

There has been an increasing amount of co-ordination between Indian (the RAW) and the Sri Lankan intelligence agencies since 1987 in the course of which a lot of information about LTTE's international operations has been passed on to Sri Lankans. Hence, Colombo had frequent fore-warnings from Delhi about possible shipments. But the Sri Lankan navy could do little except step up surveillance beyond the eastern seaboard during the periods in which Delhi indicated the shipments would arrive. The chances were little that even when this was the case, the Sri Lankan navy could detect or intercept LTTE ships. The maritime zone on the island's eastern seaboard is too extensive while Colombo's naval patrolling and surveillance capability is very limited - and debilitated in recent times by

suicide attacks on command ships of the Sri Lankan navy. Even if the Indians were prepared to give precise information - date, exact location, name of vessel etc., it is doubtful whether Colombo could have diverted adequate naval power to handle interception.

The Sri Lankan navy has been overstrained and overstretched by its logistical role in Eelam War Two. The government is cash-strapped to procure and maintain naval craft and monitoring systems to look after its security interests sufficiently in that part of the Bay of Bengal used by the Tigers to bring in their weapons.

India on the other hand sees its naval power as the primary means by which it can bring about the decline of the LTTE especially in a situation where it cannot directly intervene in or openly assist Sri Lanka. Delhi's assumption is that the Tigers cannot survive for long if their supply is severed in the high seas. There has also been a concerted attempt by India's intelligence agencies to systematically locate sources of supply and to identify shipping companies and ships which have been used or owned by the Tigers. This task had been initiated as early as 1985 but had remained low key till Rajiv Gandhi's assassination.

Initially RAW seems to have collected only vague details about LTTE's shipping network and potential. They queried other Tamil groups at that time about the identity and role of the person known only as K.P. (The Tigers had carefully concealed the identity and activities of their key men from the RAW during their stay in India). In addition to this, the RAW had a serious handicap in its attitude to have a clear picture of the LTTE - the deep seated prejudice that the Tigers could not ultimately be smart because they were a vernacular phenomenon. (The prejudice still infects some learned analyses on the Tamil question).

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It was only after MV Sunbird, a ship owned by the LTTE, was apprehended by Malaysian authorities on December 13, that some details about the nature of LTTE's arms shipments became clear to the Indians. The Sunbird was registered under a company called The Pt. Pedro Shipping Corporation. K.P. who was identified as Tharmalingam Shanmugam Kumaran of Myliddy, a Jaffna University graduate, was one of the company's directors. Following this, Indian intelligence agencies were able to secure some information about another Tiger ship called MV Golden Bird which had unloaded war material in midsea above the northeastern coast of the island just before Eelam War Two started in June 1990. The information was duly passed on to the Sri Lankan government.

After Rajiv Gandhi's assassination, India approached the Malaysian government hoping to persuade it to take decisive action against LTTE's business interests, on the ground that K.P. and his associates in Malaysia were also part of an international network linked to the assassination. But much to the dismay of Indian officials, nothing that they could describe as 'decisive action' was taken by the Malaysians. The companies suspected of having been set up by the LTTE continue to function both in Singapore and in Malaysia (minus K.P. on their board of management). Although its cargo was seized, MV Sunbird was later released to its owners.

Indian officials claim that K.P. is still able to carry on with his business as usual in southeast Asian cities despite their government's strong desire to apprehend him. They seem to suspect that the LTTE has been somehow able to avail itself of a powerful Tamil politician's patronage in Malaysia. It also transpired that the Tigers had unloaded a very large consignment of arms and ammunition just before the Elephant Pass battle. It was also suspected at that time that the Tigers had got down at least two anti-aircraft pieces in that consignment – the ones which were used in the battle. India, with a view to regularly intercept Tiger shipments, brought two areas above the island's maritime zone under naval surveillance. One was above the Mullaithivu coast, the other was above the Pottuvil coast in the southeastern part of the island. The Mullaithivu coast has been considered ideal for midsea operations because it has a shoal running along its length, making a corridor between the deepsea and the beach. Hence the shallow draft boats of the Tigers could escape over the shoal into the corridor

in case of emergencies. The distance between the sea lane where unloading had to be done and the shoal is short.

Contrary to the reports that were passed on to sections of the Indian press, the trawler 'Tongonova' was intercepted near the Sri Lankan maritime border above Mullaithivu according to sources from Delhi. A routine military flight to the Andaman isles had accidentally noticed a ship lingering unusually near the shipping lane above the northeastern coast; by the time the Indian navy checked details of the regular traffic and moved into the area, the ship was gone, but the large trawler 'Tongonova' which had been unloading from it in midsea was detected and intercepted when it had attempted to rush towards Mullaithivu. But, the Indians received intelligence reports later that another consignment had been successfully procured by sea.

It was suspected that the high seas above Thirukovil-Pottuvil-Panama was being used. This coastal stretch like that of Mullaithivu has the advantage of derelict coconut plantations and shrub with easy access to jungle bases in the hinterland. But then, even the most sophisticated electronic surveillance system cannot guess which among the large number of ships that pass through the lane carry cargo for the LTTE or how it was going to unload it. Therefore, in addition to routine naval surveillance, RAW began gathering information about the LTTE's arms purchasing sources and methods. Information from inside Jaffna about the movements of Kuttisri, believed to be the main arms expert of the Tigers, is claimed to have been available to the RAW (a claim which sounds a bit implausible).

What appears to be more probable, however, is that the RAW made use of formal information exchange arrangements with its counterparts in the west and the middle east to secure some details of LTTE's arms deals. It must be pointed out here that two major deals made by the PLOT (another Tamil militant group), in 1986 and 1989 were scuttled in this manner. India had also achieved a fair degree of success in bringing pressure upon many western countries into not granting asylum status to Kittu, and to share information of his movements. (In fact Delhi had been apprised by informal 'channels' from Jaffna that undue pressure on Kittu in the west, could ultimately push him into 'alien' hands). If this was the case, MV Ahat was doomed when Kittu boarded it. This would also signify that the western intelligence community might pass information about LTTE's

supplies for its own reasons – such as bringing pressure on the LTTE or to oblige India if it were to approach them with specific requests. It is clear however that the LTTE is preparing for such an eventuality.

Prabhakaran regularly emphasises the need to be militarily self-sufficient – meaning that the war should be carried on with arms and ammunition captured from the enemy. But Indian officials are convinced that if their navy effectively cuts off the arms pipeline to the Tigers, the Sri Lankan army would find it easier to secure a victory in the north and east. Today, Delhi is patently keen to expand and consolidate its influence in south Sri Lanka by pleasing Premadasa. And pleased Colombo is with the blowing up of MV Ahat.

The mood in the south is upbeat once more; a new Sinhala weekly called *Thoppiya* is attempting to revive Cyril Mathew's legacy and language by making virulent references to 'Para Demalo'. New Delhi appears to be quite happy that Premadasa is fast becoming a tolerable ally. It is also desirous of demonstrating its bonafides in crushing the LTTE and the sentiments of Tamil nationalism. One senior Indian official said: 'Our navy is doing what the IPKF did on ground against the Tigers'.

The point however is that by pushing the LTTE thus, while the Tamils are being denied even a semblance of a fair deal by Colombo, India is paving the way for the emergence of a 'determined Tamil nationalist minority' in Tamil Nadu. Indian officials are today cautious about rejecting out of hand the possibility of the LTTE diverting substantial resources into Tamil Nadu to strengthen the hands of its allies there; and succeeding in the long run. Posters had appeared in Madras and elsewhere saluting (Veera Anjali) Kittu's martyrdom; and bombs had been exploded in three different places in Tamilnadu. India is unwittingly making the mistake of handling the Tamil question as a military question.

The LTTE may be fascist, but Tamil grievances are real, and pan-Tamilian sentiments have not fully lost their appeal. Delhi seems to little appreciate the fact that, for Prabhakaran, the ultimate bargaining chip is Tamilnadu.

Private Tuition

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Indo-Lanka Relations and the Tamil Question

Extracts from an interview given by the Indian High Commissioner Nagendra Nath Jha, who is retiring from the Foreign Service after three decades – reproduced with kind courtesy of Sunday Island (24.1.93).

Q. – During your term as the High Commissioner in Sri Lanka, relations between India and Sri Lanka have improved a great deal. But what are the remaining problems preventing much closer ties between the two nations?

A. – Relations as you have been good enough to say have improved a great deal and it is for me on the eve of my departure, of course, a very gratifying thing to hear. Nothing really is preventing much closer ties between our two nations, because the goodwill and the affection has been there all along. For a while perhaps the goodwill was lacking or absent. That has returned to the scene. And basically it's much greater confidence and trust in each other that we are now witnessing. All these provide a very fertile soil for a very closer sustained relationship. To that extent I think we can all be very happy.

I only worry sometimes about spill over effect over your domestic problem and this in the past has caused misunderstandings. Who was to blame and who was not to blame is not worth going into now.

We should look to the future and only because we've been looking to the future right from day one of my arrival here that things have gone this far. Otherwise if you are only dwelling on the past and mind you the past keeps on pulling back also it is not something that you can shrug off and ignore as though it doesn't exist.

You must solve it domestically because it is essentially first a domestic problem of Sri Lanka. The fall out effect becomes a domestic problem of India too or becomes a bilateral problem. But it's one thing to say it should be solved domestically. Another thing to expect that because one has said that India is totally oblivious to what happens it is not possible. Now the only bright note here is that since our relations are so much more cordial now than they were two and a half years ago, whatever we may discuss with each other will be taken in the correct spirit. I expect that at the very least. That is a very important thing because once you feel from your side that India is a country which is not out to harm you or hurt you in any way and in fact has the same interest as you at heart, then whatever suggestions, requests or proposals we may make now or in future or whenever will not be looked upon with the same suspicion as it would have been five years ago or three years ago.

I don't see anything in the future even what I mentioned to you really affecting seriously our bilateral ties. Because I think both countries have learnt that bilateral ties are of mutual concern to both.

But having said this I think you should also note that a greater sense of realism must animate your approach – the Government's and the Sinhalese people's approach to this problem. I fully understand the Sinhalese people's sentiments in this regard. This is a small island and one would like to talk in terms of unified Sri Lanka etc., that's precisely what our objectives are also, like your's. Sometimes these objectives can be better achieved by making concessions at the right time.

There is the feeling among the Tamils, moderate Tamils, I don't talk of extremist Tamils, that not enough attention is being devoted to their problem and the problem has to be solved here, essentially in Colombo. There is insufficient understanding of their point of view, of their problems, of their aspirations of the fact that the things have gone too far to put the genie back in the bottle. Therefore since it is out of the bottle how do you control it – not let it expand further and further? This is something I think your Government might like to turn its attention to.

One aspect of political activity apparently is over, that is the Select Committee formula. We all know that Mr. Mangala Moonesinghe has worked very hard at it and everybody from the President downward has been keen on finding a quick and satisfactory solution. Everyone is aware of that. But there are many issues in life despite all the goodwill around which baffles solution and settlement. And this on paper appears to be one of them. That phase of political activity is apparently over and now the next phase might start. Address more directly, perhaps not such a huge set up, but directly to the question.

Q. – Aren't Tamils asking much more than even what is available in the Indian federal set up?

A. – Has anyone made it clear to them that in the federal set up in India for example, law and order and land matters are with the states? I don't know whether anybody here categorically told them that this would be available to them. On the other hand now I find the question of demerger versus merger is

certainly taking precedence over federalism.

Q. – You have to look at the reality in the East, where Tamils are not in an overall majority? If you take the Muslims and the Sinhalese together they are in the majority and the leader of the Muslims in the East, H.M. Ashraff has said given a choice they are not for the merger. In such a situation how can you give into the demand of the minority?

A. – Let me put it differently. The very fact that at one particular time in 1987, the North and the East were merged. Whatever may have been the compulsion for doing so, would it not indicate that there is some substance in the Tamil contention that the North East as presently formulated was at one time a Tamil majority area. This is also backed by the population statistics of 1948 and earlier.

Q. – Even if you go back to the times of Sinhala kings this is an hollow argument. For example it is recorded that when Robert Knox landed in Batticaloa he was arrested by officials of the Kandyan king.

A. – That is your point of view. This is a very widely shared point of view and I accept that it is widely shared. But the point is if you take 1948, that is the year of your independence, the figures I have seen gives a slightly different picture. You may be right if you go back a hundred years, two hundred years, the picture could be still different. But let's take 1948, which is an important year, or 1931, I'm told that in both these census' Tamils have been the majority in the East.

Q. – If you ignore current reality in Sri Lanka's East, then in the same breath you have to advocate giving separate states for Aborigines of Australia or Red Indians of America?

A. – I am not saying go back in history. Don't carry the statement to absurd extents in the past. The point is you have a problem in Sri Lanka of settling down to a peaceful existence again, which was a natural state of affairs. I can see Sri Lanka doing great wonders once this war is over and it gets down to the actual act of reconstruction. You have already done pretty well in economic terms. This is something that the World Bank and others have acknowledged. Now you have an opportunity or you will have an opportunity hopefully of improving on that still further. For that the war has to end.

For the war to end and the genuine long term settlement to take place – not something that will get wiped out

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in two to three years – some concessions will have to be made to the Tamils. As I see it that concession may seem unreasonable for the Sinhalese side and you have given me reasons why you feel it is unreasonable and I appreciate your reasons. I don't have to agree with them, but I understand them because you are the person directly affected. At the same time from their point of view it is unreasonable not to accept their point of view. Therefore some compromise has to be worked out.

Now is enough being done to work out a compromise? And here I must say I admire, though it did not go far enough, I admire genuine efforts made by Mr. Mangala Moonesinghe – various concept papers, option papers and other papers that were circulated; suggestions were made; counter suggestions were made; discussions were carried out. It can be argued that it did not go far enough, but at least it represented a sincere attempt to find a solution.

Later on the federalism topic also came on the scene after the ENDLF paper or Mr. Srinivasan's paper. All these things are hopeful signs, but I'm saying the hopeful signs should not only remain hopeful, something has to appear on the ground, which takes care of this. In other words you have to work out a formula in your own minds with your own ingenuity. This is the problem facing us – how do we keep the country together? What are the concessions to be made for the country? Now surely if the two sides settle down to serious negotiations they can find a way out.

Q: – But in the past Tigers have agreed to various things and then gone back on those agreements?

A: – I'm not talking about Tigers. I'm talking about moderate Tamils, because not enough appreciation has gone into the fact that moderate Tamil parties, using the path of moderation and unity of Sri Lanka, in their own way have straight courage and given up and eschewed violence. They have come down from the pedestal of Eelam to something which is unified. But they can argue and I think from their point of view that they have made all the concessions so far. Why can't the Sinhalese and the Government?

Q: – I think even hardline Sinhalese have come to 'realise the need to devolve powers to those areas, but the stumbling block appears to be the merger?

A: – The problem lies in land and law and order; these are your two

main problems so far as devolution is concerned. In the land problem why won't you at least proclaim a freeze on state colonisation as something to set the thing moving. At least that will not make any difference to the ground reality, but make a difference to the future things getting worse. That will be a gesture, which I'm sure will be appreciated by the other side. The main thing is how do you make sure that the moderate Tamil parties' voice is not lost, because they may be moderate in practice and precept and it may be felt by some people that their moderation has no base, but I always felt or known based on talking to Tamils themselves, that they in fact represent the silent majority. The Tamils like the Sinhalese are yearning for peace in this country and these people are more representative of the yearning, though they may not in your term be representative of the actual situation on the ground, but they are representative of inner instincts.

Q: – How far in your opinion, have we to go in the case of devolving law enforcement functions?

A: – We can go only by the Indian experience. This distinction between the state and the centre is ridiculous. In any case you too have the same system Federal or Quasi Federal set up here, the very fact the civil servants, meaning the administrative service, the police service, are allotted a particular cadre for each state, but you are all along a Central Government employee, though you become a state government official first as far as your career is concerned but you are a representative of the Central Government and the central home ministry looks after your future. So when you have that type of system prevalent in a country this fine distinction between state powers and central powers tends to erode. The states will control the law and order through these central officials. So outsiders will have to be in charge of the administration in the state. Therefore if they are implementing state government powers in law and order or whatever it is, they are doing it in the capacity also as a representative of the federal Government. I think we have sorted out this conflict in this manner. If it works out there, why shouldn't it work out here. I'm not saying that there is something like a perfect system because it is an imperfect creature. So all the man made systems are also going to be somewhat imperfect, but within the imperfect systems you really have to think of the best one.

Q: – Will India once again accommodate Tigers in view of the

ramifications in Tamil Nadu? They are not totally beaten out in the state.

A: – If there are individuals or groups in Tamil Nadu who are pro-LTTE that is their prerogative. You can't stop them from being pro-LTTE.

Q: – But they can once again influence Indian policy?

A: – They are not important groups. We are pretty certain if there were elections pro-Tiger groups will not come to power at least in the foreseeable future. One cannot predict for all time to come for ever, but certainly for the foreseeable future. The shock and the impact of the assassination (of Mr. Rajiv Gandhi) was very severe in Tamil Nadu. It is not something that should be underestimated here. It doesn't mean that each of the 60 million people of Tamil Nadu feel equally about it, of course not.

Q: – Don't you think outside interests exploited the Tamil grievances in Sri Lanka to upset things in India?

A: – Anything is possible. That is why I say the longer your situation remains unresolved, the greater the danger of all that, precisely the point I'm making. When I said earlier we are a concerned or an interested party I had all these things in mind.

Q: – India unwisely interfered in Sri Lanka in the past over the Tamil issue. Has that policy changed for good now?

A: – We did not interfere in the sense you are referring to. But if expression of worry, concern and all that is interference, to that extent I suppose you are right.

Q: – It definitely went beyond expression of concern and worry. For example your predecessor here behaved like a Viceroy?

A: – It is you all who gave him that title.

Q: – He certainly did not behave like a diplomat in the first place? You have always to keep to the diplomatic decorum, but he used to voice his opinion publicly here on many issues and even publicly contradicted the Government here. He wouldn't have done those things without the backing of the Indian Central Government.

A: – I have also been outspoken here, but why have you not called me names also.

Q: – You have not been antagonistic?

A: – That is a different matter. Because I suppose the times are different, the circumstances are different, may be individual styles are different; no two human individuals are exactly the same.

Amnesty International Annual Report 1992

Human Rights Abuses in Sri Lanka

Hundreds of people were extrajudicially executed and several hundred 'disappeared'. Torture of detainees was common. Thousands of people were detained without trial under emergency regulations and the Prevention of Terrorism Act (PTA). The government took steps to protect those currently in detention, but failed to account for thousands who 'disappeared' in previous years.

The armed conflict between government forces and the Liberation Tigers of Tamil Eelam (LTTE) continued in the northeast. In Amparai, Batticaloa and Trincomalee, government forces retained control of towns and main roads, but there was sporadic fighting in the countryside and tension between the Tamil, Muslim and Sinhalese communities of the area remained high. Fighting in Vavuniya and elsewhere resulted in heavy casualties on both sides. Jaffna peninsula, controlled by the LTTE, was intermittently bombed and shelled by government forces, leading many civilians to flee. The government and the LTTE both made offers to negotiate but no negotiations took place. Under the state of emergency, which remained in force throughout the year, the security forces were empowered to arrest and detain people without charge or trial.

President Ranasinghe Premadasa prorogued parliament in September after some members of parliament sought to impeach him for alleged abuse of power, corruption and failure to protect human rights.

The LTTE was responsible for gross human rights abuses, including torture and killing of prisoners. It was believed to be holding about 2,000 prisoners and to have publicly executed more than 30. It was also responsible for widespread killings of Muslim and Sinhalese civilians amongst others.

The government took several steps to improve human rights protection. A Presidential Commission of Inquiry into the Involuntary Removal of Persons was established in January to investigate 'disappearances' occurring between 11 January 1991 and 11 January 1992. A Human Rights Task Force (HRTF) was established in July to maintain a central register of all those held under the PTA and Emergency Regulations, and to monitor their fundamental rights. At the

government's invitation the United Nations (UN) Working Group on Enforced or Involuntary Disappearances visited Sri Lanka in October.

The military, police and Special Task Force (STF) police commando unit were responsible for scores of extrajudicial executions in the northeast. The victims included a railway worker who was detained and shot dead for no apparent reason by an army patrol at Siththandikuddy, Batticaloa district, in June. Other civilians were killed in apparent reprisals for LTTE attacks on the security forces. In June, for instance, at least 67 civilians, including women and children, were killed when local army personnel rampaged through the villages of Mahiladithivu and Muthalaikuda after two soldiers had been killed in a landmine explosion nearby. The President initiated a commission of inquiry into the incident but it had not reported by the end of the year.

The victims of extrajudicial executions included people who reported violations by government forces. In April Mangaleswary Kanthasamy, a teacher at Tampalakamam, Trincomalee district, was shot dead at her home by soldiers together with her two-year-old son and elderly parents. Five days earlier she had complained to the police about harassment by soldiers, who had then been punished. She was apparently killed in retaliation. The soldiers involved were reportedly arrested.

In the east of the country suspected LTTE members were seized, abducted and killed by men in plain clothes who were believed to be connected with the security forces. Victims' bodies were left in public places, often in a mutilated state. In April a number of headless bodies were found in Batticaloa: at least one was accompanied by a notice claiming responsibility signed by the 'Black Cobras'. In Trincomalee town dozens of abductions were carried out by unidentified men believed to be associated with the army.

Extrajudicial executions were also reported from the south, although on a lesser scale than in previous years. The victims included three young men from Dikkapitiya, Welimada, in Badulla district, two of whom had been released from detention a few months earlier. They were reportedly taken from their homes in October by men who identified themselves as police

officers. Their bodies were later found burning in a culvert.

Hundreds of people in the east reportedly 'disappeared' after being detained by government forces. Many were feared to have been killed in custody; others were believed to be held in incommunicado detention. In Batticaloa town alone, over 400 people reportedly 'disappeared' between early January and the end of November.

At least 32 prisoners reportedly 'disappeared' in police custody in the south. Some were said by police to have escaped or to have been released – despite official directives that prisoners should only be released to relatives or responsible members of the community. Nanayakkara Don Mahinda Abeywickrama Gunaratne of Yatiyana, Matara district, was seized on 15 February in Colombo by armed men reportedly connected with a ruling party politician, then taken to Gandara police station in Matara district. His relatives were not permitted to see him and he 'disappeared'. Police said he was released on 2 April, but others reported seeing him in police custody after that date.

Muslim Home Guards and armed members of Tamil groups opposed to the LTTE who operated alongside government forces were also held responsible for 'disappearances' and other violations. Subramaniam Ketheeswaran 'disappeared' after he was taken from a refugee camp at Bambalapitiya, Colombo, in September by members of the Eelam People's Democratic Party. About 10 days later he was taken to an army camp in Batticaloa and questioned about his involvement with the LTTE. He reappeared when he was released uncharged in November. The authorities failed to clarify the fate of Kumaraguru Kugamoorthy, a Tamil radio producer and human rights activist who had 'disappeared' in 1990 after being abducted by an armed group believed to be connected with the security forces (see *Amnesty International Report 1991*).

Detainees in the northeast were systematically tortured. Victims were beaten, stabbed, burned and scalded, partially buried or had nails driven through the soles of their feet. Dozens of people reportedly died as a result, particularly in the east. In Colombo a prisoner awaiting trial at New Magazine prison died in January after being beaten with iron rods by prison staff. Several inquiries into his death were announced but their outcome was not revealed. In June a Janatha Vimukthi Peramuna (JVP), People's Liberation

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Front, suspect died after being beaten with wire, rubber belts and clubs at Bulathsinhala police station. Four police officers and a Home Guard were subsequently arrested and charged with causing his death.

Three police officers accused of murdering Wijedasa Liyanarachchi in September 1988 (see *Amnesty International Reports 1989 and 1991*) were convicted in March after the charges against them were reduced to illegal detention and conspiracy to detain illegally. They received suspended sentences and were fined. Little progress was reported in other cases involving human rights violations by government forces. In February a proposal for an independent inquiry into the killing of Richard de Zoysa (see *Amnesty International Report 1991*) was defeated in parliament. In November one of the police officers facing trial on charges of murdering 12 prisoners in Nittambuwa, Gampaha district, in February 1990 (see *Amnesty International Report 1991*) was killed inside the courtroom by an unidentified gunman. The trial was subsequently discontinued.

More than 1,200 fundamental rights applications were filed in the Supreme Court by prisoners alleging illegal detention or torture. The court awarded compensation and ordered the release of 42 untried detainees whose complaints it upheld. In May a lawyer representing untried political detainees held at Boosa detention camp informed the Supreme Court that six of them had 'disappeared' since starting their legal action. Lawyers expressed concern that dozens of other suspected government opponents remained in detention for months without charge or trial despite Supreme Court orders for their release.

In late September the government announced that 5,294 people were being detained without trial in the south under the Emergency Regulations or the PTA and a further 1,080 in the northeast. Those figures did not include hundreds of LTTE and JVP suspects taken into custody at army barracks or police stations. Many of the prisoners held in the south since between 1988 and 1990 continued to be detained for 'rehabilitation' under Emergency Regulations 18A and 10C, as a result of administrative decisions against which there is no right of appeal.

The LTTE was responsible for gross human rights abuses. Members or sympathizers of rival Tamil groups and people suspected of providing information to government forces were

held captive, particularly in the Jaffna area. An estimated 2,000 prisoners were held by the LTTE, including about 50 reportedly detained solely for their 'dissenting' views. There were increasing reports from the east of people being detained for ransom by the LTTE. Thirty-two Muslim businessmen similarly detained in 1990 in Jaffna continued to be held. Prisoners were held incommunicado and relatives received no information about their whereabouts. Some of those held by the LTTE were reportedly tortured.

The LTTE also attacked Sinhalese and Muslim civilians living in or near the northeast. In June, for example, at least 11 passengers were deliberately shot dead by LTTE forces after their bus was halted by a mine explosion at Hulanuge, Amparai district. Their bodies were then put into the bus and burned. In late August and early September the decomposed bodies of police officers, reportedly among several hundred taken prisoner by the LTTE in June 1990 (see *Amnesty International Report 1991*), were found in mass graves in Batticaloa district. In October unofficial sources reported that the LTTE had publicly executed at least 32 prisoners in Jaffna peninsula. Reportedly bound and blindfolded, the prisoners were made to confess to a 'crime' and then shot. Death threats were reportedly made against inhabitants of Muslim villages in the east. Tens of thousands of members of the Muslim community fled the northeast during 1990 following similar threats by the LTTE (see *Amnesty International Report 1991*).

The LTTE was also widely suspected of responsibility for killings outside the northeast, including the assassination in May of former Prime Minister Rajiv Gandhi of India, in Tamil Nadu, India. The LTTE denied responsibility for his death.

In January Amnesty International commented on proposed amendments to the fundamental rights chapter of the Constitution. It monitored the work of the Presidential Commission of Inquiry into the Involuntary Removal of Persons, which started public hearings in August. It repeatedly called on the government to extend the commission's mandate to include the thousands of 'disappearances' that occurred before 11 January 1991, and made other recommendations to strengthen its work and that of the HRTF. Concern was expressed that people in the northeast and in rural areas had insufficient access to these institutions.

Amnesty International requested information from the Minister of Jus-

tice about investigations into the death of a prisoner at New Magazine prison, Colombo, in January. No reply was received.

Amnesty International also issued direct appeals to the LTTE in January for the humane treatment of police officers held at unknown places in the Jaffna peninsula; in February to reiterate appeals for an immediate halt to killings of civilians and prisoners; in August to urge that all LTTE cadres be instructed to desist from torturing or killing defenceless people and to allow the International Committee of the Red Cross regular access to prisoners; and in November for a halt to execution-style killings and for steps to be taken to protect prisoners from torture.

In March Amnesty International delegates were permitted access to Sri Lanka for the first time since 1982 to attend a human rights conference in Colombo. The delegates met government officials to discuss future access and steps being taken by the government to improve human rights. An Amnesty International delegation visited Sri Lanka in June to discuss human rights with government officials, local human rights activists and others.

In September Amnesty International published a major report, *Sri Lanka - The Northeast. Human rights violations in a context of armed conflict*, documenting its concerns since June 1990. In December the government announced that it would bring into effect 30 of the 32 recommendations made in the report, including initiating independent investigations into human rights violations and guaranteeing prompt access to lawyers and relatives to all detainees. The two recommendations not included were the extension of the mandate of the Presidential Commission of Inquiry into the Involuntary Removal of Persons to include 'disappearances' that occurred prior to 11 January 1991, and the repeal of the Indemnity (Amendment) Act (see *Amnesty International Report 1989*). In November the LTTE wrote to Amnesty International but did not respond to any of the allegations of human rights abuses by the LTTE documented in the report.

In oral statements to the UN Commission on Human Rights in February and to its Sub-Commission on Prevention of Discrimination and Protection of Minorities in August, Amnesty International expressed grave concern about continued 'disappearances' and extrajudicial executions and the high degree of impunity with which the security forces were able to operate.

BOOK REVIEW

The right to disagree

Religion and Political Conflict in South Asia India, Pakistan, and Sri Lanka.

Edited by Douglas Allen
Contribution to the Study of Religion, Number 34.

One of the most dramatic and surprising developments of the last twenty years was the proliferation of aggressive political movements linked to religion. This book examines the interplay of religion and politics in predominantly Hindu India, Islamic Pakistan, and Buddhist Sri Lanka. This collection of Studies by internationally known scholars challenges traditional stereotypes and interpretations of South Asian religion and politics and provides a multi-disciplinary perspective on contemporary conflicts. While the focus of the work is on Pakistan, India, and Sri Lanka, the arguments advanced by the authors are useful for understanding recent developments in religion and politics around the world.

An informative introduction overviews the link between religion and

political conflict in South Asia and offers a framework and synopsis of the chapters that follow. These are grouped into three parts by nationality. The chapters on India examine recent elections and the growth of militant Hinduism, the impact of caste relations on socio-economic conditions, and the problems of Muslims as the largest religious minority in India. The chapters on Pakistan explore how political and economic changes led to the rise of Islamic fundamentalism; the historical relationship among gender, nationalism, and the Islamic nation. The chapters on Sri Lanka explain the role of Buddhist myth in justifying political oppression, the conflict between the ideal of Buddhist pacifism and the reality of political violence, and the impact of race, class, and gender on political conflict. Political scientists, historians, and religion

scholars will find this study a timely and valuable addition to their libraries.

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events that, according to Mr. Utkan, changed the whole environment of the camp. Since then Tamil Tiger flags fly in the camp premises, they hold demonstrations and openly display arms and ammunition, says Mr. Utkan. The rebels have also opened a library and armed cadres, Mr. Utkan alleges, are all over the place.

Two UNHCR officials who took up the issue with the rebel leadership in Jaffna recently were told, that Madhu was never declared a neutral zone. It was only the Jaffna hospital premises, under the administration of the International Committee of the Red Cross (ICRC), which the rebels have accepted as being a neutral zone.

The declaring of the hospital as a neutral zone followed the bombings of the Jaffna teaching hospital in 1990 during the bloody battle for control of the Jaffna Fort.

Although there were no written agreements regarding the Madhu camp, Mr. Utkan's predecessor, Bill Clarence, in a note dated November 1990 wrote, 'there are no written agreements from either the Tigers or the Sri Lankan government as to the status or security of the UNHCR centres.

Both parties have, however expressed their intention not to violate the ORCs and there is tacit understanding with both parties that cadres carrying arms should not enter the ORCs. There is implicit acceptance of the ORCs as neutral areas in which humanitarian relief can be provided by international agencies and NGOs'.

Mr. Utkan feels that UNHCR could unwittingly jeopardise its mandate of impartiality, and appear to have taken sides if it turns a blind eye to the goings-on at Madhu.

'When the military opened a camp in Cheddikulam close to the demarcation line we prevailed upon them to remove it' says Mr. Utkan.

'We have to weigh our options carefully without compromising our credibility'. Mr. Utkan however hopes that UNHCR will not be faced with a situation where it will not be able to operate.

In the early months of 1990 when Deputy Defence Minister Ranjan Wijeratne wanted the refugees from Madhu moved to the south, since they were in what he described as a war zone and could easily become victims of the crossfire syndrome, there was a howl of protests from the international community, and the idea was abandoned.

The refugees themselves did not want to be shifted into a camp in the south, inspite of being assured that they would be under UNHCR protection.

The Open Relief Centre at Madhu has been a safe haven for the refugees, mainly from the north. There are no indiscriminate arrests and no military operations in the area. It was a kind of 'gentlemen's agreement' between the two sides, the military and the rebels, that Madhu will not be interfered with.

Now however the scenario has changed. And not only UNHCR but other international NGOs too have

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sed. The Indian government is interfering unnecessarily in the Tamils' struggle for freedom. There is great pain and anger in the minds of the Tamil people, and this incident has caused considerable damage' for the relations between India and the LTTE.

The unexpected demise of Kittu and 9 other LTTE senior military men along with the cargo vessel reportedly carrying a large quantity of weapons has no doubt been enthusiastically welcomed by the Sri Lankan military establishment which itself lost many of its top officers in the recent past in its war against the LTTE. Sri Lankan army commander Lt. Gen. Hamilton Wanasinghe said that he was 'extremely grateful' to the Indian authorities. He said, *M.V. Ahat* was bringing weaponry to fight the security forces. Now thanks to the Indians, all that has gone to the bottom of the Indian Ocean'.

Dismissing the claim that Kittu was bringing a peace formula backed by an undisclosed western country, a Sri Lankan government spokesman said, 'We have never heard of bringing peace plans together with huge quantities of arms. This is another instance of LTTE double talk'.

SLFP Tamil MP Rejects 'Srinivasan Proposals'

SLFP nationalist MP and former Supreme Court Judge, T.W. Rajaratnam has declared firm support for the merger of the North-East and rejected the Srinivasan plan as a 'paper rose'.

Mr. Rajaratnam, who is also a member of the Parliamentary Select Committee on the ethnic conflict said in an interview that he represented minority interests, and thus supported the merger, while the SLFP as a whole sought a de-merger.

'I also do not support the Srinivasan plan because the original plan has been chopped and changed beyond recognition. I also do not support a federal form of government on the Indian pattern, because in the quasi-federal Indian system, the centre can dismiss governments in the states, Mr. Rajaratnam said.

Referring to Minister A.C.S. Hameed's claim that federalism could be called by any other name just as a rose is a rose by any other name, Mr. Rajaratnam said the Srinivasan plan was a paper rose, mutilated and cut.

'When S.W.R.D. Bandaranaike mentioned Federalism in the 1920s as

a liberal intellectual, we should have adopted it then, even though there were political constraints', the nationalist MP said.

Asked why he supports a merger, Mr. Rajaratnam said: 'The North and East are traditionally Tamil lands. This has been true at least for the past hundred years. In the riots of 1958, 1977 and 1983, where did the Tamil people go? To the North and East. They also went to South India because of the language and cultural affinities. The two Republican constitutions of 1972 and 1978 did recognise the linguistic bond of the two provinces. The 13th amendment also recognised a conditional merger. So, a merger must stand'.

He said the Sinhalese and Muslims in the two provinces could hold and buy land, but state colonisation should not be allowed. All the rights of the Sinhala and Muslims in the two provinces should be protected.

Outlining the solution he foresaw, Mr. Rajaratnam said there should be a ceasefire before any talks began.

'All demands are negotiable but the

government must first declare a ceasefire. That is imperative. As Mr. Thondaman has said, one cannot find a solution without a dialogue with the LTTE, and how can there be a dialogue when a war is on with them', he asked.

Commenting on the widespread belief that the LTTE could not be trusted after the betrayal at the Hilton talks, Mr. Rajaratnam said, there were wrongs on both sides and both sides had to be blamed. 'The government too dragged its feet. It promised to repeal the Sixth Amendment and did not, saying there was no two thirds majority. One has to come to terms with the LTTE and speak to it if a solution is to be found.

Bishop Pleads for Peace

Anglican Bishop Kenneth Fernando has appealed to the government and the leaders of the Tamil people to explore every possibility of ending the bloodshed and restoring justice and peace through negotiation.

He told the special session of the Diocesan Council on 21 January, in Colombo: 'Many persons of goodwill which include the Christian community not only in Sri Lanka but in foreign lands as well, stand ready to assist our government in any way in the fulfilment of this task'.

He appealed to men of all religions, to men of goodwill who value justice and love peace to come together to end the ethnic conflict and restore peace in the country.

He told the session of his extended visit to the north and of his meeting with the leaders of the LTTE and said he had made the details of his discussion public.

'We have also given details of the conversation to high officials and members of the diplomatic community who called on me', he said.

The bishop said the people of the North and the South should realise that the ethnic conflict could not be solved militarily. Negotiations were the only way to justice and lasting peace.

'I am firmly convinced that the entire Christian community in our country endorses that view and I plead with our government and the leaders of the Tamil people to explore every possibility of ending the terrible bloodshed that we experience in our country and to restore justice for all and peace in our land', the bishop said.

He also prayed to God to heed his prayer and grant that appeal.

He said the lives of the people of Jaffna should be made more tolerable.

Refugee Family in Norway Attacked

Barely two days after Norwegian Prime Minister Gro Harlem Brundtland called upon the nation to rise against violence towards foreigners by extreme racist elements all over Europe, a gang of armed criminals attacked a Sri Lankan Tamil refugee family in Hareid causing considerable physical injury and damage to their property.

The victim, Mylvaganam Balasingham (33), living in Hareid, an island north west of Norway, and his wife Sarojadevi (26) were harassed and assaulted in the presence of their two children, Ranjana (6) and Narmada (1) by a gang of three masked men, who police claimed to be a group of 'alcoholics'.

The gangsters according to informed sources, had stormed the house smashing the front door before they manhandled the family. 'They cut off the telephone, smashed my pushcycle, and then beat me up until I fell, bleeding', Balasingham alleged in his evidence to Police.

The incident covered prominently by media prompted Police to arrest four men in their twenties, one of them, a former colleague at Balasingham's workplace. The suspects, now under temporary custody are to be produced before the magistrate soon, the sources said.

Following the incident, irate Norwegians in that township held a protest march bearing torch lights, and expressing solidarity with the affected family. In addition a large number of Norwegians in the vicinity had reportedly visited the Balasingham's and tendered their sympathy after shifting the family to a better apartment.

Erling Aasid, Consultant for refugees in the island in question has ruled out any racist motive involved in the whole episode. 'This gang of drunkards has been terrorising the area for quite some time. They have threatened some Norwegians living there too. Citizens in our commune are not any more racist than any other place in Norway' she was quoted as saying.

Meanwhile Annette Thommessen, General Secretary of the Norwegian Organisation for Asylum Seekers (NOAS) in a comment to the media appealed to the authorities to take the matter very seriously and act accordingly as these youths had shown their brutality towards a refugee family with iron-bars etc. 'It was not many years ago, some in the area had discovered Klu Klux Klan symbols on the houses where refugees were housed' she was quoted as saying.

New Proposals by Tamil MP

Jaffna District MP, Krishnapillai Srinivasan, whose proposals have formed the basis for the Select Committee formula on the ethnic crisis has now called for the official renaming of the country as the Federal Democratic Republic of Sri Lanka.

This he says is an essential factor for federalism without a merger of the North-East.

In a letter to President Premadasa, Mr. Srinivasan has also outlined essential conditions in support of the proposals for federalism with de-merger.

He has appealed that communalism should be abolished and its practice in any form be forbidden. Any one who imposes any disability arising out of communalism should be liable to punishment.

He proposes a Constitutional change to make Sri Lanka a Federal Democratic Republic and a union of states.

Mr. Srinivasan says, there must be both a national police and a state police.

The state police will be a separate

police division with the I.G.P. as the head.

He proposes that Central Government land in the state units should vest in the State Unit which would administer, control and utilise Central Government lands within the state unit. Central Government land within the state unit required for national projects should be used in collaboration with state units. State Governments should have authority to establish state land commissions.

Among other points in the new Srinivasan proposals are: The territorial limits of the state units once established should not be altered without their consent.

The Central Government should not discriminate against any citizen on the grounds of religion, race, caste, sex and place of birth.

The constitutional right to equality of opportunity and employment in public offices should be guaranteed.

No bill or resolution affecting any minorities should be passed unless a majority of members in parliament

belonging to that minority agree to such a bill or resolution.

There should be an elected assembly for each state. The legislative power of the state should vest in the state assembly. The state assembly shall have power to levy taxes. There should be a High Court for each state. The High Court would be the court of appeal for other courts in the state.

Mr. Srinivasan has proposed the following powers for the federal states:

Police and internal law and order, land and all its uses, education (including university and technical education), archaeology, culture, fisheries, industries, local government, excise, agriculture, irrigation, agrarian services, health, prisons and reformatories, state transport and roads, co-operative development, language and labour.

Muslims Urge Release of LTTE Captives

The Muslim Information Centre (MIC) warmly welcomes and hails the peace initiatives taken by the Rt. Rev. Kenneth Fernando, the Anglican Bishop of Colombo, whose visit to Jaffna earlier this week will go down in the annals of Sri Lanka's current history as an extremely important one. MIC hopes that the Bishop's initiatives will lead to a situation whereby the prolonging war and meaningless bloodshed would be brought to an end and a political solution, acceptable to all sections of the people, would be found to the ethnic crisis. Chairman of MIC, Al Haj Abdul Ameer states in a Press release.

Unfortunately, it is the non-combatant civilians in the Northern and Eastern provinces - Muslim, Tamil and Sinhala - who have to undergo untold hardships and suffer due to this never-ending war.

While welcoming the release of the two Policemen by the LTTE, MIC, as the Muslim human rights body, urges LTTE leader V. Prabhakaran to set free 38 Muslim civilians still held incommunicado by the LTTE in the North. They are in LTTE's custody for well over two years. Appeals by international bodies such as the London-based Amnesty International in this respect have failed to evoke any positive response from the LTTE leadership. Only 12 Muslim hostages were unconditionally released by the LTTE on 9 March 1992 upon the intervention by the Amnesty International at the request of MIC.

Several other Muslim hostages were set free after they met the conditions of the LTTE.

Sri Lanka's Trade Gap Widens

Sri Lanka's Balance of Trade deficit has increased to Rs. 32,925 million in the first nine months of last year over the preceding year's deficit of Rs. 26,192 over the same period.

According to latest export/import data available for last year the first nine months saw the country exporting goods worth Rs. 73,177 million as against imports of Rs. 106,102 million. The corresponding figures for 1991 were exports Rs. 61,685 million and imports Rs. 87,877 million.

During this period the imports have grown by Rs. 18,225 million, while the export increase amounted to Rs. 11,492 million.

Among the exports, textiles and garments had shown the biggest increases during January to September 1992 rising to Rs. 32,781 million from Rs. 24,716 million in the corresponding period of the previous year, an increase of Rs. 8,065 million.

The total industrial exports (including garments or textiles) in this period amounted to Rs. 48,262 million from Rs. 36,398 in the preceding year's corresponding period, an increase of Rs. 11,870 million.

It must be noted that the remarkable growth in textile and garment exports had been achieved without the

government launched 200 garment factory programme for the rural areas, as nearly all such factories have been coming into operation since then.

The notable disappointment in the export sector during this period had been tea earnings declining to Rs. 10,132 million from Rs. 13,452 million in the first nine months of 1991, a drop of Rs. 3320 million.

The poor performance of tea had contributed to an overall slight decline in total agricultural exports in the same period to Rs. 19,175 million from Rs. 19,889 million.

In the first nine months of 1992 rubber exports had grown to Rs. 2247 million from Rs. 1956 million, coconut to Rs. 2847 million from Rs. 1872 million and other agricultural exports to Rs. 3,347 million from Rs. 2,600 million.

Among the imports, during this period, intermediate goods like wheat, petroleum and fertilizer had shown the biggest increase registering Rs. 53,268 million from Rs. 43,994 million in the first nine months of 1991. The second biggest import item had been investment goods amounting to Rs. 26,279 million from Rs. 20,754 million, while the consumer goods imports have risen to Rs. 26,461 million from Rs. 23,051 million.

Moves to Open Safe Passage to and from Jaffna

The government is looking at three areas – providing a safe passage across the lagoon, moving food supplies along KKS – Jaffna road and removing non-strategic items from the banned list – to help ease the sufferings of Jaffna citizens, Mr. Bradman Weerakoon, Presidential Advisor for International Affairs said on 28 January.

He told the weekly press briefing in Colombo that the government was exploring the possibility of opening the Kerativu-Sangupiddy route for civilian traffic as an alternative safe route to and from Jaffna.

'We are working with the UNHCR (United Nations High Commissioner for Refugees) about opening the Sangupiddy route ... It's the outcome of UNHCR initiative', Mr. Weerakoon said.

He said the government had opened the Elephant Pass road for civilian traffic but the LTTE is preventing the people from using it. The liberation of Pooneryn and the establishment of an army camp there had closed the Sangupiddy route, which had been declared a no-go zone.

'The LTTE had asked for the removal of the Pooneryn army camp as a condition for the reopening of the Sangupiddy road. The army will not be withdrawn', Mr. Weerakoon said.

The discussion with the UNHCR is about a monitoring process which would prevent LTTE cadres using the causeway to transport men and material. Outside the causeway area, in Pooneryn, the army will establish a check point, Mr. Weerakoon said.

He said the government and the army are concerned about the welfare of the people living in Jaffna. Requests also have come from the people of Jaffna and the Bishop of Jaffna for the opening of a safe passage for the citizens to travel.

Mr. Weerakoon said the International Committee for Red Cross (ICRC) is having discussions with the government and the LTTE about transporting food supplies to Jaffna along the KKS road. Now, food ships are unloaded at Point Pedro and sent along Point Pedro road. KKS harbour has better facilities for the unloading of ships.

'There is also a request to take off the non-strategic items from the banned list. There are 43 items in the banned list. We will look to see what items can be taken off that list', Mr. Weerakoon said.

'Were these the result of Bishop's visit', Mr. Weerakoon was asked.

He said: 'No. There is no connection. We have been looking at them even before his visit'.

Meanwhile an army Press release stated that there has been a great deal of misunderstanding about the movement of civilians to and from the Jaffna peninsula. The Security Forces have a responsibility to safeguard the welfare of all its citizens wherever they live in this island of Sri Lanka.

The Security Forces with great concern for the interest of people living in the Jaffna peninsula permitted the free movement of people to and from the peninsula to the mainland even across the Jaffna lagoon. This is despite the Security Forces being aware that the route across the lagoon was being used by the LTTE to infiltrate into the mainland more LTTE cadres, arms, explosives and ammunition etc as well as obtaining revenue by taxing the people who wanted to move across the lagoon into the mainland.

'However, it was clear to any observer that the LTTE was ruthlessly exploiting this situation. The LTTE was confident that the Security Forces would continue to keep this channel open even at the expense of tremendous military and strategic disadvantages to the Security Forces. The Government was therefore compelled to promulgate the Gazette Extraordinary No. 736/17 dated Friday,

16 October 1992 to make the Jaffna lagoon a 'Prohibited Zone'.

However, the Elephant Pass route which was kept open to the public by the Security Forces was blocked and mined by the LTTE. In their desire to seal off the Jaffna peninsula from any contact with the mainland. The LTTE also exploited this situation to charge exorbitant rates for passengers travelling in their boats whilst at the same time using passengers as a human shield, lay mines in the lagoon and to attack Sri Lanka Naval boats patrolling the Jaffna lagoon.

With the intention of halting the flow of LTTE cadres, arms, explosives etc., but allowing the people safe passage across the lagoon, the Security Forces have decided to provide an alternative route other than the Elephant Pass route for the civilians which the LTTE would not be able to exploit. In consequence of this decision to consider the possibility of an alternate route via Sangupiddy, the army is seeking the assistance and the co-operation of UNHCR/ICRC organisations in the country to provide a safe and convenient alternative route for the civilians to move to and from the Jaffna peninsula. The main aim of the Security Forces is to reduce the hardships suffered by the people of Jaffna who are now virtually being held captive in the Jaffna peninsula unable to leave without authority and payment to the LTTE.

Two MPs File Action Against Police

Mr. Mahinda Rajapakse, S.L.F.P. MP for Hambantota District has filed a Fundamental Rights application challenging his arrest and detention by the Chief Inspector B.P.D. Kurunaratne, of Slave Island police station on 10.12.92, at Slave Island.

He has said that the date of his arrest was the International Human Rights Day, and he along with Mr. Vasudeva Nanayakkara, MP conducted a meeting in the Temple premises of Slave Island, to mark the International Human Rights Day. After the meeting commenced Inspector Karunaratne arrived with some constables abused him (Mr. Rajapakse) and Mr. Nanayakkara and shot tear gas at the people, who had assembled. The Inspector, with some constables abused the crowd in filth and chased them away. Later the Inspector baton charged him and even threatened to shoot and break the heads of both him and Mr. Nanayakkara if they did not abandon the meeting.

The petition went on to say when, the petitioner and Mr. Vasudeva

Nanayakkara, protested at the unfair conduct of the police, both MPs were arrested, without being told why, taken to the police station at Slave Island, and detained. Both of them were released an hour later after recording a statement from them, as ordered by S.S.P. Mr. Ronnie Gunasinghe. Meanwhile Mr. Anura Bandaranaike had telephoned the Speaker, and protested at the arrest and detention.

The petitioner has moved Court for a declaration that of violation of his Fundamental Rights on grounds of being subjected to degrading treatment, illegal arrest and detention, in violation of Articles (11), 13 (1), 13 (2), of the Constitution of Sri Lanka.

Mr. Vasudeva Nanayakkara, N.S.S.P. MP too, has filed a similar application.

The respondents in both the applications are Chief Inspector Karunaratne of the Slave Island police station, the I.G.P. and the Attorney General.

The applications will be supported in Court on 12.1.93.

NEWS ROUND-UP

● **PARLIAMENTARY SELECT COMMITTEE:** In a recent interview, President of the Ceylon Workers Congress and Cabinet Minister, S. Thondaman said that the Committee was set up to find ways and means of solving the ethnic problem, but its proceeding appeared to him to be aimed at disrupting and side-tracking it from finding a solution. From the very inception, the parties of the majority community were united and keen on de-merger of the North and East rather than finding a solution.

The main reason for his dissatisfaction with the Select Committee was that it was working on the basis of sidelining the Indo-Sri Lanka Agreement. The chauvinist elements who were working towards this end could pose a danger of denying the status of Official Language to the Tamil language accorded under the Agreement. As a Tamil he felt that the best way of registering his strong protest against the de-merger was to resign from the Committee, Mr. Thondaman said.

He posed the question as to how confidence could be placed on communal forces and parties that do not want to honour an agreement entered into between two countries and want to abrogate it unilaterally. The stand taken by him on this issue would not in any way affect his position in and relationship with the government. Even in the past there had been several instances when he, in his capacity as President of the CWC, had differences of opinion with the ruling party.

● **POLICE ATTACK JOURNALISTS:** Policemen, armed with automatic weapons, manhandled and aimed their weapons at journalists and press photographers covering a student protest close to the Institute of Indigenous Medicine at Rajagiriya about 6 miles off Colombo on 22 December. There were at least a dozen local and international media personnel when the police closed in, and when the pressmen tried to explain their right to cover such an event, some policemen turned abusive. Journalists were warned by the police to keep away and not to take photographs of the protesting students.

The students had held a sit-in protest along the road leading to the parliament against alleged discrimination of the Institute of Indigenous Medicine, a faculty of the Colombo University. Armed police had arrived when the students and their supporters numbering about 800 were about to end their protest. They came to break up the student protest, but

when they spotted journalists trying to take photographs, the policemen became angry and turned their attention on the pressmen, said a local journalist who was at the scene.

● **EASTERN UNIVERSITY:** The British High Commission had allocated funds for the development of the Eastern University in Sri Lanka. During his recent visit to Batticaloa, the British High Commissioner told the Government Agent that the government had told him that the ground situation in the area was not conducive to restore civil administration and to undertake developmental work to the University. However, the Government Agent informed the High Commissioner that there was no problem in developing the University, and that rehabilitation work could be undertaken in army controlled areas. The High Commissioner is reported to have said that he would take up the matter with the government in Colombo.

● **PLIGHT OF REFUGEES:** 1370 families who fled from 13 villages in the eastern Amparai district in July 1990 took refuge at Vipulananda Maha Vidiyalayam. Some of these families had been resettled. But of the 265 families who continue to live in the camp, 150 families have been denied relief assistance from Social Service or other Non-Governmental organisations for the reason that they are considered as members of the families of government or state corporation employees. For the last six months, these refugees have not been receiving assistance other than the small amount provided by the government. 450 children below the age of 3 are without milk.

● **MECHANIC KILLED:** A forty-year-old mechanic, identified as Navam alias Rex, from Gurunagar in the Jaffna peninsula was hacked to death recently following an argument with Tiger cadres when Rex went to the camp with a view to obtaining a 'visa' to travel to Colombo. His body was released to his wife Jacintha after seven days with instructions to bury the body without delay.

● **RESETTLEMENT OF REFUGEES:** The Ministry of Rehabilitation and Reconstruction has announced that the Defence Ministry had sanctioned the resettlement of Tamil refugees who returned from India in areas which did not come under the control of the security forces in the districts of Vavuniya, Mannar and Trincomalee. Nearly 7,500 refugees who returned from India are still languishing in the refugee camps in these areas. It is further reported that the refugees would not be forcibly sent to their

original places of residence, and only those who expressed their willingness would be sent to those places.

● **GOVT. AGENT KILLED:** Six persons, including the Additional Government Agent of Batticaloa, Mr. Y. Ahamed, Assistant Govt. Agent, an Attorney-at-Law, were killed on 26 December at Valaichchenai when the jeep in which they travelled hit a landmine which reportedly was set for a military vehicle which had gone along the same road just five minutes earlier.

Muslim Religious and Cultural Affairs Minister, Mr. A.H.M. Azwer expressing shock and distress at the tragic death of Mr. Ahamed said that he was a distinguished scholar and artiste among Muslims and had contributed a great deal for education and literature. 'This is another instance of the LTTE's attempt to annihilate the educated, capable and talented Muslims. This should be condemned by all peace loving people'.

Meanwhile, a former leading figure of the Sri Lanka Muslim Congress, Segu Issadeen, accused the SLMC leader Mr. M.H.M. Ashraff of inciting the LTTE to butcher innocent Muslims by his rhetoric about a bogus Jihad. The SLMC has called upon the government to appoint a commission of inquiry to investigate the killings.

● **FUNDS ALLOCATED TO COLLEGE:** The Jaffna district M.P., K. Navaratnam, has allocated Rs. 1.6 million for the construction of a two storey building for the Matale Hindu College. The first phase of the programme is now in progress with an initial allocation of Rs. 850,000.

● **CIRCULARS IN TAMIL REQUESTED:** Tamil school principals and head teachers have complained that all circulars and letters sent to them were in the Sinhala language which they could not read or understand. Despite several reminders, their request to the Department to send these documents in the Tamil language has not been successful. Education offices at Ruwanwella and Dehiowitta in south Sri Lanka do not correspond with Tamil heads of school as there are not officers proficient in Tamil.

● **SHOOTING AT POLITICAL MEETING:** One person was killed and 8 others injured when shooting broke out following a clash between rival political supporters at a meeting to have been addressed by the former Minister of Finance, Ronnie de Mel at Bulathsinhala on 27 December. The clash occurred between the supporters of Mr. de Mel and the UNP Member of

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Parliament, Mr. Sarath Ranawaka, and it was alleged that UNP supporters sought to disrupt the meeting.

Mr. de Mel later in a statement alleged that the shot fired was intended to kill him. He said that when he was at the home of Mr. Kithsiri Ranawaka, the UNP MP's brother, when shots were fired into the house, and bullets penetrated an outer wall and hit an inner wall about two feet above his head. He had gone into the house after being advised by the police not to go to the venue of meeting arranged to welcome him as a clash had already occurred.

He said that this was not the first time that an attempt on his life had been made. There were three such attempts at Badulla, Ratmalana and Horana before he left the country. Two of these were when he was participating in political rallies, while the third was at a religious meeting at a temple. 'I had to hide in the priest's quarters, protected by some 30 Buddhist priests, to escape the assassins. My house at Devinuwara was burned down to the ground and my house at Geekiyana-kande was attacked and ransacked. My daughter's house at Kotte was attacked and partially destroyed'. About the latest incident, he complained that there had been attempts to disrupt the meeting and that a group of persons headed by a local politician had been cutting down green flags put up to welcome him at Bulathsinhala and substituting them with black flags.

● **FUNDS FOR RESETTLEMENT:** The United Nations High Commission for Refugees (UNHCR) has received \$3.8 million (Rs. 174.8 million) from Australia, Canada, France, Netherlands, Sweden, Switzerland, UK, USA, the Vatican and Italy for the rehabilitation and resettlement of refugees in North-East Sri Lanka. In addition to these funds, Japan has pledged \$500,000 (Rs. 20.3 million), and Norway two million Kroner next year for this programme. The Rehabilitation Ministry said that these funds would be used by the UNHCR for the welfare of refugees with emphasis on their resettlement and rehabilitation.

● **KOBBEKADUWA'S DEATH:** A Commonwealth Commission is to investigate into the circumstances that led to the death of Lt. General Denzil Kobbekaduwa and 9 other senior military officers at Arali Point, Kayts, in northern Sri Lanka on 8 August last year. Although the LTTE claimed responsibility for the killings, because of doubts circulated within army and political circles, Mrs. Kobbekaduwa

had called for an international commission of inquiry. President Premadasa wrote to her asking her to nominate the institution or persons who could conduct such an inquiry. In response she had asked for a Commonwealth Commission, following discussions with the Attorney General. The Secretary to the President, Mr. K.H.J. Wijedasa, has now written to the Commonwealth Secretary General T.G. Ariyake requesting him to nominate the Commissioners.

● **CANADIAN GRANT:** A Canadian grant is to fund the expenses of filing 60 Habeas Corpus applications in the Court of Appeal by the Legal Aid Centre of the Bar Association. These 60 applicants would be filed on behalf of some persons who had reportedly 'disappeared' during 1989, 1990 and 1991. They are some among the several thousands of persons who had 'disappeared' during these years in respect of which complaints had been received from relatives by the Bar Association.

● **PROTEST AGAINST LAND PERMITS:** Tamil MPs have jointly protested to President Premadasa against the granting of land permits to alleged encroachers on state lands and temple lands in the Trincomalee district in eastern Sri Lanka. 'At a time when the land question remains a contentious issue before the Parliamentary Select Committee, and its report is still pending, arbitrary and hasty policy decisions on matters pertaining to land, particularly in the North-East, goes contrary to the spirit of consensus and confidence-building.

'We are distressed over reports that encroachers on state lands as well as temple lands in Trincomalee district are to be issued land permits and their encroachments regularised. The areas identified for this purpose are residential areas in Uppuveli and agricultural temple lands in parts of Muttur and Thabalagamam. The regularisation of encroachments, with the intention of benefiting a particular community to the detriment of another is unacceptable. This problem also assumes another dimension if the policy decision is aimed at changing the ethnic ratio or breaking the contiguity of Tamil areas in the North-East. We earnestly request your intervention in this matter and to rescind any decisions pertaining to this', the MPs told the President in their protest memorandum'.

● **CIVILIAN KILLINGS:** Among the fifty or so Tamil civilians killed on 2 January when security forces attacked boats carrying passengers from the Jaffna peninsula to the mainland across the Jaffna lagoon at Kilali

point, there were many government employees including the District Medical Officer of Kilinochchi, Mr. N. Sathiyaseelan, and District Education Officer, Mr. A. Thiagarajah. Tamil Members of Parliament belonging to the TULF and EPRLF have called upon President Premadasa to appoint a judicial commission of inquiry into the killings.

● **ARRESTS IN TAMIL NADU:** A news report datelined 9 January stated that seven persons, including one 'Chandran' identified as a 'bomb expert' with alleged connections with the LTTE had been arrested by the Tamil Nadu police. The police had been on the look out for Chandran in connection with several bomb explosions in Madras, and he was arrested when he was loitering near the Egmore City Railway Station.

● **SEVEN POLICEMEN KILLED:** Seven policemen, including the officer-in-charge, were killed in a LTTE attack on the Asikulam police station in the Vavuniya district on 13 January. In another incident on the same day, two LTTE cadres identified as Kavidas and Padman were killed by Special Task Force personnel at Vinayagapuram off Thirukovil in the Batticaloa district.

● **DANISH DELEGATION:** A delegation from Denmark visited Sri Lanka recently to assess the progress of the human rights situation in the island. When the Danish team visited eastern Sri Lanka, the Batticaloa Peace Committee urged the team to take appropriate steps to obtain information about 158 Tamils who had gone missing from the Refugee Camp at the Eastern University, and several others missing from the villages of Sithandy, Sasthurukondan, Sarupady, Urani etc. The Peace Committee submitted a list of 4368 persons who had 'disappeared' from the Batticaloa district.

● **CMU URGES SETTLEMENT:** The recently held 22nd delegates Conference of the Ceylon Mercantile Union, led by Bala Tampoe, has resolved that the ethnic conflict should be settled on the basis of the recognition of and respect for the democratic rights of the Tamil speaking people including their right to self-determination. The resolution adopted at the Conference also deplored that the LTTE had suppressed or eliminated by violence all other political parties and groups amongst the Tamil speaking people in the north-east, and by the LTTE's action, the people of these areas have been rendered incapable of exercising their democratic rights.

READERS FORUM

'SEEKING A SAFE HAVEN'

The Sri Lanka Army, Navy and the Air Force, consisting mostly of Sinhalese are fighting a brutal war in the north and east of Sri Lanka, against the Liberation Tigers of Tamil Eelam, consisting almost exclusively of young Tamils. The death toll on both sides is heavy and the defence bill this year is Rs. 18 billion.

For the 10 years of the war, the cost can be estimated at about 150 billion or 3 Mahaweli schemes or 5,000 garment factories. The crux of the problem is between the Sinhalese and the Tamils, as represented by their armed fighters. These hard, cold facts must be faced squarely and assessed correctly if we are to find a solution to the problem. Wishful, woolly thinking and assessments other than of stark reality will not lead to a solution.

I am an ordinary man from Jaffna, with most of my relatives living in Jaffna or abroad. I am very interested in a solution, because I happen to have known some of the Army and Navy officers who died in their prime and the parents of a few of the LTTE fighters who died in their youth.

What is the real core of the problem? Land, as W. Dahanayake told me in a wide ranging discussion during the days of the Thimpu talks. He said then that land was the real problem and the talks were likely to fail on that score. He was then past 80 and an ordinary MP, before his last stint as Cabinet Minister and his words proved to be very prophetic and wise.

What do the Tamils seek and why? My own memories go back to the first election of 1947 and the sad events from 1958 to 1983. In 1992, on the day after Generals Kobbekaduwa and Wimalaratne died, I asked my daughter working in Fort to get back home at half time and I too put half day's leave and went home. We waited anxiously that night and the following, fearing the worst, but fortunately there was no eruption, though the villagers of Mahilanthanai in Polonnaruwa were not so fortunate.

Man is an animal. If you threaten to kill an animal it will react in one of two basic ways of survival - flee or fight. Many Tamils have adopted fleeing as their method of survival and are now spread out all over the world; some have adopted the alternative of 'fighting'.

I will not burden you with my own

memories. But there is a deep yearning within all of us to have a SAFE HAVEN where we and ours can live in safety and be not threatened or harmed. My wife's old mother and her sisters and their children live in Jaffna. When the Indians stormed Jaffna in 1987, a shell fired by them fell into the mouth of the bunker in their home and exploded, causing it to cave in completely. Fortunately, my relatives had fled to a different village the previous day or they would all have been buried alive.

Now they write that they do not even try to get into the bunker as the planes are supersonic and the plane would have come, dropped its load and gone before they could get into the bunker. They have become totally fatalistic and trust only in God. The children concerned are 18 years, 12 years, 9 years and 7 years; three girls and a boy. What effect these traumatic events will have on their personalities and their mental health is difficult to predict.

So, what do we really seek, leaders of our land? Simply, a SAFE HAVEN where we can live without fear, in safety, in dignity and harmony.

Sri Lanka has been bedeviled by accursed words with an evil power of their own since independence. 'Fifty-Fifty', 'Parity of Status', 'Sinhala Only', 'Federalism', 'Preservation of Sinhala Buddhist Culture', 'Eelam', and now 'Merger' and 'Demerger' are these evil words and phrases which have prevented clear thought and for which we have paid in blood.

I have been an observer of this Greek tragedy as it unfolded and is still unfolding. It was always land. We operated from old atavistic fears. The Sinhalese, from their historical fear of invasion from Tamil Nadu; the Tamils from more recent fears of decimation and destruction. From the time of independence, the Sinhalese have tried to drive a Land wedge between the Jaffna and Batticaloa Tamils - sometimes openly, sometimes surreptitiously. Hence the colonisation of Trinco then and Weli Oya (Manal Aru) now. For the corresponding reason from their point of view did the EPRLF choose Trinco as the capital of the North Eastern province.

We, the Tamils, form one in eight of the population of Sri Lanka. We are, essentially, a weak minority. Please allow us a CONTIGUOUS SAFE HAVEN, whatever its size or location. Please do not talk of proportionality. How can 1/8th of the people be given 1/4th of the land? Is a dangerous emotive 'accursed phrase'. In that case, what about the water and the rivers

and the soil and the gems? And the industry and the infrastructure? If you think we have too much land, please carve out the excess from ONE END. But please give us one contiguous block of land. In the areas we live, the water tastes terrible. We have to water everything we plant for two years - no one day tree planting campaigns for us - the climate is hot and dusty and living is harsh. But we will struggle and survive. But please do not separate my Batticaloa brother from me. Is this too much to ask? Consensus has been reached by the UNP, the SLFP, the LSSP, the CP and the SLMC, say the newspapers.

I get a feeling of *déjà vu*. Are these not the same parties which achieved consensus on 'Sinhala Only' in the 1950s?

The Mangala Moonesinghe initiative has resulted in a still-birth. If the desire to weaken a small minority by cutting it up into two has not left the Sinhala parties and the Tamils want to leave Parliament as a result, where is the consensus?

I hope that national strategies will not be based on quislings. General Yitzhak Rabin, who led the Israeli Army to victory in the 1967 war is now prepared, as an elderly Prime Minister, to trade land for peace. Will our leaders be equally wise? Or will it take another thirty years of struggle, as in the case of the Sinhala Only consensus, to see reason?

I am now old enough to offer advice. Whether you are Sinhala or Tamil, if you want peace in the land and a solution to the problem we face, do not try to inflict a 'total defeat' on your brother who is now fighting you. If you defeat him, he will rise again another day. Peace will come when he and you both feel victorious. You, my sons, are you mature enough to understand what I say?

Vettivelu Thampu

Chundikuli, Jaffna.

Continued from page 19

expressed concern over the presence of armed rebels in the camp.

There has been in recent weeks a battery of intervention by the Madhu church, government officials and the NGOs to persuade the rebels to respect the Madhu ORC as a neutral zone, but they seem to have met with little success.

But Mr. Utkan hasn't given up hope that diplomacy and persuasion will win the day. But that in no way means that he will allow UNHCR's mandate of humanitarian assistance to be manipulated by any side. On that score he is very firm.

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MATRIMONIAL

Sister seeks groom for her sister, living in U.K., Jaffna Hindu, 22, handsome, 5'3". M 641 c/o Tamil Times.

Jaffna Hindu parents seek professional partner for graduate daughter, 26, in employment. M 642 c/o Tamil Times.

Jaffna Hindu mother seeks partner for son, mid thirties, cheerful sincere, open minded, handsome, professional in USA. M 643 c/o Tamil Times.

WEDDING BELLS

We congratulate the following couples on their recent wedding.

Kuhathas son of Mr. & Mrs. Subramaniam of 19 Edgeway Gate, Scarborough, Ontario, Canada and **Sugunakumari** daughter of Mrs. V.E. Nageswary Ambal of 3250 Keele Street, Apt. 311 Downsview, Toronto, Canada at 2723 St. Clair Ave. East on 23.1.93.

Sivanantha son of the late Mr. Sangarapillai and Mrs. N. Sangarapillai of 7/31 Beulah Hill, Upper Norwood, London SE19 and **Bra-kashini** daughter of Mr. & Mrs. S.K. Thuraisundaram of 99 Abbots Way, Remuera, Auckland, New Zealand at Shree Ganapathy Temple, Wimbledon, London SW19 on 23.1.93.

Gajenthiran son of Mr. & Mrs. M. Karthigesu of 2190 Weston Road, Apt. 307, Weston, Ontario, Canada and **Debbie** daughter of the late Mr. R. Hunt and Mrs. A. Hunt of 138 Kempton Road, East Ham, London E6 at Hare Krishna Hall, 243 Avenue Road, Toronto, Canada on 29.1.93.

Sritheran son of Mr. & Mrs. Annamuttu of Boroko, Papua New Guinea and **Shivani** daughter of Mr. & Mrs. R. Jegendran of 27 Marion Road, Torrensview, Adelaide, Australia at Harlequin Hall, 550 Marian Road, Adelaide, Australia on 7.2.93.

Jehanmohan son of Mr. & Mrs. M. Pathmanathan of 9/318 Canning Highway, Bicton Western Australia and **Anusha** daughter of Mr. & Mrs. K. Ganeshalingam of 10 Rosemary Drive, Redbridge, Ilford at Heathcote School Hall, Chingford, London E4.

FLAT FOR SALE

3 bed flat in Colombo 4 for sale. Please contact E 57 c/o Tamil Times.

FLAT TO LET

Three bedrooomed luxury flat in New Addington, Surrey to let. £120 p.w. Tel: 06898 0052 (Day), 081-689 0236 (Evenings).

OBITUARIES



Mrs. Sugirthamalar Mailvaganam (Pathma) born 4.11.31, beloved wife of Mailvaganam (Retired Irrigation Engineer); daughter of the late Mr. Ratnam and Mrs. Sivayogamalar Ratnam; loving mother of Sivakumar (U.K.), Dr. Gowry Aumbagawan and Premkumar (Canada); mother-in-law of Pamin, Dr. Aumbagawan and Krishanthi; sister of the late Thillainadesan, Sambasivam, Dr. Paramathasan (U.K.), Mahadevan, Vimalendran (U.K.) and Indranee Jeyapathy expired on 30.12.92 and funeral took place in Colombo on 3.1.93. The members of the family thank all relatives and friends who sent messages of sympathy, flowers and generally helped in the funeral arrangements. An abisegam in her memory was performed to Lord Shiva at the Highgate Murugan Temple on 29.1.93 on the 31st day of her passing away - M. Sivakumar, 91 Capthorn Avenue, Rayners Lane, Harrow, Middx. Tel: 081-868 7054.

Kanmany Rajaratnam of Urumpirai, Sri Lanka, wife of the late M.V. Rajaratnam, mother of Natkunam, Satkunam and Nitkunan; mother-in-law of Annalakshmi, Malini and Uma passed away peacefully on Wednesday, 20.1.93 in Australia - 54 Renfrew Road, Hounslow, Middx. TW4. Tel: 081-570 9152.



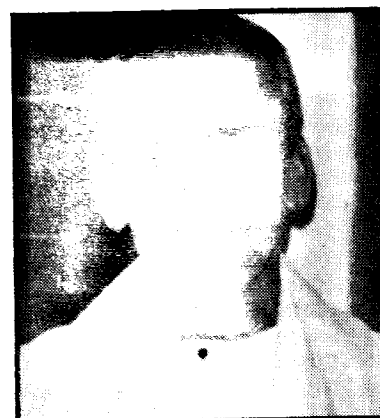
Mr. Seenithamby Nadarajah (Retired Principal), beloved husband of Selvapooshanam; brother of Seenithamby Arumugavadivel (Former Director of Adult Education); loving father of Dr. Niranjana, Rajani, Ramani, Vijayaraghavan, Sanjeevan (all of U.K.) and Mythilie (Sri Lanka); father-in-law of Dr. Kantha, Balasubramaniam, Govindasamy,

Kisha and Sivasubramaniam; grandfather of Niruba, Gajan, Seetha, Sheila, Luxsha, Anujan, Ajanthan, Ramya and Sivasujan passed away peacefully on 6.1.93 and was cremated at Batticaloa, Sri Lanka on 7.1.93. He will be sadly missed and fondly remembered by his beloved wife, children, relatives and friends.

We thank all for their messages of sympathy and support during the period of grief. - Dr. & Mrs. Niranjana, 12 Grosvenor Gardens, Oakwood, London U.K.



Mr. Suthakaran Mahadevan (27), beloved son of Mr. S. Mahadevan, formerly of Hong Kong & Shanghai Bank, Colombo and Mrs. Vimala Mahadevan, formerly of Ceylon Insurance Corporation; brother of Dr. Muralitharan, Mr. Bahirathan, Mr. Girtharan and Miss Sivahamy Mahadevan (all of New Zealand) passed away under tragic circumstances in the USA on 23rd December 1992. Sutha is sadly missed by all his relatives and friends. He was an old boy of Colombo Hindu College - 88 Brodrick Road, Johnsonville, Wellington 4, New Zealand.



Mr. Santhiravar Sithamparappillai (Ponniath Master), former Teacher and Principal of Arunodaya College, Alaveddy, Sri Lanka; beloved husband of the late Rajaluxmi; father of Thilagawathy (Australia), Mangayathkarasi, Mangaleswary, Susi (U.K.), and Umapathisivam (U.K.) and father-in-law of the late P.V. Nadarajah, A. Kanthiah, the late Dr. Sivapathasundaram, T. Sabaratnam and Susithara passed away in Jaffna on 4.2.93 and the funeral took place on 6.2.93. Relations and friends, please accept this information - S. Umapathisivam, 33 Boxtree Lane, Harrow Weald, Middx. HA3 6JP. Tel: 081-421 3626, T. Sabaratnam Tel: 081-204 5062.



Mrs. Ganeswary Tharmalingam, daughter of the late Mr. Thambidurai and the late Mrs. Theivanaipillai Thambidurai of Kondavil East; beloved wife of Mr. Kandiah Tharmalingam (Retired Inspector of School Works); loving mother of Brabalin Lingandhan, Bremjit (both of U.K.) and Ranjit (Canada); beloved mother-in-law of Dr. W.N. Lingandhan and Dr. (Mrs.) Vani Bremjit and Mrs. Sharmini Ranjit and grandmother of Abirami, Sathya, Praneetha, Prasheetha, Prashoban, Praveena and Anjana expired on 21.1.93. Funeral took place on 26.1.93 at Chelmsford Crematorium. She is very much missed by her loved ones, relatives and friends who are mourning and praying for her soul to rest in peace. - 94 Petunia Crescent, Chelmsford, Essex CM1 5YR. Tel: 0245 466363.

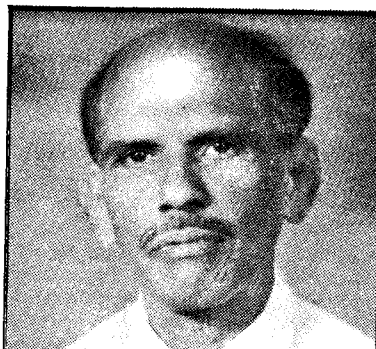
Dr. Bala Rajaratnam, formerly of Trinco Clinic, Trincomalee, and Medical Officer, Transkei, beloved husband of Sushiladevi (Dental Surgeon) and loving father of Mayuran, Balaganapathy and Kanchukan; son of the late Mrs. and Mr. Rajaratnam of Chundikuli; son-in-law of Mrs. Kanapathipillai and the late Mr. Kanapathipillai of Puloly and brother of Dr. Pushpa Sivanandan, Dr. Selvam Thavasoathy, Dr. Rajagopal Rajaratnam, Dr. Krishnaratnam (Kitta) Rajaratnam, Mrs. Sundari Annamalai, Mrs. Mano Sri Kantha, Mr. Renganathan and Mrs. Krishna Selvalingam expired in Transkei on 31.1.93. Cremation - Transkei on 4.2.93. - P.O.Box 109, Umtata - 5100, Transkei, South Africa.

IN MEMORIAM



On the first anniversary of the passing away of **Miss Kanagammah Saravanamuttu**, former Principal and Inspectress of Schools, fondly remembered and sadly missed by brother Dr. Thanabalasingam, sister Mrs. Jegasoorthy Navaratnarajah and all nieces and nephews.

A poojah was performed in her memory on Monday, 8th February 1993 at Highgate Murugan Temple. - Nalayini Kuganathan, 28 Ellement Close, Pinner, Middx. HA5 1ER. Tel: 081-866 3363.

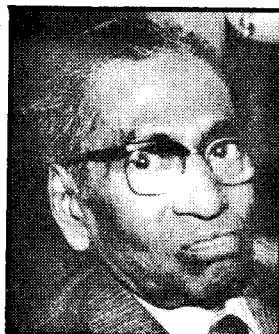


Mr. Kailasapillai Kandasamy, former Deputy Principal, Jaffna Central College.

Born: 20.05.1931 Rest: 02.03.1992.

To love and then to part
Is the greatest sorrow of one's heart
The tears in our lives we wipe away,
But the pain in our hearts Dad,
Will always stay,
It's the emptiness without you,
That never goes away
Love and miss you more each day.

Sadly missed and lovingly remembered by your wife Manonmani, children Jeyashankar, Vijaishankar, Mythili, Thayalashankar and Kousica - 68 Bury Road, East Ham, London E6 2BH. Tel: 081-552 2706.



In loving memory of **Mr. Chelliah Sivasampu** on the first anniversary of his passing away on 9th March 1992.

Sadly missed and fondly remembered by his two sons. - 15 Wolsey Way, Chessington, Surrey, KT9 1XQ.

Tribute to The Late Miss M.P. Dore



Miss Margaret Dore first went to Sri Lanka from Cardiff, as a Missionary, in 1933; twenty-seven years of selfless and loving service to the community there, endeared her to all who had the good fortune to know her. In the educational sphere, she was Acting Principal of Vembadi High School for six years, Head of

the Puttur Centre for the Training of Deaconesses and one of the organizers of the Christian Institute for the Study of Religion and Society, in Colombo. She accredited herself well in all these positions. She was a great evangelist and an inspiring preacher both in Tamil and in English - one who practised what she preached.

She maintained a lively interest in all that happened in Jaffna, and shared in the hurts and joys of the land which she loved so much. Many of us - Sri Lankan families - had the privilege of enjoying her fellowship and friendship for many years in the U.K. It is 'interest and wonder that keeps one young'. Margaret Dore continued to be interested, with awesome wonder, in God's world and the work of human relationship everywhere.

She passed to Greater Glory at the age of eightyfour, after a period of terminal illness; her funeral took place on the 3rd of November at the Wesley Methodist Church, High Wycombe. It was a beautiful service of gratitude for the life and work of a woman who had endeared herself not only to the people of Jaffna but also to many others in all walks of life in the U.K. The Minister, who paid tribute to her life as he had seen it in her latter years, expressed great admiration for her courage, cheerfulness and concern for others; the virtues she exhibited, he said, were those associated with the 'Fruits of the Spirit' as taught by the Apostle Paul. The Old Girls of Vembadi High School laid a beautiful wreath, decorated with the school colours, as a tribute to her dedicated work at the school. Among the mourners at the service were some Sri Lankans, who were closely associated with her.

Cheerful and trusting in the Lord, Margaret Dore stayed tremendously young at eightyfour. When she died she left behind to all she knew, a legacy - 'Faith in God and dedicated love.'

FORTHCOMING EVENTS

Mar. 19 St. Joseph's Day.

Mar. 20 Sani Prathosham.

Mar. 22 Amnavasai.

Mar. 27 Chaturthi.

Mar. 27 10.00am Careers Convention organised by London Tamil Academy at Wembley High School Hall, East Lane, Wembley, Middx. Admission Free. Tel: 081-904 3937.

At the Bhavan Centre, 4A Castletown Road, London W14 9HQ. Tel: 071 381 3086/4608.

March 12 7.30pm Lecture by Justice E.S. Venkataramaiah, Chief Justice of India, on 'Secularism for India is a national imperative'.

Mar. 13 5.30pm Mahabharata Lecture by Shri Mathoor Krishnamurthi.

Mar. 13 7.00pm North Indian Classical Flute Concert by Pandit Hariprasad Chaurasia.

Mar. 14 6.30pm Bharata Natyam recital by Vena Gheerawo.

Mar. 20 7.00pm Kathak by Sushmitra Ghosh.

Mar. 27 5.30pm Mahabharata Lecture by Shri Mathoor Krishnamurthi.

Mar. 27 6.00pm Natha Vidyalaya presents Annual Evening of Violin and Bharath Natyam Recitals at Gayton High School for Boys, Gayton Road, Harrow, Middx. Tel: 081-964 5868.

Seminar on Combating Racism in Canada



The Senior Tamils' Centre of Ontario conducted a seminar on Combating Racism on 24th October 1992 at the Oriole C.R.C. Don Mills, Toronto. The Chief Guest was Ms. Elinor Caplan MPP for Oriole who is seen above addressing the gathering. Mr. Aloy Ratnasingam, President of the centre in his opening address referred to recent unhappy trends in Canada where the black and other visible minorities were facing discrimination. He said that the pace of Government action to stem the unhappy trend was slow.

The Chief Guest in her speech said that strife was due to age old prejudices of colour, religion and race and that it was better today than at the time of her grand parents. She concluded that the ultimate tool to change behaviour was education.

Yarl Seelan Produces C.D.

On 16.12.92 Optimus Management Consultants launched Yarl T. Seelan's 'Life in a Day' in a compact disc format at Campus West Leisure Complex, Welwyn Garden City, Herts. 'Life in a Day' consists of 10 pieces of music depicting the life style in rural villages starting from 'Herald of Dawn' to 'Dance of Dusk'. Each piece is an inspiring progression of daily life with a musical painting of moods such as melancholy and ecstasy. All compositions on this C.D. owe their origin to the ancient folk music of India, China & Sri Lanka. This is the first time when computer controlled Music Instrument Interface (MIDI) system is used for the whole orchestration in Asian folk melodies. The flavour of the music is not only smooth but also resembles the sounds of the natural environment.

For Seelan, this launch is the culmination of his two-and-a-half years of hard work in bringing his musical and technological talents together. His fame as an instrumentalist has been associated with the hawaiian Guitar and Veena. He has now produced computer aided music without using any instrument.

The Compact Disc - 'Life in a Day' is available from Optimus Management Consultants, 25 Oxford Avenue, St. Albans, Herts. AL1 5NS. Tel: 0727 846595 at £8.99 plus postage & packing.

Bharata Natyam Contest 1993

The New York Tamil Sangam is sponsoring a Bharata Natyam Contest planned to be held in New Dorp High School Auditorium, Staten Island, New York on Saturday, 18th September 1993 at 4.00pm. The best dancer in the contest will receive the **Balasaraswati Award for Excellence in Dance** of \$1000 and a plaque. The first runner-up will receive \$500 and the second runner-up \$300. Other finalists too, will receive attractive awards/prizes.

The contest is open only to girls/young

ladies between 16 and 23 years of age on 18th September 1993, residing outside India; must have completed **Bharata Natyam Arangetram** or **Calankai Pujai** or equivalent; only non-professionals are eligible; compositions are to be in Tamil and danced solo to professionally recorded taped music; duration from beginning of music to its end: at least six minutes and not to exceed 10 minutes and 30 seconds.

Those interested please contact: **Mr. R. Kabaliswaran, Director NYTS Dance Contest, 1379 Thomas Avenue, North Brunswick, NJ 08902, USA, or fax/phone: 908 940 0586** (giving your complete address) to request an application packet. If your guru already has an application form, please make a photo copy and use it. There is no fee for application.

Prakash Yadagudde in Dance Ballet



Prakash Yadagudde and Kumari Nina

Prakash Yadagudde of the Bhavan Centre, tours during March and April with 'The Face', his first dance ballet based on a contemporary theme produced in this country, and the first work for which he has received public funding - from the Arts Council and the London Arts Board.

Prakash is one of Britain's finest classical Indian dancers. He trained in Bharatanatyam under U.S. Krishna Rao and Vijaya Marthanda at Bangalore University, and after graduating went on to study choreography under Maya Rao at the Natya Institute of Choreography in Delhi. Prakash toured extensively with Maya Rao's Natya Ballet Centre troupe before coming to London to teach at the Bhavan Centre. He has been performing regularly in the UK and Europe for the past eight years.

Kumari Nina, the young award winning dancer who has often partnered Prakash in recent years, takes the leading female role, and five young artists from the Bhavan Centre also feature in the production.

Fast moving and colourful, the ballet is set in present day India and depicts different phases in the life of Anand, a young man whose aspiration is to become a dancer. Humour, and the exuberance of dance, offset the disillusionment that nearly breaks his spirit. Music has been specially composed by top Indian music director T.V. Gopalkrishnan.

Preview at the Bhavan Centre on 27th

February at 7.00pm, with the premier in the Spring Loaded season at The Place Theatre on 11th March at 8.00pm.

M.I.O.T. Holds Benefit Performance

The South East London and Kent branch of the Medical Institute of Tamils (MIOT) staged an IZAI VIZHA at Kelsey Park School, Manor Way in Beckenham on 30th of January, to collect funds which are urgently needed to supply essential vaccines and surgical materials to the Jaffna Hospital in Sri Lanka.

Mr. V. Rajayogeswaran a senior oral surgeon attached to Guy's Hospital, who is the chairman of the local MIOT branch, welcomed the guests. He outlined the necessity of this organisation and the service rendered by it to provide valuable funds to the unfortunate victims of the war torn areas of Sri Lanka.

The curtain raised with an excellent performance of Bharatha Natya recital by Selvi Edith Thussara Joseph. This was followed by a Percussion Ensemble, provided by Sri Kothandapani on the violin, accompanied by Srimathi Malini Thanapalasingam on the veena. Sri Somasundera Thesigar on the Miruthangam, Sri Muthu Sivarajah on the Ganjira, Sri Bangalore Pirakash on the Gham and Sri Sithambaranathan on the Morsing. Dr. S. Pasupathyrajah the Patron of the association in a short message pointed out the immense help rendered by the organisation since its inauguration about three years ago. Cash donations to the tune of over three thousand pounds have been channelled across to the Jaffna University campus, Jaffna Hospital, Madhu refugee camps and funds made available through the Bishop of Batticaloa to treat the needy. In addition, surgical equipment such as a Resectoscope, hot air ovens, coulter counters, teaching aids, medical journals and books have also been sent to Sri Lanka. Training courses for Sri Lankan qualified doctors taking PLAB examinations in the U.K. were made available on a regular basis by MIOT. An 85% success rate was obtained by MIOT coached doctors. Dr. Pasupathyrajah added that the future projects of the organisation will be to establish a health resources centre to assess health needs of U.K. Tamil population and to implement their requests. The final item on the agenda was a vocal recital by Sri. M. Yogeswaran who was accompanied on the violin by Sri. B.K. Chandrasekhar, Miruthangam by Sri. Bhavani Shankar and Morsing by Sri A. Srinivasan. A request by the enthralled audience led to Sri. Yogeswaran continuing his musical accolade until midnight. A vote of thanks was proposed by the secretary of the association, Dr. N. Ratnarajan. The evening's entertainment was compered by Dr. W.T. Maheswaran.

Dr. K.C. Rajasingham.

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Closing date for completed grid and coupon to be received is 31 March 1993.

Answers and the name of the winner - first all correct entry pulled out of a bag - will be announced in the April 1993 issue.

The winner will receive a prize of £10.00 sterling.

All entries should be sent to: Tamil Times, P.O. Box 121, Sutton, Surrey SM1 3TD, UK.

Across.

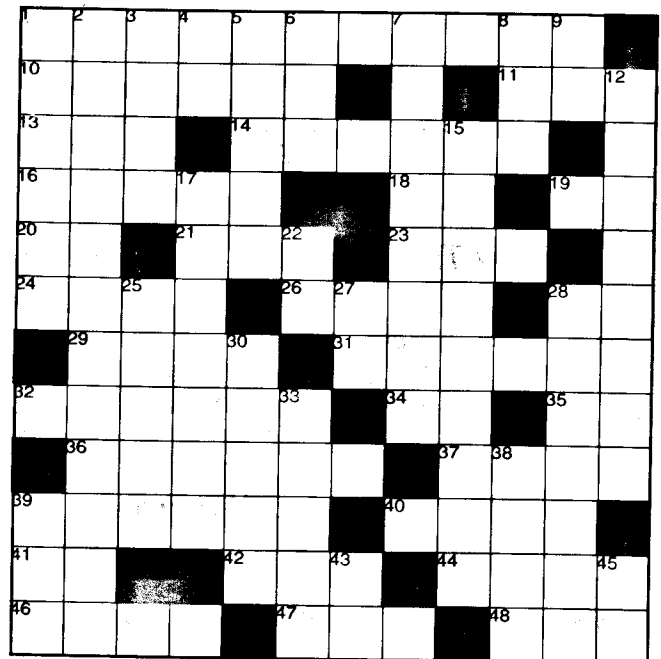
1. Stories related to former lives of the Buddha (6,5)
10. Pasyala's juicy favourites on the Colombo-Kandy Road (6)
11. A small species of Sri Lankan deer (3)
13. Soft hair of certain animals (3)
14. Along with Nehru, Nasser and Tito, the African pioneer of the Non-Aligned Movement (6)
16. Leafy part of the coconut palm (5)
18. 'A name I call myself' ... Sound of Music (2)
19. A royal pronoun in formal proclamations (2)
20. Chemical symbol for sodium (2)
21. An affirmative vote (3)
23. Milk prepared for long keeping, abb. (3)
24. The first man! (4)
26. The Wise Men from the East (4)
28. The measure of acidity in a solution (2)
29. Legal successor to a throne (4)
31. Southeast Asian capital city (6)
32. An idle talker (6)
34. Small mountain (2)
35. Prefixed to 'drew', one of the twelve Apostles (2)
36. Held suspended or supported (6)
37. Touch at one side (4)
39. Insect passing through a passive state of development (6)
40. Snow vehicle (4)
41. Prefixed to 'ange', a juicy delicacy (2)

42. Cleopatra's poisonous aid in her suicide bid (3)
44. Prepare manuscripts for publication (4)
46. Principal island of a Western Indian Ocean state (4)
47. The faculty that discriminates sound (3)
48. Mount Lavinia's famed school, abb. (3)

Down:

1. Sri Lankan city named after a blind singer (6)
2. Sacred city of the Bo Tree (12)
3. Root food source in the Pacific Islands (4)
4. With 'ion', it's a negative charge (2)
5. Sri Lanka's splendid hill capital (5)
6. Request (3)
7. The Kataragama Deity (8)
8. A major division of geological time (3)
9. 'A needle pulling thread' ... Sound of Music (2)
12. The heavy worker in Thailand, Burma, India and Sri Lanka is often a sacred temple mascot (8)
15. Buddhism's most sacred city in Sri Lanka (9)
17. Windhoek is the capital of this African state (7)
22. Printer's measure (2)
25. Greek story teller of moral animal fables (5)
27. Before noon (2)
28. A round of applause (7)

QUIZ CROSSWORDS - No. 24. Compiled by: Richards



30. Member of the sect that believes blacks are the chosen people (5)
33. Web-footed birds (5)
38. Garden plots (4)

39. British immigrant Down Under (3)
43. Father affectionately (2)
45. Urban organisation responsible for civic functions, abb. (2)

Quiz Crosswords - 22: Solutions.

Across: 1. Private gains. 10. An 11. Mill. 12. No. 13. TNT. 14. Eelanadu. 17. NR. 18. Repel. 19. Broad Sheets. 23. Lo. 24. We. 26. Observer. 30. Amp. 32. OA. 34. IE. 35. Daily News. 39. RA. 40. Sun. 41. Be. 42. Irk. 43. Teats. 46. Eros. 47. Morning Star.

Down: 1. Ran. 3. Intro. 4. Amender. 5. Tiers. 6. Ell. 7. Glare. 8. Inapt. 9. Nodes. 13. Tabloids. 15. Need. 16. UL. 20. Rob. 21. Awe. 22. Hoe. 25. Speaks. 27. Shiner. 28. Van. 29. Rowe. 31. Mirror. 33. As. 36. Auto. 37. Yeti. 38. EB. 42. IRA. 44. An. 45. SN. 46. ET.

Winner: Dr. D.J.N. Selvadurai, 8 Cheam Mansions, Station Way, Cheam, Surrey SM3 8SA.

Over 5,000 Fundamental Rights Petitions From 1990

Over 50,000 fundamental rights petitions were received by the Chief Justice during the last three years from persons held under emergency regulations at several detention centres in various parts of the country.

The Deputy Registrar of the Supreme Court, M.A. Cyril said petitions were being received almost everyday, the majority of them were from detainees at the Boosa, Pelawatta, Palakelle, Weerawila and Kalutara detention camps.

A record 3225 petitions were received in 1991, 1415 in 1990 and over a thousand petitions for this year. In comparison, the number of fundamental rights petitions received between 1985 and 1989 was 389.

Beginning in 1990, with the sudden upsurge in the number of petitions received from detainees the Supreme Court referred all the petitions to the Bar Association of Sri Lanka (BASL),

which has instituted action in the Supreme Court on behalf of several of the detainees.

The Secretary of the BASL, Upul Jayasuriya, said 645 cases were filed

in the Supreme Court during the course of this year, and that papers in respect of 3015 cases were being processed and would be filed in court shortly.

Of the 2475 cases disposed of before the Supreme Court, compensation had been awarded in 83 cases amounting to Rs. 533,000.

Continued from page 11

conception of economic efficiency. PD demands a state capable of reforming these structures to ensure social justice for the present and future generations. It demands the recognition of non-market and non-statal community institutions and social networks that are so vital not only to market transactions and economic security but to environmental management and cultural advancement as well.

Liberalism has been promising consumer sovereignty for ages while in reality it has been denied to the people

by the workings of actually existing capitalism. In a PD, people demand consumer sovereignty and strive to exercise it by challenging the machinations of big firms, and by exposing the secrets of price fixing by the so-called price-makers, through consumer movements. While federalism is capable of providing a multi-ethnic framework, it has to be combined with people's democracy to construct a socially just, truly participatory and dynamic political economic order. Hopefully, the debate has begun and the ideas put forward here and in the last issue of *Tamil Times* are relevant to it.

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