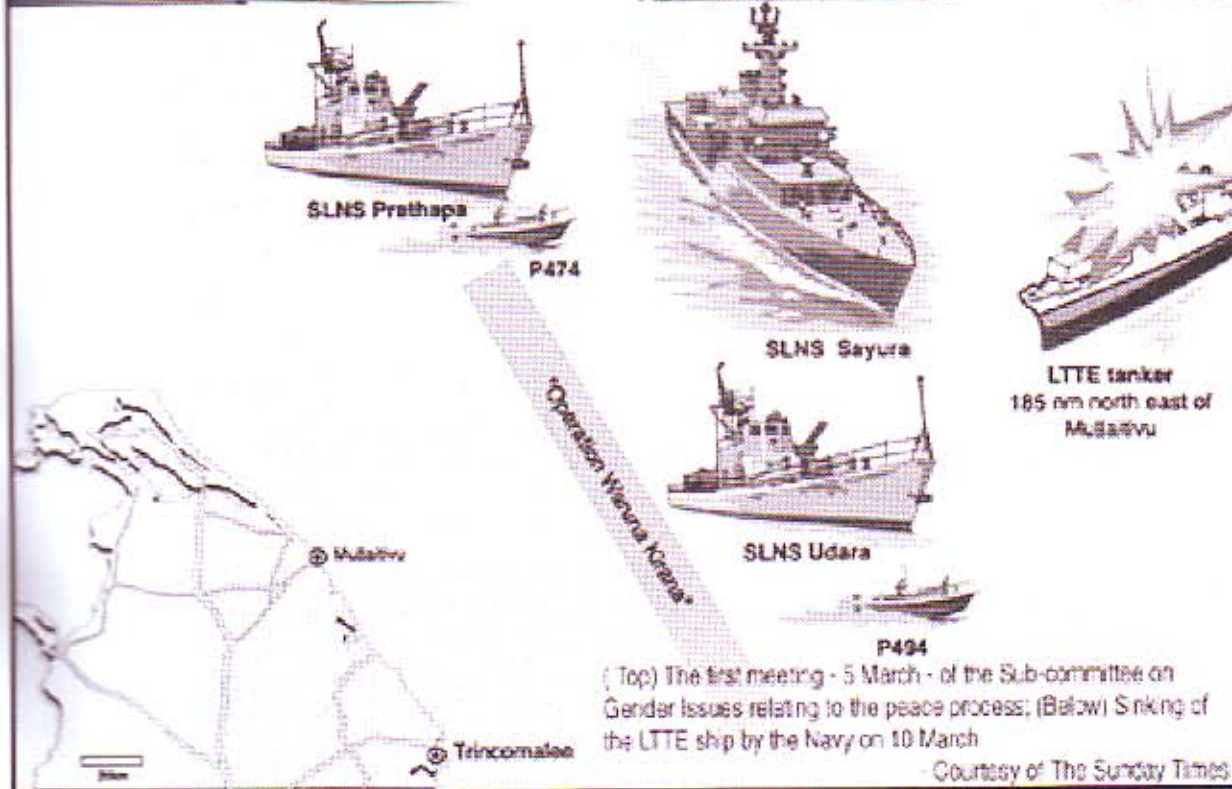


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-Voltaire



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# Need to Remove Uncertainty

At the forthcoming sixth round of talks in Japan between 18 and 21 March, the Government and LTTE are expected to take for discussion issues relating to human rights and economic matters, in addition to the fiscal aspects of federalism. It is also expected that the two sides and the facilitators, Norway, will be joined by the former head of Amnesty International, Ian Martin, who has been entrusted with task to "formulate concrete proposals" for ensuring human rights, including the manner in which these would be implemented. Tokyo's special envoy, Yasushi Akashi, is to "be associated with the discussions regarding economic issues". These are important issues that go to the heart of the peace process.

However, yet again, another serious incident has intervened to dominate and cloud the atmosphere surrounding the talks. There is no doubt that the recent sinking of the LTTE's tanker by the Sri Lankan Navy constitutes the most serious incident of violence that has occurred since the Ceasefire Agreement came into effect in February last year. The prospect of the LTTE boycotting the talks loomed large in the immediate aftermath of the incident. However, as we go to press, it has been confirmed that the LTTE would participate. But one can have no doubt that at least most of the first day will be spent on a slanging match of accusations and counter-accusations as to which party was responsible for the incident. When the people expect steady and faster progress in the talks concerning the substantive issues involved in the conflict, it is sad to see that incidents seem to repeatedly occur that distract the attention of the parties from achieving such progress.

The Ceasefire Agreement and the ongoing peace process have not only brought an end to the daily carnage and destruction that characterised the years that preceded the ceasefire. Among others, the peace process has also enabled the creation of a situation in which large number of rehabilitation and reconstruction projects and programmes (see pages 22-25 in this issue ) have been put in train. Many of them are in their initial stages. Nevertheless, they represent not an inconsiderable peace dividend that the peace process has enabled. If these projects and programmes of rehabilitation and reconstruction are to materialise yielding concrete and beneficial results to the people, then a continuing and uninterrupted period of peace is absolutely essential. The resources required to take these projects and programmes forward have to come from foreign countries and donor agencies, including the World Bank and the Asian Development Bank. These much needed resources would not be forthcoming if the present uncertainty in respect of the ceasefire and the peace process is not removed. Incidents such as the one that occurred last month off the Delft island on 7 February, and the recent one involving the sinking of the LTTE tanker not only serve to reinforce this perception of uncertainty, but also undermine the confidence in the entire peace process itself.

It is in this context that the need for a review of the provisions of the Ceasefire Agreement becomes all the more relevant and important.

It is more than a year since the Ceasefire Agreement was signed. The parties have had several rounds of formal talks and a number of other direct meetings and discussions have taken place between the parties have taken place since then.

If the parties are committed to the peace process, as they so often publicly proclaim, built into any review of the Ceasefire Agreement must be a commitment by the parties to renounce the use of violence and an undertaking to seek a political solution entirely through peaceful negotiations. A binding commitment by the parties to the non-use of violence would render unnecessary and meaningless any effort to augment their current arsenal of weapons in their possession. Such a commitment would also remove the current uncertainty in the peace process and reassure those countries and donor agencies that are prepared to finance the rehabilitation and reconstruction of the war-ravaged areas of the island. It will also give the people the confidence that the process has taken an irreversible path towards permanent peace.

**STOP PRESS****SLMM on Sinking of LTTE Ship**

Feb 18 – The Sri Lanka Monitoring Mission (SLMM), having investigated the incident in which an LTTE ship was sunk by the Sri Lankan Navy and eleven of its crew of Sea Tigers were killed on 10 March, issued the following statement:

***LTTE Merchant ship sunk by Sri Lanka Navy - Course of Events - Versions of the Government and LTTE - SLMM Determination***

At 10.00 on the morning of March 10th 2003 Sri Lanka Monitoring Mission (SLMM) received information from the Sri Lanka Government's Secretariat for Coordinating the Peace Process, that the Sri Lanka Navy (SLN) was engaged in a sea incident around 240 nautical miles off the East coast of Sri Lanka. The SLN was said to have intercepted an unknown merchant ship believed to be a Liberation Tigers of Tamil Eelam (LTTE) vessel. Major General Trygve Tellefsen, the Head of SLMM, immediately contacted the Sri Lanka Navy Commander and requested that the Navy would keep the merchant ship under close observation, maintain a certain distance from it and avoid any confrontation until a SLMM monitor had been moved to the scene. The Navy Commander informed the Head of SLMM that a firefight had already taken place between the vessels. At 10.10 SLMM contacted the LTTE Headquarters in Kilinochchi via telephone, and asked if LTTE had information on any LTTE vessel in this area. The question was to be relayed to the LTTE leadership as soon as possible.

According to the SLN report on the incident, "the Sri Lanka Navy received credible information on 09th March that a LTTE vessel carrying warlike material was approaching the Mullaitivu coast with the objective of unloading weapons at mid sea onto small boats." According to SLMM interviews with members of the Eastern Naval

Command and the Captain of the SLN vessel; "The suspicious vessel was visibly detected 185 miles from the coastline... ..at 06.30 on the 10th March... and ... The suspect vessel, which conformed to the intelligence received, was identified around 07.45... ..at approximately 185 miles North East of Mullaitivu." There was radio communications between the vessels. The SLN claims that the information from the LTTE crew on the ship's cargo, registration and crew was characterized by discrepancies. The SLN also claims that the vessel did not have a national flag or a visible name on the ship and because it did not follow the SLN orders to stop; "The SLN vessel fired warning shots over the bow of the LTTE ship at approximately 09.00-09.30, and subsequently received fire from the LTTE merchant ship. The SLN fired back at the ship using all her weapons... and ... the suspect vessel caught fire and became disabled around 10.30."

At 12.00 the LTTE leadership contacted SLMM and confirmed that an LTTE merchant ship was engaged in a sea incident with the SLN. The LTTE stated to SLMM that; "the ship is sailing in international waters, the SLN has no right to intercept it and we ask SLMM to intervene." In interviews with SLMM, LTTE later stated that; "this was a merchant tanker of approximately 700 tons, 8 meters wide and 61 meters long. It had 11 crewmembers, all members of the Sea Tigers, and was operated by an independent shipping company supporting LTTE financially. The ship had a legal cargo of diesel and was sailing in the direction of India. At 11.30 its position was 220 miles East of Trincomalee" The LTTE has not been able to inform SLMM about the name and registration of the tanker or its port of departure.

The LTTE states that at approximately 14.00 it received a message

from the tanker via the LTTE Sea Tigers, that it was "under attack, on fire and sinking." The SLN states that the LTTE merchant vessel sank 195 miles East of Mullaitivu at 15.09. The sinking of the ship can be seen from the video produced by SLN. However, it still remains unexplained what actually caused the ship to sink.

**SLMM Findings**

SLMM inquiry team found around 30 fresh bullet marks on the superstructure and bridge of SLNS Sayura, the SLN vessel involved in the incident. SLMM inquiry team also met and questioned three servicemen of the SLNS Sayura, that were wounded in this incident, on their return from sea early morning 11th March. The SLN video taken by a SLN vessel arriving to the scene after 11.00 cannot be considered entirely impartial evidence, as it is taken and produced by one party to the conflict. However, on that video, the front and back of the hull of the LTTE merchant ship can be seen quite clearly. At the time of filming, no flag or name is visible and the same applies to the front of the bridge and the mast of the ship. On the other hand in the intelligence the SLN received on the LTTE merchant ship it is stated that the ships name is MV KOIMAR. The SLN report states "the suspect vessel... ..conformed to the intelligence received". On the SLN video it can also be seen that the LTTE merchant ship had isolated fires on the front deck, in front of the bridge and on the aft, until it sank.

Asked why SLMM was not informed and a monitor called to the scene, the Navy Commander, members of the Eastern Naval Command and the Captain of SLNS Sayura have stated that they did not know it was a LTTE vessel but were only informed about a "suspicious gun running vessel". This is contradictory to the initial press release from the Ministry of Defence and also the SLN report on the incident, which both state "The SLN received credible information on 09th March that a LTTE vessel carrying warlike material was approaching the Mullaitivu coast".

The Government of Sri Lanka accuses LTTE of carrying warlike material in a merchant vessel claiming that

the LTTE has violated paragraph 1.7 in the Ceasefire Agreement. Additionally the Government claims that LTTE has committed a breach of the United Nations Conventions on the Law of the Sea, by neither flying a flag of any state nor displaying any name on the ship. The LTTE accuses the Government of Sri Lanka of engaging in an offensive operation against its commercial ship and thus, committing a breach of paragraph 1.3 in the Ceasefire Agreement. The LTTE claims that the incident happened 220 miles off the East coast and that the Government of Sri Lanka does not have any authority in international waters according to the abovementioned UN convention.

**Conclusion**

The Head of SLMM is the final authority to interpret the Ceasefire Agreement. However the Head of SLMM does not have authority to interpret the United Nations Convention on the Law of the Sea. It is the assessment of SLMM that both parties had enough time to inform the SLMM and to request SLMM to take immediate actions on this matter before the situation escalated and the actual confrontation took place. This is especially the case with the SLN, which has stated in their report that they had credible information on a LTTE vessel approaching the Mullaitivu coast already early

on 09th March. Regrettably neither of the Parties informed SLMM until it was too late to prevent the clash. This is especially disappointing in the light that the Government of Sri Lanka and LTTE set up SLMM with the Ceasefire Agreement, in order to conduct impartial verification, inquiries into alleged violations and to assist them in the settlement of any dispute that might arise.

Both Parties have requested the Head of SLMM to give a ruling on this incident. SLMM first and foremost bases its rulings on first hand verification of its monitors and non-contradictory information given by both Parties. SLMM cannot say for sure if this incident could have been avoided. Similarly, SLMM has no proof if the cargo of the LTTE vessel was warlike material, like the Government of Sri Lanka has stated, or diesel, as the LTTE has stated. However, if the SLMM had been involved in this incident as an impartial monitor, it would no doubt be in a better position to make a ruling on the behaviour of the Parties and what took place. Most importantly, the outcome of the incident might have been different if SLMM had been involved earlier. With all this in mind, ruling only one of the Parties to be responsible for this specific incident is not possible.

To avoid similar incidents in the future, SLMM has advised the Parties to work out a safeguarding mechanism

and procedures to be applied under such circumstances. SLMM has already informed the Parties about its availability to facilitate such a meeting between them and assistance in working out such procedures.

Major General Tryggve Tellefsen, Head of SLMM, states: "The Ceasefire between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam has not been without difficulties, effort and tolerance of the two Parties and the people in Sri Lanka. But it remains in force. Eleven members of LTTE lost their lives off the East coast of Sri Lanka on the 10th of March. Four servicemen of the Sri Lanka Navy were wounded. The Ceasefire is still in force. I would like to convey my deepest sympathy to families of the cadres that lost their lives. I wish the wounded SLN servicemen quick recovery. The Government of Sri Lanka and the LTTE leadership have once again shown their dedication to a negotiated settlement to this conflict. For that they deserve respect. We urge the Government of Sri Lanka and the LTTE leadership to respect the Ceasefire Agreement, avoid confrontations and refrain from any offensive military operations. You have created SLMM to monitor the implementation of the Ceasefire Agreement and assist in solving disputes that arise. Employ it as such. You have our unlimited support."



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## Peace process sailing through stormy waters

Many anticipate that the incident relating to the sinking of the LTTE's tanker, suspected to be engaged in smuggling of weapons, will figure prominently at the sixth round of peace talks between the Government and the LTTE scheduled to begin in Hakone in Japan on 18 March.

The LTTE has already given notice that the opportunity of the talks would be used to register their strong protest. The Government is bound to justify the action by its Navy. President Kumaratunga during her two-hour long crisis talks with Prime Minister Ranil Wickremesinghe on 11 March shortly after the incident had emphasized the need to take the issue of smuggling arms at the Hakone talks with the LTTE.

The LTTE has denied that its ship was engaged in any arms smuggling, and claimed that it was only carrying fuel and asserted that the Navy's action in sinking the ship was a grave violation of the Ceasefire Agreement.

The leadership of the LTTE condemned the sinking by the Sri Lanka Navy of an LTTE's vessel in international waters. In a letter to Sri Lankan Defence Minister Tilak Marapane, the head of the LTTE's Political Wing, Mr. S. P. Thamichelvam, condemned the attack in which eleven LTTE cadres were killed as "a grave violation of the ceasefire agreement."

Mr. Thamichelvam's letter stated: "We wish to express our great displeasure and dispute the feeble argument you advanced to justify and legitimize the unwarranted and impulsive action taken by the Sri Lanka Navy in attacking and destroying our merchant vessel on the international waters.

"Your proposition that the LTTE vessel was carrying 'war like material' is either imaginary or conjecture based on the false and distorted version of the report presented to you by the naval authorities. The destruction of the vessel and all its crew members have given the navy the golden opportunity to frame charges as they wish since the victims (both the sailors and ship) have no voice and are buried deep in the bottom of the sea. We wish to point out that the captain of the unfortunate ves-

sel reported to us that the SLN gunship opened offensive fire and set the tanker on fire without any provocation on their part.

*"We are surprised to note that your response to our protest over the incident failed to mention the location of the incident. This is a crucial factor since the incident took place 220 nautical miles off Trincomalee. There is notable discrepancy over the version of the SLN with regard to the location of the incident.*

*"Finally the navy has concocted the location within the economic zone of 185 nautical miles. Surprisingly your government failed to recognize the fact that there is a ceasefire agreement and that Clause 1.3 of the MoU forbids the SLN to enter into combat with the LTTE. Furthermore the SLN has also failed to solicit the assistance of the Sri Lanka Monitoring Mission (SLMM) in handling this affair. We consider the incident as a grave violation of the truce agreement by the SLN and are awaiting the final determination of the SLMM. Copies of the letter have been sent to the head of the SLMM and the Norwegian Ambassador in Colombo."*

Defence Minister Tilak Marapana responded to Thamichelvam justifying the action taken by the Navy and suggesting that the SLMM should carry out a full investigation into the circumstances of the incident to establish whether there was a violation of the ceasefire agreement: *"The Sri Lanka Navy had credible information about a vessel carrying warlike material posing a threat to the country and its territorial integrity. The Navy in possession of this information encountered a vessel, which flew no flag, in itself a contravention of international law giving the Navy the right of interception, and had no name on the bows.*

*"When the Navy attempted to approach the suspect vessel, it began maneuvering in a suspicious manner and resorted to offensive action in violation of established principles and procedures of international law throughout the sequences of events. Such conduct clearly confirms the suspicion that the vessel was in fact carrying warlike*

*material in contravention of the ceasefire agreement.*

*"The Government is of the opinion that the circumstances should be fully inquired into by the Sri Lanka Monitoring Mission in order to make a determination as to whether there was a contravention of the ceasefire agreement and to also ensue that established norms of international law are not violated in the future"*

Following the incident, in which eleven LTTE cadres were killed, there were those 'LTTE specialists' who entertained the prospect of the LTTE retaliating militarily leading to a resumption of armed hostilities. According to the ceasefire agreement, only a 72-hour notice is required if either side decides to snap the truce and return to war if either side desired to do so. They regarded the withdrawal of the LTTE cadres from their political offices in government controlled areas of the North and the East following this incident as a possible prelude to LTTE's retaliation. But LTTE sources later said that cadres from government controlled areas were being called back to attend a seminar to be addressed by the Tiger theoretician, Anton Balasingham. Asked about reports of the recalling of LTTEs unarmed political cadres from areas controlled by the SLA, Mr. Balasingham explained that the cadres were recalled so that "we can explain the current situation to them and ensure their safety. They will return to their political work once the tensions ease."

Sensing the danger that the incident posed for the entire peace process, the Norwegians and the Sri Lanka Monitoring Mission (SLMM) swung into action to save the fragile ceasefire with a flurry of meetings.

The SLMM had on 11 March asked the defence authorities for exact location of the naval engagement in the high seas. The clarifications were sought by the head of the SLMM, Trygve Tellefsen, at a meeting with the Sri Lankan Defence Secretary, Austin Fernando, and the Navy Chief, Daya Sandagiri. The clarifications were sought as the SLMM had received varying accounts of the exact position of incident. The position of the engagement and the flag of the sunken vessel were two important issues, SLMM sources said. The Monitors also met and had discussions with Anton Balasingham, and the political wing leader, S.P. Thamichelvam.

It is now learnt that the SLMM on 15 March submitted their determination and judgement on the incident in which the LTTE tanker was sunk to the government and the LTTE. The determination was arrived at following inquiries and investigations conducted by the SLMM during the past few days by three of their teams reporting from Kilinochchi, Jaffna and Colombo in the wake of denials by the Tigers of a gun running charge by the Navy. One team had obtained statements from three of the four sailors injured during the incident; while another team was involved in inspecting the gunboat.

It is understood that the Monitors based their report on the Ceasefire Agreement, the UN Convention of the Law of the Sea 1982, the SLN rules of engagement, a copy of the "SLN Sayura" vessel log book, and also an 11-minute video clipping of the Mullaitivu incident covered from 11.30 am - 3.10 pm which showed the last part of the incident.

The SLLM also took into account the details obtained during meetings with Anton Balasingham, Defence Secretary Austin Fernando and Navy Commander Daya Sandagiri.

### Balasingham's role

It has been speculated by some commentators that the presence of Anton Balasingham in the Vanni during this time was fortunate. They think that Balasingham's presence in the Vanni may have been responsible for avoiding the over-reaction by the LTTE leadership within which there were hardline elements, particularly from the Sea Tiger wing, who would have advocated a retaliatory violent response to the loss of eleven of their cadres. Then there were those who would have urged boycott of the Tokyo talks. Balasingham himself referred to this prospect in an interview with the BBC adding that he personally did not favour that option. These commentators believe that Balasingham might have used his influence with Pirapaharan to overrule the 'hotheads' in the leadership of the LTTE. He appears to have advised the LTTE leader that if the Tigers retaliated leading to a breakdown of the peace process and resumption of war, it would give the impression to the international community that the LTTE was responsible. Balasingham's position appeared to be that the Tigers could revert to war only if they could convince the international community that

it was the Sri Lankan government that was responsible for intentionally breaking the ceasefire agreement.

Interviewed by the BBC, Balasingham said that the LTTE was considering a range of options, including a suspension of the peace talks as a mark of protest, but he personally did not favour that option, adding, "We intend doing something, No final decision has been taken. We want to discuss with the SLMM chief also."

Speaking at a public function held to open a LTTE court in Kilinochchi on 11 March, Anton Balasingham said that the LTTE would not allow the peace process to become a trap to weaken the Liberation Tigers. "Despite provocations and attacks on us we are determined to participate constructively in the peace process. We want to convince the world, particularly the Sinhala people, that we are committed to peace." He further said that, "ceasefire agreement says that the Sri Lanka Navy (SLN) can maintain territorial integrity and sovereignty of the country without fighting the LTTE. We have lost experienced officers of the Sea Tigers in Monday's attack. We have taken serious exception to this attack and consider this as an extremely serious matter that will have far reaching implications in the peace process. We feel that a section of the SLN are under the influence of the President. We have gone to the end of the tether. There is lot of anger and resentment among our cadres over this incident."

At a press briefing in Killinochchi LTTE political secretariat, Balasingham denied that the LTTE would harden their stance at the next round of peace talks because of sinking of their vessel. Assuring that there would not be an immediate return to war, he wanted an assurance from Colombo that similar incidents would not recur.

Blasingham said he was not aware of the details of the consignment on the sunken vessel. "It is our merchant vessel. It is not a secret that we have shipping companies operating in the south Asian region," he reportedly said. Referring to the Defence Ministry claim that the vessel was "carrying warlike material", Mr. Balasingham reportedly said that he was not aware of what was on board the vessel but "as it sank quickly, it could have been carrying fuel."

Recalling that the LTTE was blamed for breaking the past negotiations, Mr. Balasingham said, "yesterday's in-

cident was reason enough for us to start a major war. But we have to be patient. We will prove that we are for peace and wait till we reach the limits of patience. As people prefer peace, we will not resume war immediately. We will be as patient as possible."

### Tigers to attend talks

There is no doubt that the incident constituted the most serious threat to the entire peace process. LTTE's response to the incident threatening "serious implications for the peace process" came as an ominous sign. However, fears that the forthcoming peace talks in Tokyo on 18 to 21 March would postponed or suspended as a result of the naval incident were dispelled when LTTE Peace Secretariat Chief Kumaran Pulidevan advised in writing on 14 March the Norwegian facilitators and the Japanese government confirming LTTE's participation in the talks.

The LTTE team for the Hakone talks will comprise Anton Balasingham, Adele Balasingham, Political Leader S. P. Thamilselvan, Vinayagamooth Paramu (Karuna), Sivaratnam Prabhakaran (Kumaran Pulidevan), Dr. J. Maheswaran, Perinbanayagam Sivaram, Meenadhi Sundaram and Media Coordinator Suthakaran who will be flying directly from London.

Addressing a press conference on 15 March, Mr. Anton Balasingham said that the LTTE delegation would leave Colombo on Sunday 16 March night to attend peace talks in Hakone, Japan. "Our leadership has taken a decision to attend Japan peace talks. The boycotting of the Japan peace talks could result in bringing undesirable consequences. Further, a boycott will likely provide Government a propaganda tool to cast doubts on our commitment to peace talks. Hence our leadership decided to participate in the Japan peace talks." Balasingham said.

"Our leadership felt that expressing direct condemnation of the action of the Sri Lanka Navy (SLN) for sinking our merchant vessel in most severe terms to the GOSL, the Sri Lanka Monitoring Mission (SLMM) and to the international community interested in peace would be more appropriate at this juncture," added Balasingham.

While the naval incident would no doubt cloud the atmosphere in which the talks take place, the two sides expect to take on issues relating to human rights and economic matters, in addition to the fiscal aspects of feder-

alism. The two sides and the facilitators, Norway, would be joined by the former head of Amnesty International, Ian Martin, who was expected to "formulate concrete proposals" for ensuring human rights, including the manner in which these would be implemented. Tokyo's special envoy, Yasushi Akashi, would "be associated with the discussions regarding economic issues".

**Review of Ceasefire Agreement**

The frequent incidents of alleged violations of the ceasefire have raised the issue of reviewing the current Ceasefire Agreement which came into effect on 22 February last year. It is understood that Norway is proposing amendments to the CA in view of problems that were not foreseen when the agreement was signed. Norway is reported to be holding talks with the government and the LTTE as they felt the agreement should be modified in such a manner that would avoid any unnecessary confrontations between the two sides. A Norwegian official is quoted as saying, "We consider a review of the agreement is necessary in view of certain problems that cropped up during the past one year. For instance, the LTTE says that its merchant vessels should be protected under the ceasefire agreement. This factor was not taken into consideration when we drafted the agreement. New realities call for suitable changes."

Meanwhile, Norwegian Deputy Foreign Minister, Vidar Helgessen, visiting Colombo sought an assurance from the LTTE that it would respect the ruling of ceasefire monitors and ensures their safety. He was commenting on the recent standoff between the SLMM and the LTTE with regard to the release of two security forces personnel. The LTTE first agreed to release a soldier and a policeman on the request of the SLMM but delayed the release, citing legal procedures. The LTTE, however, relented with the SLMM insisting on the immediate release of the two soldiers.

Referring to the recent Delft incident where the ceasefire monitors had to jump off an LTTE boat in mid-sea just before three LTTE cadres blew themselves up, Mr. Helgessen said that the safety of the monitors was of paramount importance for the successful implementation of the ceasefire agreement.

## Navy Sinks LTTE Tanker 11 Sea Tigers Killed

Mar 11 - The Sri Lankan Navy on March 10 said it sunk "an LTTE vessel carrying warlike material" 185 nautical miles east of the Mullaittivu. Eleven LTTE cadres on board the sunk ship were killed, while three sailors and an officer on board a Sri Lankan Navy patrol vessel were injured in the exchange of fire.

The LTTE has protested the attack "in international waters" and said that the incident would have "far-reaching consequences" on the peace process.

A four-hour exchange of fire in international waters preceded the sinking of a merchant vessel belonging to the LTTE by the SLNS SAYURA, an Indian-built offshore patrol vessel, acquired by the Sri Lankan Navy in 2000.

According to the Defence Ministry, the Navy's hunt for the LTTE vessel began on Sunday 9 March, based on "credible information" that the rebel ship was "approaching Mullaittivu coast, with the objective of unloading weapons at mid-sea onto small boats".

The vessel "was not flying the flag of any state, nor was any name displayed on the bows". According to sources, the ship was 60 metres long and had a tonnage of approximately 600.

The Navy's offshore patrol vessel, SLNS SAYURA, "challenged" the rebel ship "on the international maritime communication channel", only to get "vague and contradictory responses".

The 1,890-tonne SAYURA, which is equipped with four 12.7 mm heavy machine guns, then ordered the rebel ship to stop "in order to satisfy itself that it did not pose any serious security threat to the state". The rebel ship "ignored the command" and "began to take evasive action".

According to the Navy, the LTTE ship fired on the SAYURA, after which four fast attack craft were called in. The Defence Ministry said the SAYURA took "retaliatory action in the exercise of the right to self-defence, which was resorted to for protecting vital interests of the Sri Lanka's sovereignty and territorial integrity."

A Navy official was reported as saying that the authorities had credible intelligence that the sunken tanker was loaded with ten 130 mm guns, 140 boxes of ammunition for 130 mm guns, 60 boxes of shells for 152 mm guns,

82mm weapons 100-300 boxes of shells for 82 mm weapons and a large stock of heavy weapons.

The LTTE has disputed the details given by the Sri Lankan Navy and condemned the sinking of its tanker as a serious violation of the ceasefire agreement claiming that it was a merchant vessel. It warned that the incident in which 11 of its cadres were also killed would have serious consequences for the peace process.

It is believed that the eleven cadres who were killed in the incident belonged to the "Sea Tigers", the naval wing of the LTTE. However so far LTTE has not identified them.

### Details

On March 8, THE Sri Lankan Navy received some vital information that a LTTE vessel laden with sophisticated military equipment was heading towards the coast of Sri Lanka. The information included that the vessel was first sailing through the Andaman Islands and the Nicobar Islands. The intelligence information was also conveyed promptly to the Indian Navy through diplomatic channels. Navy's SLNS Sayura was ordered to change course and proceed to the location where the suspected LTTE tanker was said to be hovering around, reportedly until trawlers arrived for mid-sea transfer of cargo.

Soon after midnight on Sunday (March 9) around 1:00 a.m. on Monday (10 March) the radar on the frigate Sayura registered signals on its screen. A closer scrutiny revealed that the mystery vessel was heading towards Mullaittivu. At this time Dornier aircraft from the Indian Navy's fleet air arm were flying sorties over the sky.

Men at the Command Room then switched to Channel 16 - the International Maritime Communications Channel and called upon the suspect vessel to identify itself. After a long pause, a shaky voice replied "we are motor tanker Warlos." Captain Dias wanted to know the country in which it was registered and from which port it originated. The reply was that it was registered in Libya and its name was Warlos. The LTTE ship captain also said it was coming from Panama and the Port of Call was Calcutta.

With this information at the naval headquarters and the eastern command



of the Navy, they wanted to find out the veracity of the LTTE captain's reply. They immediately contacted the Lloyds register and found out that there was no such vessel registered in Libya and the vessel concerned had not originated in Panama.

On directives issued by the naval headquarters, Captain Dias once again questioned the skipper of the mystery vessel in order to confirm whether the information provided by him earlier was correct. On this occasion, he received a contradictory message from the suspected vessel. The skipper of the vessel said while it originated from Kenya it was heading towards Bangladesh. Subsequently, Captain Dias made advances towards the mystery ship and directed that he be allowed to inspect the ship while ordering the vessel to suspend its operation. Responding to Dias, the skipper of the vessel said that they would contact their agent and would follow instructions according to his directions. Thereafter, the skipper once again contacted Captain Ruwan Dias and told him emphatically that it was a merchant vessel and that they would not stop on the orders of the Sri Lankan Navy. When questions were asked seeking further details, there was

no response.

The suspicious vessel was found to be a tanker. It had its funnel painted in black with the marking "SN." The hull was white and the super structure green. It was approximately 70 metres long with an estimated 500-ton deadweight. There was no flag of owner, port of registry or any other identification marks displayed.

Navy Headquarters who were kept informed. Advice was given to strictly adhere to Rules of Engagement (RoE) issued after the Ceasefire Agreement. In terms of this, the Navy is "entitled to apprehend any vessel/boat on the high seas," if found engaged in, inter alia, "manoeuvring of a vessel/boat in order to rendezvous with suspect log boats/any other/boats with a clear intention of transferring/smuggling in warlike materials". It also entitles the Sri Lanka Navy to exercise the right of hot pursuit into high seas, when it has good reason to believe that a suspect vessel/boat has violated the laws and regulations of Sri Lanka.

Navy Headquarters sent directions to fire across the bow, the bridge and the radio/radar mast to stop the tanker, if it defied orders and attempted to move. Before the attack was launched,

Navy Commander Vice Admiral Sandagiri appraised Defence Minister Tilak Marapana on the developments in the high seas. The minister in turn advised the Navy Commander to follow the normal principles of engagement at sea.

At 9.05 a.m., the tanker began to move ignoring the radio calls from SLNS Sayura. Navy men opened fire across the bows to warn them. There was retaliatory firing from the suspect tanker with medium calibre gunfire. An officer and two sailors sustained injuries. Two "wind shields" (on the port side of the bridge) were shattered. Navy men were angered at the hostile action, which in their view, constituted an attack. They decided to exercise provisions in the RoE that allowed them "the use of force in extraordinary situations, which may pose an imminent threat to the national security and defence of Sri Lanka."

At 10.15 a.m. SLNS Sayura positioned itself closer and opened out with volleys of 40 mm Bofors gun. Two FACs also moved in and began firing at the tanker. Within moments, it was engulfed in a huge ball of fire. By 10.30 a.m. the tanker began listing from the starboard side. By 11.30 a.m. it began to sink.

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# Emerging Scenarios in the Peace Process

Dr. Jehan Perera

## ● New role for World Bank in the peace process

The exchange of letters between the World Bank and the government to establish the "North East Reconstruction Fund" last week followed the signing of a letter of intent between the World Bank and the Sub Committee on Immediate Humanitarian and Rehabilitation Needs set up jointly by the government and LTTE. The signing of these letters means that the World Bank will take on the role of custodian of funds pledged by foreign donors to reconstruct the war-torn north and east. It also means that a key follow-up to a decision taken at the peace talks between the government and LTTE is being implemented.

The participation of the LTTE in the decisions concerning the planning and implementation of reconstruction work in the north and east is a major step forward in the peace process. It is also an essential step. The government's decision to consider the LTTE as its partner in the governance and reconstruction of the north and east is a result born out of experience. Earlier governmental efforts to begin the reconstruction of the north and east failed to take off because of opposition from the LTTE.

The long delay in the re-opening of the Jaffna Public Library is not only due to governmental neglect but has much to do with the LTTE's desire to monopolise politics and claim the credit for developments in that part of the country.

The North East Reconstruction Fund will finance humanitarian projects aimed at resettlement of internally displaced persons, mine clearance, income generation activities of the people and special needs of women and children. Some of the specific projects identified for funding so far are road construction, paddy storage, ice plants for fisheries, milk chilling and processing, repairing of irrigation tanks and improvement of hospitals.

The experience in other countries has shown that money meant for recon-

struction can be diverted to the purchasing of arms and for corruption. The World Bank is therefore mandated to employ internationally recognised agencies to physically monitor and audit the implementation of the project.

The importance of the North East Reconstruction Fund lies in the fact that it sets the stage for a large scale influx of donor assistance to rebuild the shattered economy of the north and east and to ensure growth in the rest of the economy.

There is a growing restlessness among people in all parts of the country that the promised peace dividend has not yet materialised in the form of direct material benefits to them. However, another important cause for rejoicing at the setting up of the North East Reconstruction Fund is that it indicates the commitment of the government and LTTE to the peace process.

## Low ebb

The signing of the agreement with the World Bank comes at a low ebb in the peace process. Much of the sense of euphoria has evaporated and been replaced with a feeling of pessimism, which is partly reflected by the falling stockmarket. There is apprehension that the opposition led by the President will plunge the country into sudden turmoil by either causing the government to fall or by dissolving Parliament and calling for a snap general election. A major justification on the part of the opposition is the provocative and confrontational course that the LTTE appears to be taking on the ground in the recent past. Some of these confrontations have shown a dangerous potential to escalate into large scale fighting.

If the ceasefire should breakdown, there is a question mark that the President with the backing of the opposition would seek to exploit the situation by sacking the government.

In particular, the continuing disregard that the LTTE is showing for rulings made by the international monitors of the Sri Lanka Monitoring Mis-

sion is undermining public confidence in the peace process. The LTTE's refusal to release two government security forces personnel despite an SLMM ruling that they should be released immediately, is adding to public disquiet about the apparent impotence of the international monitors and of the government.

Such incidents are also strengthening the hand of those who oppose the peace process and criticise the government for continuously yielding ground to the LTTE. It is a pity that the LTTE does not seem to realise the difficulties its actions are putting the government into in terms of sustaining popular support for the peace process.

During its year of existence the SLMM had earned for itself a good reputation for impartiality and bravery. They have issued rulings against both the government and the LTTE. On one occasion SLMM monitors were forcibly detained and on another occasion had to jump off an arms laden ship into the high seas just before it was blown up. Despite these genuine if unwitting heroics, the SLMM suffers from one major weakness. According to their mandate they cannot compel either of the parties to implement their rulings.

The SLMM can only hope that the sense of fairplay of the parties and their desire to sustain the peace process will prompt them to follow SLMM rulings.

However, at the ground level, the LTTE has demonstrated an unwillingness to conform to the SLMM's rulings. They have shown a penchant to simply ignore SLMM rulings even at the cost of publicly humiliating the SLMM, as they did when they hijacked a team of monitors. Given the LTTE's orientation as a highly militarised organisation, it might be necessary to devise an alternative incentive scheme to get it to conform to the fundamentals of the peace process. It may be that the entry of the World Bank into the peace process by being the mutually agreed custodian of reconstruction funds provides an opportunity for such an incentive scheme to be put into place.

## Equal responsibility

The World Bank is not an institution that any government or government-in-waiting that seeks to develop its economy with external assistance can take lightly. It directly controls vast amounts of development assistance. Many donor countries and major private sector investors look to World

Bank reports to judge where to put their money for the most beneficial outcome. Favourable reports from the World Bank can make a difference of hundreds of millions of dollars and tens of thousands of jobs.

Therefore, when the Sri Lankan government signed the letter of intent with the World Bank that established the North East Reconstruction Fund it was undoubtedly a decision ratified at the highest levels of government and with a sense of responsibility. The LTTE's decision, as an equal partner along with the Sri Lankan government in the Sub Committee on Immediate Humanitarian and Rehabilitation Needs, to sign the letter of intent with the World Bank needs to be seen in a similar light. It too would have been a decision ratified at its highest levels with an equal sense of responsibility.

The LTTE's top leadership would not wish to jeopardise this present opportunity, and perhaps future ones, to bring economic development to the north and east, and international credibility to itself by entering into an agreement with the World Bank unless it means to honour it.

The success of the World Bank's new mission in Sri Lanka is dependent on the ceasefire agreement remaining in place and not breaking down.

Ensuring that the peace process continues to be successful requires that the ceasefire agreement be honoured by the government and the LTTE. Therefore to ensure the success of its own mission the World Bank needs to consider making the allocation of its money conditional upon the strict adherence to the terms of the ceasefire agreement and to SLMM rulings concerning it. The World Bank has established a post-conflict unit within its ranks to research on such possibilities in conflict-ridden societies such as Sri Lanka and to advise it accordingly. Members of this unit were in Sri Lanka recently to make their own assessment of the positive role that the World Bank could play in Sri Lanka's peace process.

The imposition of aid conditionalities to the disbursement of funds is not new to the World Bank and to other donor institutions.

For many years, international financial institutions, such as the World Bank and IMF have been imposing economic conditionalities as part and parcel of their aid disbursement policies.

They have forced governments to

cut down on their subsidies and welfare measures for the poor masses and to also reduce government spending and bureaucracy as the conditions for getting their aid. As a result the World Bank and other financial institutions have often been seen as enemies of the poor and powerless sections of the population.

Today, on the other hand, the ceasefire agreement in Sri Lanka between the government and LTTE, and their invitation to the World Bank to be the custodian of funds, provides the World Bank with a unique opportunity. It is to take the side of the poor and powerless sections of the population who will suffer most as a result of any breakdown of the ceasefire.

Further, the World Bank will also surely see the pragmatic side of working in concert with the SLMM. By ensuring that the ceasefire agreement does not break down, and that public confidence in the peace process remains high, the World Bank will be ensuring that a strengthened Sri Lankan economy is able to repay its debts.

#### ● Bridging the gap between the North and South

When travelling up north from Colombo, Vavuniya is the last major town prior to entering the LTTE-controlled Wannai region. Hence its importance grew during the war years as a transit point from the government-controlled to LTTE-controlled areas and vice versa. Now with the opening of the highway connecting Jaffna to Colombo its importance as a transit point is diminishing. But the continuing gap between the north and south of the country was highlighted at a conference held last week in Vavuniya on the theme of the role of civil society in the peace building and reconciliation process. This event was a joint effort of three non-governmental organisations - the Sewalanka Foundation which does relief and development work in the north and east; the National Peace Council which advocates a negotiated resolution of the ethnic conflict; and the Japan Center for Conflict Prevention which brings international expertise and resources to the conflict resolution process in Sri Lanka.

Public opinion surveys have shown that more than 80 percent of those surveyed support the ceasefire agreement which has brought an end to the war in the country. But the conference in

Vavuniya showed that this basic consensus that unites the north and south may not be sufficient to prevent a descent into renewed war. There are articulate sections of public opinion in both parts of the country that would justify a return to war, and campaign among the people to see an end to the ceasefire.

The ongoing mass campaign led by the JVP in the south of the country and which is tacitly backed by the main opposition party is one major instance of propaganda to justify a return to war and the hell that it brings with it. The opposition campaign is predicated on the argument that the ceasefire agreement is yielding too many advantages to the LTTE and is paving the way for the final division of the country. The succession of mass rallies held by the JVP in concert with the main opposition party is meant to erode public support for the ceasefire. The demand for rapid if not immediate restoration of lost rights in the north by both the LTTE and civic activists in the north is another that has the potential to erode public support for the peace process. Most persons living in the south of the country have, by and large, been spared the horrors of war. They have not had their relatives or neighbours perish in the war or seen their homes being either bombed or denied to them by falling within a high security zone. Therefore, they are more prepared to be patient and long term in looking for a resolution of the problems created by the war.

However, the situation with regard to the north is different. The peace that has been achieved for the war-affected people is one of no-war. But the positive peace dividends have yet to come their way. A Jaffna university lecturer at the conference in Vavuniya epitomised the angry and suspicious spirit that publicly discounts the present benefits of peace as small relative to what has to be obtained. In his presentation at the conference he referred to the problems of the displaced persons, the inaccessibility of their homes in the high security zones and the lack of resources to restart their lives. What came as a bolt from the blues as it were, to those meeting in a peace conference, was his sudden threat that if these basic humanitarian issues were not speedily resolved it would be better to go back to war. A visiting foreign peace researcher opined that if the LTTE went

back to war, it would be able to justify itself and mobilise the people behind it. But the reality may be more complex.

### Ethnic suspicion

After a year of ceasefire, it would be accurate to say that the war-affected people of the north continue to feel a sense of strong grievance and tend to view the government's actions through the lens of ethnic suspicion. A relevant example pertains to the one year of ceasefire celebrations that took place on February 22. The Prime Minister's office sent out a circular to all government departments and schools requesting them to light lamps to mark the day. The Prime Minister's request was accompanied by an explanation about the significance of the ceasefire. It pointed out that the ceasefire was an outcome of a war that could not be won. Further, that foreign assistance to revive the shattered economy would only be forthcoming if the ceasefire was maintained. It is likely that the Prime Minister's office made these pragmatic arguments on behalf of the ceasefire to

make a political point against the opposition parties in the south. The opposition parties are arguing that the ceasefire is damaging to the national interest and is an unnecessary kneeling down before the LTTE. A Tamil school principal from Vavuniya understood the situation of the government that had prompted such a circular.

But the same school principal also said that the teachers in the school had discussed among themselves the implication of the circular sent from the Prime Minister's office. The message that they extracted from it was not a positive one. They saw in it a message that if the government could have militarily resolved the ethnic conflict it would have done so. This implied that the government had only entered into the peace process because it had failed militarily, not because it cared for its Tamil citizenry and wanted to ensure justice and equality to them. The teachers had also made the valid observation that the former government had tried to change the Constitution and devolve more power to the regions to help resolve the ethnic conflict. But

members of the present ruling party had burnt the draft Constitution in Parliament in a most aggressive manner.

Such critical thinking when supplemented by incessant propaganda against the government being carried out by LTTE cadres at the field level add to the doubts and agitation of the people. It is ironic that the government negotiators refer to the LTTE as partners while LTTE cadre in Vavuniya, and even the LTTE chief negotiator Dr Anton Balasingham, should publicly denigrate the Prime Minister and his government for being weak and impotent and unable to deliver results to the Tamil people. Ostensibly they focus their attacks on the President, the opposition and the military for being the obstacles to peace. But in fact their criticism serves the purpose of weakening the faith of the Tamil people in the government's sincerity and good faith. At the same time as it negotiates with the government in foreign capitals, the LTTE appears to be preparing the ground to rally the Tamil people behind them in the eventuality that war breaks out again. The government needs to pay



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heed to the warning signals and take action to speed up the delivering of positive results on the ground to the people of the north. This is no doubt a difficult task as it has to deliver results to the people of the south as well who are looking in vain for the economic peace dividend to materialise. Although the unimpressive economic performance of the former government has prevented the people from placing faith in the opposition's ability to deliver economic results, their faith in the government's ability will also surely wane the longer it takes the economy to improve.

#### **Delivering results**

The participants in the peace conference in Vavuniya expressed their concern at the troubled situation in the country and the slow implementation of humanitarian measures and human rights provisions to improve the lives of the war affected people. In their conference resolution they identified the absence of a bipartisan approach between the government and main opposition party as one of the primary sources for destabilisation of the peace process. They noted that the inability of the two main political parties to work together on the issue reflected their unwillingness to make the resolution of the ethnic conflict to be their first priority.

But more importantly the conference participants identified two priority areas that the government needed to tackle to gain the confidence of the northern people. The first was the resettlement of the war-affected displaced people. They stated that forcibly evicted people, whether Tamil, Muslim or Sinhalese, should be allowed to resettle in their places of original habitation as mandated by international humanitarian principles. This is not only a question of them returning to their original places but also providing them with the necessary financial compensation and material resources to restart their lives.

Another major concern at the conference was the continuing detention of prisoners without charges and without trial. In their final resolution the conference participants noted that after signing the ceasefire agreement, the government had legalised the LTTE and permitted its members to do political work all over the north and east. Therefore the continued detention of LTTE suspects is without justifiable reason. By taking action to release these

prisoners without delay and scaling back on security legislation the government could, in a concrete manner, demonstrate its commitment to using negotiations as the sole means of conflict resolution. The LTTE would need to reciprocate by releasing the political prisoners in its custody to demonstrate its own commitment to democracy and to political pluralism.

Undoubtedly realising the vulnerability of the peace process, and wishing to strengthen it, the participants in the Vavuniya conference sought to build up their links with civic organisations in the south. They clearly have no interest in being dragooned into a renewed war. A one year of ceasefire celebration that had been planned by an inter-religious group led by the Catholic Church in Vavuniya was disrupted at the last minute. A message had come from the LTTE controlled university students association that it was not appropriate to celebrate the occasion at a time when little had been achieved on the ground in terms of achieving normalcy to the lives of the people of the north. But still, about a thousand people had taken part in the ceremonies, reflecting the mass-based appreciation of the ceasefire agreement, whatever may be its drawbacks.

The participants at the Vavuniya conference passed a resolution to set up an appropriate mechanism to take civil society initiatives parallel to the official process. They called for civic organisations in the south to extend their activities to the north of the country to have closer interaction with the Tamil people on peace building and reconciliatory initiatives. Perhaps realising that the government is unwilling or unable to function effectively in defense of the people's humanitarian and human rights in the north, they are looking to civic organisations in the south to bridge the gap.

#### **● Human Rights Monitoring**

One of the items down on the agenda for the peace talks between the government and LTTE in Japan is human rights. The ceasefire agreement entered into by the government and LTTE in February of last year specifies that the parties shall, in accordance with international law, refrain from hostile acts against the civilian population. The hostile acts listed are torture, intimidation, abduction, extortion and harassment. It is interesting that the

term "human rights", so popular in international discourse on good governance does not find mention in the ceasefire agreement. The farthest that the ceasefire agreement goes, in terms of its positive aspirations for the people, is to speak of improving the living conditions for people and ensuring the security of civilians and their property.

It is indisputable that the violation of human rights has played a central role in the escalation of the ethnic conflict. Whether it was the deprivation of equal language and educational rights through deliberate legislation or the use of force to suppress political dissent, human rights issues have been at the core of the ethnic conflict. The continued violation of human rights can be a decisive factor in the eventual undermining of the ceasefire agreement. Therefore the downplaying of the human rights dimension in the ceasefire agreement is ironic. It also weakens the peace process. The fact that the government and LTTE are taking up the issue of human rights at the Japan talks is therefore welcome.

A key challenge at this time would be to change the debate about the peace process to a rights-based one, instead of being primarily justified in pragmatic terms. There is an anxiety among sections of those supportive of the peace process that the human rights issue should not be pushed too hard at this time as it would undermine the ceasefire. However, concern that the pursuit of human rights after a year of the ceasefire will endanger the peace process cannot be a valid concern. By consenting to the peace process, both the government and LTTE consented to a new set of rules. These rules include a commitment to human rights.

It is appropriate that civil society groups representing different constituencies should do their utmost to hold the conflicting parties accountable on the basis of human rights standards. In particular, this would require that the government and southern civil society groups should accept that the ethnic conflict arose out of a violation of human rights and needs to be resolved by eliminating those violations. For its part, the LTTE and its supporters need to recognise that it is not possible to disentangle human rights from one another. It is not possible to legitimately seek to vindicate one set of human rights, such as the right to self-determination, while violating others such

as by recruiting children and arbitrary deprivation of property.

By consenting to the peace process, both the government and LTTE consented to a new set of rules. These rules include a commitment to human rights. Human rights standards provide a basis for separating legitimate negotiating demands, such as those for equality, from illegitimate demands for domination. Because they are universal and transcend the parties to the conflict, human rights standards provide an important baseline for what is just. In situations of protracted conflict, where society is polarised, there is a need to deal with the past, establish truth, accept responsibility and be prepared to forgive, while working for structural reforms that would make a repeat of the oppressive conditions less likely.

#### International advisor

The protection and sustenance of human rights forms the bedrock of good governance. The invitation extended by the government and LTTE to the former head of Amnesty International, Ian Martin, to be an advisor to the peace process on human rights issues is a welcome recognition of the fundamental importance of human rights in any sustainable peace process. At a recent consultation organised by the Centre for Policy Alternatives, Mr Martin noted that the Sri Lankan peace process was relatively unique in obtaining the services of a mutually accepted international expert to advise the peace process.

The entry of Ian Martin into the peace process as advisor to the government and LTTE at the Japan talks may be seen as a key step in ensuring its sustainability in the face of mounting challenges to human rights and to the overall peace process itself. Local human rights organisations, including the government-appointed Human Rights Commission, have only been able to play a limited role due to their relatively weak capacities and in view of concerns by one or the other side about their perceived bias. One of the tragedies of the protracted ethnic conflict is the breakdown of trust in the ability of members of other communities to understand and be fair by one's own community.

So far the Sri Lankan experience of its peace process has highlighted the important role played by international actors in supporting the peace process.

In particular the role played by the Norwegian facilitating team in getting the government and LTTE away from the military battlefield to the negotiating table has to be appreciated. Even a few months before the signing of the ceasefire agreement it seemed impossible to overcome the vested interests and prejudiced mind-sets that wielded power in society to bring the war to an end. The 13 month long ceasefire has as much to do with the facilitation skills and commitment of the Norwegians as it has to do with the rationality and pragmatism of the present government and LTTE leaderships.

In addition the sustainability of the ceasefire agreement despite the clashes and near clashes of government and LTTE forces on the ground has been supported by the role played by the Scandinavian monitors of the Sri Lanka Monitoring Mission who are drawn from Norway, Sweden, Denmark and Iceland. Due to their non-partisanship, both the government and LTTE have been prepared to take their complaints to them wherever possible rather than settle scores amongst themselves. The international monitors have helped to turn the discourse away from immediate resort to weapons to one of verbal and legal argumentation, at least so far.

However, the destruction of the LTTE cargo ship suspected of carrying a large stock of arms and ammunition on the high seas by the Sri Lankan navy, with the loss of 11 lives, can be an ominous signal away from this practice. When the prize is very high, the parties may wish to take matters into their own hands rather than have the international monitors come up with a compromise solution that fully satisfies neither. In the case of the destroyed LTTE cargo ship, the international monitors were not brought to the scene. If they had, the present crisis in the peace process may have been averted. This is the logic of unilateralism that, step by step, leads to escalating conflict and eventually to war.

#### Present framework

The logic of unilateralism can also be seen in the manner in which human rights issues have been dealt with during the period of ceasefire. The LTTE has been engaging in massive taxation and extortion from the Tamil and Muslim population within its areas of authority, as well as outside of them. They

have also been recruiting children on a large scale and intimidating their political opponents. The government has been unrelenting on the right of return of displaced persons to their homes within the high security zones, which claim a large chunk of territory in the Jaffna peninsula. There must be forward movement on these issues at the Japan talks.

Despite these ongoing violations of human rights, there is no question that the human rights situation is vastly improved due to the prevailing ceasefire. In a time of war, when bombs and mortars are exploding, and armies are on the move, the priority of those fighting becomes victory and their own survival, rather than ensuring the human rights of others. Human rights are much more likely to be protected in a time of no-war than in a time of war. Therefore the main challenge that faces both peace and human rights activists is the sustenance of the ceasefire in the interests of minimising human rights violations.

The logic of this reasoning is that any strengthening of human rights monitoring should be within the framework of the ceasefire agreement, and should be meant to further strengthen it. A mechanism that is adopted outside of the ceasefire agreement is unlikely to be viable in the case of a breakdown of the ceasefire. A separate human rights monitoring mission that works parallel to the ceasefire monitoring mission could end up taking opposing stances on controversial issues. This may weaken the credibility of one or both teams of monitors.

At present there is undoubtedly a problem. The international monitors of the SLMM have shown a general reluctance to go into human rights violations as they are not strictly demanded by the existing ceasefire agreement. They have preferred to focus their efforts on maintaining peace between the government and LTTE forces on the ground. This is understandable, on the one hand, but is also a weakness that needs to be rectified by a re-negotiation of the ceasefire agreement. The international monitors of the SLMM should be further empowered by the two signatories to the ceasefire agreement and they should be obliged to identify, track down and make enforceable rulings on human rights violations as an integral part of their mission.

# An opportunity lost can never be recovered

Bertram Bastiampillai

The peace process in Sri Lanka seems to be rolling along on tempestuous seas toward its avowed end. There was the incident of exchanges off Delft in the seas, followed the 'Manipay belt' affair, and the mysterious death of a soldier around Muhamalai. Nevertheless, it is worthy of note that the government negotiators and the negotiating team of the Liberation Tigers of Tamil Eelam (LTTE), under the headship of Chief Spokesman Anton Balasingham, have maintained the craft of peace on an even keel on a stormy sea. It weathered storm and stress laudably.

Apparently there is some lacuna in the ceasefire arrangements and the terms of understanding forged between the negotiating parties. The conditions governing the ceasefire did not specifically ban the collection of weapons. Also, enhancing stocks of arms or the numbers of the cadres have not been prohibited in the terms of ceasefire or understanding. This may have been an oversight or omission. If there was a moratorium on both parties on carrying, or more specifically, the use of arms it would have been better. In a small island for the erstwhile rebels to pose a meaningful threat to the integrity and sovereignty of the state is neither feasible nor practicable. Security forces could be easily and speedily ferried across to stem a rebellion from the army camps, as Sri Lanka has acquired enough swift planes and highly sophisticated arms.

Another pertinent fact is that the 'Manipay incident' indicates that apart from the high security zone, which is a bone of contention, there are several other checkpoints used by the security forces outside these zones. The military appears to be almost ubiquitous in the north. This alone will be a sore point. Because having been in the past at the receiving end perennially of harassment, extraction and such painful and humiliating experiences, the people of the north expected respite from the belligerent combat. The terms entered into between the negotiators should have prudently excluded the chances of armed forces intervening in the usual day-to-day activities of the harmless and helpless civilians of the Northeast. The army and the people have no confidence in one another as they got polarized and moved apart as 'enemies' of one another owing to the severe con-

flict. The people can have no love for the army who consider civilians as enemies.

It is indeed curious that such a large police force in Sri Lanka could not be entrusted with handling an affair like that of the battle of the belts. To have the police call in the army is akin to hitting below the belt however incompetent the police might be. Finally, only the peace loving civilians suffered in the avoidable fracas. The handling of the incident reeks of inefficiency and mismanagement. The government endeavours to mend fences with the estranged Tamil people and has suffered owing to what both police and army had inflicted on civilians, which worsened the alienation. With no emergency in force and the rift being one between 'girls' and armed men, one is perturbed that the police had colluded with the army.

At the present time, owing to the truce it is a regrettable omission that maintenance of law and order in "cleared" Jaffna peninsula was not left to the police, and that the army is quartered all over. But even our police are ill trained and undisciplined often. The monitors adversely commented on the cowardly yet brutal police response at Manipay without provocation. Military force or brute police force is neither acceptable nor justified to keep order in times of peace. Violence is unnecessary and escalates passions the SLMM stated. It is still not too late to review the existing ceasefire arrangements and the prevailing conditions of understanding and in the light of the past unfortunate experiences to rectify the omissions. Mistakes can occur and cause grave damage and it may be too late if immediate remedial measures are not taken. After all in the past when Kittu was blown up in mid-sea, after lengthy proceedings the Indian court ruled that the Indian Navy had acted illegally in way-laying the Ahat Too late. The ultimate consequences of the unrequired temerity with which the Sri Lankan Navy acted hit hard only ordinary folks.

Fortunately both the government and the chief spokesman of the LTTE reiterated that this did not signal the end of peace negotiations and it was made clear that the LTTE desired peaceful self determination or ample autonomy and not separatism. Of course, until final institutional arrangements, the form of govern-

ment and the framework of constitutional provisions, the distribution and division of powers and allocations of authority between the Centre and the constituent regions, decommissioning of weapons and retrenchment of cadres will be unlikely. After so much renegeing of agreements by governments under S.W.R.D. Bandaranaike, Dudley Senanayake and the whittling down of authority and resources of the District Development Councils, plus the emasculation of the Thirteenth Amendment and Provincial Councils it is impractical and not feasible to expect a combatant of a protracted conflict to capitulate to enticement so soon. The negotiated returns expected, have to be commensurate with the sacrifices made and adequately compensate those civilians who had been promised so much and had to endure dismal suffering in a state of expectancy.

A serious barrier towards a smooth operation of the peace negotiations springs from the unfortunate lack of either goodwill or cooperation extended by the Executive President towards the Premier and his government. Though basically the Executive Head welcomes peace and had attempted to create it nevertheless from time to time, abrasive critical disparagement of the Premier's actions and judgments have become hurdles to be cleared by the government to further the advance toward peace. Cohabitation that is required to govern well and firmly is found to be wanting. Furthermore, the opposition too like the President welcomes peace obviously because they cannot be against it after so much money, and above all people, have been sacrificed in vain in a useless war. On the other had, they are critical of the initiatives displayed by the peace negotiators or the Premier in striving to make peace a reality.

However, it is indeed encouraging that after all the bustle, the Japanese envoy was more pragmatic when he concluded that, "One has to discount the quick reactions by one side or the other", and added, "Both sides are still committed despite the events that took place recently." This is heartening indeed.

What is necessary to carry on the peace process successfully is reassurance from both sides participating in the negotiations that their good intentions and belief in the process of negotiations are firmly founded. These characteristics can be seen among the discussants in spite of the roadblocks encountered hitherto. Political rivalry and opportunism in an opposition should not thwart the progress toward peace for it can only connote an unbearably expensive gamble. And a lost opportunity is one forfeited forever. There will be no other dividends.

# Displaced People Return, but Hungry for Peace

JAFFNA, Feb 28 (IPS) - After decades of civil war, this year the migratory birds have returned to the wetlands along the A-9 highway to the north-eastern Jaffna peninsula, every inch of which is scarred with battles fought between the Sri Lankan army and the Tamil Tiger rebels.

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

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

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

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

Uniformed children follow lessons in wall-less schools. Fields of burnt stumps of Palmyra, a tall palm tree found in the north, are replanted. Bananas and eggplants are being trucked to markets in the capital, Colombo. Shops are re-opening along the roadside as it circles past the Omanthe exit checkpoint of army-controlled Vavuniya that leads to the Tiger-controlled Wanni and on to Jaffna town, retaken by the army in December 1995. There are now four checkpoints for travellers and goods, after the years of blockade. This means four unloadings of goods like bananas and the payment of 'tax', but at the premium price the goods fetch in Colombo, evidently it is still worth the tedious process.

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

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

On either side of the A9 highway are endless stretches of barbed wire clustering into a thicket around abandoned army camps, dotted with warnings about mines.

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

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

The Sandhinathan family came back in January along with 500 others from a refugee camp in Vavuniya, a town that is the gateway to Tiger-held territory. Sandhinathan was busy restocking his old roadside shop, while four other family members were rebuilding the house and replanting the land - a de-mined area. The barbed wire now is used to protect saplings growing along the road.

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

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

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

The return of displaced people is complicated by the "domino effect",

said Ole Brondum, Jaffna district head for the Sri Lanka Monitoring Mission, which monitors the ceasefire agreement signed by Colombo and the Tamil Tigers in February last year.

"It involves a long chain of re-housing," he explained as successive waves of the internally displaced have moved into houses abandoned by people displaced before them. When the Jaffna peninsula was taken by the Sri Lankan army in May 1996, the LTTE forcibly evacuated 280,000 people to the mainland Wanni across the Jaffna lagoon.

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

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

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

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

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

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

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

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



### ● Jaffna Ex-Mayor speaks out

Former Jaffna Mayor Sellan Kandian, a member of the TULF, in recent interview with the "Daily Mirror" set out the circumstances in which he and other Members of the Municipal Council and expressed regret over the forceful postponement of the Jaffna Library recently after protests by the LTTE and the Inter Jaffna University Students Union. He believed there was a great necessity to re-open the once burnt down library for the use of the general public.

Asked about the resignation, Mr Kandian said, "The Jaffna Municipal Council took a unanimous decision to resign because the LTTE political wing leader for Jaffna district Mr. Illamparathi along with the International Tamil Eelam Student's Federation and some others who came and said that they were against the re-opening. We felt that we were part of the local body elected by the masses in Jaffna and we wanted to function democratically. In a situation where we were not allowed to function freely in a democratic way, we thought the best decision to take was to resign."

Asked as to whether he feared any threat from the LTTE, Mr Kandian said, "We maintain that it is our right to act freely and this right was not allowed. They didn't allow us to function so we thought this is the best decision. This is a democratically elected body and if it was not allowed to function democratically we had to resign. There was another key reason why we took this decision. We were told by Illamparathi and the student organisation that 'if your people are going ahead with the re-opening, you will have to face a situation such as in 1974 when the International Tamil Literary Conference was held in Jaffna. There was bloodshed and people were killed so you will face the same situation. You will have to face bloodshed and you want to pass so many corpses of the Tamil people, then you can go ahead and re-open.' Naturally, this was a key reason why I took the decision to prevent another bloodshed in my own society."

Asked as to whether there was any prospect for such bloodshed, Mr Kandian said, "I feel personally that the re-opening of the library is not a problem for the LTTE. However, I think they have another issue at the back of their minds. I am a minority within the minority, caste-wise. They didn't want that particular

# People & Politics

stone plaque to have the name of a low caste man. Their excuse was that the library cannot be re-opened yet, as more work needed to be done. That is a total lie."

Asked as to whether it was a totally caste-based issue, Mr Kandian said, "I think so. This library was burnt down in 1981 and the incumbent party was in power then. In 1995 the President allocated a considerable amount of money and then the Rehabilitation Minister also allocated some money. The total amount allocated was Rs.120 million. Now, the work for this allocation was totally completed. The original plan was to set up 8 A/C plants while the rest (4) have to be brought from Colombo which we are awaiting along with the fire equipment and the intercom system.

Now there is a Library Management Committee comprising independent people from society, from the Council and a chief engineer who is in charge of the construction. On the 20th February they said they would be completing their work and handing it over for public use. It was on that basis that we decided to re-open the library. In the meantime the LMC requested to get more money to set up a canteen and a lift service for which the rehabilitation ministry agreed."

Asked as to whether he had complained to the Sri Lanka Monitoring Mission, Mr Kandian said, "Yes, in the meantime I have gone and met the monitoring committee and we told them what happened with regard to the library. We told them the LTTE spoke to us in a threatening manner and stated our concerns including our security."

Asked as to whether he faced any threat from the LTTE, the former Mayor said, "Not at gun point, but verbally they have done that. After the resignation nothing has happened. It all happened before the resignation. And also I do not know what kind of action they (LTTE)

might take after these press reports are published."

### ● Gas masks for US embassy

As the Bush administration gave the final deadline for war against Iraq, the US embassy in Colombo has brought down gas masks for its staff as a precaution against any possible chemical or biological attack.

Embassy spokesman Bruce A. Lohof said US embassies worldwide were taking special security measures and the procedure to face possible chemical or biological attack was not confined to Sri Lanka. The embassy staff in Colombo recently participated in a drill trying out the equipment.

### ● Hunting for Russian missiles

Attempts by Tiger guerrillas to acquire sophisticated surface-to-air missiles and other military items from Russia last month have come to light, according to "The Sunday Times". Their efforts have been laid bare by the Russian Ambassador to Sri Lanka, Mikhail G. Karpov, in a 'Non-Paper' he handed over to the Foreign Ministry in Colombo recently.

In diplomatic parlance, a 'Non-Paper' is a document that does not reflect the official position of a government but is the basis for further dialogue between them and the host country.

In this Non-Paper, Ambassador Karpov has said two Sri Lankan citizens, found to be members of the LTTE in Laos had approached the representative of the Russian state organisation Rosboronexport to procure small arms, anti-aircraft missile complex "IGLA", communication means and other types of military equipment. He has said the Russian authorities have brought this to the attention of the Interior Ministry in Laos

### ● Shock of Justice

Sri Lanka's chief justice and the judicial system came under scathing attack from Dato Param Kumaraswamy, the UN Special Rapporteur on the Independence of the Judiciary, who at a press conference in Colombo recently said he was "shocked" and "stunned" by Sri Lanka's Chief Justice Sarath Silva hearing a case against himself.

Kumaraswamy was referring to a case where the Supreme Court, on February 6, decided to jail for one year for 'contempt of court' a human rights activist,

Anthony Fernando, who challenged Sarath Silva for sitting on the bench to hear a case where the Chief Justice himself had been named as a respondent.

Describing the case as being "bizarre", Cumaraswamy said that he was not interested in dealing with the merits of the case but stated, "the question here is to find out whether it is proper for the Chief Justice after having been made a party to a case to sit on the panel and adjudicate in the matter."

Shortly after Anthony Fernando was jailed he was beaten up by prison guards and has been in hospital since then. Cumaraswamy said he visited the victim in hospital and that Fernando had been chained to his bed.

Hitting out at the Sri Lanka Bar Association, Cumaraswamy said, "I want the Bar Association of Sri Lanka to wake up, have the courage to take up the cause of this man without demanding guarantees that they will be not he hauled up for contempt of court."

He added that people go to courts for justice, not for injustice and that his main concern was not only the independence of the judiciary but also the accountabil-

ity of the judges.

#### ● Prisoners without rights

The US may claim to be the land of liberty and justice, and the Statue of Liberty may hold the scales evenly. But not for all, it would seem. Certainly not for the 650 or so persons, allegedly with al-Qaida or Taliban connection, captured during the time of the Afghanistan war and detained for more than a year in America's Guantanamo Bay naval base in Cuba.

An American federal appeal court has ruled that the prisoners were 'aliens' held outside US sovereign territory and therefore had no right to be formally charged or given access to a lawyer.

In a case that had been brought by the families of 16 detainees from Australia, Britain and Kuwait, the court said, "If the constitution does not entitle the detainees to due process, and it does not, they cannot invoke the jurisdiction of our courts to test the constitutionality or the legality of restraints on their liberty."

The ruling by the court has freed the US authorities to exercise unrestrained discretion in how the prisoners were treated, how they were questioned and by whom, and how long they were held without being formally charged or brought before a court. Washington has never accepted that these detainees should be classified as 'prisoners of war' to deny them the protection provided by the Geneva Convention governing prisoners of war.

The effect of the US court's ruling is that the prisoners have neither the means nor the right to contest their detention, and leave a large number of persons - including around a dozen Britons - in a state of legal limbo without any rights, natu-

ral, civil or judicial.

#### ● Passport for LTTE leader's son

LTTE leader Vellupillai Pirapaharan's son, Charles Anthony, has been issued with a National Identity Card and a Passport with the direct intervention of an influential minister of the government, according to a report in A Colombo daily, "The Island". The report said that the application for the National ID and the passport had been brought to Colombo from the North by the Minister and he had personally contacted the Department of Registration of Persons and the Department of Immigration and Emigration. The report added that it was Thamil Chelvam, LTTE's political wing leader, who had been the link between Pirapaharan and the Minister concerned. According to "The Island" report the address of the applicant was not disclosed by the two government departments. An applicant should provide a relevant document from the respective Grama Sevaka to prove his or her permanent address and the birth certificate. The Island report stated further that the necessity for Pirapaharan's son, Charles Anthony to pursue education abroad had arisen a few years back but he was unable to get the required documents before.

#### ● Daily death of 1400 women

A study conducted by UNICEF has revealed that around 1400 women die each day from causes related to childbirth - 99 per cent of them from developing countries.

More women die from the complications resulting from childbirth in developing countries than from any other cause, UNICEF said recently, calling the figures "a shameful record of discrimination and apathy toward women and their rights."

"On this International Women's Day, we're speaking for the girls and women who aren't alive to tell their stories, and for their orphaned children. We're speaking for the girls and women who are fighting for their lives right now, for those shut out from education, and for the millions who are exploited or discriminated against.

"We're here to say that in this era, no woman should have to struggle for equality and respect. No woman should have to shoulder the disadvantage of being denied an education. And no girl or

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woman should die in the process of giving birth," the report issued by UNICEF stated.

Maternal mortality rates alone do not reveal the full scale of the tragedy. For every woman who dies from complications related to childbirth, approximately 30 more suffer injuries, infections, and disabilities which are usually untreated and not spoken of. An estimated 300 million women today - or a quarter of the women in the developing world - have sustained serious and long lasting problems during pregnancy and childbirth.

#### ● Gender equality in citizenship

The new Citizenship (Amendment) Act passed by Parliament this week recognizes the right of a mother who is a Sri Lankan citizen to pass citizenship to her children irrespective of the nationality of the father.

Thus, the right of a mother to pass her Sri Lankan citizenship to her children is now identical to the right of a father who is a Sri Lankan citizen.

Hitherto, only a father could pass Sri Lankan citizenship to his children. Thus, where the mother was a Sri Lankan citizen but the father was not, the child had no right to Sri Lankan citizenship by right of descent. The new Act is seen as a significant step in eliminating one area of gender discrimination and it came on the eve of International Women's Day.

According to the Act, children born even before the passing of the legislation but after November 15, 1948 will have the right to Sri Lankan citizenship even if only the mother is a Sri Lankan citizen.

Children over 22 years of age who have assumed citizenship of another country, can be recognized as citizens

upon application made to the Ministry of Interior. Such persons will have the option of assuming dual citizenship or may renounce citizenship of the other country and assume Sri Lankan citizenship. Existing provisions and conditions which govern the grant of dual citizenship will continue to apply in this instance, too. Children under 22 who have already assumed citizenship of another country will be governed by the existing requirements of the Law. Children who are under 22 years of age and have no other citizenship are not required to take any further steps to be recognized as citizens of Sri Lanka since such children assume that status by operation of the amending law.

Persons who wish to obtain a certificate of citizenship may make an application to the Controller of Immigration and Emigration. Upon being satisfied regarding the status of the applicant, the Controller is required to issue the certificate within 60 days.

#### ● The flag sang

The sports meet for the Batticaloa zone scheduled for March 7 was indefinitely postponed by the Director of Education in Batticaloa over a dispute regarding the hoisting of the LTTE flag at the meet.

The sports meet was expected to be held at the Aliyar National School premises in Eravur, about 12 km northwest of Batticaloa. According to the Eravur Police, the LTTE cadres in the area had instructed the organising committee of the sports meet to hoist the LTTE flag on the day of the ceremony within the premises. But the Muslims in the area had said they would stage a hartal if the LTTE flag was to be raised at the meet.

Meanwhile, the Sri Lanka Monitoring

Mission (SLMM) representatives in the Mannar have intervened to remove an LTTE flag hoisted in the Mannar town at a commemorative ceremony to mark the International Women's Day on March 8. The LTTE which has organised a commemorative ceremony on the International Women's Day

in Talladi south of the Mannar town had decorated the area with red and yellow stripes and hoisted an LTTE flag in the Mannar town hall premises. However, the Police in Mannar had informed the SLMM in Mannar about the hoisting of the LTTE flag. Later, the SLMM representatives had arrived at the scene and got the LTTE flag removed.

#### ● Radio dispute goes to court

The controversy over the import of sophisticated equipment for the LTTE radio station hit a new pitch recently when the Court of Appeal issued notice on the Norwegian Ambassador and the Minister of Mass Communication among others in a writ application asking for an order to quash the licence issued to the LTTE.

Appeal Court judge K. M. Siripavan issued notice sequel to two applications filed by Piyasena Dissanayake, of the Sinhala Jathika Sangamaya and B. Ajith Shantha Kumara Jayathilake.

The petitioners said that under Sri Lankan laws and international diplomatic conventions, a diplomatic mission could import equipment for its self or its staff but in this case Ambassador Jon Westborg had violated both by bringing down equipment for the LTTE.

The petitioners' lawyer Manohara de Silva asked the court for an order to forfeit the equipment and cancel the radio licence given to the LTTE.

He said the LTTE was an internationally banned terrorist organization and the Norwegian Ambassador by bringing down items for such an organisation had acted unlawfully and in total contempt of the rule of law.

#### ● The Richard de Zoysa prize

In accordance with the last wish of his mother the late Dr. Mrs. Manorani Saravanamuttu and with provision being made from her estate, a prize is to be awarded in memory of the journalist, writer and Human Rights activist, the late Richard de Zoysa.

According to Mr. Ajit Saravanamuttu, the Settlor of the Fund, the 'Richard de Zoysa Prize' will be a substantial cash award of approximately Rs. 30,000/- and is to be awarded annually from 2003 to a student of the Upper School or College Forms of S. Thomas' College (of which Richard de Zoysa was a distinguished alumnus) on the basis of a written essay

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on a subject allied to Human Rights issues as determined by the Administrators of the Fund. There will, of course, be an overall emphasis on the standard of English as this was one of Richard de Zoysa's contributions to his alma mater after he left school when he served briefly as a teacher of English.

Guidelines for the selection of the winner etc have been laid down and a group of persons have been chosen to function as administrators among whom will be the Warden of the College as an ex-officio member.

The cash award together with a citation setting out the life and work of Richard de Zoysa and his quest for truth and justice in his short but illustrious journalistic career, will be presented at the annual college prize giving.

#### ● Interplast in Jaffna

The British-based medical charity Interplast conducted its 20th mercy mission at the Jaffna Hospital recently. Interplast, which specialises in plastic surgery, was in Jaffna from February 17 to 28, in what was its third mercy mission in Jaffna.

The team led by Dr. Charles Viva comprised medical personnel from Britain, Germany, France, Australia and Sri Lanka. More than 100 operations were performed for cleft lips, palates, scar contracture, burns, post-traumatic injuries, skin cancers and birth deformities. The team also gave lectures to Jaffna University medical students, medical officers in the north and others.

The Ministries of Health and Refugee Rehabilitation, the Sri Lanka Medical Council together with the German Help Foundation sponsored the mission.

#### ● A taxing problem on A9 project

Contractors working on the Asian Development Bank-funded A9 project recently emphasised that they cannot pay more than 1% of their total contract fee to the LTTE although the Tigers have requested them to make a "contribution" of between five and six per cent to their development fund.

"We don't mind paying them up to

one per cent... if at all... because they assist us considerably within areas under their control," said a senior management source from one of the seven companies involved. "But that is the maximum we can go up to. Anything over one per cent is difficult."

Seven firms, including the government's Road Construction and Development Company (RCDC), are involved in the project to reconstruct the Kandy-Jaffna A9 highway. The road has been split into eight portions, each to be handled by a separate contractor. Although the project agreement was finalised and signed in December, work is still to gather full steam as de-mining is not complete.

The entire project costs Rs. 620 million (before Value Added Tax). The ADB is advancing Rs. 480 million of that sum and will fund the reconstruction of the first six segments. The government is contributing the remaining monies through the Road Network Improvement Project.

One per cent of the total contract fee would still amount to more than Rs. 6 million while six per cent will be more than Rs. 38 million. Although the LTTE issues a receipt for money received, the contractors cannot get the "taxation" component reimbursed by the government. The ADB has also emphasised on several occasions that they will not contribute any money towards "taxes".

The contractors had originally quoted Rs. 850 million for the project, arriving at this figure following on-site inspections and after taking into account the various "taxes" described by the LTTE in a leaflet.

However, after the ADB stressed that no funds can be given for "taxation", the contractors revised their initial figure by removing the relevant component.

During subsequent meetings, the LTTE advised the contractors that they will not charge "direct taxes" from them. Instead, they wanted 15% for services at the main barriers, etc. When this proved contentious, the contractors were requested to make contributions towards their fund: five per cent towards development work and one per cent towards

administrative work.

"We have not agreed so far," said the senior manager. "Neither have we paid anything by way of taxation. They haven't still said anything so we are carrying on with our work."

Meanwhile, the LTTE have told contractors "not to give too much publicity to this issue" as it is widely known that international funding organisations decry the practice.

#### ● Vedda chief seeks voice in Parliament

Veddas (the aboriginals of Sri Lanka) are considering representation in the national Parliament. Vedda Chief Uruwarige Wanniyaleaththo has said they were interested about a community representative in the national legislature.

"Of late I have started to think that it would be good if we have a representative in Parliament," he said.

"However, there is a drawback. People clash with each other because of politics," he added.

The Vedda chief also said he would welcome back former Veddas resettled in the Mahaweli scheme as long as they had not brought shame to the indigenous community in Sri Lanka.

"When the government was setting up villages under the Mahaweli scheme, we appealed to the authorities concerned not to settle our community people there. Now our people are imprisoned in these villages and they can't go hunting," the Vedda chief said.

"We have not laid down any laws on anyone who wants to return. Anyone can leave the forest and live in villages if they wish as long as they do not bring shame upon us," he said.

"I know that our people who went to live in villages under the Mahaweli scheme are fed up with their new lifestyles," he said.

The Vedda community recently conducted a survey which revealed that majority of Veddas resettled did not like to leave the forests. There are 1148 Veddas still living in forests.

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# Reflections: Hangman and his Rope

Anne Ranasinghe

I heard the shots, sharp in the early morning stillness, like exploding fireworks; neighbours' children, I thought, and took no notice. But then I became aware of the increasing excitement in the house across the road, the running and shouting among the people who congregated each day on the verandah of the Prime Minister's bungalow. On that morning, 26 September 1959, my neighbour, Mr. Solomon Dias Bandaranaike, was fatally injured by the monk Taldewa Somarama, and he died soon afterwards at the General Hospital in Colombo.

In the General Election of 1956 the Mahajana Eksath Peramuna, a coalition led by Mr. Bandaranaike, won an overwhelming victory. At the first Cabinet Meeting in 1956 Mr. Bandaranaike pressed a Cabinet decision to suspend the death penalty for a period of three years, and in April 1958 the suspension of the Capital Punishment Act was passed by both Houses of Parliament. During the Second Reading the Minister of Justice informed the Senate that the government proposed to appoint a Commission to examine the whole issue thoroughly, and this Commission was appointed in October 1958. The Chairman was Dr. Norval Morris, Dean of the Faculty of Law of the University of Adelaide, and the other members were Sir Edwin Wijeyratne, a former Minister of Home Affairs, Professor T. Naderaja, Dean of the Faculty of Arts and Head of the Department of Law at the then Ceylon University; and Mr. S. Canagaraya, Secretary of the Commission.

The Commission made a careful study of every aspect of the death penalty, and it was an ironical coincidence that its report was published just two weeks before the assassination. All the more so, as Mr. Bandaranaike in a last message to the nation just before he died, had asked the people not to revenge themselves on the man who shot him, but to have compassion. The government of the day, however, restored the death penalty almost immediately, less than a week after his death. There was a storm of protest, mainly because the death penalty was to be introduced retroactively. The chief Opposition speaker was Senator Nadesan, who though originally retentionist had changed his mind after reading an essay by Tolstoy. He declared that the government was prostituting the legislature of the country and was acting in a spirit of re-

venge that was unworthy of any government.

Throughout the recorded history of Sri Lanka, except for four brief periods, a murderer was liable to execution. In the first century King Ananda-Gamini Abhaya abolished capital punishment, in the third century King Voharika Tissa, and at the beginning of the fourth century King Siri Sangabodhi (who secretly set free criminals who were condemned to death, and in their stead exhibited men who had died a natural death). King Parakrama Bahu the Second, who lived in the twelfth century, is also credited with abolishing or suspending the death penalty for the period of his reign.

Nearer our time, in 1928 Mr. D. S. Senanayake, who later became the first Prime Minister after Independence, put forward a motion which was however defeated. A second attempt in 1936 and a third in 1942 also failed. After Independence there were new moves, first by Mr. Fred de Silva, M.P. for Kandy and later by Dr. G. P. Malalasekera who was President of the All Ceylon Buddhist Congress; as 1956 was the 2500th year of Buddhism and Buddha Jayanthi celebrations were scheduled for the following year he felt this was an appropriate moment.

Then occurred the Bandaranaike assassination, in the aftermath of which the Capital Punishment Act was repealed by the caretaker government headed by Mr. W. Dahanayake. Executions resumed, but again fell into disuse after 1976, when President Jaewardene suspended them on humanitarian grounds.

And now, according to the media, there is a move to reactivate the death penalty. The reasons cited are the horrendous crimes which have shocked the country, and the growth of organized crime, including large scale drug-trafficking and contract killings. There is no doubt that serious law and order problems face the authorities. But the return of the hangman as part of our public life is not the answer, nor is this acceptable under any circumstances. The state should not assume the role of the executioner - this will only make the national scene even more brutal than it is.

There are the usual arguments in support of the death penalty: for particularly horrible offences it is the only fitting punishment; murderers and others who commit grave crimes should be executed to pro-

tect society; and the death penalty acts as a deterrent. Actually there is a lack of convincing evidence that the death penalty has more power to deter than for instance a long period of imprisonment. This was also the conclusion drawn by the Morris Commission; and a survey on the relation between the death penalty and homicide rates conducted for the United Nations in 1988 and updated in 1996 concluded that research has failed to provide scientific proof that executions have a greater deterrent effect than life imprisonment. Secondly, executions by whatever means, are a cruel, degrading and inhuman punishment. They degrade the executioner, and the system of justice in the name of which he executes. And thirdly - and perhaps this is the most powerful of all the counter-arguments - the death penalty is irreversible. It is decided upon by fallible processes of law which are administered by fallible human beings, and can be, and has been inflicted on people who were innocent.

In this context I would like to quote Albert Camus who cited the Burton Abbott case. Burton Abbott was executed in March 1957. He had been condemned for murder of a 14 year old girl, but although he protested his innocence, no one took any heed. The night before his execution he was shifted to a new cell, as is customary in American prisons, thus letting him know what awaited him in the morning. His execution was scheduled for 10 a.m. At 9.10 a reprieve was granted to allow the defence attorney to present an appeal. At 11 a.m. the appeal was rejected. At 11.15 Abbott entered the gas chamber. At 11.18 he began to breathe in the fumes of gas. At 11.20 the secretary of the reprieve board phoned the prison warden to say that the board had reversed its decision. The governor had been called, but he had gone sailing, and they could not reach him on his boat. So they called the prison directly. But too late. By the time Abbott was removed from the gas chamber he was dead. Camus points out that, had the weather been bad the governor would not have gone sailing. Abbott would not have died and might have proved his innocence. Had another kind of punishment been imposed there would have been a chance of reversal. Capital punishment does not allow for this.

The Norval Morris Commission observed, that the danger of innocent persons being sent to the gallows was much greater in Ceylon than in the U.K. or USA because of the high degree of perjury in the local courts; also because of the system by which a majority verdict of a jury was sufficient to cause conviction and capital punishment. It noted that the danger of perjury was aggravated by the long periods of time that

(continued on next page)

**WB helps families to resettle:** Feb 22 - As the first phase of World Bank's Unified Assistance program for helping displaced families resettle in their own villages, World Bank's resident representative in Sri Lanka, Peter Harold, presented checks of Rs.25,000 (US \$250) to forty families, at a meeting held at the Vavuniya Tamil Maha Vidyalayam.

Of the 20,000 families who have resettled in the Vavuniya district, 6000 will receive the monetary assistance through the world bank scheme this year, said K.Ganesh, Government Agent (GA), Vavuniya. Each family will receive Rs. 100,000 in phases under this program, Peter Harold said.

Vavuniya Government Agent, K. Ganesh, Director of Sub-Committee on Immediate Humanitarian and Rehabilitation Needs in the North and East (SIHRN), Selvin Erenuess, Advisor to the Prime Minister, A.S.Gunasingam, Director of the World bank funded North East Community Restoration Development (NECORD) project, T. Lankanesan, Vanni District SLA commander, Major General Susil Chandrapala, Vavuniya district Head of the political section of Liberation Tigers of Tamil Eelam (LTTE), S.Elilan, Representative of the UNHCR, District co-ordinator of the Tamil Rehabilitation Organization, Thirgnanasampanthamoorthy, and parlia-

## PEACE DIVIDEND Rehabilitation & Redevelopment

**Many schemes of Rehabilitation and Redevelopment are being undertaken in the war-torn Northeastern areas of Sri Lanka as direct result of the Ceasefire Agreement between the Government and the LTTE and the ongoing Norwegian facilitated peace process. These schemes are being made possible primarily with financial and material assistance from the international community.**

and committing themselves to work towards peace," said Peter Harold. "International community is watching the events in Sri Lanka very closely. World Bank is participating in helping resettle people affected by war. We expect the funds provided for these purposes to be spent wisely. Checkpoints in Omanthai and Muhamalai will be provided with electricity shortly. Once this is completed, I anticipate that authorities will allow these checkpoints to be open 24-hours," added Peter Harold.

**Sweden to help development in NE:** Feb 23 - The Charge d' Affairs of the Swedish Embassy in Sri Lanka Ms Ann Marie Fallenius said in Trincomalee that the Chambers of Commerce in districts of Jaffna, Vavuniya, Trincomalee, Batticaloa and Ampara in the northeast province would be given a boost to expand their institutional capacity and pro-

mentarians N. Sivakathi Anandan and Selvam Adaikalana than participated in the event.

"Politicians who can exhibit a lot of courage are required to take the peace process forward. We all have to appreciate the courage shown by the Government of Sri Lanka and the Liberation Tigers in agreeing to a ceasefire

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elapsed between the commission of a crime and the trial. It was only a very rare witness who could accurately recall events that had taken place eighteen months or more earlier.

In Sri Lanka - then Ceylon - it was perhaps the Maru Sira execution which highlighted the full horror of the Death Penalty. Maru Sira - his actual name was D. J. Siripala - took to crime and was imprisoned for various offences. He became a folk hero by the daring and skill of his escapes. While he was in hiding after his third escape from jail he was sentenced to death in absentia for the murder of a man in March 1974. Elaborate security measures were taken to ensure that he would be hanged on August 5, 1975.

The prison warders were aware of Maru Sira's history of escaping, and frightened by his threats of vengeance. So in order to forestall any untoward incident they gave him a sedative the night before the execution. The Public Trustee later said that, having been given an excessive dose of Largactil, he collapsed into unconsciousness from which he never recovered. At the time of execution he was carried on a stretcher and laid across the trapdoor of the scaffold. The noose was placed around his

neck, and upon the trapdoor being opened, his body dropped 2 feet 2 inches. His death was caused by strangulation, by asphyxia caused by strangulation, and so there was no judicial hanging. Had Siripala stood erect he would have stood 9 inches above the noose, then would have fallen 7 feet 11 inches. There were other pathetic factors which added to the public horror. His father had tried to see him before the execution; but had been refused. His wife Ran Menika had visited him every month in prison, but was so poor that she had to sell her sugar ration in order to find money for the bus fare. She had not been informed of the date of execution as she and Siripala had not gone through the legal process of marriage.

Now, nearly thirty years later, we are told that "The Death Penalty is on the cards again". It appears that officials had already inspected the gallows at Welikada prison - the last man to be hanged there was from Tissamaharama, in 1976. During the visit it transpired that the noose used for hanging had deteriorated, that the rope used was not available in Sri Lanka and had to be imported. It was also decided that the gallows 'need a new look', in order to be ready and functional when a decision on the Death Penalty has been taken. It appears that 'cer-

tain religious dignitaries' had discussed the matter with the officials, and apparently a majority are in favour of the introduction of the supreme penalty.

It is to be hoped that before we revert to the primitive barbarism of execution, a serious and careful study is undertaken of crime, the problems of investigation and of law enforcement in Sri Lanka. So, momentous a decision should not be trivialised. Real solutions to violent crime, both short and long term, should be identified and meticulously pursued.

And the ultimate conclusion should be that executions must not be resumed under any circumstances.

*"Any man's death diminishes me, because I am involved in mankind; and therefore never send to know for whom the bell tolls, is tolls for thee."* (John Donne)

### References:

- 1 Donovan Moldrich 'Hangman -- Spare That Noose'
- 2 Roger Hood 'The death penalty, a world-wide perspective'
- 3 'Miscellaneous facts and quotations' on the Death Penalty (Civil Rights Movement of Sri Lanka)
- 4 Albert Camus 'Reflections on the Guillotine'.

fessional competence building program under an agreement the Federation Chamber of Commerce and Industries (FCCISL) signed recently in Colombo with the Swedish International Co-operation Agency (SIDA) and the Chamber of Commerce and Industry of Southern Sweden (CCISS).

The ambassador met the officials of the Trincomalee District Chamber of Commerce (TDCC) at the Nilaveli Beach Hotel in Trincomalee. President of the TDCC Mr.K.Thurairajah presided.

She added the economic prosperity of Sri Lanka critically depends on the success of the peace talks and finding a political solution to the conflict. The Swedish government is very much interested in assisting the parties in finding a political solution to the problem, she said. Ms Ann Marie Fallenius further said the government of Sweden was fully backing the peace process, which has created an opportunity to develop the northeast. The international community will everything possible to prevent another war in the island, she stressed.

A sum of one hundred million rupees has been allocated under the agreement with Swedish based SIDA and CCISS to implement a project with a full package of funding and technical support for rapid restructuring of the neglected industries in the five districts, Jaffna, Vavuniya, Trincomalee, Batticaloa and Amparai in the northeast province.

**Top-level ADB officials visit Vavuniya:** Feb 24 - A committee of top-level officials of the Asian Development Bank (ADB) visited Vavuniya to hold consultations on planned projects on road reconstruction and electrical power distribution. The high level committee included Mr. Tadashi Konda, director of the Infrastructure Division for the South Asia region, Mrs. Sriwidowwathy, Project Engineer, Mr. K.M. Thilakarathne, Project Specialist, Mr. John Innigan, Consultant for the A-9 highway project.

The committee met with the Government Agent for Vavuniya, Mr. K. Ganesh, at the district secretariat and held discussions on the immediate needs, short and long term plans for projects on road reconstruction and electrical power distribution. At the discussion, the project director of the Ceylon Electricity board and the project director and Chief Engineer of the Road Development Authority provided more information on the projects. Following the discussions, the committee inspected the conditions on the A-9 highway. The project on reconstructing the highway will start next month under World Bank funding.

**WB aids Teacher-librarians to be training:** Feb 25 - The School Library Development Unit of the North East Provincial Department of Education is to conduct a training program for teacher-librarians in schools under a project funded by the World Bank, Provincial Director of Education, Mr.S.Mahalingam said.

The World Bank has given green light to implement this project under the Educational Reforms Programme and allocated seven hundred eighty four thousand rupees to the Library Unit of the line Ministry of Education. The implementing agency will be the NE Provincial Department of Education, Mr. Mahalingam added.

As a first phase 350 teacher-librarians out of 568 would be given training in seven centres in the northeast province.

The National Library Services Board and the Provincial Department of Education would hold the residential train-

ing jointly under the guidance of the National Institute of Library and Information Science of the Colombo University.

**NE libraries to receive Internet facilities:** Feb 26 - School libraries of forty two schools in the eight districts of north-east province are to be provided with computers with Internet facilities before the end of this month, said Mr.N.Anandaraj, Co-ordinator of the School Library Development of the Provincial Ministry of Education Tuesday.

Mr.Anandaraj, who is also the Assistant Director of Education, released the list of forty schools that have been selected for getting computers with Internet facilities.

Educational sources, however, expressed doubts if the scheme will fulfill the expectations raised, as many districts under the scheme, suffer from lack of reliable telecommunication facilities required to support internet connections.

The following is the list of schools announced to be part of the scheme:

\* Jaffna district: Vembadi Girls High School, Periyapulam Maha Vidyalayam, Udupidy American Mission College, Jaffna Hindu Ladies College, Nainativu Maha Vidyalayam, Meesalai Veerasingham Maha Vidyalayam, Nelliayadi Madhya Maha Vidyalayam, Manipay Hindu College;

\* Killinochchi district: Akkaran Maha Vidyalayam

\* Mullaitivu district: Mulliwalai Vithiyanda College, Udaiyarkaddu Maha Vidyalayam, Mallavi Central College

\* Vavuniya district: Saivapragasa Girls Maha Vidyalayam, Cheddikulam Mahavidyalayam, Puthukulam Maha Vidyalayam, Poonthottam Government Tamil Mixed School

\* Mannar district: St Xavier Girls College, Fatima Madhya Maha Vidyalayam, Adampan Maha Vidyalayam

\* Trincomalee district: Koneswara Hindu College, Orr's Hill Vivekananda College, St.Mary's College, Kinniya central College, Chenaiyoor Central College, Agrabodhi Maha Vidyalayam

\* Batticaloa district: Kallady Muhathuwaram Vipulanda College, Kattankudy Madhya Maha Vidyalayam, Sivananda College, Valaichchenai Hindu College, Paddirippu Madhya Maha Vidyalayam.

\* Ampara district: D.S.Senanayaka Madhya Maha Vidyalayam, Kalmunai Zahira College Carmel Fatima College, Sammanthurai Muslim Girls Maha Vidyalayam, Akkarapattu Muslim Maha Vidyalayam, R.K.M.Maha Vidyalayam, Dehiattakandya Madhya Maha Vidyalayam, Padiyatallawa Madhya Maha Vidyalayam, Yelwatte Maha Vidyalayam, Rajakadena Vidyalayam, Hingurana Maha Vidyalayam.

**NE development fund Established:** Feb 28 - The World Bank (WB) and the Sub Committee on Immediate Humanitarian Rehabilitation Needs (SIHRN) signed a "Letter of Intent" as a prelude to establishing a North East Reconstruction Fund (NERF) in support of post conflict development efforts in the northeast province, a press release issued by the SIHRN said. The representatives of the SIHRN and the World Bank signed the Letter of Intent Friday (28 February). WB Country Director in Sri Lanka Mr. Peter Harrold, Mr.Naresha Durai Swamy and Mr.Sheng Man Zang, Managing Director of the World Bank attended the SIHRN meeting Friday held at Killinochchi.

"This follows the invitation earlier this year where the World Bank and the Government of Sri Lanka (GOSL) and its partner in peace negotiations, the Liberation Tigers of Tamil Eelam (LTTE), to act as the custodians of the fund," stated the press release.

It further stated: -

The NERF will allow the SIHRN of the Sri Lankan peace process to rapidly and flexibly apply by lateral donor resources to meet the immediate needs of the people affected by the conflict, both returnees and those who remained in the conflict areas. The World Bank will administer the grants received from bilateral donors.

The NERF will finance

1. Support for small-scale sub-projects to repair and upgrade rural infrastructure and to strengthen basic health and educational facilities. The Fund is also expected to support actions focused on women and children, especially concerning their physical and mental health and education as well as assisting with the social integration and rehabilitation of orphans from the conflict.

2. Voluntary resettlement and rehabilitation of displaced persons through certain identified livelihood schemes

3. Mine clearance activities and mine awareness and training program

4. Salaries and operating costs of SIHRN as well as the capacity building activities.

The World Bank will employ an independent firm to monitor the procurement of goods and services, review and recommend approval of withdrawal application and monitor expenditure financed by the grant fund. It will also employ an independent auditor."

**Programme for resettlement:** Feb 28 - Fourth meeting of the SIHRN took place in Kilinochchi at the premises of SIHRN secretariat. Mr. Bernard Gunatillake headed the Government delegation and S.P. Thamichelvan led the LTTE delegation. Ambassador Jon Westborg facilitated the meeting on behalf of the Norwegian Government. Ambassador Seichiro Otsuka of Japan participated on behalf of Mr. Yasushi Akashi, principal advisor to the Sub-Committee.

Excerpts from the press release issued by SIHRN stated: The Sub-Committee decided to initiate a programme for the resettlement of displaced persons in the Mannar District. The programme will respond to the needs and interest of all communities in the Mannar District. The Secretariat has been requested to initiate a Needs Assessment for the resettlement of internally displaced persons from the district.

Under the overall resettlement program, the Sub-Committee agreed:

\* to establish a resettlement program for the Mannar District in order to meet the needs of all displaced communities;

\* that the Mannar district will be assessed by five Assessment Teams comprising the following members GOSL - 02 (at least one member to represent the Muslim community) LTTE - 02 UNHCR - 01;

\* that these Needs Assessment Teams should as part of their work ensure that original residents, displaced outside the district of Mannar are also consulted;

\* that the reports of the Needs Assessment Teams should be submitted by 31st March 2003;

\* that an implementation proposal is to be developed based on the reports of the Assessment Teams. The imple-

mentation proposal shall be developed by a team comprising 2 members each from the GOSL and the LTTE and the UNHCR; and that the work of the Assessment Teams shall be coordinated by the UNHCR.

SIHRN, to accommodate the urgent needs of the people, gave its final approval to the following projects that will be implemented as soon as the finances has been made available by the donors through the World Bank:

\* The first phase of the road between Mullaitivu - Mankulam-Vellankulam;

\* Centre (located in Kilinochchi) for mentally traumatized women;

\* Renovation of paddy storage facility in Mannar district;

\* Construction of ice plants in Thirukovil and Sainthamaruthu in Jaffna and Ampara District respectively;

\* Resettlement of 8 villages, one in each of the eight districts in the North East.

In addition 10 further projects were approved subject to certain clarification from the Director of the Secretariat of SIHRN: \* Emergency care unit in Kilinochchi, \* improvement of Mullaitivu Hospital, \* irrigation project in Kalmadu, \* irrigation projects in Miyankallukulam Kiran in Batticaloa, \* resettlement and rehabilitation project in all districts, \* skill and capacity development in Mullaitivu, Ampara and Mannar districts, \* milk chilling and processing facility in Kilinochchi, \* construction of ice plant in Mullaitivu District, \* construction of ice plant in Jaffna District, and \* rehabilitation of Pottuvil Hospital in Ampara District.

**Japanese Development team in Jaffna:** Mar 3 - A nine-member delegation of the Infrastructure Development Institute of Japan (IDI), led by Mr. Yoshiyo Yabe, Senior consultant and Director of Planning Department of IDI, on 1 February held talks with civil officials in Jaffna regarding proposed development of roads, water supply, sanitation and flood control in the peninsula. The IDI team is on a fact-finding mission in the northeastern province from February 26 till March 6.

The delegation attended a conference held at the Jaffna District Secretariat presided by the acting Government Agent Ms Paththiniammal Thilaganayagam Paul. Local heads of government and provincial departments also participated in the conference, said sources.

Several matters were discussed at the conference including the possibility of diverting water from Iranaimadu tank in Killinochchi district to Jaffna peninsula for farming, sources. The IDI team in this regard submitted the suggestion but Jaffna officials agreed to discuss this proposal with Killinochchi officials before providing a proper response.

The development of the Kankesanthurai harbour and the railway service to Jaffna and the importance of raising these matters at the national level were also discussed at the conference, according to district secretariat sources.

In Kilinochchi the team met Government Agent (GA), Rasanayagam, and obtained details of the proposed plans for infrastructure development including connector roads within the district, roads to interconnect agricultural centers, rebuilding destroyed railway tracks, electricity supply, telecommunications and plans for providing urgent humanitarian needs such as safe drinking water. Director of Committee on Immediate Humanitarian Rehabilitation Needs (SIHRN), Selvin Ireneuss, also participated in the discussions.



In Trincomalee, the IDI team held wide ranging discussions with central and provincial level officials in the Trincomalee district at the North East Health Ministry Auditorium on 3 February.

Proposals to rebuild the Trincomalee-Pulmoddai road up to Kokulai in the north of the district and to implement a water supply scheme using Mahaweli water to meet the future demand in the Trincomalee district were also suggested to the IDI team for their study, sources said. The IDI team will submit its report regarding the urgent needs for the north-east province regarding development of roads, sanitation, infrastructure and flood control activities to the Government of Japan.

The IDI team, which comes under the Japan Ministry of Land, Infrastructure and Transport, is on a fact-finding mission in the northeastern province from February 26 till March 6.

**ADB President's visits Killinochchi:** Mar 7 - The President of the Asian Development Bank (ADB), Mr. Tadao Chino, reaffirmed ADB's commitment to supporting the peace process with rehabilitation and reconstruction assistance, during a meeting with representatives of the LTTE in Killinochchi, northern Sri Lanka, a press release issued by the Sri Lanka Resident Mission of the ADB said.

Mr. Chino, who met with Mr. S.P. Thamilselvan and other members of the LTTE's political wing at the Killinochchi secretariat, said he was impressed with the progress made in the peace talks since the ceasefire agreement between the Government of Sri Lanka and the LTTE a year ago.

The following is the full text of Mr Chino's statement after his meeting with LTTE.

"I am very pleased to be in Killinochchi. Although my visit is brief it, has been very productive. Earlier this morning, I met with Mr. Thamilselvan, and other representatives of the LTTE, and had a very useful exchange of views. I told him we are impressed with the progress being made in the peace talks. We believe a lot has been done and are encouraged by the achievement so far. We realize there are challenging issues that need to be resolved and we will do what we can to continue to support and enhance our support for this purpose.

"It is important that a lasting peace be found to put an end to this conflict which has caused such devastation to the North and East, and to the country as a whole. My meeting gave us the chance to discuss the reconstruction and rehabilitation of the conflict affected areas.

"International support will be essential for the reconstruction program to be undertaken in the North and East and for Sri Lanka itself to regain what two decades of conflict have cost it.

"As you know, ADB is working with the World Bank, United Nations, the Subcommittee for Immediate Humanitarian and Rehabilitation Needs (SIHRN) and others to prepare a needs assessment for the Tokyo donors conference in June. This will provide us, and others, with a very good basis for developing our future assistance programs. The LTTE is involved with the assessment process and this will contribute significantly to the success of the conference.

"Of course, its success will also depend on the level of commitment of the parties concerned in the peace process and how the international community perceives the process. ADB and Sri Lanka's development partners, many of whom are ADB's shareholders, need to be assured that all the

ple of Sri Lanka can enjoy the benefits of peace. After more than 20 years of conflict, it will take more than a few years for recovery. We, at ADB, stand ready to work with our development partners and the international community in forging a bright, prosperous and peaceful future for Sri Lanka."

ADB projects are already underway in the North and East. ADB supports the North East Community Restoration and Development Project (NECORD) with a loan of US \$ 25 million. The project covers a range of complimentary activities in all eight districts in the North and East to help the people in these conflict-affected areas rebuild their lives. The activities include access to shelter, education, health, other basic services and livelihood.

Countrywide, ADB's program of assistance to Sri Lanka was nearly US\$ 240 million in 2002. This program supports development projects throughout the country in such critical sectors as education, energy, public sector resource management, and transport, the press release by the ADB concluded.

ADB's Country Director Mr. John R. Cooney, Director General Mr. Yoshihiro Iwasaki, South Asia's Operations/Coordinating Secretary Mr. Hafeez Rahman also participated in the discussion. LTTE's Administrative head Mr. S. Thangan, LTTE political activist Daya Master and Sinnappa master of the Thamileelam Administrative Service accompanied Mr. Thamilselvan to the meeting.

NECORD Project Director Mr. T. Lankaneson, North East Provincial Council Chief Secretary Mr. S. Rangarajah, Government Agents of Killinochchi, Vavuniya, Mannar and Jaffna districts Messrs T. Rasanayagam, K. Ganesh, V. Visuvalingam and S. Pathmanathan respectively also participated in the discussion.

Before leaving to Colombo, the ADB President and his team visited the Elephant Pass area. Later they paid a visit to the Killinochchi Maha Vidiyalayam and conversed with students and teachers.

**Gender issues committee meet:** Mar 8 - The Sub-Committee on Gender Issues (SGI), established by agreement between the Government of Sri Lanka and the LTTE during the third round of negotiations in December 2002, held its first stage of meetings on 5 and 6 March in Killinochchi.

A press release issued after the meeting stated as follows:

The first meeting of the Sub-Committee on Gender Issues (SGI) was held in Killinochchi 5-6 March 2003. The establishment of the SGI was agreed upon by the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam during the third session of negotiations in Oslo 2-5 December 2002. During the meeting in Oslo both parties expressed their willingness to set up this Committee in order to secure the active participation of women and the effective inclusion of gender issues in the peace process.

The deliberations between the delegates were positive and constructive and included a wide range of issues of concern to women in this stage of the peace process. The Committee members acknowledged the widespread and profound suffering of women as a consequence of war, especially in the most affected areas. In their determination to include the gender perspective in the peace process they decided to focus their efforts on the following issues in the immediate and long term:

- Sustaining the peace process
- Resettlement
- Personal security and safety
- Infrastructure and services
- Livelihood and employment
- Political representation and decision-making
- Reconciliation

The SGI will report directly to the plenary session of the peace talks and work closely with the other Sub-Committees and other mechanisms associated with the peace process. It will identify issues of concern to women that need to be addressed and bring those concerns into the agenda of the peace process.

The SGI will immediately get involved with SIHRN in the process of Accelerated Resettlement Programme for the Jaffna District (ARP-J) and the Fast-track Resettlement Programme for the Mannar District (FTRP-M) and other ongoing resettlement programmes in the north and east.

The SGI supports SIHRN's project for traumatized women in Kilinochchi and strongly encourages SIHRN to set up similar centres in the east and in other districts affected by the conflict.

The SGI will formulate Gender Guidelines for the Sub-Committees and other mechanisms associated with the peace process. The SGI decided to establish a Secretariat in Kilinochchi. An office of the SGI shall be established in Colombo. The two entities will co-operate closely in serving all members of the SGI in their work.

The SGI discussed fundamental elements of the Terms of Reference that will be presented to the plenary session of the peace talks in April 2003.

The Committee members visited several projects concerning the welfare of women in the Kilinochchi area.

The next meeting of the SGI will take place in Kilinochchi 4-5 April 2003. Future meetings of the SGI will be organised in different areas.

The Sub-Committee on Gender Issues consists of the following five members from each of the parties.

GOSL: Dr. Kumari Jayawardena, Dr. Deepika Udagama, Dr. Fazeela M. Riyaz, Ms. Kumuduni Samuel and Ms. Faizun Zackariya.

LTTE: Ms. Thamilini Subramaniam, Ms. Kaaya Somasyndram, Ms. Premila Somasyndram, Ms. Suthamathy Sanmugarajah, and Ms. Yalisai Balasingham

The parties have requested Norway to appoint a resource person as a facilitator to the SGI. The Norwegian government assigned Dr. Astrid N. Heiberg, a professor of psychiatry to the University of Oslo, and past president of the International Red Cross Federation."

**Resettlement in Omanthai-Thandikulam HSZ:** Mar 8 - In a meeting at the Government Secretariat presided by the Vavuniya Government Agent (GA), K. Ganesh, it was decided to resettle former residents of selected areas within the High Security Zone (HSZ) between Thandikulam and Omanthai centered around the A9 highway in Vavuniya district, starting from 10 March.

Major General Susil Chandrapala, Sri Lanka Army (SLA) commander of Vanni region, LTTE Vavuniya district Head of the political section, S. Elilan, Regional secretaries, Commanders of different districts participated in the meeting.

GA Ganesh informed that former residents are to be settled in 38 villages. The officers in charge of the project will

confirm if the villages are cleared of mines and are safe for resettlement. SLA has agreed to allow HSZ residents identified for resettlement to travel through the Thandikulam SLA checkpoint. Non-governmental organizations working on mine clearing operations in army controlled regions confirmed that villages of Thandikulam, Neiveli, Pannikar Puliyankulam and Chithambaram have been cleared of mines and are fit for resettlement.

Meanwhile, the Vavuniya District Committee responsible for urgent humanitarian and rehabilitation needs met in the Government secretariat to determine the urgent material needs for resettlement. GA Mr. Ganesh, Vavuniya South District Secretary, M., Tillekaratne, LTTE's S. Elilan, LTTE's member of the women's wing, Alai, member of LTTE's administrative division, Swarnan participated in this meeting.

Decision was taken in this meeting to urgently undertake rehabilitation efforts in the spheres of health, water supply, transportation infrastructure and education in the areas earmarked for resettlement. A report containing the above matters is to be sent to the Kilinochchi branch of the Sub-committee on Immediate Humanitarian Rehabilitation Needs (SIHRN), sources who attended the meeting said.

**New hospital in Kilinochchi:** Mar 9 - Mr. Tadoa Chino, President of the Asian Development Bank (ADB), laid the foundation stone for a new hospital building in Kilinochchi on 7 March during a ceremony organized by the Government Agent (GA) of Kilinochchi, T. Rasanayagam and the Sub-Committee on Immediate Humanitarian and Rehabilitation Needs in the North and East (SIHRN).

ADB's Country Director Mr. John R. Cooney, Director General Mr. Yoshihiro Iwasaki, South Asia's Operations/Coordinating Secretary Mr. Hafeez Rahman, Dr. Canton, Representative of WHO, Mr. S. Rangarajan the Chief Secretary of the NEPC, Mr. Selvyn Iranius the Director General of SIHRN, Mr. K. Ganesh GA Vavuniya, Mr. C. Pathmanathan GA Jaffna, Mr. V. Visvalingam GA Mannar, Mr. S. Thangan, LTTE's Deputy Head of the Political wing, Daya Master, LTTE political activist, and Mr. Sinnappa master of the Thamilceelam Administrative Service, officials of the Health sector and other Heads of Departments in Kilinochchi participated in the function.

Mr. Selvin Eraneuss, Director of SIHRN outlined the responsibility of his directorate in contributing to ensuring development in all regions of North east.

He said that sometimes the existing state structures such as Provincial Councils have limitations in their operations as they come under the central government. But SIHRN has a mandate to look after every corner of the north and east and the needs of the people.

Mr. S. Rangarajan the Chief Secretary of the North and East Provincial Council said, "we are endeavouring to bring back and establishing a stability in uncertainties. That is our present motto and to a great extent whatever that happens outside the administration, but administration will be more stable and we will create a very good conducive environment for the people and the development process to succeed. With this assurance, we look forward for more helping hand from the ADB.

"It is unique that in a conflict area particularly in a war zone area the international banks like the ADB are willing to invest in spite of significant risks involved. World Bank is

also engaging itself in a similar fashion. This experience and results can be shared globally, and other countries in similar situations can benefit from the experience gained in North East of Sri Lanka," added Mr. Rangarajan.

Mr. T. Lankanesan, the project director of North East Community Restoration (NECORD) described the role the ADB in the development of the north east in his speech.

Lankanesan further said, "Asian Development Bank is one of the few partners who are helping to reconstruct the war ravaged north and east. The A9 highway, Rs.40 m. NECORD project, electrification of Jaffna district are a few projects that are receiving support from ADB.

The water supply project for Batticaloa district, Muthur water supply project and east coastal conservation and development projects are some of the projects of the ADB that are in the planning stage.

I wish to thank Mr. John Cooney, the country director of the ADB, for his contribution to the restoration of the communities in the north and east. Mr. President I thank you very much for accepting our invitation to lay the foundation stone for the hospital in Kilinochchi district.

Kilinochchi was the theatre of conflict where human sufferings reached high levels. The total population of the Kilinochchi district migrated to other districts. Kilinochchi district used to be an exporter of agriculture produces and fish to other parts of Sri Lanka. The people who fled depended on their friends and relatives for their survival. The affluent farming and the fishing population of Kilinochchi became victims of the war and lost their homes, their livelihoods and all their material possessions.

Kilinochchi district is emerging from the ashes. Majority of the displaced people have returned. During the war even the hospital of Kilinochchi was not spared. The hospital was totally damaged. The skeleton staff shifted the hospital to Mallavi and it functioned in without adequate physical infrastructure, medical personnel, medicine and laboratory facilities.

Disasters provide opportunities for development. Here is an opportunity to build a state of the art hospital for the people of Kilinochchi. It is their top priority. Under NECORD Rs.70 million is available for the first phase of the construction. We whole heartedly thank Mr. John Cooney the country director and the ADB for their invaluable contribution. I am confident that through this project Kilinochchi will have a modern hospital and the people will be ever grateful to you. Generations of tamils will remember you for this help."

**Accelerated de-mining:** Mar 9 - The Swiss Demining Federation (FSD) is currently clearing mines in Thallaimannar and in LTTE controlled areas surrounding villages of Pallamadu, Paapamodai, and Periya Madhu, with a view of preparing these areas ready for resettlement, said a spokesperson for FSD, a Switzerland-based organization currently involved in demining operations in different war affected areas of NorthEast.

He added that modern mine-detecting equipments are being used for the first time with the cooperation of the local mine-clearing section of the Tamil Rehabilitation Organization (TRO). Within three days, the FSD team has located and removed 60 lethal mines, the spokesperson added. The

clearing activities are being expedited in the areas earlier occupied by the Sri Lanka Army (SLA) in Thallaimannar region according to FSD. FSD is also working in several areas of Vavuniya, Mannar and Jaffna and claims to be the only organization that is heavily using modern mine detection equipment, sources in Vavuniya said.

**Computer Training Center in Trinco:** Mar 15 - North East Provincial Council Chief Secretary Mr.S.Rangarajah declared open a new computer-training centre at the Provincial Management Development and Training Department (MDTD). The Integrated Food Security Programme (IFSP) in Trincomalee donated twelve computers and accessories worth 1.6 million rupees to the centre. The IFSP Trincomalee is sponsored by the Federal German Ministry for Economic Co-operation and Development, BMZ through the German Technical Co-operation, GTZ and the Government of Sri Lanka through the Eastern Development Ministry and the North East Provincial Council.

The IFSP-GTZ Trincomalee team leader Dr. Dedo Geinitz said that the IFSP Trincomalee supports the computer-training centre. Advanced equipments have been provided to encourage information technology education for the north and east under a broader agreement between the IFSP-GTZ and the NEPC.

"IFSP Trincomalee encourages partner institutions to improve their capacities. This includes training for human resources development. Provincial and district government departments and also non-government organizations have been supported with facilities and equipment to increase their services capacity," Dr.Dedo Geinitz said.

Dr.Dedo Geinitz further said that the MDTD plays a key role in uplifting the standard of information technology know-how and knowledge of government officers. The aim is to improve services and contribute to good governance in relation to the anticipated accelerated reconstruction and development tasks for the northeast.

Mr.Rangarajah said the Management Development and Training Department of the NEPC has already trained about 2000 officers in computer literacy. Now the time has come to upgrade the computer-training programme.

He thanked the IFSP of the Federal German Government for helping the NEPC in a big way to develop an information system to the council.

Provincial Secretary to the Ministry of Public Administration Ms Kamala Sivasithambaram said northeast provincial council officers in past were unable to obtain computer knowledge as some districts in the province did not have electricity. The peace process has created an environment allowing the opening of the computer-training centre, she added.

"We have to educate at least 34 thousand employees of the 54 thousand in the northeast provincial council in the use of and developing applications for computers," said Ms Kamala Sivasithambaram. Project Director of the IFSP Ms Rohini Singarayer said, "IT training is expected to not only contribute to better understanding about the potential of computer software for development but to enable planners and administrators to better apply advanced technology. Training in the application of information technology contributes to post war and post conflict development."

**SLA soldier killed:** Feb 16 - Around 2.15pm on 15 February, near the Forward Defense Line (FDL) of the LTTE in Kilali in Jaffna district, a Sri Lanka Army (SLA) soldier, L. Dharmadasa (24) of Matale, who allegedly trespassed into LTTE controlled area was killed in gunfire, according to LTTE sources. The LTTE has communicated the information to the Sri Lanka Monitoring Mission (SLMM) members in Kilinochchi and Jaffna district.

SLMM officials visited the scene of the incident and according to their request the LTTE transfer the body of the soldier through International Committee of Red Cross (ICRC) to the officials of Government of Sri Lanka.

**LTTE cadres released:** Feb 17 - Two LTTE women cadres, Sivalingam Nanthini alias Navani and Maheswaran Thiagaledchumi alias Suganthi accused of having been engaged in forcibly recruiting young persons to the LTTE were released on bail by the Trincomalee Magistrate Mr.S.Thiagendran. Following the arrest of the two female cadres, the LTTE organized a hartal (a general shutdown) resulting in shops, banks, provincial council offices, schools and other business establishments remaining shut and the Trincomalee town being deserted.

**Protest against cost of living:** Feb 17 - Party members and parliamentarians of the main opposition party of Sri Lanka Parliament, People's Alliance (PA) held a protest demonstration against high cost of living under United National Front Government (UNF), on 17 February in Colombo. Hundreds of protesters carrying traditional and home-made musical instruments participated in what was described as "Jana Goshha" (Peoples agitation) held in several places in Colombo. The demonstrators carried placards with slogans condemning the high price for bread, oil, gas, telephone and electricity bills, and generally food items that adversely affected the living conditions of the poor.

**101 Villages selected for development:** Feb 18 - The World Bank assisted North East Irrigation and Agriculture Project (NIAP) officials said that under the 2003 program for renovating irrigation tanks in NorthEast, 101 villages have been selected in districts of Vavuniya, Mannar, Trincomalee and Batticaloa where implementation activities will begin in March. Officials said that the focus villages for NIAP projects were selected on recom-

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mendations by the Government Agents (GAs) of the respective districts.

NIAP has signed agreements with non-Governmental Organizations (NGOs) FORUT, Seva Lanka, Village Development Organization and Sareeram which will implement the projects for NIAP. Officials of these NGOs and Mr.S.Rangarajan, the Primary Secretary North East Province on behalf of NIAP participated in the signing of the agreements.

FORUT, Campaign for Development and Solidarity, a Norwegian NGO, has been engaged in development cooperation in Sri Lanka and in several other South Asian countries and its main office is situated in the little town of Gjøvik in the southeastern part of Norway. FORUT receives a considerable sum of money from the Norwegian Government and from Norwegian and foreign partners, according to FORUT.

**No confidence motion defeated:** Feb 18 - The no confidence motion moved by the opposition against the Defence Minister Mr.Tilak Marapane was defeated by a majority of 42 votes. 84 opposition parliamentarians from the Peoples Alliance and the JVP voted for the motion and 126 parliamentarians against the motion.

Of the 126 parliamentarians voting against the no confidence motion, 112 were from the ruling United National Front. 12 were from the Tamil Nationalist Alliance (TNA) and two were from Eelam Peoples Democratic Party (EPDP) led by its leader Mr. Douglas Devananda and People Liberation Organization of Tamil Eelam (PLOTE).

**Employment/Technology Centers opened:** Feb 20 - Opening ceremonies for an Information and Technology Training Center and Womens Employment Training Center, established by the Vanni Center for Community Advancement, were held in Kilinochchi on 20 February.

Head of the Arts and Cultural section of Liberation Tigers of Tamil Eelam (LTTE), Puthuvai Ratnathurai, and Kilinochchi Commissioner of Education, Mr. Sinnathurai lit the ceremonial lamps.

LTTE military commander Jerry hoisted the Tamil Eelam national flag. District secretary Pon.Nithyanan-than unveiled the name board. LTTE's head

of political section, S.P.Thamil-chelvan, declared open the Technology training center and later Kilinochchi Director of Heroes Cemeteries, Sasi, declared open the

Women's Training center Hall. Head of the Center for Community Advancement, V. Poongunran, presided over the morning events. Kilinochchi district Government Agent (GA), Rasana-yagam, and Puthuvai Ratnathurai also spoke.

**JVP protest march:** Feb 20 - Sri Lankan Police used tear gas and water cannon to disperse thousands of anti-government demonstrators in Colombo this afternoon. The protest was organized by the Janata Vimukthi Peramuna, against the ceasefire agreement signed between with the Liberation Tigers and the Government of Sri Lanka.

JVP parliamentarian Mr.Wimal Weerawansa and JVP General Secretary Mr.Tilvin Silva led the procession. They carried a big banner with the text "One Year For The Ranil, Prabha, Norway Pseudo Agreement Which Betrayed The Country."

Sources in Colombo said about 50,000 people, including a large number of Buddhist monks took part in the protest.

The protesters gathered at Paliyagoda and began to march towards Temple trees, the Prime Minister's official residence. Hundreds of Special Task Force soldiers and Police who were guarding the Prime Minister's residence, however, stopped the protestors near James Peiris Mawatte by using water cannon and tear gas, sources in Colombo said.

Several media personnel who were at the scene to cover the event were also attacked. Mr. Eranga Jayawardena, photojournalist with the Island, was injured and was admitted at the Colombo General Hospital. Sources said his Nikon digital camera, with an estimated value of Rs. 400,000, was completely damaged.

Propaganda Secretary of the JVP, Mr.Wimal Weerawansa, addressing a press conference said very shortly his party would organize a mammoth rally against the implementation of the Cease-fire agreement and the LTTE.

**Pandemonium in parliament:** Feb. 21 - Pandemonium reigned in the Sri Lankan parliament as MPs from Janata Vimukthi Peramuna (JVP) held a sit in protest holding placards and shouting slogans against the United National Front (UNF) government and the Liberation Tigers of Tamil Eelam. The parliamentarians were pro-

testing against the violent way in which the police who dispersed their earlier demonstration on the previous day. The police had used tear gas and water cannons to break up the JVP march against the ceasefire agreement between the Liberation Tigers and the Sri Lanka government. The JVP parliamentarians sat in the centre of the house and started shouting slogans, alleging that the government has betrayed the country to the LTTE by signing the ceasefire agreement.

The situation in the house took a boisterous turn when a government MP threw a book at the protesting JVP MPs.

Parliamentary officials evacuated school children who were in the gallery viewing the proceedings, sources said.

As the situation was going out of control the Deputy Chairman of the Committees, Mr. Sri Andrahenedi, who was presiding promptly adjourned the house. Parliament resumed sittings after about 30 minutes.

**FMM condemns attack on journalists:** Feb 21 - The Free Media Movement (FMM) strongly condemned the attack on the journalists who were covering the protest march of the Janata Vimukthi Peramuna on the previous day.

The FMM said a journalist who was injured in the attack has been warded in the government hospital and the digital photographic equipment of another journalist valued nearly four hundred thousand rupees had been damaged in the attack. Two weeks earlier police unleashed violence against civilians and journalists at Manipay in Jaffna district, the FMM pointed out in its statement. In Manipay incident two regional Tamil journalists were assaulted by the security forces and a digital camera of one of the journalists was also damaged.

In both instances the security forces have violated the professional rights of journalists. It is the bounden duty of a democratic government to prevent such incidents in the future, the FMM said in its statement.

**Hartal cripples Jaffna:** Feb. 22 - A four-hour hartal (general shutdown) was observed in the Jaffna peninsula from six to ten in the morning disrupting the normal life. The hartal was organized by the Consortium of NGOs in Jaffna district as a protest to government's failure to implement the ceasefire agreement effectively to ease the sufferings of thousands of displaced Tamils in the northeast. Shops and private sector establishments were closed down. Roads were deserted and transportation came to a standstill.

**Poor performance in Maths:** Feb 22 - More than sixty percent of students who sit for the G.C.E.ordinary level (O.L) examination from the northeast province fail in mathematics. This is due to severe shortage of Mathematics teachers, non-availability of necessary resources and delay in supplying required textbooks in time, said the North East Provincial Education Ministry Secretary Mr.R.Thiagalingam addressing five -day workshop in Trincomalee. The workshop was organized by the Provincial Department of Education and attended by zonal education officials related to maths education in the northeast province. Provincial Director of Education Mr.S.Mahalingam presided.

The main aim of the workshop was to provide details of the mathematics development programme formulated by the Provincial Department of Education to be implemented in the province, sources said.

Mr.S.Mahalingam said that in some rural schools in the northeast province not a single student has obtained a pass in Mathematics at the GCE ordinary level examination. "Future of several students is adversely impacted when they fail to obtain a credit or an ordinary pass in the GCE Ordinary level examination to pursue their higher education. This trend should not be allowed any more," he said.

**Prayer Meeting for Peace:** Feb 24 - A prayer meeting for peace was held in Jaffna in which many inter-religious leaders from South of the island and from the peninsula participated. A religious group from South Sri Lanka led by Ven. Mathampage Assaji Thera, Rev.Fr.Oswald de Peiris and Moulavi A.M.M.Cassim were received at Sri Lanka Army's (SLA) checkpoint at Muhamaalai in the morning, by representatives of the Consortium of Jaffna Human Agencies. They were then taken to the Home for Saiva Children at Kaithady.

The religious group arrived at the historic Nallur Kandaswamy temple in the evening carrying the banner, "We should take forward the peace process."

The religious leaders Ven. Assaji Thera, Moulavi Cassim and Bramasiri Mahesvarakurrukul, President of the Jaffna District Hindu Priests Association and Re Fr.B.J.Bernard lit the oil lamps in front of the temple. They then proceeded to the Thirugnanasampanthar Atheenam with oil lamps in their hands, where a prayer meeting was held.

**Youth remanded in abduction case:** Feb 25 - The Chavakachcheri Magistrate Mr.Kandiah Ariyanayagam ordered a

youth to be remanded who was produced in court by the Kodikamam Police on a complaint of allegedly abducting three girls aged between 18 and 21 in a three wheeler through Muhamalai check point. Representatives of the Sri Lanka Monitoring Mission (SLMM) and the International Committee of Red Cross were present Tuesday in court when the case against the youth was taken up for inquiry. Already three youths are in remand for allegedly abducting a twenty-one year old male. They were also produced in Chavakchcheri Magistrate's Court by the police. Reports in Colombo newspapers have alleged that these abductions form part of the LTTE's drive to recruit more cadres to its ranks.

**Truce monitors avert showdown:** Mar 25 - Swift mediation by the Sri Lanka Monitoring Mission (SLMM) monitoring the fragile truce between the government and the Tamil Tigers may have averted a clash in the eastern port city of Trincomalee, according to officials.

The incident occurred late Sunday 24 February when the Sri Lankan navy attempted to detain seven LTTE armed cadres who walked into government-held territory. Under the cease-fire agreement, brokered by Norway last February, government soldiers and rebel fighters bearing arms are prohibited from entering each other's territory.

Tension gripped Trincomalee as the Tigers resisted arrest, threatening to commit suicide on the spot by swallowing cyanide. According to defense officials, soldiers were put on alert, while a message came from the nearby LTTE camp that they were prepared to send in 500 fighters as reinforcements if its cadres were not released. Following contact by the government side, three members of the SLLM rushed to the scene and convinced both sides to go their separate ways. The rebels were released. "We ruled that the parties withdraw from the area immediately," said Haugrup Haukland, deputy head of the monitoring mission, adding "The situation was turning out to be very dangerous, we are lucky to have defused it."

**No state lands for tourism:** Feb 26 - The Trincomalee District Co-ordinating Committee (DCC) has decided not to encourage foreign investment in the development of tourism in the east port town by granting state land. The decision was taken at the DCC meeting held at the district secretariat on a suggestion by the Trincomalee district parliamentary Mr.R.Sampanthan who said that foreign investors could purchase lands in the dis-

tract instead of expecting state lands.

Mr. Sampanthan said state lands in the Trincomalee district should be preserved for the future development projects of the district. Furthermore landless people in the district and the second generation of the families who got lands in the new settlements in the district more than a decade ago should be provided with lands for living.

Mr. Sampanthan expressed his stand when it was brought to the notice of the DCC that twenty five acres of state lands with coconut trees belonging to the Coconut Cultivation Board is to be released for a foreign investor for a tourist development project in the Nilaveli area.

**New Head of SLMM meets LTTE:** Feb 27 - Tryggve Tellefsen, the new head of Sri Lanka Monitoring Mission (SLMM), a group of Nordic monitors overseeing the year-old truce between Liberation Tigers of Tamil Eelam (LTTE) and the Government of Sri Lanka (GOSL), met with officials of the LTTE at the Vavuniya SLMM office.

In Vvuniya, Tellefsen met K. Ganesh, the Government Agent (GA), S. Elilan, Head of Vavuniya district Political section of LTTE, Kathiravan, Vavuniya LTTE head of administration and Vavuniya district Secretary Moorthy. Later he visited the head quarters of the Security forces and met with the Sri Lanka military commanders.

Tellefsen expressed satisfaction at the cooperation extended by LTTE and GOSL to the SLMM for proper implementation of the ceasefire and to maintain peace.

During his career in the Royal Norwegian Army, Tellefsen commanded a multinational peacekeeping and observer force monitoring Egypt and Israel in 1997-2001, commanded U.N. peacekeeping forces in Macedonia in 1994-1995, and was responsible for recruiting and training Norwegian peacekeepers in 1989-1994.

**Muslim MPs meet PM:** Feb 27 - A delegation of Muslim parliamentarians requested Prime Minister (PM), Ranil Wickremasinghe, for an opportunity for the Muslims to participate as an independent group in the peace talks now being held between the Government of Sri Lanka (GOSL) and the Liberation Tigers of Tamil Eelam (LTTE).

The leader of the Sri Lanka Muslim Congress (SLMC) and the Minister in the United National Front government Mr. Rauff Hakim led the Muslim delegation. The discussion between the Prime Minister and the Muslim delegation was

held at the PM's official residence, Temple Tress. It was decided at the discussion to hold further talks on the subject on the return of the Prime Minister Mr. Ranil Wickremasinghe from India.

The National Unity Alliance President and former Minister Ms. Ferial Ashraff, Mr. M.L.A.M. Hisbullah, Mr. Noordeen Mashoor and Dr. A.L.M. Hafraath participated in the talks with the Prime Minister.

**PTA detainees freed:** Feb 28 - The Eastern High Court Judge Mr. S. Paramarajah discharged seven accused indicted under the Prevention of Terrorism Act (PTA) and Emergency Regulation (ER) when the State Counsel withdrew the indictments served on them.

**HRC special committee visits Jaffna HSZ:** Mar 1 - The special committee of the Human Rights Commission (HRC) of Sri Lanka, which is inquiring into the complaints in regard to the disappearance of more than six hundred Tamil civilians between 1996 and 1997 in the Jaffna district arrived to conduct further investigation.

The special committee headed by a former Government Agent Mr. Devanesan Nesiiah visited High Security Zones Palaly, Keerimalai, Tellipallai, Kankesanthurai, and Punnalaikadduvan in the north of the district. Later in the afternoon the committee visited High Security Zones in the Thenmaradchchi areas such as Kovilakandy, Thanankilappu and Maravanpolo villages. As a part of its investigation into the disappearance of several Tamil youths, it met the Jaffna Senior Superintendent of Police Mr. Harold Anthony, Jaffna army commander Major general Sarath Fonseka, and the resident representative of the International Committee of Red Cross in Jaffna.

The HRC special committee is to record further evidence from parents and close relatives of missing persons.

A spokesman of the HRC special committee told press persons that committee members had visited High security Zones as a part of their official visit. He did not want to elaborate further on the subject.

**Thai delegation meets Thamilselvam:** 02 - A special delegation of the Thailand government, lead by the Commissioner of the Economic section of the Thailand ministry of Foreign Affairs met with the Head of the LTTE's political section, S.P. Thamilselvan and communicated the desire of the Thai government to provide help and to participate in the development

of the war affected North East region. The discussions that took place at the Political head quarters of the LTTE in Kili-nochchi lasted several hours and centered on the urgent rehabilitation efforts required in the North east region. The delegation is preparing a report on the needs of the North east development to be submitted to the Thailand government, sources said.

**25% students need special education:** Mar 4 - About twenty percent of students in the North-East province have been identified as children with special needs as majority of them have been mentally and physically affected by the twenty-year-old war, and about seventy five percent of these students have not received any specialized medical attention, education officials said at a two-day workshop on non-formal education and special education held in Trincomalee at the management centre of the North East Provincial Education Ministry.

Officials involved in non-formal and special education in the twenty-four education zones in the North-East province participated in the workshop organized by the Provincial Ministry of Education, Cultural Affairs and Sports. NE Provincial Secretary for Education, Mr. R. Thiagalingam, in his inaugural address said that about forty five thousand children are not attending schools in the province. A considerable number of students leave schools midway as they are unable to continue their studies due to poverty and other social factors. Twenty percent of students find it difficult to compete with others in classes as they are severely affected by the war. These children need special education, he said.

Provincial Director of Education, Mr. S. Mahalingam, said shortage of resource personnel and necessary equipment hamper the special education for handicapped students in the war torn province. Students in difficult areas in the North-East are deprived of the benefits of free education, which are enjoyed by their counterparts in other areas, he said.

**Army offer to deserters:** Mar 4 - The Sri Lanka Army today offered over 51,000 deserters the option of a legal discharge or reinstatement in the forces. The Army, which has been plagued by the problem of desertions, today said it would issue certificates of discharge for those who abandoned their ranks and reinstate those "aspiring to rejoin the Army" only if they were free from any criminal involvement and whose period of absence did not exceed three years.

An overwhelming portion of the de-

serters have left the forces during the past 20 years, at an average annual rate of about 4,000 during the past few years. Annual amnesties were a regular feature during the past decade, for the deserters to rejoin the ranks, but there were not many takers.

Apart from depleting the combat units, desertions have become a major law and order problem, with trained soldiers often ending up as mercenaries. The move is aimed at checking the trend of deserters taking to organised crime and offering them the possibility of reintegration into society.

**MSF to wind up operations:** Mar 4 - MEDICINS SANS FRONTIERS (MSF), an international non-governmental medical and humanitarian organisation which has been providing medical assistance to people in the northeast province during several years of war has announced that it is to wind up its operations in Sri Lanka while expressing confidence that the ceasefire agreement between the Government and the LTTE will lead to permanent peace in the island and that their permanent presence is not required beyond 2003, according to the head of the MSF in Sri Lanka, Mr Yves Chartier.

**17 Indian fishermen in custody:** Mar 4 - Seventeen Indian fishermen who trespassed into Sri Lankan waters on 3 March were injured during clashes with fishermen from Pesalai, Mannar district when the local fisherfolks rounded up Indian fishermen and brought them to Pesalai shores, sources in Mannar said. Seventy five Indian fishermen and twenty-three boats were held by the Pesalai fishermen when the Police rushed to the scene and took over custody.

The details of the incident has been communicated to the Indian Embassy in Colombo by the Mannar Government Agent and sources say that the Embassy has been in contact with Mannar Police related to on ensuring safety to the fishermen in custody.

**SLMM Head meets LTTE's Col. Karuna:** Mar 4 - The head of the Sri Lanka Monitoring Mission, Maj. Gen. (Retd.) Tryggve Tellefsen, officially met with LTTE's senior commander, Col. Karuna, at Karadiyanaru in the LTTE controlled area in Batticaloa on.

The special commander of the LTTE for Batticaloa-Ampara, Mr. T. Ramesh, and the head of the LTTE's medical division, Mr. Vaman, also participated at the meeting held at the "Tea House" Guest House in Karadiyanaru.

The details of the Ceasefire agree-

ment and its implementation were dealt with extensively at the meeting, which lasted about two hours. Following the meeting, the SLMM head visited the 53-3 brigade of the Sri Lanka Army and held extensive discussions with the brigade commanding officer, Rajitha de Silva, the sources said.

The head of the SLMM for the Batticaloa district, Mr. Heikki Hulkkonen, and two advisers to the SLMM were associated with Maj. Gen. Tellefsen at the meetings.

**UNICEF-LTTE action plan on children:** Mar 4 - The LTTE and the UNICEF agreed today on the development of an action plan on children affected by war in the North-East, including children involved in child labor, civilian or military.

The agreement was reached in discussions between Mr. S.P. Tamilselvan, Head of the LTTE's Political Section, and Mr. Ted Chaiban, UNICEF Representative in Sri Lanka, in Kilinochchi. The LTTE will share a draft of the plan with the UNICEF on Monday, March 10. A working group of the LTTE, Tamils' Rehabilitation Organization (TRO) and the UNICEF will meet on March 14 and 15 to review the technical and operational aspects of the action plan.

A planning workshop will be held at the end of March. The workshop to finalize the action plan will include representatives from the LTTE, the Government of Sri Lanka, the TRO, the UNICEF and other international agencies. The action plan workshop will be followed by district level workshops to work out implementation in each district.

Training for members of the LTTE and Heads of district Political Sections on Children's rights will take place during the second week of April. It was agreed that the transit centers for children affected by war will be temporary and in the best interests of the children. These centers will be co-managed by international and national agencies, including the TRO and the UNICEF. The centers will provide an opportunity to assess children and make appropriate plans for their future, the sources added.

**LTTE releases soldier and policeman:** Mar 5 - Sri Lanka Army (SLA) soldier, Lance Corporal Nimal Kumara and Reserve Police Constable Philip Anandasekara who were in LTTE custody were released today in Kilinochchi to the Sri Lanka Monitoring Mission (SLMM) following a meeting with the LTTE leaders and the members of the SLMM.

LTTE leader Velupillai Pirapaharan

agreed to the release following a 2-hour meeting with Major General (Retd.) Tryggve Tellefsen and Major General (ret'd) Trond Furuhoedve at the Kilinochchi LTTE Secretariat. LTTE's political advisor, Anton Balasingham, and LTTE political head S.P. Thamilchelvan also participated in the meeting.

Nimal Kumara was taken into custody by the LTTE on 24 December when he trespassed into LTTE controlled region in Manal Aaru while being armed. LTTE took Anandasekara into custody 20 February when he entered into LTTE checkpoint in Muhamalai in police uniform. The continued detention of these men by the LTTE and the refusal to release them had been source of dispute between the government and the LTTE.

In a press release, the SLMM said that a release mechanism to prevent prolonged detainment of members of the LTTE or the Government security forces was also discussed at the meeting and that the LTTE leadership reacted positively to the implementation of such a mechanism, with the involvement of SLMM.

According to the SLMM, the balance of power of the two parties to the Ceasefire Agreement was also discussed and the LTTE leadership accepted it in principle. However, the SLMM said that the LTTE leadership raised concerns about the buildup of the Sri Lanka Military.

**Court releases Indian fishermen:** Mar 5 - The Mannar Magistrate, Mr. M.P. Mohideen, released 80 Indian fishermen from remand when the Police made an application to release them.

Fishermen from Mannar were reported to have taken 118 Indian fishermen into custody and handed them over to the Police following a clash between them on 3 and 4 March. Of those 118, 17 were admitted to the hospital with injuries sustained in the clash. The clash took place when Indian fishermen trespassed into the territorial waters of Sri Lanka. The quick and efficient manner in which such a large number Indian fishermen with their boats were rounded led some Colombo newspaper to speculate a LTTE involvement in the whole affair.

Appearing before the Mannar Magistrate the Deputy Inspector General of Police, Mr. H. Premaratne, with Headquarters Inspector, Premasiri, made an application seeking the release of the remanded Indian fishermen.

In their application, the Police said that the arrest of Indian fishermen had created turmoil in South India and the safety of the Sri Lankan refugees residing in welfare camps in South India was at stake. The release of the Indian fisher-

men from remand was sought to ease tension, he is reported to have said.

The Magistrate allowed the application and ordered that the 80 Indian fishermen be handed over to the Mannar Additional Government Agent, Mr. V. Visuvalingam, to be sent to India with maximum protection. The Magistrate ordered further remand for 12 Indian crew and 9 trawler owners till March 20. The Magistrate instructed the Police to hand over the 27 Indian fishing boats captured in the clash to the Sri Lanka Navy detachment.

**Judge returns homicide verdict:** Mar 7 - The Trincomalee Magistrate and Additional District Judge Mr. S. Thiagendran returned a verdict of homicide at the conclusion of the inquest held into the deaths of three Tamil civilians who were killed in a grenade attack on a protest demonstration. The Judge ordered police personnel who were on duty at the scene on the day of the incident to appear in an identification parade.

Mr. Thiagendran directed the Senior Superintendent of Police (SSP) to make arrangement to hold the identification parade. The Judge further directed the Registrar to send copies of evidence witnesses with Sinhala translation to the SSP for taking further action.

Three Tamil civilians S. Konalingam, K. Sasikumaran and S. Mayooran of Anpavallipuram and Gandhi Nagar were killed in a grenade attack at Abeyapura on October 11 last year when Trincomalee Tamils observed a hartal condemning the killing of seven Tamil civilians by security forces when a crowd attempted to storm the Special Task Force (STF) at Kanchirankuda in the Batticaloa district. When two groups clashed at Abeyapura a bomb was thrown on the Tamil crowd from the opposite side where police personnel were standing with the opposing group.

**Film on Women's sacrifice:** Mar 9 - In commemoration of the International Women Day, the Nitharsanam women film unit of the LTTE released a film named "Uppil Urainttha Uthirangal" (Blood stained sea) in all the districts of northeast province from 6 March evening. Ms Kuyili who produced the film released the first copy at the event held at Trincomalee Koneswara Hindu College. The film was released in Jaffna in a ceremony at Jaffna University Kailaspathy auditorium.

"Uppil Niraintha Uthirangal" tells the story of a woman cadre in the freedom struggle. Head of the LTTE women wing Ms Thamiliini said in her speech that this

particular film has been produced based on the experiences of the fighting cadres in our freedom struggle. She added some South Indian film producers had taken few films based on Eelam armed struggle. However these films had maligned the true spirit of our freedom struggle.

**Vavuniya Hospital to be upgraded:** Mar 9 - Vavuniya Government Hospital is to be upgraded to a General Public Hospital by the Government of Sri Lanka (GOSL) said H.A.P. Gajantha Liyanage Health Services Commissioner. Dr. Arumugam Ketheeswaran, the Vavuniya district assistant Commissioner of Health services, confirmed that the facilities and additional medical equipment required for the upgrade will be implemented immediately, said health sources in Vavuniya.

Lobbying efforts towards upgrading the hospital which has been serving thousands of outpatients daily have been carried out by the Government Agent (GA) of Vavuniya and others for a long time.

The Hospital has been functioning with severe shortage of personnel and medical facilities and has been serving the urgent medical needs of people from districts of Vavuniya, Mannar, Kilinochchi, Mullaitivu and parts of Madawachchi. Dr. Ketheeswaran cautioned that everyone concerned with effective functioning of the hospital has to work harder to deliver the health services expected by the public using facilities that will be added to the Hospital with the upgrade and name change.

**IGP orders probe into journalist torture:** Mar 9 - The Inspector General of Police (IGP) has ordered an inquiry into the complaint of torture by a Jaffna based Tamil journalist Mr. A. N. S. Thiruchelvam when he was under detention at the Terrorist Prevention Division of the police during the year 2001. The Inspector of Point Pedro Police Mr. K. Sihappu Arachchi conveyed the decision of the IGP to Mr. Thiruchelvam.

The IGP's order came in the wake of a notification by the Human Rights Commission (HRC) of Sri Lanka that action should be taken against police personnel who have subjected Mr. Thiruchelvam to torture and assault while being detained at a detention centre in Colombo in the year 2001.

Mr. Thiruchelvam was arrested on 02.01.2001 when he was staying in Colombo to attend a wedding of his relative. The Terrorist Division of the Police at Wellawatte in Colombo took him into custody under the Prevention of Terrorism Act (PTA) on the pretext that he was

engaged in collecting funds for a militant group. While in detention Mr. Thiruchelvam was severely assaulted and tortured and kept for 12 days in solitary confinement, according to a complaint lodged with the HRC in Sri Lanka.

Later the Colombo Fort Magistrate Mr. S. Priyantha Fernando 30.3.2001 discharged Mr. Thiruchelvam on an application made by the Attorney General that there was no evidence against him to charge under the PTA.

Several international and local media associations urged the then government to take immediate steps to inquire into the alleged torture of journalist Mr. Thiruchelvam. Mr. Thiruchelvam was the secretary of the Northern Sri Lanka Journalists Association for a considerable period, sources said.

**Probe into attacks on Tamil journalists:** Mar 10 - Prime Minister, Ranil Wickremesinghe, has ordered to form a Commission consisting of retired judges to investigate into incidents in the North East of attacks against Tamil journalists by the police and security forces, Government Information Department said in Colombo.

Recently Jaffna Journalists Association conducted a black band demonstration protesting against the attacks on Tamil journalists in Nelliady and Manipay in Jaffna district and in Valaichennai Batticaloa district. The JJA also sent a memorandum to the Prime Minister requesting him to conduct an investigation into these violations on the freedom of press.

Government Information Department also said in letter to the JJA that the Commission of Investigation will travel to Jaffna and Batticaloa to conduct detailed interviews and will determine compensation to be paid to the affected journalists, sources close to JJA said. This letter has also been sent to the Secretary of the Prime Minister, Secretary to the Media Ministry, Jaffna Government Agent, and to the President of the JJA.

**Opposition demonstration:** Mar 10 - The joint opposition demonstration with hundreds of thousands of people wearing red caps, buddhist monks, and front line leaders of the Sri Lanka Freedom Party (SLFP), Janatha Vimukthi Peramuna (JVP), Mahajana Eksath Peramuna (MEP) and the National Unity Alliance (NUA) participating, commenced around two p.m. from Campbell place in Colombo and arrived at the Town Hall by five p.m. without any incidents to hold a public meeting. The Police provided tight security along the route of the demonstration.



The two other constituent parties in the main opposition Peoples Alliance (PA), the Lanka Sama Samaja Party (LSSP) and the Communist Party did not participate in the joint opposition demonstration. The LSSP leader Mr. Batty Weerakone said his party was not participating as the demonstration opposed the present peace process between the government GOSL and the LTTE.

The Leader of the Opposition Mr. Mahinda Rajapakse, Mr. Anura Bandaranaike of the SLFP, Mr. Wimal Weerawansa and Mr. Tilvin Silva of JVP and Mr. Dinesh Gunawardene of the MEP were seen among those opposition leaders who led the demonstration.

Protestors shouted slogans appealing to masses to join hands with the opposition to defeat the UNF government that is presently engaged in peace talks with the LTTE to divide the country.

The city of Colombo was put on red alert from the previous day and more than two thousand armed police personnel have been deployed at strategic junctions and near key buildings to thwart any disturbances that may result from the opposition demonstration. Interior Minister Mr. John Amarasinghe ordered the Inspector General of Police (IGP) to take all possible steps to maintain law and order in the city following the President's warning that she had received reports of a conspiracy to cause damage to business properties belonging to minority communities during the demonstration and put the blame on the opposition.

**LTTE vessel sunk:** Mar 10 - The Sri Lankan Navy today said it sunk "an LTTE vessel carrying warlike material" 185 nautical miles east of the Mullaittivu. Eleven LTTE cadres on board the sunk ship were killed, while three sailors and an officer on board a Sri Lankan Navy patrol vessel were injured in the exchange of fire. The LTTE has protested the attack "on international waters" and said that the incident would have "far-reaching consequences" on the peace process.

**LTTE condemns sinking of merchant vessel:** Mar 10 - The leadership of the LTTE condemned the sinking by the Sri Lanka Navy of an LTTE merchant vessel in international waters, 220 nautical miles off Trincomalee, today. In a letter to Sri Lankan Defence Minister Tilak Marapane, the head of the LTTE's Political Wing, Mr. S. P. Thamilchelvan, condemned the attack in which eleven LTTE cadres were killed as "a grave violation of the ceasefire agreement."

Mr. Thamilchelvan further said "We wish to emphasize that this grave inci-

dent will have far reaching implications for the peace process," and asked the Defence Minister to convey the LTTE's "deep displeasure" to the Sri Lanka government.

Extracts of the letter follow:

"We consider the incident a grave violation of the ceasefire agreement as our vessel was not involved in any illegal action. Furthermore, the incident occurred in international waters beyond the jurisdiction of the Sri Lanka Navy. Our merchant vessel was intercepted and attacked without provocation. We contacted the Sri Lanka Monitoring Mission (SLMM) when the incident began and registered a complaint. The head of the SLMM, Maj. Gen. Trygve Tellefsen, observed that the authority of the Sri Lanka Navy does not extend into the international waters where the incident was taking place and assured us that he would use his good offices to prevent any confrontation."

"Eleven of our cadres, including the ship's captain, were killed when the vessel caught fire and sank after being attacked by the Sri Lanka Navy. We wish to emphasize that this grave incident will have far reaching implications for the peace process. We also wish to point out that, despite the ceasefire agreement, the Sri Lanka Navy has been involved in several deliberate and provocative acts against the LTTE for some time. Please convey our deep displeasure over these matters to your government."

**Mannar fishermen protest:** Mar 10 - Tamil Nationalist Alliance Members of Parliament Selvam Adaikalanathan, N. Sivasakthi Anandan and K. Rajakuganeswaran joined members of the Federation of Mannar fishing cooperative in a protest march today against South Indian fishermen poaching in Sri Lankan seas, said sources from Mannar. Selvam Adaikalanathan had previously pointed blame at the Sri Lanka Navy (SLN) for indirectly aiding South Indian fishermen by allowing them to trespass into Sri Lankan waters to deplete marine resources, especially giant shrimps, impacting the livelihood of Mannar fishermen. Increasing number of South Indian fishermen, with repeated resources along the waters Tamil Nadu, have been using the restrictions imposed on Sri Lankan fishermen on deep-sea fishing to their advantage. Now as the restrictions are released there have been incidents of friction between fishermen from both countries.

**LTTE cadres released on bail:** Mar 10 - The Court of Appeals comprising of judges Rajah Fernando (President) and

E.W. Edusuriya today ordered bail for the six cadres of the LTTE who have been in remand in connection with the alleged transporting of landmines by sea.

The Sri Lanka Navy intercepted a boat between Trincomalee and Sampoor and arrested the LTTE cadres with landmines in November last year and charged under the Offensive Weapons Act the Trincomalee Magistrate remanded them.

It was stated in the bail application that the LTTE cadres were arrested by the Sri Lanka Navy when they were on their way to Sampoor with a number of landmines to move them to Kumburupiddy area to de-activate them.

The Court of Appeal issued the order releasing them on bail for a sum of Rupees 25, 000.

**US Ambassador visits Jaffna:** Mar 11 - The Ambassador for United States of America in Colombo, Mr. Ashely Wills, paid a one-day visit to Jaffna and held discussions with representatives of Jaffna civil groups and Tamil National Alliance (TNA) parliamentarians.

The president of the Jaffna NGOs Consortium, Mr. S. Paramanathan, Ms Saroja Sivachandran of Women Development Centre, Rev. Fr. J. Bernard of Goodwill Committee for Justice and Peace, and the Jaffna regional coordinator of the Human Rights Commission of Sri Lanka, Mr. Ruwan Chandrasekara participated at the discussion held at Jaffna Beach Hotel.

Representatives of Jaffna civil groups brought to the notice of the US Ambassador Mr. Ashely Wills that although one year has passed since the signing of the ceasefire agreement by the government and the LTTE, normalcy has not yet returned to the lives of the Jaffna people.

The US envoy said he would discuss the high security zone issue with the Jaffna area Sri Lanka Army (SLA) commander Major General Sarath Fonseka. Mr. Ashely Wills expressed confidence that in the near future people could expect more improvement in their livelihood through the Memorandum of Understanding signed by the government and the LTTE.

**Committee to study federalism:** Mar 11 - Almost 50 leading Sinhala nationalist organisations have set up a Committee comprising eminent legal personalities to study on federalism and report back to Mahanayakes (leading Buddhist prelates). The National Joint Committee (NJC) representing these organisations has appointed a committee of five jurists headed by former Supreme Court Judge

S.W. Walpita to examine and report on the feasibility of introducing a federal system as agreed by the government and the LTTE at the ongoing peace talks.

The Committee was appointed on the request of Most Ven. Rambukwelle Sri Vipassi Thera, the Mahanayake of the Malwatte Chapter of the Siam Nikaya.

The committee includes former Attorney General and Acting Chief Justice R.S. Wanasundara, former Supreme Court Judge Lusian de Alwis, former Solicitor General Presidents Counsel Douglas Premaratne and lawyer M.Z. Akbar. Dr. Dissanayake will function as the secretary to the committee.

The committee will inquire into the background to the demand for a federal system of government, study on whether Sri Lanka already has a federal system of government and availability of any viable alternative to a federal system. The committee will also investigate the political, social and economic implications arising from an application of federal principles on the sovereignty and territorial integrity of Sri Lanka. The Committee is expected to present their report to the Mahanayakes in three months.

Earlier, NJC set up the Sinhala Commission headed by Justice Walpita to inquire into the grievances and discriminations suffered by Sinhala people. The commission has already released several volumes in this regard. The move came following the Peoples Alliance government introduced the constitutional reforms claiming that the Tamils had been discriminated by Sinhala people.

**LTTE committed to peace - Balasingham:** Mar 11 - The LTTE declared open the main court complex of their judiciary in Killinochchi. The head of the LTTE judiciary Mr.E.Pararajasingham, LTTE political advisor, Mr.Anton Balasingham, Head of the Thamillelam Police Service, Mr.P.Nadesan, Head of the LTTE Education Unit, Mr.V.Ilankumaran, Tamil National Alliance parliamentarians Messrs Selvam Adaikalanathan, G.G.Gajendrakumar, Mavai Senathirajah and N.Raviraj were present. A large gathering including lawyers from Jaffna and Vanni attended the function

The political advisor of the LTTE Mr.Anton Balasingham said that the LTTE would not allow the peace process to become a trap to weaken the Liberation Tigers. "Despite provocations and attacks on us we are determined to participate constructively in the peace process. We want to convince the world, par-

ticularly the Sinhala people, that we are committed to peace," said Mr.Balasingham addressing a gathering, which followed the opening of the main court complex of the Thamillelam judiciary in Killinochchi on 11 March.

Balasingham addressing a press briefing in Killinochchi LTTE political secretariat after the opening of main court complex, said "We have been demanding the annulment of the Prevention of Terrorism Act (PTA), but the Government of Sri Lanka (GOSL) is reluctant to do so. Minister Peiris has indicated that GOSL wants to modify the PTA. However, we will continue to insist that PTA be repealed."

Answering another question whether the LTTE would harden their stance at the next round of peace talks because of sinking of their merchant vessel, Mr.Balasingham replied in the negative.

He further said that,"ceasefire agreements say that the Sri Lanka Navy (SLN) can maintain territorial integrity and sovereignty of the country without fighting the LTTE. We have lost experienced officers of the Sea Tigers in Monday's attack. We have taken serious exception to this attack and consider this as an extremely serious matter that will have far reaching implications in the peace process. We feel that a section of the SLN are under the influence of the President. We have gone to the end of the tether. There is lot of anger and resentment among our cadres over this incident."

Referring to the High Security Zone (HSZ) issue Mr.Balasingham said, "We are not asking the Sri Lankan armed forces to withdraw from northeast. What we are saying is that as long as our people are unable to go back to their homes we cannot achieve normalcy that was promised under the ceasefire. The President and the Sri Lanka Army are responsible for the difficulty in restoring normalcy in the northeast. There is peace today without normalcy."

To a question whether the LTTE will continue with the peace talks if there is change of government in Colombo, Mr.Anton Balasingham replied, "We won't pull out of the ceasefire even if there is a change in Government. But it might be difficult for us to continue if forces like the JVP, which are opposed to peace, come to power."

**Independent Commissions - President's delay:** March 12 - Transparency International Sri Lanka (TISL) today urged President Chandrika Kumaratunga to ap-

point members to the election and finance commissions and the Secretary General to Parliament.

TISL Executive Director J.C. Weliamuna that there was a considerable delay and an apparent reluctance on the part of the President to appoint these nominees recommended and nominated by the Constitution Council. "Failure to appoint these nominees effectively nullifies the intended purpose of the 17th Amendment to the Constitution," Mr. Weliamuna said.

"TISI firmly believes that to ensure accountable and transparent system of government, the President should urgently make these appointments, namely, chairman and the members of the Election Commission, and the Secretary General to Parliament," he said. "Therefore, we urge the President and the government to fully implement the 17th Amendment by appointing all independent commissions without any further delay," he said. Mr. Weliamuna also said that the 17th Amendment was intended to establishing transparent and accountable system of government and to ensure strong and independent key public institutions. Since October 2002, Police and the Public Service Commission have been appointed by the President, following due recommendation by the Constitutional Council as required by the Amendment. TISL joined the public in welcoming the establishment of these Commissions.

However, almost three months ago, the council nominated the chairpersons and members of the Election and National Finance Commissions as well as the Secretary General, from amongst eminent persons. These nominations have been forwarded to the President who is the final appointing authority. TISL strongly believes that establishing independent commissions set out by the Constitution and appointing persons with integrity is a prerequisite to establishing good governance in Sri Lanka. It is the responsibility of the government to ensure all required financial and other resources is provided to enable these Commissions to function effectively, Mr. Weliamuna said.

**Death of eleven LTTE cadres mourned:** Mar 12 - Black flags were hoisted on public buildings, business houses and educational institutions and a day of mourning was observed in Jaffna district for the death of eleven senior cadres of the LTTE. Eleven LTTE cadres were killed on 10 March when their merchant vessel was sunk in the international wa-

ters off northeast coast following an attack by the Sri Lanka Navy.

The offices of LTTE in the peninsula were also decorated with coconut leaves and black flags. Thamil-eelam national flag was flown at half-mast at Ellankulam war memorial and other war cemeteries in Vadamarachchi and other divisions.

**SLMM head talks with LTTE leaders:** Mar 12 - The new head of the Sri Lanka Monitoring Mission (SLMM) Mr. Triggve Teleffsen arrived in Killinochchi to hold discussions with senior leaders of the Liberation Tigers of Tamil Eelam (LTTE) regarding the attack by the Sri Lanka Navy (SLN) on a LTTE merchant vessel off Mullaitivu on March 10. The LTTE had earlier condemned the attack as "a grave violation of the ceasefire agreement," and warned that "this grave incident will have far reaching implications for the peace process."

Mr. Triggve Teleffsen held discussions with the Defence Minister Mr. Tilak Marapane, Defence Ministry Secretary Mr. Austin Fernando and the Commander of the Sri Lanka Navy over the Mullaitivu incident before leaving to Killinochchi, sources in Colombo said.

**Woman LTTEer escapes:** Mar 12 - A 25 year-old woman LTTE cadre, attached to the LTTE's Sea Unit has escaped from the organization due to tough rules and has surrendered to the Pettah police.

Pettah police OIC A. Liyanapathirana told the press that the LTTE cadre had escaped from a Mullaitivu LTTE camp and arrived in Colombo a few days ago. He also said that the woman cadre of Jaffna was forced to join the LTTE in 1990 after failing to give Rs. 10,000 for the LTTE. She told the police that as her family could not give such a big amount of money to the LTTE she was forced to join the LTTE.

**Destruction of LTTE ship, a grave ceasefire violation- Balasingham:** Mar 12 - The interception and destruction of the LTTE's merchant cargo vessel in international waters by the Sri Lankan Navy is a grave violation of the ceasefire agreement and contravenes international law, Mr. Anton Balasingham, the LTTE's political advisor and chief negotiator, told a delegation of the Sri Lanka Monitoring Mission (SLMM) in Killinochchi, according to Mr. Balasingham, who spoke to journalists after the meeting.

A five-member delegation of the SLMM, led by its head, Maj. Gen. (Retd.) Trygve Tellefsen, and including the

SLMM's legal expert, participated in the meeting with the LTTE leaders in Killinochchi, which lasted for two hours.

On Tuesday evening, a merchant cargo vessel of the LTTE was attacked and destroyed by the Sri Lanka Navy 220 nautical miles off the Trincomalee coast, in international waters. The SLMM had received the Defense Ministry's version of the incident in Colombo and visited Killinochchi to hear the LTTE's version.

"Though there is mutual trust and confidence at the conference table, the reality of the situation in the field is very different. The Sri Lanka Army and Navy have taken an uncompromising position," said Mr. Balasingham. "The army is refusing to leave the people's lands it occupies. The issue of High Security Zones remains unresolved. Though there is an absence of war, normalcy has not returned. The Sri Lankan security forces are the reason for this."

"The SL Navy is hell-bent on derailing the peace talks by all means. It is engaged in admitting and infiltrating Indian fishermen into Sri Lankan waters to cut the nets and destroy the boats of local Tamil fishermen so as to deprive their livelihood. We are aware of it, but we are saddened when innocent fishermen from Tamil Nadu fall prey to this devious scheme," Mr. Balasingham said.

Asked about reports of the recalling of LTTE's unarmed political cadres from areas controlled by the SLA, Mr. Balasingham explained that the cadres were recalled so that "we can explain the current situation to them and ensure their safety. They will return to their political work once the tensions ease."

**Rights expert meets LTTE judges:** Mar 13 - The former Secretary General of the Amnesty International, Mr. Ian Martin, visited Killinochchi on 12 March and had a meeting with Mr. Anton Balasingham and S.P. Thamilselvan of the LTTE, where the discussions focused on human rights and the rights of children and women.

Later, Mr. Martin met with members of the LTTE's judicial administrative division, including Mr. R. Pararajasingham, the head of the division, other judicial advisors and the chief justice. Mr. Martin learnt from the advisors about the way human rights are ensured in the LTTE's judicial administration and observed the hearing of a case in a court administered by the LTTE.

The judicial advisors, including former judge Mr. Ekanathan and former

lawyer Mr. Kodeeswaran, explained the reasons why the LTTE leader, Mr. V. Pirapaharan, had to start the judicial administrative division, and told Mr. Martin that, in the last decade, of the 24,000 cases brought before the courts, 18,000 cases have been decided.

Mr. Martin conducted a training workshop on human rights for the LTTE's 22 judges in Killinochchi, and will meet with the LTTE's police service today..

**Helgesen talks with LTTE leaders:**

Mar 13 - Norwegian Deputy Foreign Minister Mr. Vidar Helgesen met with LTTE Political head, S.P. Thamilchelvan, and Anton Balasingham, leader of LTTE peace delegation, in the afternoon of 13 March at Killinochchi. The talks centred on the recent attack on a LTTE merchant vessel 220 km off northeast coast in the international waters, which resulted in the death of eleven senior cadres of the LTTE, and the proposed sixth round of peace talks scheduled to begin on March 18 at Tokyo in Japan, sources said.

Mr. Vidar Helgesen on his return from Killinochchi evening met with President Ms Chandrika Kumaratunge and held discussions regarding the next round of peace talks scheduled to be held in Tokyo in Japan. Former foreign minister Mr. Lakshman Kadirgamar, MP, also participated in the discussion. He met Mr. Ranil Wickremasinghe at Kandy in the central province where the PM was attending the first public meeting under a programme formulated to create awareness among the people stressing the urgent need for permanent peace in the island instead of war.

**Peace talks to go on despite challenges:**

Mar 13 - "The ethnic problem in this country can be solved only by talks, and there is no other way; hence, whatever the challenges and road blocks the peace talks will face, we cannot abandon the talks," said Sri Lankan Prime Minister, Mr. Ranil Wickremasinghe, addressing the general meeting of the United National Party (UNP) held in Kandy on 12 March.

Mr. Wickremasinghe said that the war that went for a few decades had caused many challenges to the country. "That is why we have been talking with the LTTE. But the opposition parties are trying to prevent the talks. If the peace talks end, the country will again face serious challenges. The people should identify the designs of the opposition parties

and continue to support the peace process," he said.

"During the current ceasefire, it is unavoidable that there will be some problems and disturbances, but we have been solving such problems through talks. No one should think that the peace talks would be stopped by such disturbances.

"The SLMM is currently conducting its inquiry into the incident off the Mullaitivu coast on Tuesday (11 March) where an LTTE ship was attacked and sunk by the Navy. Once the SLMM completes its inquiry, both parties will have talks regarding the incident.

"Some people are saying that we have to restart the war. Some of the opposition parties want this. But if the war restarts, the people most affected by it will be the sons and daughters of the poor. The economy of the country will fall even further. It is for these reasons that we are conducting the peace talks and trying to develop the economy.

"As a result of the war, nearly 100,000 people in the North have perished. Several have lost their limbs. More than 200,000 land mines have been buried and there are attempts to remove them.

"Through the current peace talks, we plan to find solutions to the political problems of not only the Tamil people but also the Muslim people as well."

**Youth escape from LTTE camp: Feb 13** - Six youths, who had been forcibly taken away by the LTTE, have managed to escape and sought protection from the troops at Nidanwala Police post, in Polonnaruwa. Military sources said these youths who were cheated and taken away by unidentified persons, have been detained in an LTTE camp off Nidanwala, Aralaganwila.

According to the victims they have been deployed for work in the paddy fields while being detained in the camp. However, they had managed to escape after 12 days of detention.

These youngsters have further revealed to the Security Forces that they had seen another 25-30 teenagers being detained in the said camp.

**President meets Muslim delegation: Mar 14** - The President Ms Chandrika Kumaratunge held a two-hour discussion Thursday afternoon at presidential Secretariat with a delegation of Muslim parliamentarians on representation to Muslims in the peace talks now in progress between the Government and the LTTE.

The talks were conducted in a cordial atmosphere, Muslim sources said.

Minister Noordeen Mashoor, who is the President of the North East Muslim Parliamentarian Union said they met the President seeking her support to their demand for an independent Muslim delegation and that the President expressed her support for such delegation, sources said.

Minister in the United National Front government and the Sri Lanka Muslim Congress leader Mr. Rauff Hakim, Vanni Development Minister Mr. Noordeen Mashoor and National Unity Alliance leader and parliamentarian Ms Ferial Ashraff participated in the discussion with President Ms Chandrika Kumaratunge.

**Hartal cripples Trincomalee: Mar 14** - Normal life in Trincomalee district was disrupted due to the general shut down (hartal) and the resulting closure of all Tamil medium schools, offices of provincial and local institutions, shops, non-governmental organizations, state and private sector banks, sources said. The transport services were curtailed to minimum and almost all the roads in the east port town were deserted.

The hartal was called demanding the immediate release of all Tamil political detainees in several prisons in the south, to condemn the Sri Lanka Navy (SLN) for sinking the LTTE vessel violating the ceasefire agreement and to mourn the deaths of the LTTE cadres who died in the SLN attack, LTTE sources said.

**SLN gets coast guard frigate from US: Mar 14** - Cabinet Minister Mr. G.L. Peiris addressing a seminar for principals of national schools in Colombo said that the United States of America (USA) has gifted a coast guard frigate to the Sri Lanka Navy (SLN).

The SLN sources said the coast guard frigate "Courageous" is worth US\$ 150 million and was obtained with a US government grant. SLN sources further said the ship is 210 feet in length and has a helipad. It is offered under the Excess Defence Articles Programme of the US government and has been approved by the US Congress.

The refurbishment costs of the vessel are to be borne by the Sri Lanka government. A team of SLN officials is to visit USA shortly to inspect the vessel. The ship can conduct patrols of up to three weeks without requiring replenishment.

**Tamil Eelam Bank in Pallai: Mar 14** - LTTE declared open a branch of Bank of Tamil Eelam today in Pallai, a town that lies between Elephant Pass and Jaffna on A9. LTTE Political head, Mr. S.P. Thamilchelvan hoisted the Thamil-eelam national flag. LTTE's political advisor Mr. Anton Balasingham opened the Bank. Mr. P. Nadesan, Head of Thamil-eelam Police, hoisted the flag of the Bank of Tamil Eelam. Kilinochchi District Government Agent, Mr. T. Rasanayagam, unveiled the name board. Head of LTTE finance, Mr. Thamilenthi, organised the opening ceremony.

**Ian Martin meets LTTE Police Chief: Mar 15** - Ian Martin, the former Secretary General of Amnesty International, and special envoy to monitor Human rights dimension in Sri Lanka, met with the members of the Thamil-eelam police force for discussions on human rights issues. Head of Thamil-eelam police force, P. Nadesan and Legal advisor to the Thamil eelam judiciary, Professor Somaskandan met with the special envoy. The discussions centered on maintaining the rights of individuals in custody, police officers respecting human rights during crime investigations and the corresponding practices in other countries known for their exemplary human rights record, sources close to the meeting said.

Police Inspector of Kilinochchi Police, Ranjith Kumar, welcomed Ian Martin at the Police station and took him around the office premises. Ranjith Kumar also briefed the special envoy on the operational procedures at the Kilinochchi police station.

Ian Martin also was shown the skeletons and other human remains recovered from areas of Vanni of individuals killed by the Sri Lanka Army (SLA) during their occupation. Police officers responsible for preserving the human remains provided details of discovery and possible identification of the human remains to the special envoy.

**New VC for Jaffna University: Mar 15** - The President has appointed Prof. S. Mohandas, Rector Vavuniya Campus, Jaffna University, as the Vice Chancellor of the University of Jaffna, under section 34 (1) (a) of Universities Act No. 16 of 1978 as amended by Act No. 07 of 1985 and Act No. 01 of 1995 on the recommendation of the University Grants Commission for a period of three (03) years with effect from 12th March, 2003.

### Law to Prevent Trial by Media

UK: The press is to be subjected to tighter controls because of growing concerns about trial by media.

Sensationalist coverage of cases such as the deaths last year of 10-year-olds Holly Wells and Jessica Chapman has persuaded the Attorney General, Lord Goldsmith QC, to clamp down on contempt of court abuses.

Restrictions already exist on material that can be published once a suspect has been arrested, but the rules are not rigorously applied in England and Wales. In Scotland, the media abides more closely to the contempt of court laws.

Delivering the annual Mary Ward lecture in London, Lord Goldsmith warned editors to fall in line or risk greater statutory controls.

"A free and active media is essential to democracy," he said. "But freedom of speech - while of vital importance - is not always paramount. Like other freedoms, it may be subject to certain legitimate restrictions. In order to secure justice it is on occasion necessary to curtail the rights to report and comment on matters before the courts."

He said there was a "real human cost", as well as financial implications, when a trial had to be abandoned because of prejudicial coverage. Witnesses had to suffer the ordeal of retrials, when victims of serious assaults or sexual abuse could be forced to talk about their experiences again.

Some cases have caused concern about the application of contempt laws. An article in the Sunday Mirror led to the collapse of the £1m-plus trial of Leeds footballers Lee Bowyer and Jonathan Woodgate in January 2000. The paper was later fined £75,000, after a retrial.

More recently, the media has been accused of sensationalism when reporting the arrest of high-profile child abuse suspects such as Matthew Kelly, who suffered weeks of damaging coverage before police decided there was no evidence to charge him.

Lord Goldsmith, the government's most senior law officer, said: "If a trial cannot take place because of prejudicial publicity then justice is denied to

victims and the public. There is also a real human cost to witnesses such as victims of serious sexual or physical abuse, including children when they are asked to give evidence for a second time caused by the need to move a trial or wait for a second trial."

### Imam of Hate

A self-styled Islamic cleric convicted of inciting his followers to murder Jews, Americans, Hindus and other 'non-believers' was recently jailed by a Court in London for nine years for 'fanning the flames' of racial hatred. He was found guilty of three charges of soliciting murder and three counts of inciting racial hatred.

Even after the 2001 September 11

## SPECTRUM

attacks, the 39 year old cleric, Abdulla el-Faisal

sold recordings of his speeches - with titles including Jihad and No Peace with the Jews, in which he called for kuffars (non-believers) to be killed, and for young Muslims to wage a holy war abroad - in Islamic bookshops.

In jailing the cleric Judge Beaumont said, "You had a responsibility to the young (Muslim) community at times of conflict abroad and tension here. Instead of calming fears, you fanned the flames hostility." The judge also recommended that the cleric, who entered Britain in 1991 be deported at the end of his jail term to Jamaica from where he came.

### Israeli 'Refusenik'

11 March : The case of Jonathan Ben-Artzi facing a court martial in Israel has attracted an unusual degree of attention because his uncle is Binyamin Netanyahu, the hardline former prime minister and current Finance Minister. His "crime" is that he is one of a growing number of Israelis who refuse to serve in the army engaged in fighting the Palestinians.

Mr Ben-Artzi has already served 214 days in military prison and has been

declared a prisoner of conscience by Amnesty International.

In truth, he is not typical of the "refuseniks", whose refusal to continue to serve in the occupied territories is tying the Israeli military in knots. Mr Ben-Artzi says he is a pacifist, and refuses to serve in the army at all. Most of the "refuseniks" are experienced reservists, some of them combat veterans with distinguished records, who refuse to serve in the occupied territories because they oppose the actions of their army there.

But Mr Ben-Artzi has become a potent symbol of the refusal to serve which is polarising Israeli society. The 20-year-old is refusing to enlist for his compulsory military service. Conscription is at the heart of Israeli society. Everybody has to serve. Men complete three years' service, and then have to do reserve duty for an average of one month a year for about two decades. The only exemptions are for ultra-Orthodox Jews, Arabs with Israeli citizenship and those with specific health problems.

In Israel's early days, compulsory military service was seen as a vital part of forging a national identity in a populations of immigrants from across the world. But increasingly, the idea of army service is being challenged.

The army has sought to obscure the number of refuseniks by punishing a select few and turning a blind eye to the rest, but they are now believed to number in their hundreds. Mr Ben-Artzi is one of few to take on the system so directly.

Young Israelis who do not want to serve tend to feign mental illness. Mr Ben-Artzi appeared before an army board as a conscientious objector, but it rejected his claim. Since then he has been repeatedly sentenced to one-month stints in prison for refusing to report for duty, and now faces a court martial for his persistence.

In a statement to the Israel Defence Forces, he said: "Because of my beliefs, my own country is going to imprison me, in defiance of international laws and fundamental human rights. I will go to prison proudly, knowing that this is the least I can do to improve this country, and the cause of pacifism."

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### About People and Events

#### OBITUARY



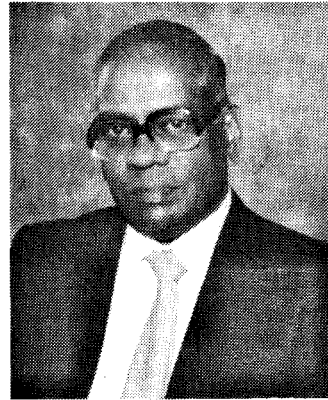
**Dr. N. Sahathevarajan**, formerly of Batticaloa and latterly of Hemsworth, Yorkshire; beloved husband of Thabonithy; loving father of Rajkumar, Niranjala and Girija; father-in-law of Dr. Jane Rajan (Thirsk), Dr. Ravindran (Wolverhampton) and Dr. Kesavan (Houston, USA); grandfather of Dr. Vanaja, Roshan, Catriona, Duncan, Tamara and Devan; son of late Navaratnam (Manipay Hindu College); brother of Manimalihadevi, Pathmasanadevi, Selvarajan and the late Patkunarajan and Puyapalarajan passed away on 14/03/03 in London. Funeral took place on 22.03.2003 at Golders-green crematorium, London.

All family members wish to thank all who attended the funeral, sent floral tributes /messages and supported them in everyway - 59 Lady Aylesford Avenue, Stanmore, Middlesex HA7 4FG. Tel: 0208 416 0724.

### IN MEMORIAM

#### Second Anniversary Remembrance

**Dr. Nagalingam Kandasamy**  
passed away on 16<sup>th</sup> March 2001



Thinking of you always,  
For ever in our thoughts  
A devoted husband, father, grandfather and father-in-law.  
Affectionately remembered by all his family.  
- 10 Penarth Court, 2 Devonshire Avenue,  
Sutton, Surrey SM2 5LA.

#### Sixth Death Anniversary

**Dr. C. Perumalpillai**  
(16.02.1920 - 02.03.1997)



#### Appa

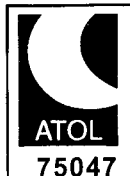
Six years have gone by, since you left our midst.  
Your loving care and inspiration are strongly missed. In your peace we find solace.

Your ever loving  
children Ravi, Usha, Jeeva, Ranjit and families.

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### First Anniversary Mrs Someswary Kanagasabai



Birth: 26.01.1916 Rest: 17.03.2001

Sadly missed and lovingly remembered by children Chandra, Indra, Logendra, Yogendra, Ambi, Gowri and Jayanthi; daughters-in-law Sakunthala, Kamalasanani, Rathy and Yoga; son-in-law Ragu.  
- 34 Woodcote Valley Road, Purley, Surrey CR3 3AJ.

### Forthcoming Events

**Apr 1 Amavasai; Feast of St. Francis of Paola**  
**4 Feast of St. Isidore**  
**5 Chathurthi; Karthigai**  
**6 6.15 p.m. Bharatha Natyam recital by Aarani Sivapathasundaram in aid of Medical Development in Vanni, Sri Lanka. For details Tel: 01689 852494 Shashti; Feast of St. John Baptist**  
**11 Sri Rama Navami; Feast of St. Stanislaus.**  
**12 11 a.m. Colombuthurai Yoga Swamigal Abhisekham and Guru Pooja followed by Prasatham at Sree Ganapathy Temple, 123 Effra Road, London SW19. All welcome.**  
**13 Sukkla Eekathasi**  
**14 Subanu Hindu New Year**  
**16 Chithraa Full Moon**  
**18 Good Friday**  
**19 Sankadakara Chathurthi**  
**20 2.30 to 9.30 p.m. London Sivan Temple, Lewisham presents a Tamil Isai Vilza to celebrate the New Year with several talented young musicians participating. All welcome. Tel: 020 6318 2108**  
**23 Feast of St. George**  
**25 Feast of St. Mark**  
**26 Eekathasi; Saint Thirunavukkarasar Guru Pooja**

**28 Pirathosam**  
**30 Amavasai**  
**At Bhavan Centre, 4A Castletown Road, London W14 9HQ. Tel: 020 7381 3086/4608 Website: www.bhavan.net. Apr 5**  
**12 noon Vedanta Discourse by Poojya Srila B.S.Tirtha Maharaj. All welcome**  
**6.30 p.m. Karnatic Vocal Concert by Prof. T.V.Gopalakrishnan from India.**  
**Apr 11 7.30 p.m. Shri Rams Navami celebrations. Traditional Pooja, Bhajans and Prasad. All welcome.**  
**Apr 22 7.30 p.m. Vedanta Discourse by Mahamandaleswar Swami Veda Bharati. All welcome.**

### WEDDING BELLS

**We congratulate the following on the recent wedding**  
**Rathika daughter of Mr. & Mrs C. Balasingam of 2/10/4, Arihant Majestic Towers, Jawaharlal Nehru Road, Koyambedu, Chennai 600107 and Rajaloganathan son of Mr. & Mrs. V.N. Kandasamy of 514/5, 9th Cross Street, Lake View Road, Iyyappan Nagar, Madipakkam, Chennai 600091 on 20th February 2003 at New Woodlands Hotel, Mylapore, Chennai.**

### Second Year Remembrance Emeritus Professor Christie Jayaratnam Eliezer



Born  
12.06.1918

Joined the  
Stars  
10.03.2001

#### Emeritus Professor

#### Christie Jayaratnam Eliezer

Order of Australia & Maamanithar of Tamil Eelam  
(PhD Camb., DSc Lond., F.I.R.M.A. Bar at Law, Middle Temple)

Treasured by Ranee, Dhamayanthi, Bala Karalapillai, Ratna, Nesa, Anandhi, Sharmini, Renuka, Tamara, Kirk, Sumanthiran, Dharshi, Anjali, Arjunan, Tanya, Stewart, David, Shelley, Ranjan, Anthea, Yashoda, Anand, Ruben, Chandlar, Jordan, Ahila, Narendran, Freya and Beau

"**அரசும உரே** Every Country is Our Homeland  
**அரசும உரே** Every Child, Man, Woman, Our Kinsfolk  
(Tamil Puranam, 102BC)

If I am not for myself -

Who am I?

If I am for myself alone

Who am I?

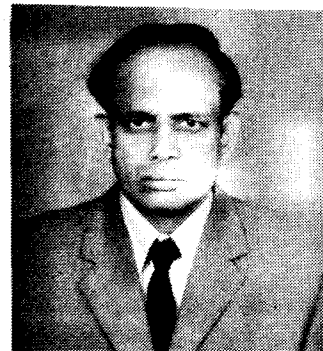
If not now, when?

(Helier the Elder, 1AD)

Some people come into our lives and quickly go  
 Some people move our souls to dance  
 They awaken us to new understanding  
 With the whisper of their wisdom.  
 Some people make the sky more beautiful to gaze upon  
 They stay in our lives for awhile  
 Leave footprints on our hearts  
 And we are never ever the same.

(Author unknown)

### The Tenth Year Remembrance Mr. Murugesapillai Maheswaran



Born: 18th January 1937 in Jaffna, Sri Lanka  
 Died: 14th March 1993 in London

Sadly missed and remembered by;  
**Brothers: Dr. M. Sri Ranganathan (UK)**  
**Dr. M. Koneswaran (USA)**

**Sisters: Mrs. Gunawathy ammal Ketheeswaranathan (Australia)**  
**Mrs. Pathmaneswary Velauthapillai (Sri Lanka)**  
 and families

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## SriLankan Airlines Presents Appreciation Awards to its UK Agents

SriLankan Airlines Chairman Daya Pelpola made an impassioned appeal to its agents in UK to restore the national carrier to its pristine glory, which had been dented by the attack on the Bandaranaike Airport some years ago. While thanking them profusely for all that they had done, he pointed out the vital importance of passenger loads from Europe and promised them all that they wanted to achieve their targets. He was speaking at the Awards Night at an extravaganza to en-

tertain them at the Mount Lavinia Hotel. The travel group – Taprobane / Sri Lank Tours / Kuoni of which Mr. Gamit Ameresekere is the Managing Director won the Premier Passenger Sales Award. Appreciation awards were also received by Sky Wings Travel, Link Air Travel, Glen Carriers, Time Travel, Dukes Court Travel, Transil Travel, Skylord Travel, Air Travel Guide, Travel Pack, Travel Bag and Tradewinds Holidays. Some of the pictures taken on that occasion appear below.



Award to Skywings Travel received by Dr. (Mrs) S. Pathma-baskaran, Mr. B.Pathma-baskaran on the right.

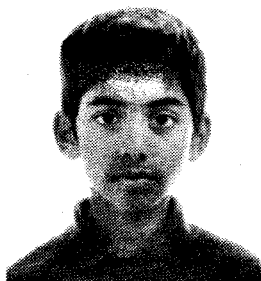


From Left to Right Mr. Manoj Guna-wardene, Manager SriLankan Airlines –UK & Eire, Mr. Gamit Amaresekere – Managing Director, Taprobane Travel, Ms Kamini Rodrigo – General Manager, Taprobane Travel, Mr. Jeremy Soertsz – Marketing Manager, Sri-Lankan Airlines.



Award to Linkair received by Mr S. Sivasubramaniam.

## Ashvath Shines in Mathematics



Eight year old Ashvath passed with credit in Mathematics at the Winter 2002 G.C.S.E. examination following the footsteps of his two elder sisters. The parents Mr. & Mrs Thedchanamoorthy of Woolmead Avenue, West Hendon, London are proud of the achievements of their children. Ashvath is a pupil of Oliver Goldsmith Primary School, Kingsbury and enjoys reading and swimming. We wish him continued success in all his efforts.

## In Memoriam

First Anniversary Mrs. Annalukshmy Ambalavanar (01.02.1922 – 24.02.2002)



Your love for all and selfless service brightened our lives and the lives of many With cherished loving memories you are forever enshrined in our hearts Children, grandchildren, brothers, sisters, in-laws and their families

Mrs I Srinivasan, 4 Lee Grove, Chigwell, Essex, IG7 6AF, UK

## Meenakshi Adjudged Brightest A Level Candidate



Meenakshi Parameshwaran has been voted the brightest female, A Level, computer candidate in the UK. The picture above is that of her receiving the 'A' Star trophy from Mr. Ivan Lewis, the Under Secretary of State for Education.

She beat 13 others after scoring the highest marks in the 2002

(continued on next page)



# DR. RANJIT RAJA

## AN APPRECIATION

Dr Ranjit Raja, born on 8 April 1954, departed from this world on 22 November 2002. He was the eldest son of the late Saravanamuthu Rajah and his wife Sivanesam of Chunnakam in Jaffna. Ranjit's father himself was a distinguished science graduate of the University of Ceylon who entered the teaching profession teaching in many schools in the south of the island and later became Education Officer and Inspector of Schools.

Even from his younger days, Ranjit displayed a keen interest in his education. He distinguished himself during his school days and completed his higher education from Jaffna Hindu College entering the Ceylon Medical College in 1974. His performance at the Medical College earned him the status of an honours student. He was well respected by fellow Sinhalese and Tamil students and took a very keen interest in all student activities.

Upon successful completion of his studies at the Medical College, Ranjit became a House Officer and later to become a Senior House Officer at the Colombo General Hospital.

Ranjit married Bharathi, the only daughter of late Mr and Mrs. T Chelvadurai. Mr Chelvadurai was a leading civil law practitioner in Colombo for a period of over three decades with a large clientele. I was privileged to have worked with him in my early days as a lawyer, and to have been closely associated with members of his family, particularly Dr Narendran, the eldest brother of Bharathi.

In 1981, Ranjit, along with his family, went to the United Kingdom to undertake postgraduate studies in surgery. He trained and qualified in radiology at some leading teaching hospitals including the Middlesex Hospital in London and Queen Elizabeth Hospital in Birmingham. He worked in some of the leading hospitals in the UK, for a number of years. He was elected a Fellow of the Royal College of Radiology in 1985 at the young age of 31.

(Continued from page 40)

A Level examination. Not only does she win the Trophy, she also gets £ 500, a Laptop Computer, game cube and a trip for two to the US.

The competition, organised by Edinburgh-based international computer firm Axios Systems, is aimed at encouraging more women to take up careers in IT. She studied at Forest Girls School, Snaresbrook in East London and is due to take a place at Keble College, Oxford University.

Meenakshi's parents are Mr. & Dr (Mrs) Parameshwaran of Lord Avenue, C.E. hall, Ilford, Essex.



In 1992 Ranjit went over to the US to advance his medical career. There he secured an appointment as an Assistant Professor at the Medical University of South Carolina. He was well respected by his fellow medical colleagues and clinical colleges for his hard work and in-depth knowledge of musculoskeletal radiology. His hard work and expertise in his chosen field soon earned him the promotion of being Associate Professor of Radiology at the Medical University of South Carolina.

Ranjit has published many research papers in many journals including *The British Journal of Radiology*, *Skeletal Radiology* and *Radiographics*.

It was some time in 1997, the bad news of the diagnosis of his dreadful illness of cancer came to be known. According to Ranjit, the illness with which he was suffering from had reached such an advanced stage, that there was no treatment possible and that he had decided to go on a pilgrimage to all the holy places of Hindu worship in south India. However, on second thoughts it would appear that with his characteristic courage and determination, he decided along with his doctors to subject himself to a treatment regime and fought his way to survive five more valuable years. Years, which proved invaluable to his young family and also to the wider community.

Though physically debilitated, he continued with his work with enthusiasm and dedication and earned the everlasting admiration and affection of his colleagues. It is worthy of note that his later achievements at the Medical University of South Carolina were obtained during the time he was being subjected to a rigorous and continuous treatment regime.

Ranjit has left a remarkable and distinguished legacy. His colleagues have testified to Ranjit's role as a teacher, academician, researcher, physician, and his

cares and compassionate disposition.

In this connection, Mr Bayne Selby, MD of the Medical University of Carolina states, "Ranjit was an outstanding radiologist and an outstanding person, During his time at the Medical University of South Carolina, he served as a role model to those he rained, those who worked with, and those with whom he consulted. He was the definition of a caring and compassionate physician. .... During the time with us, he fulfilled three classic aspects of an academic physician: teaching research and patient care. His lectures were always appreciated by medical students and residents alike. This was further demonstrated by the fact that the residents voted him the recipient of the Golden Apple Award in 1997-1998. This award goes to the one that the residents feel is the best teacher."

Again, Professor William F Convey, MD, Ph.D states, "It is well known that many academicians have over-inflated egos. Raj was not one of these. He always was the team player. The Department of Radiology at MUSC has a radiology resident award called the "Sixth Man Award". This voted on by residents and given to the resident who goes above and beyond the call of duty in helping fellow residents. From now on this award will be named the "Ranjit Rajah 6th Man Award" in memory of Dr Rajah's unequalled contribution to the Department of Radiology."

The most redeeming quality of Ranjit was his simplicity, humility and unassuming character. Despite his great achievements and stature, Ranjit was a simple man with the common touch not forgetting his roots. Always, Ranjit had time for others.

Ranjit's untimely and premature departure represents an unbearable blow to his surviving family members, especially to his wife and children. It also represents an irreplaceable loss to the medical world. Although his life has been cut down long before it would have been due in the natural course of events, his wife and children, his close kith and kin and all his friends can only be proud of what Ranjit did and achieved during his life time.

In remembering Ranjit, our hearts and thoughts go out to his wife Bharathi, and their children Hary Nireshan and Vibushan.

I will end my remarks by echoing the remarks by Prof. William F Convey, MD, Ph.D of the Medical University of South Carolina: "Academicians frequently pride themselves on their ability to teach. Rajah was an exemplary teacher, not just in radiology, but in life itself. He taught all people with whom he came in contact how to face life and eventually death with a quiet, dignified equanimity. I can only hope that when my time comes, I can face my death with the same strength Raj faced his."

- Excerpts from a speech  
by P.Rajanayagam  
on the 'anthiyeshiti' day on 22 Dec. 2002

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



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