

LANKA

GUARDIAN

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IDENTITY CONFLICTS

Kumar Rupesinghe

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Gamani Corea

HUMAN RIGHTS

Mary Robinson

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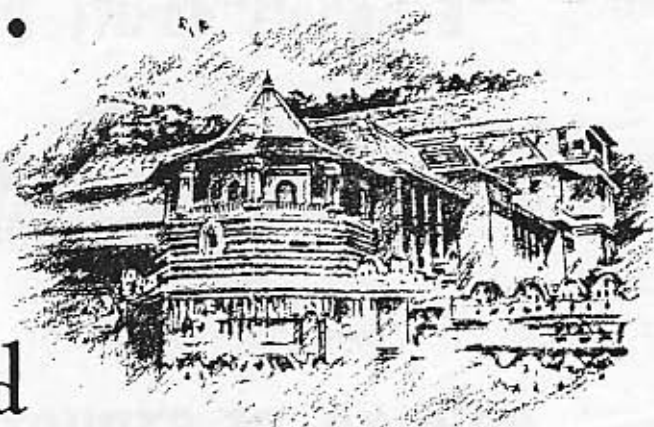
Sumit Chakravarty

FAREWELL TO FEDERALISM

Mervyn de Silva

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TRENDS

Privatising them all

Fifty-two estates were left over when 22 private companies bid for and were given the management of state owned plantations. The companies did not want these 52 because they did not consider them viable enterprises. The government handed over 449 other estates which the private companies wanted.

Now apparently the remaining 52 are also wanted. According to Plantation Ministry sources the private sector is showing "a great interest" in them. They too will be privatised shortly.

Lawyers too for freedom

No government should be permitted to ride rough-shod over the rights of the freedom of the media, said a press release from the SLFP Lawyers Association. Safeguarding the freedom of the media is an absolute necessity, said the release.

The statement was in support of the satyagraha planned for March 11 in Colombo by the Democratic Movement for Media Freedom. The SLFP Lawyers Association called on all lawyers in Sri Lanka to join the movement and support the campaign for media freedom.

People's Alliance

A 'People's Alliance' had been formed by five opposition political parties. The official name: Podu Jana Eksath Peramuna. The parties are the SLFP, LSSP, CP, SLMP, and

(Continued on page 4)

Briefly...

CONTRACT KILLINGS

Notorious underworld gangs are killing each other these days with sophisticated weapons, according to law enforcement officers. These arms have trickled down from the conflict regions of the north and east. They are being used for contract killings and in narcotics trade rivalry.

Police and military officers quoted in the *Island* believe that the weapons had got into the hands of underworld figures through security forces deserters.

HIT SQUADS IN COLOMBO

Security for opposition Tamil and Muslim MPs living in Colombo was beefed up following reports that an LTTE killer squad had slipped into Colombo to get them. Security sources identified them as cadres of the LTTE's Rapid Attack Force.

Among the targets are believed to be EDPD leader Douglas Devananda and SLMC leader M.H.M. Ashraff.

WOMEN'S RIGHTS 'SUPPRESSED'

Opposition Leader Mrs Sirimavo Bandaranaike told a meeting in connection with International Women's Day that working women's rights had been suppressed by the present government. Labour laws had been disregarded, she said, and many set-backs had followed the government's open economy policy.

PEACE MARCH

The Sri Lanka South India Interfaith Pilgrimage for Peace and Life—1993 will complete its 230 kilometre peace march in Colombo on April 8.

NO BENEFIT?

A pamphlet distributed in upcountry by the 'Indian Origin Oppressed People's Council' asks the question: "How have the plantation workers benefited by the privatisation of estates?" The pamphlet was distributed on the eve of CWC boss (and cabinet minister) S. Thondaman's recent visit to those regions. The CWC supported the privatisation and had assured the workers of a better deal.

The 'Council' alleges that today the workers are worse off. What has the CWC leadership got to say, asks the pamphlet.

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MORE JAW-JAW THAN WAR-WAR

NEWS
BACKGROUND

Mervyn de Silva

The LTTE supremo, Velupillai Prabhakaran is a pure-bred militarist who has demonstrated his prowess to the world by denying victory to one of the world's largest armies while also displaying a rare talent for cold-blooded, unbridled terror. Lately however the guerrilla leader has also understood the need for jaw-jaw in the midst of war-war. The past month is a fair example.

Bishop Kenneth Fernando's conversation with Prabhakaran in Jaffna was the first clear signal. In his interview with the BBC's Colombo correspondent the message to the Sri Lankan government was loud and clear.... "Time to talk". Why the new line? The LTTE is under pressure — first from the people of Jaffna peninsula who must bear all the hardships (Bishop Fernando too observed this) and the Tamil professional class which has to tamely accept the wartime restrictions on personal, intellectual freedom; secondly, a better equipped Sri Lankan army's operations, and thirdly increasing coordination of Colombo-Delhi approach to the Eelam insurgency, which has led to joint surveillance of Palk straits, the LTTE's main supply route and means of infiltration of a politically troubled and confused Tamilnadu. It is possible that LTTE strategists regard the last factor as the biggest setback.

While the contribution of SAARC should not be underestimated, the Budha Gaya visit by President Premadasa and Prime Minister Rao's warm response has resulted in a sea-change in Indo-Sri Lankan relations which had deteriorated sharply after the abortive Colombo summit in late 1991. For, the minister Rao, a disturbed Tamilnadu, had always been a major worry. For the Indian security agencies, the assassination of former Prime Minister Rajiv Gandhi, co-author of the Indo-Sri Lanka Accord, had represented a serious "security threat" to India's southern flank, as the Defence Establishment likes to describe it. The threat is not "military" in conventional terms. Rather it is 'de-stabilisation' by extremist political groups in this large Indian state; extremist and militant organisations which extend support to the LTTE on the basis of ethnic identity and allegiance. When northern India or the Hindu heartland has been swept by violence promoted by the BJP and its Hindu 'fundamentalist' allies the possibility of a link-up between the LTTE and extremist Tamil nationalist groups make Delhi quite nervous. Beside, a loosening of the liaison between Chief minister Jayalalitha's AIDMK and the Congress at the centre, has been accompanied by signs of closer con-

tacts between the ruling Tamilnadu party and BJP support-groups.

In short, the post-Ayodhya domestic turmoil and violence, have prompted Delhi to re-examine "national security". In this agonising re-appraisal, closer between India and its small southern neighbour, Sri Lanka, is seen as a priority. All this puts the LTTE in a tighter corner.

Prabhakaran's BBC interview should be assessed in this wider context. He adopted a moderate, conciliatory position, talking of peace talks and federalism, rather than "Eelam" a separate state. What is more, he was making a clear pitch for western support, not excluding "benign intervention". When the BBC had President Premadasa at the other end of the line in its radio phone-in program, this question tended to dominate the proceedings. "What is necessary is not just expressing a desire. He (Prabhakaran) must cooperate with those who are trying to find a political solution. Why can't he submit his own proposals?" Of course Mr. Prabhakaran will not submit any proposals. He does not wish to drop the "Eelam" demand until the fight is over, one way or another but hopefully his way. What he — and more so, his tired "troops" — want now is breather.

• **FLASH:** Despite LTTE denials, the Indian press continues to place it among top suspects in the Bombay terrorist bomb blast.

The UNP has had a long breather, from the time the Mangala Moonesingha motion for an all-party committee, was tabled; a respite in ideal conditions, a resolution to discuss the national question in a all-party parliamentary Select Committee, chaired by a respected moderate of the main Opposition party.

A quasi-federal solution on the Indian model was what the Committee finally recommended — not enough for the moderate Tamils, much too little for the militants (or ex-militants) and not worth the paper it is written on for the 'Tigers'

And so, back to the front.

The other parallel "front" is international, pressure from the western governments and donors, from the World Bank and IMF distressed over rising defence budget, and the influential western NGO's operating through NGO-supported groups in the island. The European and the Commonwealth countries, Canada, Australia etc, have a stake in the problem and its negotiated

settlement. Refugees and migrant communities have become a major problem — even menace — in most of these countries, almost all hit by recession. The "alien" presence of migrant workers and refugees, particularly after Yugoslavia, has seen a disturbing recrudescence of 'racism' neo-fascism and violence. □

Alliance in the ring

The SLFP-led five party alliance — SLFP, LSSP, CP, SLMP (YP) and DJVP — is now a major factor in any electoral equation. And that will increasingly acquire political significance as the run-up to the three key elections: Provincial, Parliamentary and Presidential. There was a time when the discussion centred on the order in which each will be held. The question there was the governing party's tactical advantage of picking the arena of the contest — not just provincial polls but which province. This of course is not true of the parliamentary and the presidential, unless the question relates to a parliamentary by-election. In all this there is only one decision-maker, President Premadasa.

The popular view is that the President will hold provincial polls, picking Sabaragamuwa or the NWP or both as the 'starter'. He will pick the province where the UNP is likely to win a clear majority, and then let the psychological impact of that help the party the provinces where the UNP is challenged strongly not just by the SLFP or the "Alliance" but the DUNF e.g. Central Province and western. What is worth watching is the contribution of the DUNF to the old two-party battle.

Mrs Bandaranaike, and her loyalists, have won the fight against the Anura group. Not a single leading personality of the Anura faction — Haleem Ishak, Mahinda Rajapakse, C. V. Gunaratne, Tilak Karunaratne, S. L. Gunasekera has found a place in the Executive Committee. While the formation of the "Alliance" is a decisive victory for Mrs. B. (and indirectly Chandrika and her supporters) the program of this formation is likely to introduce severe strains — on the ethnic issue with the Maha Sangha and the M.E.P., and on the economic issue, with the party's conservative financiers, who are nervous that the Left allies will demand a programmatic compromise.

TRAVELLER

*Traveller, the path is
your footsteps, nothing more.
Traveller, there is no path:
one makes a path in walking.
In walking one makes a path,
and turning to look back,
one sees a path that never
will one return to tread.
Traveller, there is no path:
there's only a boat's wake in the sea.*

— ANTONIO MACHADO
Trans. Reggie Siriwardena

Trends...

(Continued from page 1)

DJVP. The new alliance will contest the Provincial Council elections expected this year.

Political gangwars

In two days recently Colombo had six underworld killings. One of the gangsters killed had earlier been named in connection with the assault on journalists at the Fort Railway Station and the knifing of the Aththa cartoonist Jiffy Yoonos.

As an ISLAND editorial said a disturbing element in these incidents is that these criminals are now able to command sophisticated equipment and also enjoy the patronage of powerful politicians.

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The Last Talk with Kittu

C. Suriyakumaran

Now that the dust may have settled, from the aftermath of Bishop Kenneth Fernando's visit to Jaffna and the death of Kittu, I felt I may set down the following thoughts which came to mind from my last meeting with Kittu, on the essential nature of the North-East question and its solution, as he saw them. Amidst the general vituperation that goes round sometimes, readers may be surprised to notice the nature of these views.

In order to do this we must, first, on all sides, learn to look at the undoubtedly horrible killings, injustices and sufferings that have gone on all these years, in their correct light. Viewed thus, they are not a condemnation of one side or the other, but condemnation of War itself. Wars everywhere, have created crimes of the first order, beyond the straight shooting with rifle in open battle. As much as some Sinhalese talk now of the cruelties of Tamil fighters, the Tamils know of equal cruelties of Sinhala Security forces when the Tamils were also defenceless. We have to set these aside. We have to fight 'War' itself — only possible by honestly accepting its causes.

In another matter, one recalls that Prabhakaran had been even admired by large elements of Sinhalese, for his single-minded courage, confronting the IPKF with such tenacity, eventually, with the Sri Lankan Government support, succeeding in the IPKF withdrawing completely. In that phase, there was no equal Sinhala perception of LTTE expectations in a post-IPKF North-East; and no perception of what real Devolution should be.

This background was the essential setting for the exchange I had with Kittu, and his responses. I met him in the spring of '91 in London. The times were difficult in Sri Lanka, not that they were much better before or after; and my purpose was to carry either an interview, or a personalised report, of what could be seen as possible meeting ground for solution. Having thereafter left for the US I had hoped to finalise my talks with him during my second visit, to London. During that period however, he had to leave the U.K; and the matter rested there, since his clearance was sought before anything was published.

With his death and the dire need for sense to be summoned by all of us in the country, I set out now the essence of what he saw as the problem, and the way to solve it. Surprisingly, as seen below, he even foresaw a time when there need not even be a separate North-East but just one country. The essence of the thinking was very straight forward and meaningful. It was as follows:

One, they had nothing, and have nothing, against the Sinhalese people.

Two, the opportunities to win trust and confidence of the Tamils from the very early years were so wasted by the Sinhala Governments, and the means used to suppress the Tamils were so brutal that,

(a) a separate identity of, community and area; and

(b) resistance by force became their only choice,

[From then, 'Security was their cornerstone, and the means to ensure it their condition.'

'Peace was not cessation of fighting, but lasting assurance that they would be left in peace']

Three, while they would resist as long as was necessary, they must assert that they were for peace; they were not just trigger happy people. After all it was, more than any other group, the Tamil people who had suffered the most.

Four, the essential negotiation must be not to declare the Sinhalese and Tamils as two entirely separate peoples, apart, and for ever divided; but to recognize the Sinhalese and Tamils as two clearly identifiable peoples (we already call them two Communities) who now have to find the way of peaceful existence.

Five, the way for the Sinhalese to forge National Unity therefore was to start from the basis of this situation, which was real because it was true, and establish a system of both,

(i) a viable autonomy for the Tamils (not necessarily Eelam) and

(ii) arrangements for co-operation between Sinhalese and Tamils, which, further, will then give both satisfaction, and the basis, for keeping the country as one.

[He had no difficulty with all being considered part of Sri Lanka; but difficulty certainly, with a permanent Sinhala majority government running the affairs of Tamils as if they effectively represented them!]

There was nothing wrong in accepting that this was not just an exercise in devolution, but on the specific problem of the North-East; because, after all, that was the problem].

Six, there was no question of people living separately. They were never against Sinhala people voluntarily, settling amongst them; only against State organized Colonisation.

Seven, with the European Common Market on a wave of success, he referred optimistically to the way those totally independent countries, which have in fact been at War

(Continued on page 23)

The writer is a visiting professor at the University of Colombo and at the L. S. E.

Why Human Rights Matter ?

Mary Robinson

It has been a special privilege for me to attend this conference and to act as your general rapporteur, especially at an interregional and inter-cultural meeting attended by experts from many parts of the globe and by a broad spectrum of the human rights community comprising independent experts, NGOs and government representatives. I assume this role with enthusiasm for two reasons. Firstly, I am conscious that the moment is ripe for momentous change. The collapse of ideological barriers and the conversion of formerly authoritarian regimes to democracy means that not only has freedom become a reality to millions of people but that new opportunities for consensus as to the way forward for more effective ways of promoting and protecting human rights are within our grasp. There is a palpable feeling of good will — which was evident from the tone of the discussions — that compels us to the realisation that we must seize the day. At the same time, as Madame le Secrétaire General has emphasised in her opening address, there is a sense of urgency. On the one hand, there are signs of disillusion and resignation in Eastern Europe after the dissipation of understandable euphoria. On the other, we are confronted with our own impotence to prevent the atrocities that are occurring on our doorstep in former Yugoslavia, or to combat the hunger, poverty, intolerance, religious extremism and violence which are ushering in the dawn of the 21st Century.

Secondly, I share with you a firm and tested belief in the power of ideas. Human rights are no longer the preserve of visionaries. They are pressing

concerns which are vital and relevant to the lives of every human being. The brief history of the human rights movement teaches us that, notwithstanding the political difficulties, the omnipresent obstacles to change, the gross inequalities of wealth and the daily burden of oppression that surrounds us, international legal standards, by giving specificity to the concept of democracy, can, and do in fact lead to the improvement of peoples lives. It is already a quantum leap in international relations that today countries can no longer say that how they treat their inhabitants is their own business. The state's duty to protect human rights is not only owed to individuals within its jurisdiction but to the international community as a whole.

It is a tribute to the talents, skill and experience of the participants in the conference that such a rich tapestry of ideas and proposals has been woven over the last few days. I have interpreted my own role as that of a listener rather than that of an expert, whose task is to highlight the main proposals and insights that have emerged.

I find the metaphor of listening to be entirely appropriate for the occasion since listening to others is central to my own perception of what human rights are all about. We must listen very carefully to others. We have a duty to do so. We must listen especially to those whose voices are rarely adequately assertive — the poor, the marginalised and the handicapped or those NGOs that speak on their behalf. In so doing we demonstrate in the simplest but most effective manner possible our respect for the dignity of others — a requirement at the very root of human rights. If we do not show ourselves capable of doing so, our intellectual contribution

to devising more effective responses to human rights issues risks being out of tune with the real dimensions of the problems facing us.

Several observations of a general nature must be made at the outset. The first relates to the fruit of the last World Conference in 1968 — the Proclamation of Teheran — since it provides an important indication of the magnitude of the tasks facing the international community. So many of the human rights problems identified in the Proclamation, in areas such as equality, gross violations, development and illiteracy, are still with us — some perhaps in a more virulent form. Such is the gap between precepts and practice, affecting many millions of people, it is tempting to succumb to despair. But this would not be an appropriate response. We must see the Proclamation as an important staging post in the growth of international concern for human rights which underscores the need for continuous reappraisal of our efforts in a manner which is both self-critical and realistic. We should also acknowledge our achievements since 1945 in the form of standard setting and in the establishment of effective regional systems such as the European Convention on Human Rights, or the creation of preventive mechanisms such as the more recent European Convention for the Prevention of Torture which is steadily proving its influence in examining conditions of detention. But here also self-criticism and self-assessment are of the essence.

In the second place we should ask ourselves what we expect from the World Conference. Our expectations should be realistic. The Conference is not likely to take operational decisions which lead to instant improvement. Rather, it can create the condition for future changes

Ms. Robinson the President of Ireland, was general rapporteur, at the recent Council of Europe Conference on Human Rights.

by indicating a new direction or providing a fresh impetus. Hopefully it will lead to an increased priority for human rights in the United Nations. Most important of all, perhaps, it ought to be used by the entire human rights community in the widest sense as an occasion for stimulating public awareness about human rights. Rio must come to Vienna. The patience and care that must be taken to instil these values in the public conscience has been described by Vaclav Havel, in a characteristically poetic manner, as a labour of love:

"Je crois qu'il faut apprendre à attendre comme on apprend à crever. Il faut semer patiemment les graines, arroser avec assidue la terre où elles sont semées et accorder aux plantes le temps qui leur est propre.

On ne peut duper une plante, pas plus qu'on ne peut duper l'Histoire. Mais on peut l'arroser. Patiemment, tous les jours. Avec compréhension, avec humilité, certes, mais aussi avec amour."

PROPOSALS FOR ACTION

But I must now be more specific about the fruits of our own labours. I perceive six areas where there is consensus as to decisions that should be taken by the World Conference.

First, it should re-affirm the basic principles of the universality and indivisibility of human rights, recognising once more that violations are of legitimate concern to the international community.

Second, it should re-affirm the principle that human rights are best protected by national institutions in the context of a legal and political culture supportive of human rights.

Third, it should examine ways of improving effective implementation of international human rights standards.

Fourth, it should recognise and endorse the role played by NGOs in the promotion and protection process.

Fifth, it should recognise that democracy, pluralism and respect for human rights are essential for social and economic development.

Sixth, it should examine appropriate means of upgrading the promotion and protection of economic, social and cultural rights.

AFFIRMATION OF UNIVERSALITY AND INDIVISIBILITY

There is general agreement amongst participants that one of the most important aims of the World Conference will be to stress yet again the universality and indivisibility of human rights, and to resist claims that the minimum standards contained in human rights instruments are essentially Western in nature and not appropriate to countries with different religions and cultural traditions, particularly in the areas of women's rights, the rights of the child and the death penalty. There is a perceived need to re-assert and re-affirm the indispensable truth that the protection and promotion of human rights is a duty for all states, irrespective of their political, economic or cultural system, and to guard against the erosion of universally accepted standards in the name of regional "particularities". At the same time we should re-emphasise that violations of human rights are a legitimate concern of the international community.

The subversion of the principle of universality undermines the very foundations of the commitment of the international community to insist on minimum standards. Arbitrary detention, disappearances and violations of the rights of children do not contribute to feeding and clothing a nation or furthering a religious or cultural traditions. But as Dr. Tiruchelvam has highlighted in his paper, we must go further than rhetoric. We must go back to listening. More thought and effort must be given to enriching the human rights discourse by explicit reference

to other non-Western religions and cultural traditions. By tracing the linkages between constitutional values on the one hand and the concepts, ideas and institutions which are central to Islam or the Hindu-Buddhist tradition or other traditions, the base of support for fundamental rights can be expanded and the claim to universality vindicated. The Western world has no monopoly or patent on basic human rights. We must embrace cultural diversity but not at the expense of universal minimum standards.

Another development of great significance to the issues of this Conference is the women's movement world wide. We can learn from the ways in which women from the Eurocentric world and the world of the South have been coming to know one another. It is instructive to see how links have been established between networks of women's organisations, and even more instructive to note the institutional approaches adopted which are open, enabling and participatory. Women have been finding new ways of relating and new voices, defining new roles or redefining old ones in a manner which has a powerful message for all concerned with the promotion of human rights. The major themes of the women's movement — equality, development, violence against women, and peace — have undergone significant changes as the women's movements themselves have come to a deeper understanding of the implications of their concerns. In the process, men have often felt threatened — but not just men. Women have also felt threatened because change is always disturbing. The energies, the perspectives and the voices of women must be given a more central place and integrated fully into the human rights debate, not least to ensure the appropriate gender balance. It is through NGOs at national and international level that the voice of women is increasingly heard.

It is also an important reality that international mechanisms

(Continued on page 10)

Identity Conflicts

Kumar Rupesinghe

(an interview)

David Lord: Are we confronted with a new world of disorder, rather than a new world order?

Kumar Rupesinghe: There's been a lot of talk about the new world order and I suppose we really need to clarify the issue. I think that the new world order really began after the Second World War, when the United Nations was established. For the first time in the history of human civilisation governments were made accountable for human rights. A system evolved to deal with collective security and inter-state conflicts. This international system precedes the Cold War. The Cold War was basically an interruption, if you like, of a trend which was already established and developed within the UN and related bodies.

Of course, the post-Cold War period is a more turbulent era, because during the Cold War there was a kind of consensus on what were to be defined as conflicts. The evolution of the superpowers' destructive capabilities may have prevented an actual world war, but it also led to containment within the two Cold War polarities and the transfer of conflict by proxy to the Third World.

What we now see is a multipolar world where regional powers are exercising their hegemony or asserting themselves. Coalition-building within such a multipolar world creates greater instability and new inter-state conflicts are likely to emerge.

Q: What are some of the dynamics of the surge in internal conflicts that we are seeing?

A: We're now confronted with 30 to 40 conflicts within the boundaries of individual nation-states. Some ethnic or identity

disputes which have followed the process of decolonisation, or those which have been generated in the post-communist world — sleeping conflicts, if you like — are being reawakened. In general, nationalism, ethnicity and identity are becoming focal points for political mobilisation. In Africa and elsewhere we're seeing, along with a wave of democratisation, a resurgence of ethnicity, where politicians of all sides are resorting to ethnic mobilisation as a means of transforming their societies in a democratic way.

In a way, ethnicity has both a positive aspect — defining identity and fostering self-determination — but at the same time it is potentially and actually very destructive to human life and can cause enormous suffering.

Q: What other types of disputes are prone to escalation and militarisation?

A: We also have conflicts over governance and those generated by the democratic process itself — the question of who rules societies and how they rule, the structures of legitimacy, of popular participation. We're likely to see more conflicts over resources, particularly oil, but also water, river basins, the control of forests.

We also are experiencing new forms of racism in the West: the resurgence of neo-Nazism in Germany and manifestations of new racism against migrants and refugees elsewhere. I call it new racism only because the kind of migrants and refugees that come to the West are not necessarily those who are going to integrate into those societies. They bring their culture, habits and religions with them. I think it is this specific cultural confrontation which is at the root of this problem. Lastly, I believe we are going to witness in North America and Europe more of what we saw in Los Angeles

recently — urban violence triggered by a racist event erupting in a tinderbox of structural inequality.

Q: Evidently, the problems you describe are becoming more urgent, more complex and more difficult to deal with.

A: It's a mixed bag, really. I think we have to look at the positive achievements as well — and they have been enormous. We're living in an age when governments are being held accountable for their internal and external policies for the first time and human rights standards are increasingly recognised as important values.

We have, secondly, a vast and expanding democratic zone, where there have been no wars between democratic states for the last 70 to 80 years. The third point is that large areas of the world have somehow passed a particular conflict plateau. In the Pacific region, for example, there may be specific conflagrations, but the economic imperative — growth and development — seems to be the most dominant feature for that entire region. There is a growing acceptance of the idea that conflict can and should be managed. The same principle is evident in Western Europe, the United States and Canada.

Despite these positive signs, we're still faced with the prospect of an estimated 40 civil wars in the coming decade, which are likely to involve about 10 per cent of the total world population. Currently the world is attempting to deal with refugee flows of about 40 million people, roughly 20 million external refugees and 20 million internally displaced people. Given the new conflicts which are emerging in the former Soviet Union, in Africa, parts of South Asia and the Middle East, we could see that total figure of refugees and displaced people rising to 60 to 80 to 100 million in the future.

(Dr. Rupesinghe is Secretary-General of International ALERT).

Q: Why has the UN system failed to prevent or resolve these types of internal conflicts?

A: One reason is that the UN, in its concern for global security, has concentrated on building its capability to deal with inter-state war and has been slow off the mark in responding to the need to deal with internal conflict. The second is that the UN has inadequate machinery and mechanisms for the protection of minorities. Thirdly — unlike with the process of decolonisation — it has no established way to address issues of self-determination, except on a case by case basis, as with the disintegration of Yugoslavia. Without adequate machinery that allows groups to attain self-determination peacefully, violence becomes the sole alternative.

The UN Secretary General's Agenda for Peace is an important contribution in this debate and needs to be studied. At the very least we are beginning to see a much more coherent picture emerging of the role of the UN, which now takes into account the importance of early warning and prevention, peacemaking and peacebuilding. One area of difficulty is that the document stresses military forms of prevention — the use of police and UN troops to keep two warring sides apart. We need to develop a global capability for non-military prevention and peacemaking.

Q: How can non-governmental organisations complement traditional forms of multilateral and bilateral diplomacy?

A: Clearly, the NGO community has progressively built up a comparative advantage in the way that it can deal with conflict. In recent years there's been a spectacular growth of this "third system". What is unique about the third system has been not only its growth but its ability to be low-cost, flexible and responsive — cutting across bureaucracies and being

able to reach victims more effectively.

With the end of the Cold War a number of these humanitarian communities are rethinking and reshaping their approaches to take into account the fact that while the risks of a nuclear holocaust have diminished, the human, social and economic costs of internal wars are mounting. There is a growing appreciation of the horrendous consequences of internal war for human rights, for democratic development, for refugee flows, for the struggle against disease and illiteracy, for adequate housing. At the same time, I believe that most members of the NGO community would agree that the only way forward is through a pooling of information and human and physical resources.

Q: How do you see Alert involving in this context?

A: Where I believe International Alert should fit in is as a facilitator of these coalitions so that the community can work toward building an effective conflict prevention capability. This involves creating and refining the kind of frameworks which may be necessary for conflict prevention, not only within the NGO community, but also with the UN, other international bodies, and individual governments. Sometimes the UN may be the best vehicle for a particular intervention to prevent violence. At other times it may be an NGO. What we would like to see in the future is a much better shared division of labour, which takes into account the collective strengths and weaknesses of each of these sectors.

Q: Presumably, whoever is going to intervene needs early warning that there is a potential disaster in the making.

A: The international system has developed over the years as a system which responds to gross human rights violations. What we need to work on now is a system of victim prevention.

One promising avenue is to develop fact-finding as a means of preventing violence. By this I mean that fact-finding missions do not go to a conflict region after the conflict has flared up, but you send missions earlier on so that the mission can begin to talk with the parties concerned and the mission report can be a basis for dialogue.

We also would like to contribute towards setting up mechanisms for early warning. Alert will call on experts from different regions of conflict to give us a better picture of conflict dynamics and conflict scenarios. The scholars and analysts have been looking at the social indicators and developing data bases with which they have tried to establish a predictive capacity. That should be effectively linked with grassroots networks within the regions which have a more experiential and intuitive knowledge of the dynamics and dimensions of a specific conflict. Critics can always say, 'What is the point in having early warning if nobody is going to do anything about it?' Obviously, the actors who are in a position to do something about a particular conflict need to be drawn into these discussions on what the data is telling us at an early stage.

Alert is working with various kinds of networks, such as the Internal Conflict Resolution Network (ICON) and we are trying to encourage scholars and activists from within the regions to start analysing and acting on their own conflicts. Eventually this will result, I hope, in regular meetings between experts and networks which will provide a clearer picture of conflict dynamics and an ongoing forum that could play a part in defusing disputes.

Q: What is International Alert doing to foster training for people who would be directly involved in conflict mediation or resolution in particular areas of the world?

A: Training can take many forms. It can be workshops on non-violence, on governance, on negotiations, on conflict transformation. Training could be taking people out of a violent conflict situation, training them and then sending them back. It could involve outsiders going into conflict regions and training local communities in being less passive and more active in developing forms of engagement. In many violent conflicts civilians get passive very quickly and they leave the terrain to the armed protagonists. One goal is to get the civilian populations to develop forms of accountability, either for government or for guerrilla misbehaviour — essentially empowering local communities.

There is a notion, particularly in the West, that training is a question of going to another cultural area or to another conflict area and just transferring the skills which one may have learned in a different cultural setting. It's not that. Skills and knowledge must be transmitted in a culturally acceptable way. We need to look at the elements of the local cultures and the knowledge base there which can also be utilised for training. The real task is to assist people in developing their own resources for conflict transformation.

Q: Is there a model grassroots mediator or facilitator?

A: No, not at all. The skills and background needed are common to a wide range of people — from religious communities, from the business community, from universities, from among young people. Basically, people are needed who have the ability of communicating to non-likeminded people. Training doesn't mean that you go and train people who think like you. It means crossing cultural barriers, reaching out to Buddhists, to Muslims, to Hindus, to other cultural communities with their specific identities, different languages and different aspirations.

Q: What sustains your belief that events are not going to overwhelm the goodwill and resources that exist?

A: Over time, humankind has eliminated many, many institutions of barbarism. What remains as one of the most difficult and pressing problems, apart from poverty and structural violence, is the use of violence as a means of resolving conflicts. But already there's an enormous culture which has developed to enable people to resolve conflicts without resorting to violence. There's also a tremendous war weariness in many parts of the world.

I see violence as an epidemic. To prevent or eliminate an epidemic many, many people and institutions are involved. There are experts, doctors, organisations, ordinary people — all kinds of entities. It's the same way with violence.

The first thing to do is to criminalise violence as a way to resolve disputes. We need to do more work on the whole question of militarisation and the sale of lethal weapons and particularly the proliferation of small arms in various communities. Frameworks and institutions need to be built for people to be able to talk about issues such as self-determination.

We also need a decade of action by NGOs, governments, intergovernmental bodies and populations to reduce and then totally eradicate war.

If the momentum that exists in the international community to develop a new and effective coalition to eliminate violence as a means of resolving conflict can be sustained and even accelerated, I firmly believe this epidemic can be contained and the disease eradicated within the next 20 years.

Why Human...

(Continued from page 7)

for protecting human rights are subsidiary to the national system. Human rights are better protected at home subject to the system of outer-protection afforded by international bodies. We should, however, be careful to ensure that the existence of international mechanisms is not used as a pretext for failure to take appropriate measures at national level.

States should ensure that effective national remedies exist in respect of human rights violations. The incorporation of treaty standards into national law is one important way of ensuring adequate judicial protection but also of contributing to the formation of a legal culture more sensitive to human rights concerns. Judicial protection is, however, not enough. It needs to be supplemented by a variety of national agencies each with a mandate of promotion and protection.

On the other hand, attention should be given to the nurturing of a human rights culture which is indispensable for the proper operation of national laws and institutions. The role of the actors of civil society — such as the media, trade unions, NGOs — so often the first targets of totalitarian regimes, — was considered essential to the formation of this culture and ultimately to the extent of human rights awareness. Of special importance in this context is human rights education in schools and in professional training especially for officials responsible for key sectors such as prisons or the security forces. Assistance programmes for newly emerging democracies also play an important role.

The World Conference should give a new impetus to the national dimension and explore ways of generating financial support for education initiatives and for the widest possible distribution of basic human rights texts in the different languages.

Creating a climate

The HRTF is willing to monitor the safe release of detainees, but usually cannot do so because it is not generally given prior notification of releases. However, as mentioned above release procedures have generally improved anyway.

As mentioned above, the HRTF also maintains a list of "disappeared" prisoners. This list is compared with the names of those registered during Justice Soza's visits to places of detention in the hope that some may be traced. The annual report of the HRTF list 93 people who had reportedly "disappeared" and who were subsequently found to be in detention. In some of these cases, however, Amnesty International understands that the prisoner's whereabouts was already known to relatives. Amnesty International believes that some reports of arrests made to the HRTF may have been presumed to be "disappearances", when this was not the case. In other cases, however Justice Soza has intervened promptly on learning of a recent "disappearance" and quickly traced the whereabouts of the missing person.

Amnesty International again urged the Sri Lankan Government to abide by the Principles on the Effective Prevention and Investigation of Extralegal, Arbitrary and Summary Executions. These principles were endorsed by the United Nations General Assembly on 15 December 1989, and clearly state that extrajudicial executions cannot be justified by a state of war, internal political instability or public emergency. They provide numerous safeguards to prevent extrajudicial executions, including deaths in custody, and set clear standards for the investigation of extrajudicial executions. Amnesty International also recommended that the government establish a review of the command and control structures in

the security forces, giving particular attention to the use of home guards and other ancillary forces; that a system of effective control be established over the issuing of weapons to civilians for self-defence, and that adequate training be provided; that independent commissions of inquiry investigate all human rights violations; that those who have ordered, committed or covered up human rights violations be brought to justice; and finally, that the results of investigations into human rights violations should be made public.

Inquiries of different kinds have been held into several instances of extrajudicial executions reported since June 1991, marking a new acknowledgment by the government that these grave human rights violations have indeed been committed. In only one case — the Kokkadichcholai killings of June 1991 — was a Commission of Inquiry appointed with powers to summon witnesses and compel evidence. After that an administrative inquiry, with lesser powers, was held into reprisal killings by home guards in Polonnaruwa District, and police investigations were reported into later instances of reprisal killings. A senior government spokesperson told Amnesty International that the full Commission of Inquiry had been appointed primarily because the Kokkadichcholai massacre had generated a large amount of publicity. Amnesty International believes that all cases of human rights violations should be independently and impartially investigated. Amnesty International was also informed that draft legislation has been prepared to create a Human Rights Commission which would probably investigate future incidents of this kind. The draft text is apparently awaiting cabinet approval before being put before parliament.

Following the reprisal killing by soldiers in June 1991 of at least 67 civilians at Kokkadichcholai, Batticaloa District, the government took the welcome step of appointing an independent Commission of Inquiry. The Inquiry found that the deaths had not resulted from cross-fire, as the military had claimed, but from "deliberate retaliatory action" by soldiers. The proceedings were public, but the procedures employed by the Commissioners did not fulfil the standards required by the Principles on the Effective Prevention and Investigation of Extralegal, Arbitrary and Summary Executions. The Commissioners did not subject the military suspects to cross examination, contrary to Principle 10 which states that "The investigative authority shall ... have the authority to oblige officials allegedly involved in any such executions to appear and testify." Amnesty International expressed concern to the government about this shortcoming, and about the fact that the 20 military suspects would be tried by a military tribunal, not a civilian court. The trial proceeded before a military tribunal. None of the suspects were found guilty of murder. The lieutenant in charge was convicted on the lesser charges of failing to control his troops and disposing of bodies illegally at the site of the massacre. The nineteen other soldiers were acquitted.

The inquiry into the Killings of Muslim and Tamil villagers in Polonnaruwa District in April 1992 was more limited in scope than the Commission of Inquiry appointed to investigate the Kokkadichcholai killings. A three-person committee consisting of retired Supreme Court judge, a senior army officer and a senior police officer was appointed to investigate. As explained to Amnesty International by a

member of the committee, it was restricted to conducting an administrative inquiry and had no powers to summon witnesses and compel evidence. The committee found that home guards had been responsible for killing 8 Tamil villagers at Muthugal and Karapola. This attack was in response to the killing a few hours earlier by LTTE of 54 Muslim villagers at Alanchipothana. The committee criticised the local police for failing to take any preventive action and for chasing away villagers who had come to them for protection. They also recommended review of the home guard system and the issue of weapons to civilians (see below). They recommended that the police investigate the killings by the home guards and prosecute those responsible. A member of the committee told Amnesty International that about 17 people had been investigated, some of whom had absconded. Three have been charged with murder and are currently on bail pending trial.

In two further instances of reprisal killings police investigations were announced without any independent investigative body being appointed. The first took place at Mailanthanai in Batticaloa District on 8 August 1992, after northern commander Major General Denzil Kobbe-gaduwa and nine other senior army and navy officers were killed by the LTTE on Kayts island, off the Jaffna peninsula. Soldiers from Poonani camp, over 180 miles away from Kayts attacked and killed 39 Tamil men, women and children at Mailanthanai. There had been an attack on a local army and police patrol about 10 days earlier resulting in the deaths of 33 servicemen. Amnesty International was told that sixteen soldiers had been remanded to the custody of the military police following an identity parade, but that investigations were not yet complete. The soldiers were not known to have been charged by the end of the year. The second case concerned

the reported killing by soldiers of about 10 people at Velaveli in Batticaloa District on 24 October 1992. The Prime Minister was reported as saying that these killings would be investigated by the police, but there has been no further information about this.

Review of command and control structures

The inquiry into the reprisal killings in Polonnaruwa District found that there had been no proper accounting of ammunition used by the home guards and no proper control of the weapons they used. The home guards had been inadequately trained and insufficiently armed to defend villages against the attack by the LTTE. The inquiry recommended that command and control structures of homeguards should be reviewed. The review committee appointed by the government on 30 June 1992 was mandated to examine command and control structures relating to homeguards and armed cadres of anti-LTTE militant groups, as Amnesty International had recommended. The committee had not reached any conclusions by the time of Amnesty International's visit.

Amnesty International visited Sri Lanka soon after the massacre by the LTTE of over 190 Muslim villagers in northern Polonnaruwa District (see below). The government appointed retired navy commander Admiral Ananda Silva to investigate the killings and to make recommendations on improving security in the border areas. The attack had highlighted the difficulties the government faces in providing security to civilians in these areas. Some sections of the community were calling for arms to be issued more widely to civilians for use in self-defence. Amnesty International recognises the responsibility of government to provide security to the civilian population, but believes that weapons should only be issued within a system of strict and effective control and training. Uncontrolled issue of weaponry

could exacerbate violence and facilitate further gross violations of human rights, especially given the communal character of the present conflict.

"Disappearances"

"Disappearances" have reduced both in number and in geographical spread during 1992. Nevertheless, the rate of "disappearances" remains high: governmental and non-governmental sources put the figure at 10 to 18 per month. "Disappearances" have only been reported from the east, to Amnesty International's knowledge, especially Batticaloa District.

Almost all cases involve persons who "disappeared" in military custody. As in earlier years, some prisoners "disappeared" following cordon and search operations in villages; others "disappeared" after being detained in other circumstances. Examples are given below.

Amnesty International interviewed relatives of people who "disappeared" in 1992, as well as relatives of people who "disappeared" in earlier years, some of whose cases were reported in Amnesty International's *Sri Lanka — The Northeast: Human rights violations in a context of armed conflict*. The government has not yet taken steps to investigate these earlier cases, even when there were thousands of witnesses to the arrest in refugee camps of people who later "disappeared". For example, 158 people were reportedly arrested at the refugee camp at the Eastern University campus, Vantharamoolai, on 5 September 1990. The Ministry of Defence later said that only 31 named people had been taken, all of whom had been released. According to a relative of two young men arrested that day, they were taken to the army camp at Vallaichenai. The case falls outside the terms of reference of the Commission of Inquiry on the involuntary Removal of Persons, since it occurred before 11 January 1991. The case was reported to the Chairman of the Human Rights Task Force, but he does not

actively investigate "disappearances". Similarly, the relative of an eight-year-old boy complained to Amnesty International that the "disappearance" of this child and over 160 others from Saturukondan and neighbouring villages on 9 September 1990 had not been fully and independently investigated. He said he had seen soldiers taking the prisoners towards the Boys Town army camp, Saturukondan and that screams had been heard from the camp later on. He believed the prisoners had been transported elsewhere that night because he had heard vehicles moving out from the camp in the night. The Ministry of Defence said it had investigated the incident and that there was no evidence that any outsiders had been brought into the camp. It said that 40 to 60 villagers missing from Saturukondan had taken refuge in Batticaloa town. This young boy has not been found, however; nor have the relatives of another person Amnesty International interviewed, who had all "disappeared" in the same incident, including two brothers, aged 12 and 15, seen taken from their home together with their sister, aged 29, and her three children, aged six years and three months respectively.

Selected cases of "disappearance" in 1992

Twenty-five young men were detained by the army in the Kiran area, Batticaloa District, in January and February. Eleven of them were later released and the military denied that it had detained the remaining 14. Two of the 14 were later found to be in detention and two more were released, but nine young men and a 12-year-old boy — Manikkam Siventhiran — have not been accounted for.

Gregory Johnson, a 24-year-old radio mechanic, was detained following a cordon and search operation by the army in Pan-kudaveli, Chenkaladi, on 24 September 1992. He and his wife were taken from their house to a playground at about 6am,

where they were screened by military and members of the the Tamil Eelam Liberation Organization (TELO), one of the armed Tamil groups which opposes the LTTE and works alongside the military. His wife was released, but he was detained along with 12 others. No certificates of arrest were issued. According to a relative, eight of the 13 prisoners were released later that day, two were sent to Batticaloa prison, and the whereabouts of three, including Gregory Johnson, remained unknown in early November 1992. According to one of those released the 13 prisoners had first been taken into a hall where they were assaulted. Gregory Johnson already suffered from a chest ailment. He started to bleed from the mouth and asked to be taken to hospital. Soldiers removed him from the room, and he was not seen again. Relatives have inquired for Gregory Johnson at the prison, the police station and the Pioneer Road camp in Batticaloa. They also visited Kommathurai camp in Amparai District, but sentries refused to let them in and said he was not there.

Arulappu Aloysius, a 17-year-old fisherman, "disappeared" after being arrested by uniformed soldiers at about 2pm on 29 August 1992 in Vantharamoolai. According to a relative he was arrested along with two friends as they were returning from the cinema. When soldiers came down the street another man had run away. The soldiers asked the three friends about the person who had fled, and then detained them. They were taken to the Vantharamoolai camp, and the other two were released on the same day. There had been no reliable news of Arulappu Aloysius, however, over two months later. Relatives had been told by the army at Vantharamoolai that he had been sent to Batticaloa, but the authorities at both the prison and the Pioneer Road camp in Batticaloa have said he is not there. Relatives have heard from unofficial sources that he may be detained at Kommathurai army

camp in Amparai District. A relative visited the camp but was unable to get any information.

Three prisoners died at Police Post II in Kaluwanchikudy on 24 October 1992, according to relatives of one of the victims, Karthigesu Kulanderan. Their arrests by the Special Task Force (STF), a police commando unit, were later denied. The other were a carter and a worker at the co-operative whose names are not known. The Three men were among 11 arrested by the STF after a grenade had been thrown at their patrol. The STF took them to the police post, where they were assaulted with iron bars and poles by police personnel. A gunshot was heard. The next day, the prisoners were taken by jeep to the Kaluwanchikudy STF camp. Three were dead. Prisoners who were later released had fractures and knife wounds. The STF denied that they had ever arrested the three dead men, and extended their sympathies to the bereaved families. They said the STF had found the three bodies, and they thought they had been killed by the LTTE. When relatives asked for the bodies, they denied they were at the camp. Released prisoners said they saw the bodies there, and that the STF had put them on a tractor with six other bodies that had been brought from the hospital taken them away and buried them.

"Disappearances" were also reported following detention by Muslim Home Guards in the Batticaloa District. Home Guards detained thirteen Tamil men, women and children near Thiya-vaddavan in April, apparently in retaliation for the killing by the LTTE that morning of Muslim villagers at Alanchipotana (see above). One boy escaped; the other twelve prisoners remain unaccounted for.

Unacknowledged detention

As mentioned above, the military admitted to Amnesty International that it holds certain

prisoners in unacknowledged detention for periods varying from a few days to several weeks. Amnesty International learned of one case, however, in which a prisoner was released after spending over a year in Batticaloa prison. In 1991 he was wrongly reported to have been killed in custody. During the year he reportedly spent in Batticaloa prison, he had apparently been moved to the changing rooms at Webber Stadium, which has been taken over by the army, visitors came to the prison. He is the brother of an LTTE area leader, and was said not to have been harmed while in prison.

Another person from Kaddaiparichchan in Trincomalee District was reportedly arrested by the army on 2 January 1992 and released on 1 July 1992. He had apparently been held secretly in a bunker at an army camp located about one and a half hours' drive from Kaddaiparichchan for all of that time.

A former prisoner held in Trincomalee in 1991 gave detailed information about the systematic movement of an army camp there in order to conceal them from the ICRC during its periodic visits (see below).

Torture, ill-treatment and deaths in custody

Torture and ill-treatment of prisoners continued in military, Special Task Force (STF) and police custody. Members of TELO and the People's Liberation Organization of Tamil Eelam (PLOTE), both ancillary forces operating alongside the army, were also said to have tortured prisoners in the east. The methods of torture reported included severe beatings; electric shocks; burning with cigarettes or matches; pouring petrol into prisoners' nostrils and then placing a plastic bag over their heads; suspending prisoners from their thumbs and beating them; beating with barbed wire and repeatedly submerging prisoners' heads in water while they were

suspended from their ankles. Women were also reported to have been raped by soldiers.

One prisoner was held in *incommunicado* detention by the army for a year and a day before a relative was permitted to see him. This prisoner had been held at Talaimannar and Thallady army camps. In the first, according to his testimony he was stripped naked, hung upside down and assaulted. He was also burned with burning paper and polythene, and had a damp cloth held over his face until he "confessed". At Thallady camp he says he was held blindfolded for six months and assaulted.

A man imprisoned in Trincomalee in 1991 described to Amnesty International the multiple tortures he had suffered. While being interrogated at the Plantain Point army camp his hands had been tied behind his back, petrol had been poured into his nose and a plastic bag put over his head. After the bag had been removed, he was beaten on his head and body, threatened with being burned on a tyre, and then hung upside down from his ankles and beaten on the sole of his feet and his body. He was hit with sticks and with barbed wire and chilli water was put on the wounds. Amnesty International saw the deep scarring which remains on his back as a result of this treatment. He was held with 14 people, chained and blindfolded for about a month. Some of the prisoners were naked. He said that at about 6am each Tuesday, when the ICRC visited, most of the prisoners were chained together and taken deeper into the Plantain Point camp in a truck, to a place where only the army had access. Only a few prisoners remained at the usual place of detention in the camp for the ICRC to visit. After a few weeks, he was among those shown to the ICRC. Thereafter, until he was transferred to Trincomalee prison, his chains were removed every

week, and he was given additional clothing before seeing the ICRC. The clothing was removed and the chains replaced after they had gone. Prisoners were threatened that they would be killed if they told the ICRC about their treatment. A relative had been permitted to visit him after he had been seen by the ICRC. Until that time, the relative had visited the camp daily, and daily been told that he was not imprisoned there.

At Plantain Point army camp also in 1991, this prisoner had seen bodies being burned. He had also seen two prisoners being killed: one was beaten and then held under water until he drowned. Another was submerged, but then pulled out of the water and a soldier cut his throat. The two men were a shop employee from Sampur and a man called Kanthan, also known as Oruthavai Kanthan, from Eachchilampattai.

Amnesty International's delegates saw prisoners held in chains at Pioneer Road police camp in Batticaloa in November 1992. The organization also learned of a 73-year-old man who had been held from September 1991 for nearly a year at this camp, apparently as a hostage for the surrender of his son. He, too, had reportedly been held in chains. Relatives who had visited prisoners there complained that they had bruises and swellings on their bodies, which apparently resulted from beatings.

Extrajudicial executions

Extrajudicial executions were reportedly committed in the northeast by military and ancillary forces, and home guards. Several instances in 1992 of reprisal killings by soldiers and home guards were outlined earlier: the killings of Tamil villagers at Karapola and Kuthugal by home guards after the LTTE had killed Muslim villagers at Alanchipothana; the killing of Tamil villagers by soldiers at Mailanthanai after the killing

of northern commander Major General Denzil Kobbekaduwa and nine other senior army and navy officers were killed by the LTTE on Kayts island; and the reports that 10 people had been extrajudicially executed at Velaveli in October 1992.

There has been no official information about the reported killings at Velaveli. People from that area told Amnesty International that Velaveli village remains occupied by the army, that residents had been forced to move out and that they had been prohibited from cultivating the paddy fields since 1990. In October 1992, they said the army had given permission for certain areas to be cultivated, but had then driven the farmers away from the fields. Numerous arrests have been reported from the area, where the LTTE is active. Many of the prisoners were said to be working in the fields at the time of their arrest. Over 40 people arrested at nearby Kakkachchivaddai on 19 October 1992 were initially reported to have "disappeared" but then were found in custody, for example, and three further people were taken into custody on 23 October, the day before the reported killings. The whereabouts of these three were still not known to relatives when Amnesty International visited Batticaloa.

Reports of the number killed at Velaveli on 24 October vary from six to 10. According to some witnesses interviewed by Amnesty International, nine were killed, including a 52-year-old woman. These people said they were sowing paddy in fields at Paliyadivaddai, Velaveli, at 9 am when they saw the army approaching. They took shelter in a neighbouring house, along with others. Soldiers surrounded the house and fired into it before they entered. Three people were injured, one of whom later died of gunshot injuries in the groin and face. The soldiers then forcibly removed the people, and took them to the Paliyadivaddai army camp. Relatives followed behind. They waited near the

camp until mid-day and said they could hear sounds of screaming. They saw bodies being taken to Kaluwanchikudy hospital in a tipper truck and followed. Relatives gave a statement to Kaluwanchikudy police and thought the bodies would be given to them. A post-mortem was held at the hospital, but then the bodies were taken by the police, according to these relatives, and burned. Another person interviewed by Amnesty International, however, said that the bodies of six people killed at Velaveli were taken from Kaluwanchikudy hospital mortuary to the STF camp by tractor, and that there the STF had added three more bodies of people who had died in their custody (see above). The nine bodies were then burned in a secluded place.

At Mandur, Batticaloa District, in April a family of seven were among eight people killed by members of the TELO, which operates alongside the army in the east, following the killing by the LTTE of two TELO members. Amnesty International's sources on this incident say that the army was also involved in these killings. However, Justice Soza, Chairman of the HRTF, did not learn of army involvement when he questioned people in the area.

Long-term detention without charge or trial

Some prisoners are held for long periods in the east before being released or transferred to prisons in the south, where they can remain in detention indefinitely under Emergency Regulations, without charge or trial. Mention has already been made of prisoners held for over a

year in military or police custody before being released without charge.

Figures are not generally issued on the numbers in military custody. However, the Commander of the Army told Amnesty International that at the time of their visit 50 prisoners were in military custody in Batticaloa and 175 in Trincomalee.

Figures provided by the Committee to Process, Classify and Recommend Rehabilitation and Release of Suspects and Surrendered showed that on 10 October 1992 there were 826 Tamil detainees in prisons in the south, an unknown number of whom would have been transferred from the east. Some of these prisoners have been in detention for over two years without trial. The general issue of the long-term detention of political prisoners is discussed more fully below.

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Reform of the UN: A Southern View

Gamani Corea

The former Secretary-General of UNCTAD offers his views on the restructuring of the UN system.

I feel enormously privileged to have been asked to be here this afternoon to lead off your debate and discussion on this big issue of the relationship between the operational activities of the (UN) system and the restructuring of the organisation. I feel handicapped in performing this task because I have not had much acquaintance in the recent past with the various trends, proposals and thoughts pertaining to the restructuring of the United Nations. Moreover, I have not had, even in the distant past, much familiarity with the operational side of the system because, as you know, in UNCTAD we spent our efforts and our energies in connection with negotiating activities and various inter-governmental processes with but little involvement in the field.

So I have some trepidation in being here today. But I am encouraged by the fact that a few days ago the South Centre, which is the continuing part of the South Commission's secretariat, held a brief meeting on this subject of restructuring the UN. I was privileged to chair that meeting and to be able to hear something of what is happening and something of the reactions of the participants — in this case essentially participants from the South. So what I am going to do today is really to share some thoughts with you, thoughts of a very general character, in the hope that this might provide some kind of a back-drop to the discussions that will follow.

Gamani Corea, former Secretary-General of the United Nations Conference on Trade and Development (UNCTAD), presented the above speech at a seminar on the UN system.

The changing world is, of course, at the heart of all this revived interest in the reform and restructuring of the United Nations. There is a feeling that with the end of the superpower confrontation a new opportunity has been created for the United Nations to be effective and to play a role that it was prevented from playing in the past, a role that was envisaged at the time of its establishment and reflected in the Charter.

The impact of these changes on the UN has so far been primarily on the political side. They have made it possible for the UN to be more active in helping to preserve peace and stability, to resolve conflicts and so on. We have already witnessed the 'revitalisation' of the Security Council in the political field. In recent months it has been able to act decisively in a number of areas, in contrast to the past when the Council was prevented from acting because of the Cold War and superpower rivalries.

I sense that there is a general acceptance of the beneficial consequences of a strong and effective Security Council. Everyone would subscribe to the need to strengthen the hand of the United Nations in keeping global peace, in solving regional conflicts, and in putting out fires in various parts of the world. To the extent that this has already been happening, I think it has been received with acceptance.

There are also, however, at the same time, anxieties about the new role exercised by the Security Council. You are familiar with these anxieties. They have been expressed in various quarters. One of these is the feeling that the structure of the

Security Council is not as democratic as many of the members of the United Nations would like it to be and that the preponderant influence of the big powers is excessive at the present stage. This has been behind various proposals for change, the most recent by Mr Gorbachev on the need to reconstitute and expand the Security Council so as to make it more representative and its processes more democratic.

This is one set of anxieties. Another relates to the feeling that the new role of the Security Council might, in one way or another, be at the expense of the General Assembly. Some have feared that there is something of a 'zero sum' game involved where the more active and effective the Security Council becomes the less significant and effective will be the General Assembly. I do not think that such a result is desired by anybody or by any member state. But there is nevertheless this feeling that some kind of a trade-off is possible and that it would not be a welcome development.

And then again, in the context of the new political and peace-keeping activities of the United Nations, fears have been expressed that there might be some diversion of financial resources away from the non-political activities of the United Nations, particularly in the economic and social fields, towards these newly assumed functions of peace-keeping. So these are some hesitations which in a way qualify, though they do not negate, the general acceptance of the new role and new vitality of the United Nations in the political field.

Now in respect of the economic and social fields, I am not sure that the changes that have caused the UN to be revitalised

in the political area have contributed with equal force to strengthening its future role in these fields as well. It is hardly the Cold war that prevented the United Nations from becoming more effective in the economic field. The Cold War may have had some impact on that. It might have diverted resources that might have been used for other purposes to armaments and it may have weakened national economies. But in the context of the dialogue and the inter-governmental processes of the United Nations in the economic — and social — area, it would be an exaggeration to say that the Cold War played the same restrictive role that it did in the political area.

And this implies that the end of the Cold War does not necessarily mean that doors will open in the economic area as they have done in the political field. In the political field doors were opened by the collapse of communism and the end of the veto power of the Soviet Union. Nobody would want a parallel where doors open in the economic field because of some kind of political collapse of the developing countries! Their use of their voting majority may have been seen by some to be unrealistic but if this were to disappear it would hardly pave the way for a more effective role for the United Nations.

The impulses for the reform of the economic and social activities of the UN in the context of a changing world are more complex, more diffused and less obvious than the impulses for reform in the political area. There are even different perceptions of the role that the UN has played in the past in the economic and social fields.

Sometimes you will see in the press expressions of the view that the UN has been relatively ineffective all round—in the economic and social as much as the political field. You hear complaints about the cumbersome character of inter-governmental

processes and of the unrealistic and rhetorical nature of the discussions and dialogues that have taken place. All this tends to denigrate the past role of the United Nations in the economic field.

But I do not think that this limited and negative view of the performance of the UN is shared by all. It is true that the Economic and Social Council did not fulfil the role set out for it in the Charter, the role of providing overall co-ordination and guidance for the global economy and for the activities of the whole system of international institutions. This has certainly been a shortcoming. But I do not think that a judgment on the efficacy of the United Nations could rest on that failure alone.

Nor could it rest on any contrast with the effectiveness of the international financial institutions in moving resources to developing countries or in helping them in the field. The United Nations was never intended to be an agent for the transfer of massive resources, whether short term or long term, to the developing countries. That was a task set out for the Bretton Woods institutions and to counterpoise the United Nations against these institutions on the basis of which did more for the developing countries is, I think, a false juxtaposition.

The fact is that the UN has played an extremely important and remarkable role in the economic and social area. I could say this because I was involved in the economic administration of my own country before I came to the United Nations and to UNCTAD. I felt very much supported in that role by the work that United Nations had been doing — not in providing resources but in analysing problems, offering guidelines and identifying the interaction between processes and issues. All that helped give clarity to the task of economic planners, administrators and policy makers.

The UN has played an enormous role in bringing the development issue into sharp focus and in drawing the attention of world public opinion to its urgency and its importance. So many aspects of the development problem from population to trade and development, from industrialisation to the environment have gained visibility because of the efforts of the UN and its agencies. That is a contribution that cannot be denied.

But that is not all. I feel one should not underrate the impact of the United Nations processes on governments. The impact of what the United Nations has been doing is not to be measured by the decisions taken in the UN itself or by the extent to which the UN system has been able to implement those decisions. The dialogue in the United Nations has influenced other actors — the governments of both developed and developing countries, and various agencies and institutions. One needs to assess the value of the United Nations process in terms of its impact on opinion forming and policy making not just within its own confines but in the world at large.

I would like also to highlight the intellectual contribution of the UN towards the understanding of issues, particularly the interrelationship between issues in the area of economic and social development. This intellectual contribution has been rich and is something that the UN can be proud of. It has varied over the years, has covered different topics and has not sought to impose any single view. There has been a degree of pluralism in that research and intellectual contribution and that in itself is something of significance and value.

I do not believe that it is correct to judge the efficacy of the UN as an institution by the results achieved through its procedures. Sometimes it is the substantive factor rather than the

institutional factor that stands in the way of progress. You will remember the efforts in the 70s and in the 80s to circumvent the complexities of the UN system in the area of North-South issues by establishing other fora.

There was the Conference on International Economic Cooperation in Paris (CIEC) which brought selected developed and developing countries into a dialogue outside the UN. It was hoped that by short-circuiting the UN machinery results could be produced. But CIEC did not produce results and the reasons were substantive rather than institutional.

And then again, there was the Cancun Summit when it was thought that decisions were not made because issues were not addressed at a sufficiently high level. So heads of state and governments were brought together in Cancun to try to end the impasse in the North-South dialogue. But they too did not succeed.

So these are very good examples that show that it is not the institutional weakness of the UN that is the cause of the lack of progress but factors that are essentially substantive. And it would follow from this that institutional reforms by themselves will not succeed in bridging substantive gaps if the will on the political side to address them is not in existence.

One of the complexities of present moment is that we are addressing the issue of restructuring the United Nations in the economic and social field at a time of much uncertainty; at a time when there is a lack of clarity in respect of many of the substantive areas concerned with world development. As you know, the North-South dialogue has been deadlocked for a long period. It is this deadlock which lies at the heart of the failure to move forward. And it is this deadlock which has led so many people

to propose and advocate such things as a new 'development consensus' or a 'new partnership', or a new 'global compact'. All this because no such consensus or partnership or compact exists today.

And yet we are engaged in the effort to restructure and reform the institutional set-up of the United Nations in this background of relative uncertainty and lack of agreement. This is surely a handicap that makes the task of all concerned with the restructuring exercise more difficult. And against this background of confusion and uncertainty there arise certain anxieties and suspicions, particularly on the part of the developing countries, which reflect their concerns about what they see as the trends and signals of the present day.

One of these concerns, relating to the economic field, is the apparent lowering of the priority afforded to the development issue because of the preoccupation of the industrialised countries with Eastern Europe. There is a feeling that development issues are being marginalised or relegated to a second order of importance. Parallel to this, and flowing from in a way, there is an increasing tendency in the international dialogue to emphasise the domestic actions of developing countries rather than the external economic environment which should be supportive of such actions.

The debate on domestic policies versus the external economic environment is, in fact, a sterile debate. There is no question that progress in development requires supportive actions on the fronts of both domestic policies and the international economic environment. This very point is proved forcefully in the approach to the reconstruction of Eastern Europe. Despite the strong emphasis on the internal liberalisation policies of the Eastern European countries there is a clear recognition that these policies need to be supported by the channelling of external

resources — a new bank has even been set up — by debt cancellation, by improved access to markets, and by cooperation in the transfer of technology.

One cannot help noticing the similarity between these things and the platform of the developing countries in the North-South dialogue. All these — resource flows, debt relief, trade accommodation, and the transfer of technology — were the essentials of the platform of the developing countries but they have been taken over and applied, understandably of course, to Eastern Europe. For the developing countries, on the other hand, the focus is on what they should do themselves and less on a supportive external economic environment.

The anxieties of the developing countries do not stop there. There is also concern that matters concerning domestic economic policies themselves would be left to the international financial institutions, the World Bank and the (International Monetary) Fund, while the UN and its agencies would concentrate on other issues, no doubt urgent and important, but different, to the hard core issues of trade, money and finance — issues such as poverty alleviation, human resource development, the environment and so on. These latter issues are currently fashionable, but to confine the UN to these issues reflects a philosophy that the content of macro-economic development policies should be the exclusive business of the multilateral financial institutions. This, I think, is a false juxtaposition.

The United Nations cannot usurp the functions of the international financial institutions in channelling resources to the developing countries. But what the UN can do is, through its research and its debates and discussions, to highlight problems and to exert a kind of influence on what the other institutions are doing. It has done precisely that in the past in

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PROTEST

Man, river and engineers

Douglas Kulatilleke

Some question's by a Southern Farmer. The water flowing under the bridge at Ambalantota is now very muddy, and flowing fast, out to the Indian Ocean which is only a mile away. Could this also be the rain water which once fell on the Sabaragamuwa hills, situated on the borders of our wet and dry climatic zones, of the central Hill Country? Waters which were supposed to be stored away in the ill-fated Samanala wewa, which is now being built for (and supervised by?) the Ministry of Power, to meet Shri Lanka's increasing demand for electricity.

This is a National Project, which at varying times, comes under different governments, various Ministries, and under different Departments. It has therefore been very badly investigated, studied, co-ordinated, constructed and supervised. Its foundation is faulty. The very valuable Yala (South West Monsoon) water for us, (we get very little Yala rain here), was then fortunately released in November to be stored again, and used for irrigation and generation of a little electricity, down below at the Udawalawe Reservoir. WHY? and HOW? was this man-made calamity — (leaks in the scientifically selected allotments and man-made bunds) — at Samanala wewa, occur? It was NO ACT OF GOD! Answers to this vital, question is not at all clear. The media with all their resources at their disposal has yet been unable to probe and discover the correct reasons for this National disaster, costing millions of rupees. The Ministry's reaction to this colossal blunder has been to quietly plug away millions of tons of concrete and billions of rupees,

to seal the leaks on the Right bank of the Samanala wewa; and remain silent, regarding the causes of this tragic man-made blunder! The possible answer as to why the information revealed from the study of the boreholes drilled by the Irrigation Department in 1958 and 1959, and again in 1960, which were also studied, and commented on, by an American Engineering firm assisted by our Irrigation Dept., E.S.O., in 1973, and again by the Russians in 1978, are apparently secrets known only to VIPs. Will the Presidential Commission, really probe deeply into what has happened? Or will it white-wash the whole matter? or "fix" some non-entity for the national crime.

It is we the farmers who base our whole livelihood on producing our national staple food, rice, with this uncertain Irrigation water, who suffer the most, by such badly constructed projects. We lose not only six months income, but also money spent on one whole cultivation season. All this while this almost totally alienated high up Engineers, who are supposed to construct, store, distribute, valuable irrigation water for us continue to draw their monthly salaries and allowance, etc, etc, for work not done well. It is we thousands of peasants, who are therefore unjustly penalised for their colossal blunders.

Fidling around and pontificating on the taming of our 'little' 'great' rivers by some of our modern "intellectually arrogant" "know-all", and "Meglomaniac" Engineers, — who are certainly world famous in certain specialist engineering fields — not in soil mechanics, and geological engineering, which deals with Dam

construction — have now cost so much hardship and suffering to us small paddy cultivators, down below in the plains. Like the economic and social disparity (gap) between the "Haves" and "have-nots", there is now developing and yawning gap between those who "know" and those who "know not much", especially our Technocrats in the ruling circles. They are tightly confined, each to his specialist field, with just one or two favoured, highly respected ones, speaking for all: keeping out young, clever, talented ones" straining at the Leash for experience in new challenging fields of engineering. For example I personally know of a young, Peradeniya Engineering Graduate, qualified in France in Geological Engineering, working now with the Americans to build an underground subway in Singapore, sixty feet below ground.

So the present prevalent tendency is for these our clever ones, to serve in foreign countries seeking job satisfaction in other climes, where their abilities and skills are more recognised. What steps have taken in this age of Democracy, enlightened general and higher education, and now a more virile media to correct these maladies?

Closer home at Magama Tissa, we saw a few years ago, how some of these technocrats tried to build the spill of the now useless Lunugamvchera reservoir on a fractured rock. Our boys who were drilling this rock for dynamiting, (to lower its height) told us, in pithy Sinhala, it was like trying to blast a Pit-tu Gediya. A world famous Canadian Engineering Firm was contracted to "sew up the rock", strengthening the weak rock with steel rods, cables and concrete.

(Continued on page 24)

Democracy and the Soviet collapse

Sumit Chakravarty

When Russians were asked what kind of society they wanted, of those expressing an opinion, 12 per cent chose 'a socialist society along the lines we have had in the past', and 42 per cent chose 'a more democratic type of socialism'. Thus a majority of 54 per cent chose some type of socialism. Another 27 per cent selected 'a modified form of capitalism such as found in Sweden', and only 20 per cent chose 'a free market form of capitalism such as found in the US or Germany.' (Actually 14 per cent of all the respondents expressed no opinion on the question. Thus if responses are calculated as a per cent of all respondents including those expressing no opinion, then 10 per cent favoured 'a socialist society along the lines we have had in the past', 36 per cent favoured 'a more democratic type of socialism', 23 per cent favoured 'a modified form of capitalism such as found in Sweden', and 17 per cent favoured 'a free market form of capitalism such as found in the US or Germany'.)

The same poll, according to Kotz, "also found strong support among the Russian public for government ownership of business. When asked which of a list of activities should be run by the state only, run only by private companies, or run by both, they replied as follows. A majority favoured fully state run banking (52 per cent), heavy industry (79 per cent) and radio and TV (53 per cent). A majority favoured having consumer goods manufacturing either fully state run (25 per cent) or run by a combination of state and private activity (53 per cent). The only economic activity that a majority wanted to be run only privately was farming (75 per cent); even for restaurants only 42 per cent favoured only

privately run establishments." (*The Pulse of Europe: A Survey of Political and Social Values and Attitudes* — Times Mirror Centre for the People and the Press, 1991)

During my visit to Moscow last month Boris Kagarlitsky, an articulate exponent of democratic socialism in Russia being a leading functionary of the recently formed Party of Labour, informed me: "An opinion survey by a very Right-wing Russian TV newsprogramme *Viesti* conducted about a month ago (that is, in September) showed that 67 per cent of the people surveyed were positive about socialism, and 18 per cent were negative about socialism while 15 per cent were undecided. Since *Viesti* is very anti-socialist this was most striking. And *Viesti* was very negative about the result of the survey, saying that the Russian people don't deserve freedom. But this too is a reflection of the public mind in Russia."

Hence it is clear that the move towards capitalism it not in response to popular pressure in that direction, but rather it is proceeding in the face of popular opposition. It is also that neither the free marketeers following Prime Minister Gaidar under President Yeltsin's benign patronage nor the neo-Stalinists of the Victor Panfilov-Nina Andreyeva brand enjoy majority support in Russia.

Thus while the Yeltsin-Gaidar "shock therapy" in the economic sphere has resulted in widespread impoverishment of the people accompanied by hyperinflation, there can be no return to the state socialism of the past. First of all, this turnaround will engender a graver crisis. Secondly, it will not be able to reproduce the stability associated with the Brezhnev

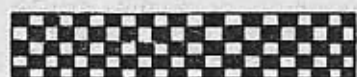
period. So what is possible is a prolonged, gradual transition to capitalism with the government maintaining a high degree of planning, public ownership and control over international trade while introducing gradually competition and market forces into the economy; or a return to the attempt to build democratic socialism. The last possibility at present appears remote but what is anticipated is that democratic socialists could join hands with the military-industrial complex favouring a slow transition to capitalism to prevent the Yeltsin-Gaidar "shock therapy" assume a more serious dimension manifest in largescale unemployment. Already negotiations are going on between the Civic Union (led by Vice-President of Russia, Alexander Rutskoi, Arkady Volsky of the Party of Entrepreneurs and backed by the military-industrial complex as well as Gorbachev — he is likely to succeed Gaidar as the next Russian Prime Minister in the near future — and Nikolai Travkin of the Democratic Party) and the Party of Labour and the trade unions owing allegiance to it. The latter have placed three conditions for support to the Civic Union to form a government: (i) holding of fresh elections countrywide within three months of assuming power; (ii) limiting privatisation and renationalising some industries like those connected with raw materials and high tech; and (iii) organising international solidarity with the Third World against IMF manipulations.

What is unmistakable is the growing anti-IMF and anti-US feelings in Russia, particularly Moscow. As Kagarlitsky disclosed, anti-IMF speeches at public rallies in Moscow are met with spontaneous warm and prolonged applause while none

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comes forward to wipe off anti-US graffiti on walls today, a striking departure from the experience a year ago.

There is a threat of national chauvinists and neo-Stalinists making a joint bid for power. But they do not have much potentiality to seize power although the dangers on that score should not be underestimated. However, too much publicity has been given to such a possibility. As Algis Prazauskas, a well-known specialist on ethnic problems, told me in Moscow, the danger on this count was being exaggerated by those free-marketeers who are interested in raising the bogey of Russian chauvinism to safeguard their positions and prevent the Civic Union from acquiring power. On the other hand, there is a real possibility of the Civic Union coming to power in Russia in the near future with the backing of the Party of Labour and the trade unions.

The changes on the global plane have been lately marked by a spurt in nationalism bordering on chauvinism. Ethnic conflicts have led to bloodbaths in Yugoslavia culminating in the dismemberment of the country. For this consequence one cannot but blame both external interference from the side of Germany in particular as well as the strong arm methods employed by the Serbian leader, Slobodan Milosevic. The trauma of Yugoslavia is a slur on world politics in general and constitutes the most negative feature of the global changes.

While assailing the US and the European Community's role in assisting the Yugoslav dismemberment, Robert M. Hayden wrote in an article "Dissecting Yugoslavia's Disintegration": The international community's ratification of the destruction of Yugoslavia may be seen as a cynical, ominous betrayal of any commitment to the development of democratic regimes in the formerly socialist countries. It may be that the death of Yugoslavia was preordained by

the realpolitik considerations of the major powers, despite the tragic consequences that Yugoslavia's dissolution meant for all the Yugoslav peoples."

However, even if Stalinist deformities in the former Soviet Union have brought about a sharp increase in ethnic conflicts in Russia, the scale of such violence there remains as yet within tolerable limits thanks to Gorbachev. There is a view that had Gorbachev remained in power, ethnic conflicts would have been far less in magnitude than what they are today, and the Soviet Union would have been preserved in some form.

That view is disputed by experts like Prazauskas who in 1989 had predicted the Soviet break-up while doing a comparative study with India on the subject of ethnic problems in the two countries. He did not then and does not even now envisage such a possibility in India, however, on account of democracy and what he described as the Indian civilisational ethos abjuring allround use of force to settle ethnic problems. Be that as it may, ethnic conflicts in Nagorno-Karabakh, Northern caucasus and Tajikistan have led and are leading to bloodshed though not on a scale as in Yugoslavia. But there is no gainsaying that with the collapse of ideology both ethnicity, and religion have come to the fore in a big way in many countries of Eastern Europe and the former Soviet Union.

The rise of racist gangs operating with impunity against foreigners — mainly from the Third World states — in the eastern part of reunified Germany, and the prospects of further fragmentation of Czechoslovakia and Rumania are also highly deplorable developments. These are indicative of the growing force of ethno-nationalism in today's changing world. In his Punithan Tiruchelvam Memorial Lecture delivered in this city last August, Prof Stanley J. Tambiah of Harvard University referred to this fact while quoting Isaiah Berlin who had remarked: "In our modern age, nationalism is not

resurgent; it never died. Neither did racism. They are the most powerful movements in the world today, cutting across many social systems."

The collapse of statist socialism in Eastern Europe and the former Soviet Union accompanying the burial of the Cold War resulted in a worldwide spurt in ultra-Right conservatism which drew the maximum possible mileage from such changes. However, now the situation seems to be changing. In Lithuania old Communists desiring closer ties with Moscow have recorded a striking obstural success. These old Communists are not neo-Stalinists. Their success is on the lines of the results of the October 1991 poll in Poland when after two years of "shock therapy" resulting in inflation, unemployment and a steep fall in production, the Polish electorate gave a sizeable majority of votes to parties demanding a shift in economic policy, thereby repudiating the shock therapy approach. In the US, George Bush — the American supremo who overruled the 1989 transformation — has been decisively defeated on account of the burgeoning economic crisis in that country. Bush's successor in the White House, Bill Clinton, has declared in public that he does not want to tread a path substantially different from his predecessor in the realm of international affairs. But still it is arrogance of power inherent in the US President's new world order which will hopefully be missing once Clinton takes over. Overall therefore the prospects of realising a genuinely multipolar global arrangement to replace the old bipolar world have brightened lately notwithstanding persisting pressures and pulls from various directions. Nonetheless, one should be vigilant against any designs to impose a "new world order" *a la* Bush.

In this setting South Asia must draw the necessary lessons from these changes. The countries of South Asia were sought to be sucked into the Cold War confrontation but attempts in

that direction did not fully succeed precisely because countries like India and Sri Lanka rebuffed them and unfurled the banner of non-alignment which became popular in the Third World at a much later stage. Their refusal to adopt state socialism with Stalinist regimentation by giving a go-by to democratic values also kept the countries of South Asia in good stead. (It is of no mean significance that all South Asian states today are functional democracies and none is under Martial law.) As one of the tallest figures of South Asia, India's first Prime Minister Jawaharlal Nehru, perceptively declared in his article, "The Basic Approach", in 1958, "Communism comes in the wake of... disillusionment and offers some kind of faith and some kind of discipline... But in spite of its apparent success, it fails, partly because of its rigidity, but even more so, because it ignores certain essential needs of human nature. There is much talk in communism of the contradictions of capitalist society and there is truth in that analysis. But we see the growing contradictions within the rigid framework of communism itself. Its suppression of individual free-

dom brings about powerful reaction. Its contempt for what might be called the moral and spiritual side of life not only ignores something that is basic in man, but also deprives human behaviour of standards and values. Its unfortunate association with violence encourages a certain evil tendency in human beings...

"Communism has definitely allied itself to the approach of violence. Even if it does not indulge normally in physical violence, its language is of violence, its thought is violent and it does not seek to change by persuasion or peaceful democratic pressures, but by coercion and indeed by destruction and extermination..."

"I find this approach wholly unscientific, unreasonable and uncivilised... whatever we may think about it, we have arrived at a stage in the modern world when an attempt at forcible imposition of ideas on any large section of people is bound ultimately to fail." He stands vindicated by the course of events as they have unfolded before our very eyes.

Of course elements of bureaucracy that crept into the

functioning of the public sector espoused by Nehru and other South Asian leaders are now being sought to be removed through economic reforms in this part of the world. Whatever the pace and nature of those reforms in different South Asian states, a realisation is generally dawning that a *laissez faire* approach alone cannot be the guiding principle of the economies of developing countries. At the same time it is becoming increasingly evident that only a state regulated market is viable in such states. This is brilliantly manifested as much from the success of South Korea as from the spectacular economic recovery of China.

Moreover, as the latest reports from the former Soviet Union indicate, socialism has yet to be decisively defeated there. This is becoming all the more apparent in the absence of the US' inability to draw up another Marshall Plan for Eastern Europe and the Commonwealth of Independent States, as well as the meagre supply of aid to those needy countries. South Asia needs to draw the obvious conclusions from these developments.

The Last...

(Continued from page 5)

for centuries with each other, were now coming together as a federal or con-federal Unity.

[Constitutions, he thought, were meant to solve problems, not compound them; and if a particular Constitution did the latter, then it had to be carefully looked at].

Eight, in this sense too, the path to a solution with honour to all sides, lay in,

(a) the recognition of Tamil identity and area, as a fact;

(b) a truly federal or con-federal relationship as no more than a de facto situation; and

(c) eventually, evolving perfectly foreseeable systems of even functioning together as one country.

[As if to underscore the first point made at the very beginning, he emphasised the number

of things the Tamils and Sinhalese have in common. But one could not declare a country to be one when it was not, and then force it to be so.

At the sametime, he was emphatic that we should work out our own solutions, and not open the way to outsiders.

Nine, in a final comment, or rather question that I happened to ask him, namely considering the difficulties of the guerilla war and the ongoing travails at the time, whether he thought that the LTTE would win. After a pause, he replied 'So long as Prabakaran is alive we cannot lose'; and then added, even if we lost him, so long as the causes remain, there would be others, even as yet unborn to carry his task.

* * *

I can only conclude by recalling what I wrote in one of my Articles as long ago as 1983/84 (re-published in my Book 'The Anguish of '83' that, "The Tamils will never win; but the Sinhalese will lose; and all will lose thereby." History between '83 and '93 can only bear these thoughts out, with perhaps just a little more time before finally doing so!

It is now only a matter of our mutual courage, and honesty to each other, whether we shall prevail and succeed; or just all lose. The Issues, are just two, and simple. For the Sinhalese, that the Country must be one (they should learn to separate this from a given Constitution); and for the Tamils, that their Security cannot be 'Assured', but must be built on abiding 'Arrangements', and the 'Means to ensure it.

Reform...

(Continued from page 18)

many areas such as the Part IV of the GATT, the compensatory finance facility of the IMF, the adoption of aid targets, and the creation of SDRs. The contributions of the UN on these issues were, I believe, helpful to the multilateral financial institutions themselves.

And then again another problem in the social and humanitarian area itself is the concern that the work of the UN would be directed more towards technical assistance and operational activities than to diagnosis, analysis, and policy formulation. This would give the appearance of another division of labour which many, particularly in the developing countries, would view with concern.

The developing countries have attached value to the analytical and research functions of the UN and while they would welcome the enhancement of its role in the technical and operational field I do not think they would like to see a dilution of the enormous contribution the UN has made in the intellectual area. Similarly, there is also the fear that in the name efficiency, co-ordination, and the avoidance of duplication, something of the intellectual pluralism seen within the United Nations may be lost and that a kind of common philosophy of development—which can never be valid—may in one way or another come to be imposed on the system.

Now all these fears and anxieties may not be a reaction to specific proposals by any governments. They may in fact be responses to caricatures of what some governments may have been saying. But, all the same, you find them echoed in discussions and dialogues even within inter-governmental processes and they add to the concern that the restructuring exercise of the UN might take place in the absence of any consensus, the absence of any philosophy, of what kind

of role the UN should play in the economic and social arenas.

I do not want to extend my remarks. But before I conclude I wish to make a brief comment on the concept of security to which you referred. Many have argued, and I fully agree, that security should be viewed not merely in narrowly military terms, such as peace-keeping and the avoidance of war, but as a wider concept that includes economic, social and development dimensions.

I wish merely to add the observation that this link between military security and economic and social issues is not just a relationship that is valid in theory. It is a linkage that is becoming progressively stronger in the current context. At the time the UN was established the link was, perhaps, less obvious. But today it has come to be direct and intimate and will probably become more so in the future. And this is a compelling reason while the whole approach to security has to be a dynamic one that is interwoven with the vital dimensions of economic, social, environmental and technological problems.

And this means, in turn, that a more comprehensive view, a more holistic approach, is needed to underpin the exercise of restructuring the UN. Without that there is the risk that changes and reforms may tend to be one-sided.

I feel also that any restructuring must preserve and even enhance the basic character of the United Nations, as the Charter envisages, as an international institution which embodies the principle of the equality of states—despite the reality that in many areas states are not, in fact, equal. It is precisely because the United Nations provides a forum for the poorest and weakest that it is of particular value.

I should also hope that in the restructuring process the

intellectual independence of the secretariat will be preserved at all costs. If you look at the Charter, the Secretary-General of the United Nations is required to study and bring problems to the attention of governments and to propose solutions. He can only do that if he has the support of a vibrant, competent and independent secretariat.

—Third World Network Features

Man, river...

(Continued from page 19)

Much earlier, the world famous Maligavila Buddha Statue at close-by Buttala, broke into pieces, destroyed by Treasure Hunters. When it was repaired and was being lifted on to its pedestal, by these "KnowAll" Engineers, it was broken again. Fortunately, they learnt from their own mistakes, and now this Statue stands again.

Why can't our pundits be a little more humble, and in a spirit of real humility, pool all their specialist knowledge, at least in vital fields of national Endeavour, discuss in depth, before they venture out on big spectacular projects such as the above?

Scientific knowledge must therefore be made available through papers and magazines, to the large mass of Sinhala and Tamil peoples. Small men directly involved in productive construction can then be involved in these national projects, and may be even prevent these totally alienated somewhat "intellectually arrogant", Kultur elites from making colossal blunders. In Samanlawewa too, it is now being said in SINHALA that there is a reservoir full of water deep down, below these bore holes, drilled, and studied, by local and foreign geologists. Isn't it time therefore for us to make education seep down and make it relevant and meaningful for all?

WITH THE BEST COMPLIMENTS

OF

ELEPHANT HOUSE SUPERMARKET

QUALITY AT AFFORDABLE PRICES

**NO. 1 JUSTICE AKBAR MAWATHA
COLOMBO-2.**

STILL LEADING

**Mr. William Thompson obtained a Royal Charter
and established the first Joint Stock Commercial Bank
in this island on
01st June 1841.**

**He called it
“ Bank of Ceylon ”**

**That was 150 years ago,
but that was not we.**

**We opened our doors in 1939
only to capture
our rightful place in Banking
and are proud to say that we still**

LEAD

**Over the years
banking profession
shared our expertise
and BANK OF CEYLON
became Sri Lanka's
SANDHURST TO BANKERS.**



Bank of Ceylon

Bankers to the Nation