

# Tamil TIMES

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

— Voltaire

*Priestly Guardians  
or Gravediggers*

**Focus Again  
on Sri Lanka's  
Human Rights Record**

*Tamil Journalist  
Attacked in Toronto*

**LSSP on Contiguous  
Tamil Territory**

*Solution to Ethnic  
Conflict Long Overdue*

**Tamil-Muslim Conflict**

*Indian Intervention  
in Sri Lanka*

**Plight of People  
Crossing Jaffna Lagoon**

**Tigers Ready to Consider  
a Federal Scheme**

**Says LTTE Leader Prabhakaran**



*'Hindutva' and  
the Reign of Terror*

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## PRIESTLY GUARDIANS OR GRAVEDIGGERS!

Recently the Lanka Sama Samaja Party declared its position on the ethnic question and its leader and General Secretary stated: 'If it is impossible to accept that contiguous territory inhabited by a majority of Tamil speaking people should constitute a unit for the devolution of regional power, it must be regarded that no possibility exists of peaceful negotiation of a solution to the Sinhala-Tamil problem in the country. There would then be no alternative but to seek to impose a solution by one side on the other through the gathering of superior military force.

Ten years of searching for such a solution has today served to demonstrate its complete absurdity. . . . The Government of Sri Lanka must, therefore, be compelled to realise that it has an obligation to confront Sinhala chauvinism in order to serve the country's true interests. The right to a contiguous Tamil territory as a unit of power-devolution is both a right demand, an irresistible demand and a demand that serves also the true interests of the people of the whole of Sri Lanka. There is no alternative to it.'

Following the LSSP statement, a concerted campaign for the demerger or delinking of the Northeast Province seems to be under way in Sri Lanka. Spearheading this campaign are the same old dark forces of Sinhala chauvinism which appear to have regrouped themselves and gathered strength in the recent past. These forces are being actively assisted in their diabolical endeavour by the two major groups of newspapers, the Lake House and Island groups. The State-owned 'The Sunday Observer' (14 March) published several articles, covering a full page, under the heading 'Hot Opposition to LSSP's N-E Merger Proposal'. Four of the articles are from leading members of the Buddhist clergy including the Mahanayakes of the Malwatte and Asgiriya Chapters. There is another one from the archetypal Sinhala-Buddhist chauvinist and Jathika Chithanaya Guru, Dr. Gunadasa Amarasekera.

The two Mahanayakes have sent letters to the leader of the Sri Lanka Freedom Party, Mrs. Sirima Bandaranaike, discouraging her from associating her party with the LSSP in an opposition front formed to fight the forthcoming elections. Ven. Rambukwelle Vipassi, Mahanayake of the Malwatte Chapter in his letter has stated: 'Decisions adverse to the nation and damaging to the unitary form of the country should not be taken. You are well aware that the majority of this country is not in favour of a self-rule under a merged North and East.' And the Mahanayake of the Asgiriya Chapter, Ven. Chanandananda, has also in a letter to Mrs. Bandaranaike said: 'You should not change the stand of the Sri Lanka Freedom Party against the merger of the North and the East. I have heard from newspaper reports that your party is to work with a group

which considers North and East as the homeland of Tamil people and join these two areas as a solution to the existing crisis. I would like to remind you kindly that decisions harmful to the nation and the unitary character of the country should not be taken at any cost. . . and this country should be ruled under a unitary form of government.'

One wonders as to why these two elevated prelates, who are expected to make spiritual effort for their own liberation from worldly concerns and seek to attain Nibbana, should worry about the form of government under which the country is ruled. Is it that they and the rest of the Buddhists in Sri Lanka will in any way be prohibited from attaining Nibbana under a federal system of government or in the event the Northeast remain merged? The Buddha does not appear to have prescribed the sanctity of a unitary form of government as a precondition for attaining spiritual salvation.

These priests and their like should realise that the root cause of the present crisis and conflict is that the rulers and politicians of the country listened to and acted upon their views and demands to deprive the citizenship and franchise and language rights of a section of the people and give preferential treatment to the majority Sinhala-Buddhists to the detriment of the minorities. They abused their power and influence by foisting upon the politicians, governments and the country, policies and practices which did not conform to the fundamental principles of democracy, justice, equality and non-discrimination. And it is their bigotry and implacable opposition to any reasonable negotiated political solution acceptable to the minority population that has made it impossible for the governments of the country to bring an end to the conflict and crisis that beset the country today. To that extent, it is they who should take the primary responsibility for the death and maiming of tens of thousands of people and the disruption of the lives and displacement of hundreds of thousands of people from among all communities. Although they parade as the guardians of the nation, they have in fact been its gravediggers.

The question is whether these prelates want the present war which is bleeding the country and its people to continue, or whether they have a solution to bringing an end to the present war and the death and destruction it entails, and to usher in the much desired peace and harmony among the people. If they do have such a solution, let them come out with it and help in the solution of the problems for which they themselves have been the main cause. If they do not, let them step aside, mind their own spiritual tasks, and let the others try to solve the problem without their disruptive interference.

# Tigers Ready to Consider a Federal Scheme

## Says LTTE Leader Prabhakaran

*In one of his rare interviews with a foreign journalist, the leader and supreme commander of the Liberation Tigers of Tamil Eelam, Velupillai Prabhakaran said: 'If a federal scheme that recognises the territorial integrity of the Tamil homeland is put forward, we are ready to consider it. There are many forms of federal system of government with varying degrees of devolved powers. We are prepared to consider a federal system which provides for sufficient autonomous powers that fulfils the political aspirations of the Tamil people.'*

*The interview was with Mrs. Anandhi Sooriyapragasam of the Tamil Service of the B.B.C. which was broadcast over the Tamil Service of the BBC's World Service on 2 March.*

*The following is an English translation of the Tamil version of the interview as published in the LTTE's weekly 'KALATHTHIL' published from London.*

**Q: How will you assess the present military-political situation?**

A: There is nothing specific I can say about the present military-political situation. As far as the political atmosphere is concerned, as usual a gloomy situation prevails. There is no sign of any effort being made to peacefully solve the Tamil problem. In this connection, there have been no fresh initiatives. The government appears to place a newly found confidence in the anticipated final report of the Parliamentary Select Committee. However, the Tamil people do not believe that the Parliamentary Select Committee would put forward a just reasonable solution to our problem. That is because the main Sinhala parties that are represented in the PSC are not ready to accept any of the fundamental demands of the Tamils. It has to be said that there has been absolutely no change in approach of the Sri Lankan government.

**Q: During my visit to Jaffna, I saw with my own eyes the indescribable sufferings experienced by the people because of the economic blockade imposed on Jaffna. When will the war that is dragging on and the sufferings of the people come to an end?**

A: The continuation of the war, the ending of the war and finding a peaceful solution – all these depend only on the decision of the government. It is the government that started the war and is prolonging the war. It is the government that believes in a military solution to the Tamil problem. In spite of the fact that we have on several occasions requested that the war be brought to an end and that the problem be solved in a peaceful way, the government appears to have turned a deaf ear. On the contrary, the government is engaged in intensifying the

war and escalating the economic pressure upon the people. This war is directed at the Tamil people. It is the aim of Sinhala chauvinists to enslave the Tamil people by inflicting destruction and suffering upon them, by breaking their determination and by weakening their fighting spirit. The western countries are indirectly giving assistance to this ethnocidal war. It is with the help of loans granted by the west that the government is continuing the war. If the west stops the assistance given in the form of money and weapons, the government cannot continue the war. Then only an atmosphere conducive to peace will be created.

**Q: The number of government troops is 80,000. Your strength is estimated at 10,000 fighters. In this unequal situation, are you confident that you will emerge victorious in this war?**

A: The strength of weapons or manpower does not undermine the victor in a war. The testimony for this is provided by the history of wars of liberation in the world. Did not the superpowers with massive manpower and military might face defeats in Vietnam and Afghanistan? Unshakable determination, valour and fervour for liberation are the determining qualities for achieving victory. Our fighters and our people possess these qualities in full measure.

**Q: It is reported that the Sri Lankan military have acquired several modern weapons. Are you in a position to withstand these weapons?**

A: From time to time, the Sinhala forces have introduced several modern weapons. The government seems to believe that it can achieve victory by introducing modern weaponry. They thought so when they purchased the Sia Marchetti planes and later some

tanks. Even now they are buying hordes of new weapons. But weapons do not determine victory. A people in revolt cannot be destroyed by weapons.

**Q: From where do you obtain your weapons?**

A: Weapons are forced out from the enemy-forces. We fight the enemy with the weapons taken from the enemy. For example, in this war we captured a large quantity of weapons from the enemy last year. During last year, we captured a large quantity of weapons from the Sri Lankan military including 1172 automatic rifles, 106 light machineguns, four 50 calibre heavy machineguns, 23 anti-tank weapons, 25 rocket launchers, 1622 rockets, 30 communications-instruments, 700,000 rounds of ammunition.

**Q: When I journeyed to Jaffna, I had to travel through the Kilaly lagoon with great danger to my life. Because the use of this route has been prohibited by the security forces, the plight of the people has become worse due to their inability to travel to and from Jaffna. If the Tigers and the government were to come to an agreement on this issue, people can travel without fear. What is your stand on the UNHCR's efforts to open up the Sangupiddy-Kerativu ferry route?**

A: It is also our stand that the Sangupiddy-Kerativu route should be opened for travel. People must be able to freely use this route without any harassment from the security forces. In order to achieve this, there should be no military posts or checkpoints, and we insisted that the army should move a little distance away from this route, but the army was not prepared to agree to this proposal. The army wants everyone who travels through this route to be subjected to their checking. But this would result in danger to the people, and in particular to our supporters and sympathisers. Because of the stubbornness of the army on this issue, the UNHCR's efforts have proved a failure. That is why we have suggested that at least the prohibition imposed on the Kilaly lagoon should be removed. Surely, it should be possible for the UNHCR to bring pressure on the Sri Lankan government to remove the prohibition on humanitarian grounds.

**Q: It is believed that the Parliamentary Select Committee appointed to find ways and means to solve the Tamil problem is to put forward a federal scheme on a provincial basis, that is to treat the northern and**



**eastern provinces as two separate units. Will you accept such a federal proposal?**

**A:** Even the Colombo-based pro-government Tamil groups have expressed their strong opposition to this federal scheme on a provincial basis. How can we, therefore accept such a proposal which dismembers our Tamil homeland?

**Q:** Now, suppose if a federal scheme encompassing the northern and eastern provinces as a merged single unit is put forward, will you accept such a scheme?

**A:** If a federal scheme that recognises the territorial integrity of the Tamil homeland is put forward, we are ready to consider it. There are many forms of federal systems of government with varying degrees of powers that are devolved. We are prepared to consider a federal system which provides for sufficient autonomous powers that fulfils the political aspirations of the Tamil people.

**Q:** What is your stand in regard to the Muslim people?

**A:** We have to approach their problem on the basis that the Muslim people are an ethnic group possessing their own cultural identity. We are of the view that, while the identity and land rights of the Muslim people are preserved, it is by living together with the Tamil people that their social, political and economic life will be enhanced. Sinhala chauvinists and selfish Muslim politicians are attempting to promote differences and enmity between the Tamil and Muslim people. The Muslim people should not fall victims of such conspiracies.

**Q:** Muslims are also people of Jaffna. Then why did you expel them from Jaffna?

**A:** In the Amparai district, communal riots broke out in 1990 in which a considerable number of Tamils were killed, and following this there was the danger of riots breaking out in Jaffna also. In those circumstances, in the interest of the security of the Muslim people, we requested them to temporarily leave Jaffna. But once the war ends and a peaceful atmosphere prevails, we will permit them to settle again in Jaffna.

**Q:** You oppose the settling of Sinhalese people in the northern and eastern provinces. The Tamil people have the right to go and settle in any part of the country. Don't you think the Sinhalese people also have the same right?

**A:** We are not opposed to the Sinhalese people settling in the Tamil areas. We are opposed only to the planned colonisation settlements in Tamil areas.

Tamil people are being driven out from Tamil villages, and in their place Sinhalese colonisation is taking place. These colonisation schemes are undertaken with the intention of splitting and dismembering the Tamil homeland, and it is these types of colonisation schemes that we oppose.

**Q:** What is your view about the Indian government's present tough actions taken against the Tigers?

**A:** It is because of the wrong and exaggerated fear about the Tamil liberation struggle that India is adopting a tough approach against us. India is apprehensive that our freedom struggle will instigate separatism in Tamil Nadu and act as an inspirational force for national struggles in India. During the last ten years, the Indian government has, in various ways, interfered with and obstructed our struggle in view of this unnecessary and exaggerated fear. It is determined to destroy our movement which is taking forward the liberation struggle of the Tamils. The Indian government has misunderstood our legitimate struggle against genocide and we have been gravely affected by the unjust actions it is engaged in. The conditions of our people have been worsening. Encouraged by India's hostile approach, the Sinhala government has been mercilessly intensifying its genocide of our people.

**Q:** Are the speculative reports about differences of opinions within the Tigers and removal from positions of certain leaders true?

**A:** They are not true. There are no differences of opinions in our movement. Certain changes have been brought about in our organisation. Responsibilities of certain senior mem-

bers have undergone change. These have been misunderstood giving rise to speculations.

**Q:** Was Kittu's journey a peace effort?

**A:** He undertook the journey to Jaffna with a view to creating an atmosphere of peace in Tamil Eelam and with a peace proposal from some western countries to commence negotiations about the Tamil problem. He tried to come to Jaffna only for the purpose of discussing the peace proposal with us. The Quaker organisation has confirmed the intention of his journey.

**Q:** What do you feel about Kittu's death?

**A:** I cannot describe in words the depth of feeling that has affected me. Kittu was a pre-eminent Commander. He was a great fighter with an ideal. He was a great man of action. Kittu's death is a massive loss not only to our movement, but also for our country.

**Q:** Will this war which has gone on for ten years end with a peaceful solution?

**A:** If there is to be solution to our problem by peaceful means, there should be a fundamental change in the attitude and approach of the Sinhala chauvinist rulers. If such a change takes place, I believe that a peaceful solution to our problem is possible.

**Q:** Mr. Prabhakaran, are you ready to genuinely enter into peace efforts? And what are your conditions?

**A:** I genuinely wish for peace. My aim in life is that my people should live in peace, in freedom and with dignity. We have not prescribed any conditions for peace. It is the Sinhala government that has been prescribing preconditions for peace and negotiations.

## In the Paradise Isle. . .

On 23 April 1990, Ratnayake Wijesuriya, a father of four children, heard that he was being sought by the police. He did not know the reason for the police interest in him. Without knowing what to do, he visited the home of a Provincial Council member to whom he expressed a degree of apprehension about the rather unwelcome interest the police were showing. He thereafter went home.

At about 2.30pm on the day in question, a group of police officers wearing civilian dress and no uniform went to Mr. Wijesuriya's house and told him that he was under arrest. Without knowing what was in store, Wijesuriya inquired from the officers as to why he was being arrested. With no further provocation one of the officers jabbed his teeth with a revolver which resulted in two of his front teeth being instantly broken.

The police officers then took Mr. Wijesuriya to the police station and demanded him under duress to confess to a robbery that had taken place in the area. When he declined to confess to a crime he had not committed, the police officers tied his hands with a rope and hung him from the ceiling. Then one of the officers took out a pair of pliers and proceeded to pull out his teeth one by one, and his bleeding gums were burnt with cigarette butts by other policemen.

The above details were revealed in a recent 'breach of fundamental rights' case that came up for hearing before the island's Supreme Court which found the police guilty of utmost cruelty and ordered that the victim be paid a sum of Rs. 27,000 in compensation by the State, and in addition imposed a fine of Rs. 5,000 on the senior police officer involved.



## Protest by Civil Rights Movement Plight of People Crossing the Jaffna Lagoon

The Civil Rights Movement of Sri Lanka has, in a statement issued by its Secretary, Ms. Suriya Wickremasinghe, highlighted the plight of civilians travelling to and from Jaffna in northern Sri Lanka. While reminding the government of its obligations even in times of military conflict under the Geneva Convention and urging it to assure safe passage for civilians, the CRM has called for the setting up of an independent inquiry into the killing of several civilians on 2 January while crossing the lagoon.

The following is the text of the CRM statement:

'The plight of civilians travelling to and from Jaffna has reached a new level of danger in recent months. In place of the traditional route via Elephant Pass and the less frequently used Pooneryn/Sangupiddy ferry, a tortuous route involving a lengthy twenty mile crossing of the lagoon at Kilaly, has been used by persons travelling to and from the peninsula. These include the thousands of civilians who make the journey for many pressing reasons including needs of family, health, encashment of foreign remittances, education, employment and trade. Public servants in Jaffna travel to Colombo for reasons connected with their service, such as to sit for examinations. Many persons including public servants stationed outside the peninsula visit their families in Jaffna off and on with urgently needed goods and money. A large proportion of essential foodstuffs and other commodities needed by the residents of the Jaffna peninsula is transported by private traders using this route. (Foodstuffs sent by the government are shipped to Point Pedro and, more recently, to Kankasanthurai).

Though the Kilaly route was not officially sanctioned by the government, it appears to have been accepted that people had no other practical option, and heavy traffic back and forth in fact took place, with occasional attacks by the security forces when civilians were among those killed. Towards the end of last year, however, the government made it clear that it was not prepared to continue to allow the use of this route.

### Prohibited Zone

In October 1992 an emergency regulation was proclaimed declaring the lagoon a 'prohibited zone'. The public, though warned not to cross the lagoon, continued to do so for lack of any other viable option, and increasing numbers fell victim to attacks by the security forces.

On the night of 2 January 1992 a particularly heavy attack was made on several boats carrying passengers across the lagoon and the death toll, according to newspaper reports, was over 25 identified persons and an almost equal number of unidentified bodies. There are allegations that not merely were unarmed boats fired upon but also that passengers in them were set upon and attacked with various weapons by navy personnel. Subsequently too there have been reports of attacks and casualties, though on a lesser scale, including one earlier this month (the weekend of 5 and 6 February). The *Virakesari* of 14 February reports that more than ten unidentified bodies which had been washed ashore were taken to the Kilinochchi hospital.

The Civil Rights Movement is not in the present statement dealing with basic issues relative to the existence of a civil war situation in the North and East of the country; to do so in a comprehensive manner would, in any event, be outside the scope of the organisation's work. At present CRM confines itself to two issues falling within its concerns.

### The events of 2 January

Firstly, it is necessary that the truth of the events of the night of 2 January be established. Given the existence of a state of military conflict, it is still relevant to ask whether the force used was necessary or reasonable in dealing with an illegal crossing of the lagoon. Was there indeed an attack on boats which the security forces had reason to believe were unarmed and carrying civilians?

The declaration of the lagoon as a prohibited zone does not confer on the forces a licence to kill anyone irrespective of the circumstances. (Indeed the regulations themselves provide no more drastic a result than that persons using a boat in the lagoon shall be guilty of an offence; they could, accor-

dingly, be apprehended and charged. Since no other penalty is specified they would be liable, on conviction, to up to two years imprisonment and a fine.) Is there truth in the reports of physical attacks on the passengers?

The law of armed conflict provides that "after each engagement parties to a conflict shall without delay take all possible measures to search for and collect the shipwrecked, wounded and sick, to protect them against pillage and ill treatment, to ensure their adequate care and to search for the dead and prevent their being despoiled." This applies even if the passengers were members of the enemy armed forces, a fortiori if they were civilians. Was this done? If not, why not? An independent inquiry is necessary to answer these questions.

### Safe passage for civilians

It is also imperative that a means of safe passage for civilian traffic be found and assured. CRM is mindful of the fact that the Government has stated that the normal Elephant Pass route could be used. CRM is also aware that the LTTE, which is in physical control of the area in the northern side of the Elephant Pass crossing, prevents passengers from using this route, which it is said to have mined heavily. The government cites reasons of military necessity for prohibiting the Kilaly lagoon crossing, namely that it is used as a supply route by the LTTE for men and material.

The LTTE claims that the opening up of the Elephant Pass route would mean that the peninsula could be invaded by government forces advancing behind civilians. It is not for CRM to judge and comment on such matters. CRM is also aware that the actions of the LTTE have repeatedly demonstrated scant regard for the rights or well being of civilians be they Sinhala, Tamil or Muslim. A government, however, must earn the loyalty of its citizens of all communities, by affording them due protection when they set about their lawful activities.

The civil administration of the government continues in Jaffna despite the physical control of the LTTE, and the government quite correctly, with whatever deficiencies and inadequacies, continues to supply essential foodstuffs to the peninsula. If the Elephant Pass route favoured by the government cannot, for whatever reason, be used, an alternative solution for travellers must be found.

According to press reports some time ago, the possibility of restoring the Pooneryn-Sangupiddy ferry route

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## ONLY SOLUTION TO ETHNIC CONFLICT

# Merger of North and East

by Bernard Soysa, General Secretary, LSSP

The devolution of power to a territory in which Tamils are in a majority can be the only basis for a satisfactory solution to the prevailing ethnic crisis in Sri Lanka. Chauvinistic forces within the governing United National Party itself have opposed such a solution and President Ranasinghe Premadasa has shown no readiness or willingness to combat these forces. He has resorted to various measures to buy time for the purpose of getting over the ethnic hurdle each year the Aid Donors meet regarding their aid to Sri Lanka. The Opposition, which is predominantly the SLFP, far from showing up the President's opportunism, has taken up uncompromising chauvinistic stands on the ethnic question.

Chauvinism, whether Sinhala or Tamil, strengthens and reinforces each other's most reactionary and regressive drives. It establishes the situation in which fascistic forces take the upper hand and proceed with impunity to liquidate all dissent. The fascistic roles of the LTTE and the JVP within their respective communalism need no special mention. What is of even greater significance is that the UNP government itself has exploited the situation to arm itself through Emergency Regulations with the most reactionary and undemocratic powers relying mainly on the support of Sinhala chauvinism.

### Bloody Civil War

The ten years of bloody civil war which we have gone through has proved that neither the armed forces

of the state nor the LTTE's guerrilla forces are capable of wiping out the military potential of the other side. This has been the invariable characteristic of all ethnic conflicts in recent times. Superior military power has not enabled a state to pacify territory in which ethnic insurgency has taken place. Nor do the fighting efficiency and commitment of guerrillas suffice to expel occupying armies from the territory fought for, despite the support they may get from a rebellious people.

Devolution of power to ethnic minorities was placed on the political agenda in Sri Lanka with the formation of the Federal Party, following the deprivation of people of recent Indian origin of their citizenship rights in 1948. On two occasions, in 1958 and 1966, the Government in power concluded written agreements with the Federal Party to implement measures of limited devolution and went back on its undertaking in the face of opposition from the forces of Sinhala chauvinism. On a third occasion, in 1977, the Jayawardena Government went back on its election pledge to summon an all-parties conference on the ethnic question and embarked on a course of intimidation of the Tamil people through race riots and military suppression. The Government put forward the District Development Councils system and the TULF accepted it despite its being completely unworkable. This cost the TULF its credibility among the Tamil people. The Government in which the present President, Mr. Ranasinghe Premadasa, was Minister of Local Government, starved the DDCs of finances and encouraged the centrally appointed District Ministers to take control of the Councils. It is only with the widening of the military activities of the Tamil militants and with Indian mediation, that the Government started taking any meaningful steps towards a political solution of the ethnic problem.

### Indian Concern

Indian concern in Sri Lanka's ethnic problem was officially registered as far back as 1981 when, following upon the anti-Tamil riots here, an all-party delegation from Tamil Nadu visited New Delhi and persuaded Prime Minister Indira Gandhi to officially announce India's active concern in the welfare

and security of all Tamils in Sri Lanka. This was an important announcement and it indicated the nature of the political pressures on any Indian central government in respect of an escalating ethnic problem in Sri Lanka. J.R. Jayawardena however gave in to the dark forces of Sinhala chauvinism and engaged in his own sabre-rattling, without making any effort to win the sympathy and co-operation of the Indian government on the matter. This was inexcusable for by then it should have been clear to him that, without India's active co-operation in denying to the separatists facilities in India as are necessary for a guerrilla struggle, there was absolutely no hope or possibility of coping with the political and military problem posed in Sri Lanka. This attitude of J.R. Jayawardena and his government led to the events of July 1983, after which India had the problem of a growing exodus of refugees across the Palk Strait.

In the absence of the necessary political understanding between the two countries it was to be expected that India would resort to other devices as have been attributed to its intelligence machinery, the RAW. Political reality thereafter forced the Jayawardena government at the Delhi Summit of June 1985 to recognise, amongst other matters, the Indian interest in Sri Lanka's ethnic crisis, and the necessity for India's involvement in seeking a political solution acceptable to the contending parties.

### North-East Merger

The consequent discussions between the two countries, India's mediation with the Tamil militant groups as well as with the TULF, and the work of the Political Parties Conference which sat in Colombo contributed to the drafts that were made of the Amendments to the Constitution and the Provincial Councils Act, which later came to be part of the Indo-Sri Lanka Agreement of 1987. As far as the institutional arrangements for devolution are concerned, the Indo-Sri Lanka Agreement itself added nothing more to what had thus been already drafted and even agreed upon by the governments of both countries. The Agreement however was decisive on the question of implementation. In furtherance of this it provided for a conditional merger of the Northern and Eastern Provincial Councils, and India recognised as its obligation the disarming of the LTTE. That appeared to satisfy the LTTE and the other Tamil groupings that wanted, as the basis of settlement, the clear provision of a single territorial unit as the unit of devolu-

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was being looked into, but nothing has materialised so far. The latest report is that the LTTE has informed the UNHCR that they cannot agree unless the Pooneryn army camp is dismantled. Controlled crossings at Kilaly at specified times is another option that has been mentioned. Another possibility that might be explored is for the government to provide passenger transport by sea to Point Pedro (as is currently done for supplies). Meanwhile, until a safer alternative is found, civilians will go on risking their lives in the Kilaly crossing simply because they have no practicable alternative. This is a state of affairs that must not be allowed to continue.'

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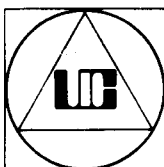
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**Continued from page 7**

tion. It also won the confidence of those who quite correctly felt that the continuance of an armed LTTE in these provinces would prevent, obstruct and stultify the democratic process.

There is no doubt that had the Provincial Councils system been put into effect on the basis of the conditions provided for in the Indo-Sri Lanka Agreement the country would have had an essentially democratic system in which the ethnic problem could have been laid to rest. Indeed the Provincial Councils system that was provided for constitutes the most progressive step in nearly forty years of history in the democratisation of the national state. In this regard the LSSP, in a statement which it issued in August 1987, examined the provisions of the Indo-Sri Lanka Agreement and the relevance of its provisions to the problem at hand, and pointed to the basically Sri Lankan contribution to the evolution and shaping of this system when it pin-pointed its own role in the matter. It said:-

**LSSP Position**

'The LSSP, consistent with its position of seeking to achieve a self-managing socialist society, put forward and pressed for the acceptance of the devolution of power from the Centre to the Provisional Councils. The LSSP in the All Parties' Conference and the Political Parties Conference maintained the position that envisaged the devolution of powers that would enable the people to exercise larger democratic rights both at the Provincial and the Local Government level'.

The Indo-Sri Lanka Agreement had reference not only to the ethnic problem in Sri Lanka. Fears and difficulties India had in regard to the UNP Government's subservience to the interests of the United States of America brought into the Agreement positions which the LSSP's statement summarised thus:-

Further in the latter section of the agreement, which includes an important annexure, there would seem to be established a special relationship between Sri Lanka and India which in certain matters gives India a hand in Sri Lanka's affairs. There is provision for this role in the agreement to set up "a joint consultative mechanism" to continuously review these matters of common concern:

- i) ensuring that the presence in Sri Lanka of foreign military and intelligence personnel will not prejudice Indo-Sri Lanka relations;

- ii) ensuring that Trincomalee and other ports will not be made available for military use by any country in a manner prejudicial to India's interests;

- iii) the restoration and operation of the Trincomalee oil tanks farm be undertaken as a joint venture between India and Sri Lanka;

- iv) ensuring that any facilities set up by foreign broadcasting organisations in Sri Lanka are not used for any military or intelligence purposes.

**Sabotage**

This meant a withdrawal on the part of the Jayawardene Government from concessions freely given to the USA since 1977, and what happened thereafter was recognisably the backlash of American imperialism. There was orchestrated in the South and West of Sri Lanka a virulent anti-Indian and racist movement which destabilised the J.R. Jayawardena regime and projected Ranasinghe Premadasa for UNP leadership. After the election of Premadasa as President of the country, his official anti-Indian stance was supported from the outside by Sinhala racism spearheaded by the JVP, and the LTTE which had its own need to get the IPKF off its back. With this, American imperialism succeeded in sabotaging the Indo-Sri Lanka Agreement at the Sri Lanka end.

With the sabotaging of the Indo-Sri Lanka Agreement, the racists in the South of the country were free to deny to the North and the East even the benefits of the 13th Amendment to the Constitution and the Provincial Councils Act. The LTTE too was free to get back to its fascistic pursuits both in the North and the East. With this the Provincial Councils were denied the opportunity to contribute what they could to the solution of the ethnic problem. President Premadasa's unimaginative attitude to the Provincial Councils system, his lack of appreciation of its potentialities, his refusal to provide the councils with adequate finances and his usurpation of their functions have in no way helped this system to commend itself to the Tamil people as a solution to their problem.

Despite the lapse of four years, no real transfer of powers to the Provincial Councils as provided for in the 13th Amendment has taken place. Administratively, he has used his powers to undercut the Provincial Councils in areas of activity in which the Centre has concurrent powers with the Provincial Councils. The recent appointment of Divisional Secretaries under his direct and exclusive authority and the subjection of the Pradeshiya Sabha

activity to them is, for instance, a direct violation of the provision that all local government should come exclusively under the purview of the Provincial Councils. The disruption of the North-East merged Provincial Council and the wholly subservient provincial administrations elsewhere have been helpful to President Premadasa in this exercise. It should be mentioned, further, that, side by side with devolution, reform of the Parliamentary and Ministerial system is essential to avoid the duplication of functions and, more important, the duplication of expenditure. This has not even been thought of during the past four years.

**Tamil Aspirations**

The present reality is that any progress in meeting the aspirations of the Tamil minority can be achieved only through a willingness to adhere to the scheme of devolution of power provided by the 13th Amendment, with concomitant efforts to improve it. To this must be added the recognition of the need of the Tamils of the Northern and Eastern Provinces to administer on their own a single territorial unit as the unit of devolution. The Indo-Sri Lanka Accord met this need through the stipulation that, subject to its affirmation through a referendum, the Northern and Eastern Provinces shall constitute a single PC. It was on the acceptance by the UNP of this stipulation that the first PC elections were held with the Northern and Eastern Provinces being regarded as a single administrative unit.

The Government of President Ranasinghe Premadasa, backed by the darkest forces of Sinhala communalism, provided the LTTE with facilities to destroy the EPRLF administration of the North-East PC and drove the EPRLF leadership itself to desperate and untenable political positions.

Since then the Premadasa government has back-slided on the condition of merger of the two provinces and has failed to offer a viable solution. The continuance of this attitude of attempting to forget the package contained in the Indo-Sri Lanka Agreement for the settlement of the ethnic problem can take the country nowhere close to a solution. It must not be forgotten that what was contained in the Agreement with regard to a solution to the ethnic problem was a reaching down to rock-bottom. A solution cannot be arrived at with less being offered to either side.

The solution proposed by the majority of members of the Parliamentary Select Committee which sat on this subject suffers from a failure to

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# Focus Again on Sri Lanka's Human Rights Record

Once again Sri Lanka became one of the countries to be targeted for special attention of some governments and many non-governmental organisations at the recently held 49th session of the Commission on Human Rights of the United Nations.

The second special report by the Working Group on Disappearances following their second visit to Sri Lanka in late last year was again scathing in its condemnation of the level of human rights violations. The report recognised that there has been a reduction in the number of disappearances and arbitrary killings in the south of the country, but it recorded large number of incidents of human rights abuses including disappearances in the north-east of the island.

The special report, inter alia, concluded that:

(a) disappearances persist in Sri Lanka at a level that should be of serious concern to the Commission on Human Rights.

(b) the measures so far adopted by the government to monitor human rights violations have been ineffective, and that 'there is no official mechanism in place in Sri Lanka with the principal task of clarifying the fate of more than 12,000 outstanding cases of disappearances reported to the Working Group';

(c) the single most important factor contributing to the phenomenon of disappearances and other forms of violations is that of the impunity with which the security forces are allowed to operate and the failure to take effective action against those found to have committed violations;

(d) the government of Sri Lanka has implemented only a few of the recommendations of the Working Group in their first report.

(e) the overall effect of the security legislation of Sri Lanka, including the Emergency Regulations and the Prevention of Terrorism Act, has contributed appreciably to the incidence of human rights abuses including disappearances.

(f) 'the scale and intensity of the violence has increased. The conflict between the Sri Lankan armed forces and the LTTE continue in the north-eastern region, with an estimated 2,545 casualties among the combatants in the period between the two visits of the Working Group. In addition, 433 deaths have been counted

among the civilian population due to direct attacks or collateral consequences, and hundreds of civilian deaths due to reprisals by the military, LTTE or Muslim Home Guards'.

In addition to the Working Group's report, the Amnesty International report of February 1993 released in time for the Commission also listed a catalogue of human rights violations with more examples of disappearances and arbitrary killings especially in the northeast of the island.

Against this background, the Sri Lankan delegation, headed by the island's Attorney General, Mr. Tilak Marapana and the Presidential Advisor, Mr. Bradman Weerakoon, tried hard to avoid any further strictures from the Commission. This attempt on the part of the Sri Lanka was made more difficult by a campaign by NGOs, particularly by those associated with the Country Working Group of NGOs on Sri Lanka, who sought to keep the question of the human rights situation on the agenda of discussion.

With a view to avoiding a resolution or a Chairman's statement reflecting the concern of the Commission, the Sri Lankan delegation engaged in protracted negotiations with many government delegations. They also indicated their willingness to offer several undertakings to be carried out during this year. The eventual statement made by the Chairman on behalf of the Commission tied Sri Lanka to implement their undertakings and urged the government of Sri Lanka to arrive at a negotiated political settlement to the conflict in the north and east of the country. It also ensured that the Commission will keep Sri Lanka under scrutiny.

## Interventions

A number of interventions by government delegations and representatives of NGOs during the one-month session of the Commission referred to the adverse human rights record of the Sri Lankan government.

A joint statement signed by 15 human rights NGOs, including Human Rights Advocates, Article 19, International PEN, Anti-Slavery Society, International Human Rights Law Group, American Association of Jurists, World University Service, Women's International League for Peace and Freedom, Pax Christi International, Pax Romana, SOS Torture,

International Movement for Fraternal Union Among Races and Peoples, National Aboriginal and Islander Legal Service Secretariat, Third World Movement Against the Exploitation of Women and the International League for Human Rights, inter alia, stated:

'Due to the continuing armed conflict, transport and communications have been severely disrupted in many parts of the northeast. The civilian population, particularly in the north has been deprived of essential food and medical supplies except for the limited supplies made available through the ICRC which do not meet even a fraction of the needs of the population. The security forces have banned the transport of a large number of items essential to the basic survival of the community. With no electricity, no fuel, no transport, no adequate food or medical supplies, the civilian population has been pushed to undergo severe hardship.

'As far as the human rights situation is concerned, Sri Lanka continues to remain under Emergency Rule for the eleventh successive year with the suspension of the normal safeguards relating to human rights fundamental freedoms. The executive and the security forces continue to be invested with extraordinary powers including those relating to arrest and detention.

'The climate of impunity that has, for more than a decade, characterised the landscape of the law and order situation and the functioning of law enforcement agencies, and which became much more obvious in recent years has been one of the main factors facilitating gross human rights abuses, including the phenomena of arbitrary killings and disappearances...

'Another disturbing development during 1992 has been an increase in the incidence of violence, intimidation and politically motivated acts of thuggery. During 1992 and the first two months of 1993, a sustained and persistent campaign of violence, harassment and intimidation has been undertaken against freedom of expression and association, and target of this campaign has been members and activists of opposition political parties, media personnel and reporters, printers and newspaper distributors. Press reporters and photographers including foreign correspondents have been subjected to physical violence.

'In February 1993, government officials for Inland Revenue, Electricity, Water, Labour and Municipal departments descended upon the offices of all newspapers and journals which were perceived as not supporting the gov-

ernment and threatened to cut off supplies if all dues up to the date of the visit were not paid in full. It is not without significance that most of the journalists from these papers have been closely involved with the 'Free Media Movement' which has been campaigning for a freer press with less government control.

'We are not unmindful of the Working Group's comment that the Liberation Tigers of Tamil Eelam (LTTE - Tigers), which is engaged in an armed conflict with government forces, continue to commit violations of international humanitarian law, including arbitrary killings and detention of persons belonging to all communities, in areas under their control mainly in the north-east of the country, and we denounce and condemn these abuses without hesitation'.

Another joint statement signed by 14 NGOs highlighted the following points: (a) the oppression of the Tamil people by governments with a permanent Sinhala majority within a unitary state; (b) in the process of seeking to put down the armed resistance of the Tamil people, the armed forces and para-military units have committed increasingly widespread violations of the rules of humanitarian law; (c) the Tamil people are entitled to the right to self determination; and (d) it is the recognition of the existence of a Tamil homeland in the northeast of Sri Lanka and the right of the Tamil people to freely choose their political status that will prepare the ground for the resolution of the conflict which has taken such a heavy toll in human lives and suffering during the past several years.

Jan Bauer of Article 19, the International Centre against Censorship, said that there was a threat to freedom of opinion and expression. The Government had not acted positively to ensure that an independent press was allowed to operate with the harassment and attacks that had become common occurrences in recent months.

The representative of the Women's International League for Peace and Freedom, Veronica Mendizabal, in her intervention referred to the case of Selvy Thiagarajah, a Sri Lankan Tamil who is a well-known feminist activist, writer and poet and who had received the PEN international award in 1992. She was arrested by the LTTE in Jaffna in August 1991 and since then her whereabouts had remained unknown. She appealed to both the Sri Lankan government and to the LTTE to respect the right of freedom of opinion and expression in areas under their control. Ms. Karen Parker of the International Educational Develop-

ment Inc., in her intervention said that detention of Tamils, both in Sri Lanka and in India, continued to be a major problem. The Government of India had detained Tamil LTTE leader Sathasivam Krishnakumar (alias Kit-tu) and his vessel in international waters. In this unfortunate incident, Mr. Krishnakumar and some of his companions died and 9 are in detention in India. She urged the Commission to condemn this act and to ask the Government of India to release the nine detained persons. Their parents and attorneys have not been allowed to visit them and doctors who had seen them reported signs of torture. She feared for the lives and safety of the nine detainees and their attorneys.

Rev. Dr. William L. Wipfler, representative of the United Nations Anglican Consultative Council, said that over the past years, serious concern had been expressed by Sri Lankan churches, NGOs and human rights organisations as well as international bodies, regarding the systematic and gross violations of human rights in Sri Lanka. The reports of the Working Group on Disappearances and the Special Rapporteur on extrajudicial and arbitrary killings and on torture all reflect especially high numbers of violations in Sri Lanka in each of their areas of attention.

In addition, the Human Rights Task Force, a semi-official agency of the Government, reported in August 1992 that 6,588 persons were being held in detention centres and rehabilitation camps and over 700 were detained in 90 police stations throughout the island. And the October 31st statistics of the Ministry of Reconstruction, Rehabilitation and Social Welfare indicated that there were 613,077 displaced persons throughout Sri Lanka.

Most important amongst human rights concerns in Sri Lanka is the question of the rights of persons belonging to national, ethnic, religious and linguistic minorities. The failure to respect the rights of minorities is at the root of the present conflict. And the failure to develop a constitutional proposal which ensures the rights of all minorities makes a political resolution to the conflict impossible. The Sri Lankan Government seems convinced that a military solution to the conflict is possible.

However, it is the historic and ongoing refusal of the Sri Lankan government to recognize the legitimate rights for self determination of the Tamil minority in the North and East, as well as its scheme to resettle Sinhala people in the North and East in order to change the demographic balance of the region, that provides

the support for the armed struggle of the Liberation Tigers of Tamil Eelam (LTTE). At the same time, LTTE attacks on Muslim and Sinhala minorities in this region reinforce the view that LTTE is also unwilling to give recognition to the legitimate rights of Muslim and Sinhala minorities in the North and East.

Mr. Chairman, this session of the Human Rights Commission must break its silence and express its profound concern regarding the violation of human rights in Sri Lanka. It must demand that the Government of Sri Lanka lift the State of Emergency and repeal the numerous repressive laws that violate Sri Lanka's obligations under international conventions. It must call on Sri Lanka to utilize every available means to reach a negotiated settlement to the present conflict that will assure the collective rights of the various ethnic, linguistic and religious minorities of Sri Lanka. And further, the Government of Sri Lanka should relax its blockade to permit food, medicine and other humanitarian assistance to reach the areas in conflict. Finally, the Commission should call on the LTTE to respect the rights of all minorities in areas controlled by its forces, as well as to continue efforts to obtain a negotiated political settlement.

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## Sri Lanka's Undertakings to the UN Commission on Human Rights

The following is the text of the statement made by Mr. Tilak Marpana, Sri Lanka's Attorney General, on 11 March to the UN Commission on Human Rights:

'Mr Chairman in my statements on 23 February and 3 March, 1993, my delegation sought to set out in detail, measures taken by the Government of Sri Lanka on a broad front to address issues relating to the human rights concerns raised by a variety of sources including those in this Commission. The government will continue to pursue its policy of openness and cooperation with regard to further measures for the promotion and protection of human rights. Collaboration with the United Nations, national institutions and interested governments will continue to be an integral element of this policy. This open and cooperative policy is derived from the democratic principle of the government's accountability to its people and the electorate and Sri Lanka's international treaty obligations. We see this policy as a means of sustaining and strengthening the democratic form of governance which Sri Lanka has uninterruptedly practised for over half a century.

'As the report of the Working Group on Disappearances indicates, the measures taken by the government have led to considerable improvements in the human rights situation. In particular, the number of reported cases of disappearances have been greatly reduced. However, residual concerns remain in particular areas. The government of Sri Lanka shares these concerns voiced both nationally and internationally, as they constitute an integral part of the government's overall policy designed to restore normality in the face of extraordinary security problems generated by terrorist violence. Of particular concern, is the continuing violence in the North and the East. As long as this conflict continues, it would create conditions in which the risk of human rights abuses can increase.

'In this context, and having shared with the Commission, information on what we have achieved so far, I would now like to share with the members of the Commission the main elements of the programme of work which the government has undertaken to carry out during the course of this year. This signifies the continuation of the process which I have described in some detail in our previous statements in the Commission including those made

under Agenda items 10 and 12. this programme of work would include:

taking appropriate measures to ascertain the whereabouts of persons referred to in the reports of alleged disappearances which have been brought to the attention of the government by the UN Working Group on Disappearances;

the prosecution of those responsible for disappearances and other human rights violations. In order to dispel any doubts on this matter, I wish to categorically state that there exists in Sri Lanka no indemnity legislation which could serve to absolve any such persons from prosecution;

a comprehensive review and revision of Emergency legislation relating to arrest and detention, taking into account the recommendations of the study being carried out by the Human Rights Centre of the University of Colombo;

the compilation and publication of a consolidated version of all current Emergency Regulations to promote

public awareness;

continued efforts to explore all avenues to build upon the important breakthrough achieved in the Parliamentary Select Committee with a view to arriving at a negotiated political solution to the problems related to the North and East of the country; and

continued the implementation of the recommendations of the Working Group arising from its first visit to Sri Lanka in 1991.

'The government will also give due consideration to the recommendations of the Working Group made after its second visit in 1992.

'Mr Chairman, as my delegation had stated previously including in its statement at the 48th Session of the Commission my government's voluntary invitation to the Special Rapporteur on Summary or Arbitrary Executions to visit Sri Lanka still stands. The government has also decided to consider favourably Sri Lanka's accession to the Convention against Torture and Other Cruel Inhuman and Degrading Treatment or Punishment.

'In conclusion, Mr. Chairman, I would like to state that my government, in keeping with its consistent policy in the field of human rights, would continue to share with the members of this Commission and other interested parties, information on progress we make in this field.'

## Commission's Response to Sri Lanka's Undertakings

The following is the text of the statement made by the Chairman of the UN Commission on Human Rights on 11 March:

*'The Commission acknowledges the statement of the representative of Sri Lanka concerning the situation of human rights in Sri Lanka.*

*The government of Sri Lanka has outlined a programme of work which is to be implemented in the course of the year which includes: Taking appropriate measures to ascertain the whereabouts of alleged missing persons; prosecution of those found responsible for disappearances and other human rights violations; a comprehensive review and revision of emergency legislation relating to arrest and detention; compilation and publication of a consolidated version of all current emergency regulations; continued implementation of the recommendations of the Working Group on Disappear-*

*ances contained in its 1991 report and consideration of the Working Group's recommendations in its 1992 report.*

*The intention of the government of Sri Lanka to share with the Commission, its mechanisms and other interested parties information on the progress made is noted. The efforts of the government to arrive at a negotiated political settlement to the problems in the North and the East of the country should be encouraged.*

*As requested by the delegation of Sri Lanka, this acknowledgement will be included in the final report of the Commission and the statement of the delegation of Sri Lanka in its entirety in the Summary Records of this Session.'*

# The Tamil-Muslim Conflict

by S. Sivasegaram

Even before the people of Sri Lanka could come to terms with the Polonnaruwa killings of some months ago, another act of mass murder has been committed in that district. A total of 166 people, including 18 women and 30 children, are known to have been killed and another 90 seriously injured in four villages in early October 1992. It is also reported that eighteen policemen and eight soldiers too have been killed and it is suspected that the total number of casualties may be even higher than the confirmed figure.

The Sri Lanka Muslim Congress (SLMC) has accused the Israeli intelligence organisation Mossad of being instrumental in the killings and that the Mossad has armed and financially assisted the Liberation Tigers of Tamil Eelam (LTTE) to carry out this and other earlier attacks on Muslims. There is no means, however, of verifying this claim and, despite strong suspicion that it was the LTTE which carried out the killings, the LTTE has dismissed the accusation as slander by pointing a finger at the government's armed forces.

The SLMC responded to the killings by organising a mass demonstration in Maradana, Colombo, which was well attended. Some of the anger at the killings was directed at the Tamils and led to attacks on two Hindu temples and on a refugee camp in nearby Kotahena. The SLMC has also appealed to Muslim politicians in the government party and to the Speaker of the Parliament to enable the recruitment of Muslims in large numbers into the Sri Lankan Army. It is also reported that a Muslim fringe group, widely referred to as 'the Jihad', has pledged revenge for the killings and it is not certain whether recent isolated incidents of killings of Tamils by groups of Muslims in the East has anything to do with this pledge.

It is important to note that the anger of the Muslim community, who are predominantly Tamil-speaking, is at present largely against the LTTE, whom they believe are responsible for the recent attacks in the Polonnaruwa district and, of course, the government to fail to protect them. The anger against the government was clearly illustrated when Mr. Ossie Abeygunasekera, the leader of the Sri Lanka Mahajana Pakshaya (SLMP) and a close ally of the government, and his supporters sought to join the Muslims who had assembled in the Maradana

mosque prior to the demonstration. Mr. Abeygunasekera and his men were stoned and chased away by the angry Muslims.

There is now a conflict between the Muslims and Tamils which is far more serious than anything known in the history of the two communities up to the mid-eighties. Differences between the two communities have in the past been exploited by Sinhala nationalist governments to weaken the opposition to the politics of Sinhala chauvinism whose main target was the Tamil community from the North and East.

The old Tamil nationalist leadership whose main area of activity was parliamentary politics made serious mistakes in dealing with the grievances of the Muslims and favoured the situation in which Muslims who represented the interests of the wealthy few assumed leadership of that community. The politics of opportunism of the leaders of the Tamil community who claimed to represent the entire Tamil-speaking population without making any serious effort to represent the interests of the Hill-Country Tamils, who are mainly plantation workers, and those of the Muslims contributed as much to the lack of cooperation between the Tamils and the Muslims in combating Sinhala chauvinism as did the opportunism of the Muslim leadership.

The success of Muslim businessmen in the early seventies in several areas of trade and commerce, especially the gem trade, was followed by even greater gains in the post-1977 period, because of the relaxation of restrictions on foreign trade by the government. The boom in employment opportunities in the Middle-East also helped the Muslim community considerably, although the Tamils and the Sinhalese too benefitted from those opportunities. Resentment among the Sinhala nationalist elite about the success of the Muslim traders was no secret although preoccupations with the Tamils was a possible factor in averting a Sinhala-Muslim conflict of the kind seen earlier in the century. There, have, however, been isolated incidents of attacks on Muslims by Sinhala chauvinists from time to time, but all of them were contained before leading to a large-scale conflict.

A far more serious problem concerned the government's planned Sinhala colonisation of the East. The settlement of landless Sinhalese in the

North and East was aimed at making the Tamil-speaking people a minority in their own traditional homelands. The arrival of these settlers led to conflicts which became quite serious since the 1970s when Tamils as well as Muslims were affected by the loss of land and resources. The government policy since 1977 was even more vicious and all new irrigation schemes in the East ensured that more than 80% of the land was allocated to Sinhalese and even where Tamils and Muslims were allocated land it was difficult for them to take advantage of the offer.

The anti-Tamil violence of 1977 and, more importantly, that of 1983 led to a change in the political leadership of the Tamils, and the militant youth organisations took over from the discredited old leadership. There was considerable sympathy among the Muslims for the Tamils and their struggle for national survival and, in fact, many young Muslims joined the Tamil liberation movements during the early and mid-80s.

The Tamil liberation movements, with the exception of some of the more enlightened left-wing groups who were, however, much smaller than the mainstream organisations which enjoyed the support of the Indian government to varying degrees, failed to understand the needs and aspirations of the Muslims of the North and East. They failed to recognize the fact that the Muslims have traditionally considered themselves as a distinct group of Tamil-speaking people with their own cultural identity, besides their religious identity. The tendency among Tamil liberation groups not only to foist a Tamil identity upon the Muslims but also to expect them to support unconditionally their struggle for an independent Tamil Eelam with no consideration whatsoever for the fact that the Muslims were distributed all over the island was a carry-over from the politics of the Tamil nationalist past. The lack of consultation between the liberation movements and the masses has already had serious consequences for the democratic and human rights of the Tamil people, but its effect on the relationship between the Muslims and the movements was catastrophic.

The attitude of the Indian Peace Keeping Force (IPKF) and the movements which enjoyed Indian patronage between 1987 and 1989, towards the Muslims in the East was in many instances less than friendly and attacks on Muslims have been carried out by Tamil militants with the support of the IPKF. During this period, both the government and the LTTE

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wooed the Muslims with some success. While the government cultivated supporters among Muslims to use them in attacks against Tamil militants, the LTTE failed to develop a lasting relationship, largely because of its narrow nationalistic approach which failed to respond to the needs of the Muslims.

The government's policy of creating a para-military force of home-guards was extended to the Muslims and selected sections of Muslims who were hostile to the Tamils and sympathetic to the government were armed and encouraged to attack the Tamil militants in collaboration with the armed forces. When the government and the LTTE fell out in 1990 after the collapse of their shortlived marriage of convenience, the LTTE commenced armed attacks on not only the forces of the government but also those whom it suspected of supporting the government. The Muslim home guards, who had no doubt about where their loyalties were, turned against the LTTE at the first available opportunity and, when unable to combat the LTTE, chose to attack Tamil villagers, often with the connivance of the armed forces of the government.

It is also possible that some of the Tamil-Muslim conflicts involving the LTTE and the Muslim home-guards could have been 'staged' by the government's armed forces. In any event, the response of the LTTE to attacks on them by hostile sections among Muslims appears to be attacks on the Muslim community. This attitude of the LTTE propelled it into an increasingly hostile stance towards the Muslims, culminating in the expulsion of Muslims from the North and to the spate of genocidal attacks on Muslim villagers in the East.

It should also be pointed out that many Tamils in the Eastern Province have displayed not mere humanity but considerable courage in protecting Muslims from their Tamil attackers and equally, Muslims have risked their lives to save Tamils from attacks. These are healthy signs for the restoration of harmonious relationship between the two communities. If, however, the trend of armed attacks on Muslims were allowed to continue, the strains in the relationship between the Tamils and Muslims could deteriorate towards one of hostility, and the only beneficiary could, certainly in the short run, be the corrupt government with one of the worst records of violation of human rights in Asia.

Is it not time that all Tamil nationalists, and especially the LTTE, gave serious thought to the right of the Muslims to preserve their ethnic

identity and enjoy the right to life and livelihood? If the Muslim leadership of today expects that the present government will arm the Muslims to safeguard them, they are making a serious error of judgment. The Muslim people have the right to defend themselves against any attack on their lives and

livelihood. But allowing themselves to be used by the government will only make them pawns in the hands of a dictatorial regime and lead to prolonged armed conflict between the Tamils and Muslims, the escalation of which will only further complicate the national question.

## Solution to Tamil Problem Long Overdue

by S. Ponniah, Attorney-at-Law, Jaffna.

President Mr. R. Premadasa's speech that military action cannot help to solve the Tamil problem made at the meeting organised to celebrate four years of his political administration and the subsequent encounter between the Anglican Bishop, the Rt. Rev. Kenneth Fernando and the redoubtable leader of the Liberation Tigers of Tamil Eelam, Mr. V. Prabhakaran augurs well for a future united Sri Lanka. Tamil Tigers have proved that they are fighting for the autonomy of the Tamils. It is significant that the other Tamil groups also have declared that they would not be satisfied with anything short of amalgamation of the two Provinces.

In the recent past both the Tamil and Sinhalese had lived like brothers and there is no reason why they should not continue to live so even in the future.

At the said encounter Prabhakaran had made it clear in unequivocal terms that the LTTE and the Tamil people would stand by the claim for an amalgamation of two Tamil Provinces viz. the Northern and Eastern Provinces into one Tamil Province on the basis of Autonomy following the Indian precedent of amalgamating the Telugu people of both Andhra Pradesh and former Hyderabad into one administrative region called 'Telugudesam'.

Decentralisation of power is the prime objective of federalism and this is a universally recognised practice of conceding regional autonomy to national minorities or communities the world over. Autonomy must be given with the larger objective of preserving the unity of the nation, promoting its progress and peace in the name of which, world famous statesmen had taken all possible steps to avoid racial or communal riots that are the cause of chaos and national disintegration. A half-hearted approach to the Tamil problem will spell ruin to the nation.

The idea of creating an Apex Coun-

cil is not a wholesome idea. Far from doing any good it will turn out to be a wedge splitting deep the Sinhala and Tamil races, irreconcilable and even warring communities further and further disrupting the peace of the nation. It is suspected that this idea of an Apex Council had been advanced by some political elements as a device to make it as an arm of the central government to procure methods to gnaw at the autonomous power and centralise it to central government. This will be like giving safeguards to the minorities under the Soulbury Constitution by its section 29 and taking away those safeguards by a two thirds majority in Parliament as provided by subsection 4. Therefore it is clear that an Apex Council will be obnoxious to the human right and smooth relation between the autonomous state and the central government. This will be a set-back to democracy and is without a parallel in the history of democracy. There is no doubt that such an interfering body will be rejected by all sections of the Tamil people.

The Tamils' hope for a satisfactory solution of the Tamil problem is the President himself. Mr. R. Premadasa. As a veteran politician this is my candid opinion assessing the present situation. There is a great reason for it. Unlike the previous presidential administration, during his administration Mr. Premadasa took all possible steps to avert racial riots between Sinhalese and Tamils; even possible Muslim riots he successfully prevented. He lost no time in deploying police and army to meet surging crowds. On two or three such occasions he displayed his efficiency which helped to save Tamils lives and assets. The Tamils will remember this for ever with gratitude.

In keeping with his conviction for a peaceful administration, he declared at the said meeting. 'No military action can solve any problem; nor estab-



lish peace. . . the Tamil problem must be solved by talks'. In this context it must be observed that he must be regretting that he gave unlimited powers to his armed forces in the Northern and Eastern provinces which had resulted in the killing of nearly twenty-five thousand Tamils and the destruction or burning of over a thousand houses and business establishments worth several hundreds of crores of rupees. At the funeral of Lt. General Kobbekaduwe the Sinhalese people demonstrated and called on the Government to stop the war and call back the army and insisted on solving the Tamil problem.

The Honourable Minister Thondaman was a person who was close to the President and it was improbable that he went to Jaffna to have talks with the Tamil 'Tigers' without leave of the President. After a few hours talks he expressed the opinion, compatible with his political sagacity, that talks between the Tamil Tigers and the Government were necessary if the Tamil problem must have a final solution. All responsible citizens of this country are now convinced that Government must initiate talks with the Tamil Tigers if any talks were to be meaningful and fruitful and that top priority must be given to the Tamil problem to find a lasting solution lest the country should deteriorate into a ramshackle condition.

We must also point out that the Tamil people are disappointed and unhappy that the SLFP, despite their earlier support, is refusing to co-operate with the Government in finding a satisfactory solution to the Tamil problems. Still worse is that this party has secured a pact for a common cause with the Government not to concede the amalgamation of the Northern and Eastern Provinces. What is most undemocratic is that the SLFP has asked the Tamils not to demand the amalgamation. This is something unheard of in democratic history! To insist on this will mean that the Tamils will have to knock off the bottom on which the whole Tamil solidarity stands.

We have all heard of the birth of a Select Committee to investigate the possibility of reaching a final and satisfactory solution to the Tamil problem. Alas! The Select Committee appears to have become defunct at its very birth! What else can it be when most of its members appeared to have set their face against having any talks with the Tamil Tigers. They at the same time knew that any amount of talks with any groups, other than the Tamil Tigers, would not bear any fruit. In view of their approach they appeared to have come to the conviction

they could not fulfil the purpose. This probably drove them to complete inaction.

The President has declared in no uncertain terms that military action will not solve any problem. At the election the people of both Northern and Eastern Provinces had indicated that they stand for amalgamation of two Provinces into one Province. The Tamil people wish to solemnly urge on the Government to initiate talks with the LTTE and finalise matters giving autonomy on the basis of amalgamation with sufficient power decentralised with regional police to effectively administer the regional affairs following the Indian precedent of amalgamation as pointed out above. The Tamil demands are not only democratic, but fundamental and human. If these demands are conceded as they must be, the Government and the Sinhala people lose nothing, but if not conceded the Tamils are denied the fundamental rights which are their due. This difference has to be taken into consideration by all concerned

Forcible Sinhala Colonisation of Tamil areas is the bottom cause of all communal conflicts now. The moment

this Colonisation is stopped peace will rebound in all its glory and facilitate national growth. If continued it will be the source for all racial feuds. The Government will have to pause for a moment to consider the nation's disaster caused by Colonisation the avoidance of which will restore the health and strength of the nation. The Tamils will have to defend their traditional soil and it is inappropriate to dub as terrorism the violence involved in such defence. Colonisation, this Curse of this Country must be stopped at all costs in the name of national progress, peace and racial harmony.

The people of Jaffna have suffered the ill-effects of 2.5 years of economic blockade imposed by the Government. There had been cases of many suicides of families on account of starvation caused by the Government's failure to provide employment opportunities by denial of electricity, petrol, diesel, kerosine and other essential goods. They have exhausted all their savings and items of jewellery. They are unable to have even one good meal a day. Their position is lamentable. They cannot endure any longer. It calls for an immediate solution of the Tamil problem.

## Tamil Journalist Attacked in Toronto

Toronto, February 18 - David B.S. Jeyaraj, a prominent Tamil journalist of Sri Lankan origin presently based in Toronto, was assaulted with baseball bats and metal rods by a group reportedly belonging to the Liberation Tigers of Tamil Eelam (LTTE) at the Ontario Science Centre car park. The attack occurred at about 12.40am on 15 February 1993. Jeyaraj was taken by ambulance to the Toronto East General Hospital and treated for injuries including a fracture of the fibula of his right leg and stitches for a broken skull.

Jeyaraj, a recipient of the prestigious Nieman Fellowship for Journalism at Harvard University, now edits the 'SENTHAMARAI', the oldest and the largest circulated Tamil weekly in Canada. The newspaper has built up a positive reputation within the relatively large Tamil community there mainly because of its balanced and credible news coverage and independent editorial policy.

When he was in Sri Lanka, Jeyaraj was a regular contributor to the 'Sunday Island', and his indepth reports and analysis of the ethnic conflict and the military situation were widely

read. He also frequently contributed to many Indian journals, more notably to the much circulated fortnightly 'Frontline'.

Jeyaraj can by no means be considered an anti-LTTE journalist. Among the various strands of political opinions and allegiances within the Tamil community, Jeyaraj could be regarded as one who is closer to the LTTE's viewpoint than to any other. As a journalist, he has had close liaison with leading LTTE figures like the LTTE's Paris-based international spokesman and Central Committee member, Lawrence Thilagar, and the late Sathasivam Krishnakumar (Kitu) until his recent untimely death. Because of this relationship, 'SENTHAMARAI' could be relied upon to have access to and cover LTTE's authoritative official versions of events.

However, the Canadian-based Tamil Tigers, who have their own weekly 'ULAHATH THAMILAR' (World Tamils), have not taken kindly to the independent Tamil journalism of 'SENTHAMARAI' and its editor Jeyaraj. 'If you are not with us, you are against us' has been their basic

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## Memorandum to the 49th Session of the UN Commission on Human Rights

# Human Rights Situation in Sri Lanka

*A group of human rights non-governmental organisations comprising the 'Country Working Group of NGOs on Sri Lanka' submitted a comprehensive memorandum to the United Nations Commission on Human Rights which held its 49th Session during February/March this year at Geneva in Switzerland. The following is the text of the memorandum.*

### 1. Introduction

The human rights situation in Sri Lanka has been a matter of grave concern for the Members of the Commission for many years. This concern was expressed last year at the Commission's 48th Session by way of a Chairman's Statement agreed unanimously by the Commission. (E/CN.4/1992/84, page 275)

Having acknowledged the measures taken by the government to monitor reports of disappearances and other human rights violations, the Commission was 'seriously concerned over the human rights situation in Sri Lanka indicated inter alia, in the report of the Working Group (E/CN.4/1992/18/Add.1) particularly the large number of disappearances recorded by the Working Group, and concerned that, whilst there has been an overall decline, incidents of disappearance continue to be reported'. The Commission further called upon the government to 'further intensify its efforts to ensure the full protection of human rights and further calls upon all parties to respect fully the universally accepted rules of humanitarian law'.

In regard to the ongoing ethnic conflict, the Commission urged the government 'to continue to pursue a negotiated political solution with all parties, based on principles of respect for human rights and fundamental freedoms, leading to a durable peace in the north and east of the country'.

However, it cannot be said that the Commission's expression of concern, and its urging and pleadings to the government have resulted in a situation in which there is 'full protection of human rights', or full respect for universally accepted rules of humanitarian law. The government has failed to take any concrete steps 'to pursue a negotiated political solution with all parties', and the armed conflict in the north and east of the country continues unabated.

The Liberation Tigers of Tamil Eelam (LTTE - Tigers), which is engaged in a violent armed conflict with government forces, continue to commit violations of human rights, including arbitrary killings of persons belonging to all communities, in areas under their control mainly in the north-east of the country.

*'...the scale and intensity of the violence has increased. The conflict between the Sri Lankan armed forces and the LTTE continues in the north-eastern region, with an estimated 2,545 casualties among the combatants in the period between the two visits of the Working Group. In addition, 433 deaths have been counted among the civilian population due to direct attacks or collateral consequences, and hundreds of civilian deaths due to reprisals by the military, LTTE or Muslim Home Guards.'* (E/CN.4/1993/25/Add.1, page 3).

During this session, the Commission will have the benefit of the recent reports by the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1993/25 and E/CN.4/1993/25/Add.1), Report by the Special Rapporteur on Extrajudicial, summary or arbitrary executions (E/CN.4/1993/46, Report by the Special Rapporteur on Torture (E/CN.4/1993/

26) and 'An Assessment of the Human Rights Situation' in Sri Lanka by the Amnesty International (ASA37/1/93). The Working Group on Disappearances and the Amnesty International visited Sri Lanka in late 1992.

It is not by accident that Sri Lanka has, for the last ten years, figured prominently in the reports by the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Special Rapporteur on Torture and the Working Group on Enforced or Involuntary Disappearances and 1993 is no exception.

### 2. Emergency Rule and Security Legislation

Sri Lanka continues to be ruled, for the eleventh successive year, under a State of Emergency under which many of the normal safeguards concerning democratic and human rights and fundamental freedoms have remained suspended. The executive and the security forces continue to be invested with extraordinary powers including those relating to arrest and detention.

Of late, the government of Sri Lanka has displayed a greater degree of openness towards international human rights organisations. The government has also established new mechanisms [Human Rights Task Force (HRTF) and the Presidential Commission on the Involuntary Removal of Persons (PCIRP)] to monitor and investigate certain kinds of human rights violations. These are welcome developments, but have had only marginal impact on the human rights situation in the absence of an established system of procedural safeguards to be observed by enforcement agencies and security service and police personnel to ensure the prevention of arbitrary arrests, and the disappearance and torture of persons taken into custody. Such abuses are bound to continue until the framework provided by the Emergency Regulations and the Prevention of Terrorism Act (PTA) making such abuses possible are removed, and the government has failed to make any meaningful move in this direction.

The Working Group on Involuntary disappearances has pointed out that the overall effect of the present body of security legislation of Sri Lanka has contributed appreciably to, and in fact is conducive to disappearances and concomitant violations of human rights. *'Another factor to be considered in the matter of security legislation is that, as a general principle, the law of the country should be clear, unequivocal, consistent, accessible to the public, and uniformly applicable. This is true of security legislation as well. However, in Sri Lanka, the Prevention of Terrorism Act and the prevailing Emergency Regulations constitute a body of law that is quite confusing. The Working Group found that, specifically in the field, among the police and the military, a proper understanding of the rules contained in the body of law was not fully adequate. . . The problem is compounded by the fact that, following their entry into force, the actual text of the emergency regulations is not effectively promulgated until some time later, and is, even then, not easily accessible to the general public or even to lawyers. In fact, fully up-to-date sets of such texts are rarely available even to those responsible for the administration of justice.'* (E/CN.4/1993/25/Add.1, para 18/19/22).

At present detainees held under the PTA need not be brought before a judicial authority for 90 days, and under Emergency Regulations (ER) persons can be held for 30 days before a magistrate sees them. Under these provisions,

persons need not be held in public known places of detention; officials of various ranks are empowered to decide where detainees may be held; PTA permits detainees to be held up to 18 months in 'any place' and 'subject to such conditions' determined by the Minister of Defence; and ER permit persons to be held in preventive detention indefinitely in 'any place'. Amnesty International has found evidence that police have sometimes used 'unofficial safe-houses' to torture suspects. (ASA37/1/1993, P.6). 'The question of undesignated detention centres continues to be of major concern to the Government itself'. (E/CN.4/1993/25/Add.1, para 27).

In spite of the assurance given by the government to the contrary, military officers have admitted to Amnesty International delegates that it was still their policy not to wear anything indicating their rank or unit when conducting operations for security reasons. Again contrary to assurance that security service vehicles carry number plates and official markings, there were instances of arrests carried out in 1992 by plainclothed police and military personnel who did not identify themselves, and who used unmarked vehicles. (ASA37/1/93, p8).

### 3. Government Measures – Ineffective and Half-Hearted

The setting up of the HRTF and PCIRP and the various instructions issued by the authorities to the State enforcement agencies in regard to arrests and detentions, though inadequate to meet the gravity of the human rights situation, have been welcome measures. However, even these governmental measures have been half-hearted and ineffectual in their implementation. 'Of course, the above measures can only be meaningful to the extent they are implemented. The Working Group found that some of them are not implemented or not completely being applied.' (E/CN.4/1993/25/Add.1, para 30).

Lawyers' organisations testified to the visiting UN Working Group that, in 1992, in the process of filing habeas corpus applications startling facts had been brought to their notice amounting to gross human rights violations. Very rarely in cases of missing persons had the State been able to answer the petitions affirming the whereabouts of the corpus. 'In almost 98 per cent of the cases the State/security officers had, point blank, denied arrest, in spite of many instances where security officials responsible for arrest had been very clearly identified by the petitioners.' (E/CN.4/1993/25/Add.1, para 36).

The lack of government's resolve to bring those guilty of human rights violations, especially arbitrary killings, are demonstrated by the manner in which the much publicised 'Kokkaddicholai Massacre' was dealt with. The government's investigative and monitoring mechanisms (PCIRP and HRTF) also do not match up to the task of taking steps to investigate cases of 'disappearances' in earlier years even when there were thousands of witnesses to the arrest in refugee camps of people who later 'disappeared'.

**Example 1: The Kokkaddicholai Massacre** – In June 1991, following an ambush laid by Tamil Tigers in which two soldiers were killed, soldiers went on a rampage in a killing spree massacring 67 Tamil civilians at Kokkaddicholai in the eastern Batticaloa district. The government initially denied the massacre echoing the military's claim that the civilians had been killed in the cross-fire. Because of the wide publicity the incident had generated and bowing to widespread local and international demand for an impartial investigation, the government appointed a 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 Extra-legal, 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.'

Following the findings of the Commission, the 20 soldiers including a lieutenant who were responsible for the deaths of 67 civilians were not charged before a civilian court, but were tried before a military tribunal which was not open to the public. In the event, 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. But the other 19 soldiers were acquitted. (ASA37/1/93 p.9).

**Example 2:** the government has listed eight cases in which security service personnel have been charged with abduction, rape and murder. Some of these cases have been pending up to three years and have yet to be concluded, and none of these cases has yet reached a conviction for murder. In one case, the accused were discharged after the witnesses failed to appear in court – the witnesses themselves were abducted and 'disappeared' during the period that the accused officers were on bail. No investigation was carried out into the non-appearance of the witnesses. (ASA37/1/93 p.3).

**Example 3:** 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 Valaichchenai. The case falls outside the remit 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'. (ASA37/1/93, p.11).

**Example 4:** Over 160 persons from Saturukondan and neighbouring villages in eastern Sri Lanka were rounded up on 9 September 1990 by soldiers who were seen by villagers taking the prisoners towards the Boys Town army camp; and later screams were heard from the camp. The villagers believe that the prisoners were transported elsewhere that night because they heard vehicles moving out from the camp during the night. The Ministry of Defence said that it had found no evidence that any outsiders had been brought into the camp on the day in question. The 'disappearance' of these 160 persons, including two brothers, aged 12 and 15, seen taken from their home together with their sister, aged 29, and her three children, aged 6 years, 3 years and three months respectively, still remains uninvestigated and unresolved. (ASA37/1/93, p.11).

### 4. Torture and Deaths in Custody

Torture and deaths in custody have been a phenomenon in Sri Lanka for several years and it continued during 1991-1992 even after the government's repeated assurances to the contrary. The methods of torture included severe beatings, electric shocks, burning with cigarettes or matches, pouring petrol into the persons' 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 have been subjected to sexual molestation including rape. (ASA37/1/93, p.12).

**Example 1:** One prisoner was held in incommunicado

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detention by the army for over a year before a relative was permitted to see him. This prisoner had been held at the Talaimannar and Thalladi army camps. During the period of his detention, he was stripped naked, hung upside down and assaulted, was burned with burning paper and polythene and had a damp cloth pressed against his face until he 'confessed'. At the Thalladi camp, he was held blindfolded for six months and assaulted. (ASA37/1/93, p.12).

**Example 2:** One former Tamil detainee, in his testimony to Amnesty International, described how he was tortured by plainclothed soldiers in Badulla. A group of armed men wearing civilian dress had taken him from his home in Badulla one evening in July 1992. They later identified themselves as army personnel. Blindfolded and handcuffed, they took him in a Hiace van to what he believed was an army camp in an estate bungalow. There, his blindfold was removed and he was questioned for about two hours. He denied any contact or knowledge of the LTTE, but was severely beaten for several hours on his face and body. Several times he had petrol poured into his nostrils and a plastic bag put over his head. The third time this was attempted, he fell unconscious. In the morning he was left chained to a table. The next day, he was questioned further and taken to the Badulla police who in turn took him to the hospital, where he spent several weeks under police guard. He then spent over two months in police custody at Badulla, where he was regularly visited by the ICRC before being released unconditionally. During his stay at the police station, he saw other prisoners who had been beaten in order to get them to confess, and a group of five prisoners under special guard who had been injured and who were chained by the legs for most of the day.

**Example 3:** Another Tamil suspect was tortured in a 'safe-house' by police in Nuwara Eliya. He was arrested in July 1991 and taken to a dilapidated house. There, he was beaten on his chest and stomach, and an attempt was made to push a burning match into his penis. He was hung upside down and his fingers were injured. After four days, he was taken to the Nuwara Eliya police station, but two weeks later he was again taken to the 'safe-house' where he was assaulted again. His medical certificate details several injuries consistent with his history of torture.

**Example 4:** A man who had been held in detention since 1991 in eastern Trincomalee had his hands tied behind his back, petrol poured into his nose and a plastic bag put over his head while being interrogated at the Plantain Point army camp. 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 soles of his feet and his body. He was hit with sticks and with barbed wire, and chilli powder applied on the wounds he sustained. This treatment has left permanent deep scars on his back. He was held with 14 other persons, chained and blindfolded for about a month. Some of the prisoners were naked.

**Example 5:** The detainee referred to in Example 4 above had seen bodies being burned at the Plantain Point army camp during 1991. He had also seen two detainees being killed – one was beaten and then held under water until he drowned. Another was submerged, then pulled out of the water and a soldier cut his throat. The two victims were a shop employee from Sampur and a man called Oruthavai Kanthan from Eechchilampattai. (ASA37/1/93, p.20/21).

**Example 6:** Three prisoners died at Police Post II in Kaluwanchikudy in eastern Sri Lanka on 24 October 1992, according to the testimony of one of the victims, Karthigesu Kulendran. Their arrests by the Special Task Force (STF), a police commando Unit, were later denied. The three men were

among the 11 persons arrested by the STF after a grenade had been thrown at their patrol by an unidentified person who ran away from the scene. The arrested 11 persons were taken to the police post where they were assaulted with iron bars and poles by STF 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 they had ever arrested the three dead men, but said that they had found the three dead bodies, and the STF suggested that they might have been killed by the LTTE. However, when the relatives asked for the bodies, they denied that they were at the camp. But according to the testimony of released prisoners, they saw the bodies at the STF camp, and that the STF personnel had put them on a tractor with six other bodies that had been brought from the hospital, taken them away and buried them. (The six bodies referred to here were believed to be those of among 10 Tamil civilians killed by the army on the same day – 24 October 1992 – at Velaveli in Batticaloa district.) (ASA37/93, p.12).

### 5. Arbitrary Killings

While the phenomenon of extrajudicial or arbitrary killings has experienced considerable reduction from the peak years of 1988-1991 in the south of the country, in the north-east, and particularly in the east, the scale of such killings in 1992 remained substantially high.

**Example 1:** In April 1992, Muslim Home Guards allied to the army massacred 89 Tamil villagers at Muthugal and Karapola in the eastern Batticaloa district in retaliation to the killing on the same day of 62 Muslim civilian villagers by the LTTE at Alanchipothana. (ASA37/1993, p.9 & E/CN.4/1993/25/Add.1, para 11). In a similar act of retaliation Muslim Home Guards detained 13 Tamil men, women and children near Thiyavaddavan also in the Batticaloa district, of whom one boy escaped and the other 12 persons remain unaccounted for.

**Example 2:** On 8 August 1992, soldiers from Poonani army camp attacked and killed 39 Tamil civilians – men, women and children – at Mailanthani, a village in eastern Sri Lanka. This massacre was carried out in apparent retaliation to the killing by the LTTE on the same day of ten senior military officers, including Major General Denzil Kobbekaduwa, in a landmine attack at Kayts Island, some 180 miles away. (ASA37/1/93, p.10).

**Example 3:** On 24 October 1992, at about 9 am villagers were sowing paddy in fields at Paliyadvaddai in Valaveli in the eastern Batticaloa district 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. The soldiers then forcibly removed the people, and took them to the Paliyadvaddai army camp. Relatives followed behind. They waited near the camp until mid-day and reportedly they could hear sounds of screaming. They saw about 6 to 7 bodies being taken to Kaluwanchikudy hospital in a tipper truck and followed thinking that the bodies would be given to them. A post-mortem was held at the hospital, but then the bodies were taken by tractor to the Kaluwanchikudy STF camp from where three more bodies were added to those on the tractor, and thereafter all the bodies were burned in a secluded place. (ASA37/1/93, p.13).

### 6. Disappearances

There is no doubt that there has been a substantial reduction in 'disappearances' and arbitrary killings compared with the 'peak years' of 1988, 1989 and 1990 which came about as a result of the capture and killing of the

leadership of the JVP and suppression of the JVP's insurgency. In fact the counter-terror tactics and associated unlawful activities by agents of the state and their allied groups continued far longer than the circumstances that gave rise to them, and appeared to have gained a momentum of their own. They are by no means unknown today. (CRM E01/11/92). In fact in the east of the country where the conflict continues, disappearances and arbitrary killings still continue on a large scale. The rate of 'disappearances' in 1992 in eastern Sri Lanka, according to governmental and non-governmental sources, is put at 10 to 18 per month. (ASA/37/1/93, p.11).

In its 1992 report (E/CN.4/1992/18/Add.1) the Working Group, inter alia, stated, 'The Working Group wishes to emphasize that the cases of disappearances alleged to have occurred in Sri Lanka rank as the best documented cases among those from 40-odd countries appearing in the Group's annual reports to the Commission on Human Rights.'

'Since the establishment of the Working Group in 1980, 6,716 cases of disappearances alleged to have occurred in Sri Lanka have been reported to the Working Group by

non-governmental sources and have been transmitted to the Government of Sri Lanka. Cases reported to have occurred since 11 June 1990, the date of resumption of hostilities with the LTTE, have taken place primarily in the northern and north-eastern regions of the country.

'In addition to the 6,716 cases already processed by the Working Group and transmitted to the Government, a large number of cases received between 1990 and 1992 are currently being processed for transmission to the Government. These include nearly 5,000 cases which occurred in the Southern and Central Provinces between 1988 and 1990 and nearly two thousand cases in the north-east since June 1990. Significantly over 30 cases alleged to have occurred since June 1990 in the South were transmitted to the Government.' (E/CN.4/1993/25/Add.1, para 61/62).

Having recognised the reduction in the number of disappearances in the South during 1992, the Working Group stated: 'Nevertheless, disappearances persist in Sri Lanka at a level that should be of serious concern to the Commission on Human Rights.' (Ibid, para 128).

To be continued in next issue

## U.S. Lawyer to Defend M.V. Ahat's Captain

An American lawyer has offered his legal assistance for Jayachandran, the captain of the Liberation Tigers of Tamil Eelam (LTTE) vessel M.V. Ahat currently in the custody of the Tamil Nadu police, according to reports from Madras.

Former Jaffna Tiger Commander Sathasivam Krishnakumar alias Kittu was sailing in this vessel to Jaffna along with a large haul of arms for the

LTTE when the Indian Navy surrounded it in January. Kittu committed suicide by blasting the vessel.

The American lawyer Jancy Kiyonka arrived in Madras last Monday to assist the Madras lawyer Duraiswamy who is appearing for Jayachandran, who jumped into the sea along with nine of his crew members before the vessel was blown up.

The Indian Navy rescued them and placed them under the custody of the Madras Police.

The American lawyer has told the press in Madras that he could not directly appear before the court in Madras on behalf of Jayachandran, as he was not registered as a lawyer in India but he would provide all necessary backing for the Madras lawyer who was appearing for Jayachandran, reports said.

## N. Shanmugathan: an Appreciation

IN every Third World country there is a Fidel or a Cabral or a Giap who does not quite make it to revolution, but who, in his or her fight against injustice, intolerance and inequality, embodies the mores, the values, the dedication of the revolutionary – and therein sets the seedling socialism to root.

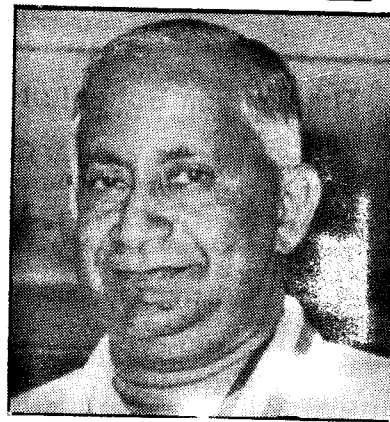
Shan was such a man. For him, there was no short cut to socialism, no parliamentary road, no compromise between means and ends: the means predicated the end. And so he never attained to power, never became an MP (though, in a moment of aberration, he once contested an election), never reduced his politics to populism.

Yet he was a man of the people, a servant of the working class. From the moment he came across Marx at university in 1939 to the day he died, Shan devoted himself to the cause of the proletarian revolution and the pursuit of a classless society – following first in the path of Lenin and Soviet communism and then, after 1963, turning to Mao's China for guidance. In that journey, he was trade union leader and activist, pamphleteer and polemicist, soldier and savant.

He was, too, a great champion of

what seemed to be hopeless causes till he gave them hope. When the Bandaranaike government disenfranchised and dispossessed Indian plantation workers and rendered them electorally untouchable to the Left, it was Shan who took up their cause through the Red Flag Union and brought them a sense of worth and fight and militancy. When Hindu society, in its most virulent caste-ridden phase, had closed not only its temple doors but the doors of public places on the depressed castes, it was Shan, the 'high-caste' Hindu, who led the untouchables into the very halls of the Brahmins and virtually drove the priests from the temples.

Shan was a guru in the traditional sense, a teacher by example and precept, an exemplar both in public and private life. At a time when the Sri Lankan polity has become totally corrupt, he remained untouched by venality or power. At a time when intellectual life in Sri Lanka has become uniformly sordid and despicable, Shan retained an intellectual probity which shone like a beacon in a darkening world. At a time when the whole of the country has sunk into the most horrendous communal carnage, Shan cla-



moured for justice for Sinhalese, Tamil and Muslim peoples alike. The distinction he made between people and government was not theoretical sophistication but a deeply felt sensibility.

Shan had a brilliant dialectical mind that grasped a situation before anyone else had seen it and a political instinct which saw things ahead of the people he led. And so, in a sense, he was not only before his time but, alas, before his people, so to speak – alone on a peak in Darien.

A. Sivanandan,

Director, Institute of Race Relations,  
Editor Race & Class.



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## THE SUB-CONTINENTAL SCENE

### 'Hindutva' & the Reign of Terror

by Rohini Hensman

There is no need to speculate about who was responsible for the carnage in Bombay which began in the second week of January: Bal Thackeray proudly claimed responsibility for the organisation he leads, the Shiv Sena (i.e. the Army of Shivaji, a Maratha leader who successfully fought the Moghals in the seventeenth century and established his own kingdom).

The violence was sparked off by a number of stabbings of Hindus on the 6th and a gruesome case of arson on the evening of the 7th in which a Hindu Maharashtrian family's home was set alight, killing five people and seriously injuring eight others. It has not been established who exactly was responsible for these crimes, but two observations can be made. Firstly, it was more than unlikely that ordinary Muslim residents of Bombay, only too aware of their vulnerability after the recent attacks on them in December, would have made such a suicidal move. Secondly, the highly organised and systematic character of the retaliatory onslaught completely belies any claim that it was spontaneous and suggests, on the contrary, meticulous planning.

In a city where different communities are closely intermixed, Urdu journals and newspapers, Muslim-owned shops, restaurants, timber marts, industrial units, homes and vehicles were targeted. *The Times of India* (January 13th) echoed the sentiments of many observers and residents when it noted that 'Bombay is currently witness to the ruthless implementation of a carefully crafted strategy to intimidate, with fear and violence, the city's Muslim community. . . . The pattern of killing, arson and looting suggests that the objective of the perpetrators is to strike so much terror in the hearts of the minority community that its members have no choice other than to flee. . . . Bombay has not seen such barbaric behaviour during its 300-year-old history as a metropolis.'

#### Call to Burn

Jeeploads and gangs of Shiv Sena cadre attacked Muslim residents in all parts of the city – from the poorest shanty-towns to the most upper-class areas – shouting 'Jala do, jala do!' ('Burn them burn them!'). Men and boys were forcibly stripped, and killed if they were found to be circumcised; a

teenage girl was raped and hacked to death before her mother's eyes and a youth who went to their rescue was burned to death; gangs invaded hospitals and killed patients in them; whole families were slaughtered. By January 12th, a *Times of India* correspondent counted 650 bodies of victims in Bombay hospitals. There must have been many more who never got to hospital, and the carnage would have been even greater if some Hindus had not sheltered Muslim neighbours and helped them to escape. Hundreds of thousands of terror-stricken Muslims fled Bombay by train while others, unable to leave, flocked for safety to public halls and railway stations, converting them into vast refugee camps.

This was not a 'riot' in any meaningful sense of the term: it was a genocidal pogrom. Asghar Ali Engineer, a Muslim scholar who has consistently and courageously opposed Islamic fundamentalism, remarked, 'Muslims in India now feel exactly the same way Jews felt in Nazi Germany,' Bal Thackeray, asked for his response to this remark, said, 'Have they behaved like the Jews in Nazi Germany' – there is nothing wrong, in other words, with exterminating people for the 'crime' of belonging to a religious or ethnic minority.

#### Parallel with Nazis

There is another parallel with Nazi Germany: the complete impunity with which the gangs committed every conceivable atrocity. The police, which in December had been so quick to fire on Muslim demonstrators, killing hundreds, watched passively while the looting, burning and killing went on in front of their eyes. Where they did swing into action, their intervention took a bizarre form. Residents, both Hindu and Muslim, complained that when they called the police because their building was threatened by thugs, the police arrived only after the thugs had gone away. . . . and then proceeded to confiscate whatever the residents had got together for self-defence, and arrest and take away all the able-bodied young Muslim men! Even when the army was called in, they were not given power to act against law-breakers except under the orders of a police officer; on one occasion when they arrested some culprits, the police promptly released them.

While the police have been completely compromised by these events, it is also notable that Chief Minister, Sudhakar Naik, Defence Minister, Sharad Pawar and Home Minister, S.B. Chavan, all of whom were in Bombay during the pogrom, did nothing to halt the violence.

The tragic irony of the whole situation was underlined by Prime Minister Narasimha Rao's brief visit to the city on the 15th. On the one hand he received a delegation from the BJP (Bharatiya Janatha Party) calling on him to throw out Pakistanis and Bangladeshis illegally resident in Bombay. Every Bombay resident knows there are no such people: the Muslim residents of Bombay are *bona fide* Indian citizens. But if called upon to provide documentary proof of citizenship, most of them – like the vast majority of Hindu citizens – would be unable to do so, thus becoming vulnerable to deportation out of their own country! On the other hand, a delegation from the Ekta (Unity) Forum suggested that minorities should be protected – a suggestion which may sound obvious and banal, and yet one which the Prime Minister showed no signs of acting on. The BAI Bar Association of India subsequently passed a resolution saying, 'The BAI views with alarm and despair the complete lack of will on the part of those responsible for maintaining law and order to prevent wilful killings of innocent people.'

#### Hindu Chauvinism

How did this situation arise? Maharashtra, the state which has Bombay as its capital, has a long tradition of militant Hindu chauvinism ('Hindu chauvinism' being defined in this instance as the attempt to turn India into a 'Hindu Rashtra', i.e. an exclusively Hindu nation).

Hedgewar, the founder of the RSS (Rashtriya Swayamsevak Sangh) in 1925 and its leader Golwalkar were Maharashtrians, as was Savarkar, the founder of the Hindu Mahasabha; to this day, the headquarters of the RSS is in the Maharashtrian town of Nagpur. Golwalkar was arrested and the RSS banned in 1948 after the assassination of Mahatma Gandhi by one of its members, Godse; but these measures were reversed in the summer of 1949. In late 1951 the RSS formed a parliamentary front, the Bharatiya Jan Sangh, which later became the BJP. Their brand of Hinduism was seen as the crucial ideology for combatting communism; as K.R. Malkani, editor of the RSS paper the *Organiser* wrote, 'Communism can be combatted

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and conquered in Hindustan by the Hindus only through Hindutva.'

When the Shiv Sena was formed by Bal Thackeray in 1966, it added an element of regional ethnic supremacism to anti-communist Hindu chauvinism: not just 'Hindu Rashtra', but 'Maharashtra for the Maharashtrians' and 'Mumbai Amcha Ahe' ('Bombay is Ours') – a 'sons of the soil' slogan which boded ill for the non-Maharashtrians who formed 58 per cent of the city's population. (Apparently he didn't stop to consider what would happen to all the Maharashtrians in other parts of the country if a 'sons of the soil' policy were strictly followed!)

In fact the first campaign launched by Thackeray was against South Indians, and the general elections of 1967 provided him with a perfect target: the 'crypto-communist' 'lunghiwala' ('lunghi-wearer' – i.e. South Indian) V.K. Krishna Menon, who stood as an independent to retain a seat he had won in the previous two elections as a Congress nominee. The Shiv Sena succeeded in defeating him, with the support not only of the Jang Sangh but also of the Congress, thus setting a pattern for the future.

In the 1958 local elections, Congress abstained from contesting seats in predominantly Maharashtrian areas in order to help Shiv Sena candidates defeat Communist Party rivals – which they did, getting 42 seats and becoming the second largest group in the Town Hall; subsequently they have moved up to first place, thus gaining control over the city's administration.

### Fighting the 'Reds'

A few months after the 1968 local elections, the Shiv Sena set up the BKS (Bharatiya Kamgar Sena, or Indian Workers' Army), its own 'union'. Among its exploits was the killing of a prominent Communist Party trade union leader, and the burning of the office of the CP-affiliated Girni Kamgar Union (Textile Workers' Union), after which Thackeray announced, 'I am proud of the Shiv Sainiks who fought the Reds'. Summing up BKS ideology, he said, 'I am against strikes and go-slow tactics. The most important thing is production. Management and labour are two wheels of industry, and they must move smoothly. A trade union should work as a lubricant. Actually, there is no need for a trade union if management behaves sensibly.'

Not surprisingly, many employers turned to the BKS for help with break-

ing strikes and smashing militant unions, and reciprocated by funding the Shiv Sena. While the majority of Bombay workers remained justifiably sceptical of its ability to represent their interests as workers, it is undeniable that the aggressive presence of the BKS has divided workforces and weakened the labour movement in a city renowned for its strong unions and industrial militancy.

The campaign against South Indians resulted in major violence in 1969; Thackeray was arrested, but was unrepentant: 'Yes, I am a dictator, why should we have so many rules?' he asked. 'Why should India want democracy? It is a Hitler that is needed in India today.' Understandably, South Indian Hindus have been among those fleeing Bombay in the current bout of ethnic cleansing.

### In the Name of God

While there has always been an ideological affinity between the Shiv Sena and BJP, they have organisationally moved much closer together in the course of the 'Ram Janmabhoomi' ('Ram's birthplace') campaign, forming electoral alliances and campaigning jointly for a 'Hindu Rashtra'. Jaibhagwan Goyal, president of the North Indian branch of the Shiv Sena, claimed in an interview that Shiv Sainiks had carried out the entire planning for the demolition of the mosque at Ayodhya, trained for it, and led the assault on it. While this may be an exaggeration, it is certainly true

that they were central to the operation. On the other hand, BJP-related organisations have participated in the violence in Bombay; for example, an attempt by the Bombay University and College Teachers' Union to screen the award-winning anti-communalist film 'Ram ke Naam' ('In the Name of God') was disrupted by the ABVP (Akhil Bharatiya Vidyarthi Parishad), the student front of the RSS; and journalists of the Marathi newspaper *Hamara Mahanagar* who protested against their strong-arm tactics were stabbed and assaulted so brutally by the ABVP that several had to be hospitalised and one nearly died.

Clearly, the issue in Bombay is not antagonism between 'Hindus' and 'Muslims', but an attempt by totalitarian organisations to control the whole life of the city. Many Bombay residents of all communities, proud of its cosmopolitan character and the ability of its diverse communities to live together peacefully and harmoniously, have been horrified and shattered by recent events; they have made attempts to restore peace and provide relief to the surviving victims of the pogrom. But the grim truth is that they are simply not equipped to deal with the armed, organised violence of the Shiv Sena. The situation in Bombay is that those who have the will to restore peace lack the power to do so, while those who have the power to restore peace lack the will to do so. As long as this situation lasts, Bombay will remain in the grip of a lumpen fascist reign of terror.

## BOOK REVIEW

### 'Indian Intervention in Sri Lanka'

Rohan Gunaratne's remarkable book has appeared at a time when the seeming Indo-Lankan rapprochement has once more created an ideal environment for the rational Indophiles in the academia and the opinion making trade who had to lie low on both sides of the ethnic divide after the rise of Premadasa and Prabhakaran. They are now busy discreetly glossing over the past in the name of reason and geo-political reality. Mao's slogan 'the enemy's enemy is a friend' is becoming an oft heard refrain.

It is no longer intellectually fashionable or politically prudent to sound anti-Indian. The myth of secular India as a stabilising rational force in South Asia's destiny beckons, a wide spectrum of Sri Lankans.

Somawansa Amarasingha (who has taken over the leadership of the JVP after its leadership, including its lead-

er Rohana Wijeweera, was eliminated by the security forces), denounces federalism for Tamils because it would, according to him, lead to the Balkanisation of India (he, of course has to show he is worthy of his salt). At the other end of the Sri Lankan political spectrum the EPRLF argues with its usual devotion that the Tamil question cannot be resolved without India's active mediation.

Rohan's book therefore is a timely fissure in the bedrock of this so-called rational opinion on which Sri Lankan policy towards India is being relocated today. The conclusions of the book are no less interesting than the wide array of facts and stories it contains. The author it is obvious, set out originally to uncover and relate the tale of India's covert intervention in Sri Lanka after 1983. And he no doubt is the only person who could have done

it, for I know not of anyone other than Mr. Rohan Gunaratne who has access to sensitive 'information' at the RAW station and the CIA station in Colombo. (Footnotes to pp. 483, 488).

The author's original intention however has been undermined by the fact that his book follows the logic and sequence of what Delhi would have as the official narrative of its covert intervention in Sri Lanka. The logic and sequence of that narrative can be summarised thus: Sri Lanka under J.R. moves towards the West. India is apprehensive of the trend – creates a 'soft underbelly' by arming Tamil separatist groups in the north-east – exerts pressure through their activities – gains diplomatic leverage and influence over Colombo in becoming an indispensable third party in the resolution of the conflict – a power projection is made in the form of the IPKF to stabilise and consolidate the gains – build cordial relations with a Sri Lankan polity that has come to terms with India's role in the neighbourhood.

The logic embodied in the sequence has been successfully applied elsewhere by Delhi to create 'soft underbellies' in neighbouring countries and thereby facilitate strategic and/or diplomatic objectives. The Buddhist Chakma people of the Chittagong hill tracts in Bangladesh, the Bodos in West Bengal, the Sindhis and the Baluchis in Pakistan and the Pashuns in Afghanistan are communities which India has found useful to enhance its influence in South Asia. The logic did not work when it was applied to the Tamil community.

The LTTE is today not only defiant of India but is in a position to create a 'soft underbelly' in Tamil Nadu to achieve its objectives. According to the sequence and logic of Delhi's official narrative this shouldn't have been so – the LTTE should have ended up may be a bit more powerful than the other groups but amenable to India's chastising power and geopolitical authority. But that did not happen.

Rohan Gunaratne does not explore the reason why? This is unavoidable when one depends too often on official narratives of India's intervention. He briefly and simply attributes the rise of the LTTE to the personal fancy of Chandrasekaran. (He says: 'Chandrasekaran had by this time come to adore and admire the LTTE and its charismatic leader Prabhakaran to such an extent that RAW treated the LTTE in a very special way' – p.17). This is not correct. The fact is that the LTTE made clever use of weaknesses in the Indian intelligence establishment to its advantage. Why did Chan-

drasekaran, better known among the Tamil leaders as Chandran during his heyday, 'come to adore and admire the LTTE'? The answer to this has two aspects: one, the way in which the Tamil militants viewed the RAW, the other, Chandran's relationship with the Tamil leaders. It never had occurred to the officials of Delhi in general and those of RAW in particular to consider the question 'what do the Sri Lankan Tamil militants think of us'?

The question never arose because the boys were essentially products of vernacular education and as such were not capable of rational assessment (this attitude still infects learned analyses). Many years after the Sri Lankan fiasco a senior Indian diplomat – a liberal minded Bengali, and hence less prone to the usual prejudices and qualms – happened to ask a retired leader of an armed Tamil group about the reason his organisation had not trusted the RAW from the beginning.

'We saw that there was not one Tamil in the bureaucracy and intelligence services. How could we trust you when it was clear to us that you did not trust your own Tamils' answered the ex-leader. The officer who was patently surprised, mentioned a number of Tamils beginning with Chandran who were senior people in the service.

'They are all Brahmins' said the retired militant!

The assessment of Delhi's motives by some Tamil groups was conditioned by two factors – the tenets of the Dravidian movement and the doctrines of the underground South Indian naxalite groups. The former taught them to be wary of a Brahmin network which dominated the bureaucracy, intelligence services and sections of the press and was essentially against Tamil interests. The latter exhorted them to rupture the link with India in view of what had befallen others who had sought India's assistance to wage national liberation struggles elsewhere in the sub-continent.

These two factors were quite dominant in the thinking of Ummaheswaran and Prabhakaran throughout their relationship with Delhi. While Uma attempted to delink himself from India by establishing a dialogue with the JVP and by securing independent channels for arms supply, thereby antagonising the RAW, Prabhakaran saw that the safest way to build up the military strength of his organisation was to exploit the corruption that was discernible in India's external intelligence agency.

He quietly organised an arms supply

network, got Baby Subramaniam and his men to cultivate Tamil nationalist groups in LTTE's long term interest, and began eliminating other groups to counter Delhi's divide and rule strategy among the Tamils.

And while he was doing all this Prabhakaran, endeared himself to the RAW by carrying out massacres of Sinhala civilians whenever the prospect of talks became a reality. Then it was also known that from the betel chomping minor official at the coast to the senior hand in Delhi were only too glad to avail themselves of the extensive contacts the LTTE had in the west. If the former solicited bottles of Johnny Walker the latter could not resist a pure gold Rolex watch. There were also problems like obtaining green cards in the US. The LTTE was liberal with US dollars. The quid pro quo was always more weapons than what had been authorised officially. Thus the LTTE amassed more weapons than what the RAW could account for from its records when the IPKF arrived.

The details of how the LTTE consciously and systematically exploited and utilized India's intelligence agency to become one of the most powerful military groups in the world can be written only if some senior member of the LTTE decides to speak. But that may never come to pass because unlike J.R. Prabhakaran knows that it is bad for business to reveal matter conducted confidentially with someone even if that person were to become one's bitter enemy.

For any one who studies RAW's involvement in the Sri Lankan ethnic conflict one question is bound to loom large – Was Chandran a true patriot? He played a key role in making the pro-democracy movement in Nepal a success to consolidate India's influence there. (Rohan Gunaratne correctly informs us that Chandran is now retired and is reading for his Ph.D. at the Tribhuvan University in Nepal). He was involved in managing the Muktibahini leadership in Calcutta before India walked into Pakistan.

Was the bungling of the Sri Lankan operation beyond his control? Gunaratne's book dwells very inadequately with the personality and role of Chandran. Many Tamil leaders would agree that he was between '84 and '87 the protagonist in the Sri Lankan conflict. The inexperienced Rajiv leaned on the RAW and the agency in turn depended on Chandran as Joshi, Saxena and Verma came and went as the agency's heads.

It would be difficult indeed to understand the rise of the LTTE as a

Continued on page 25

## NEWS ROUND-UP

● **THE TAMIL TIGERS** have petitioned seeking United Nations intervention to probe the Indian naval action in respect of the vessel M.V. Ahat and the resulting death of Tiger leader Sathasivam Krishnakumar (Kittu) and nine others on January 16. The petition alleges that on 13 January the ship M.V. Ahat was unlawfully intercepted by the Indian Navy in international waters when it was about 290 miles east of Hambantota in the south of the island of Sri Lanka and about 440 miles southeast of South India. The boat was carrying Sathasivam Krishnakumar (also known as Kittu), a senior Tamil leader and a founding member of the Liberation Tigers of Tamil Eelam and several other members of the LTTE. At the time the ship was intercepted, Kittu was on a peace mission from Europe to Tamil Eelam. The interception and the subsequent actions of the Indian Navy were not only acts of piracy but also amount to unlawful detention. The fact that the interception occurred when Kittu was on a peace mission rendered the action a 'crime against peace' and therefore a 'war crime'. In the petition sent from its London office, the LTTE has asked for the appointment of a UN Special Committee to function as a Tribunal to hear and investigate the gross violations of international law by the Indian Government as set out in the petition.

● **THE ANGLICAN BISHOP** of Colombo, Rt. Rev. Kenneth Fernando, who visited Jaffna in January and had discussions with Tiger leader V. Prabhakaran has said that he is to make a second visit to Jaffna to meet the Tiger leader for another round of talks. The Bishop recently called on the country's leading prelate Ven. Rambukwella Sri Vipassi Mahanayake Thero of the Malwatte Chapter to seek assistance to include a representative of the Malwatte Chapter in the delegation that he intended to lead during his second visit. The Bishop told the Mahanayake that Mr. Prabhakaran had expressed his desire to meet a representative delegation of the Buddhist clergy from the south to work out ways and means to find a solution to the ethnic crisis.

Although the Mahanayake did not give a prompt response, he agreed to refer the Bishop's request to the Council of the Chapter after which the decision would be conveyed to the Mahanayake of the Asgiriya Chapter for a further discussion at a joint meeting of the two Chapters.

● **THE FREE MEDIA MOVEMENT**, which emerged during last year in the context of a series of physical attacks on journalists, held its first public rally in Colombo on 21 January attracting over an estimated 10 to 12 thousand people including prominent newspaper men and opposition leaders. Many speakers emphasised that their campaign for freedom of expression was directed not only at the government but also at opposition parties and 'those groups which vied for power' – an oblique reference to the LTTE and the JVP.

● **THE U.S. AGENCY** for International Development (USAID) will provide Sri Lanka with Rs. 460,920,000 in additional funding, according to grant agreements signed on 18 February by the United States Ambassador Teresita S. Schaffer and Secretary to the Ministry of Finance R. Paskaralingam. The programmes being funded provide support in the areas of infrastructure, agricultural and technological development, natural resources management and social welfare. These funds are in addition to over \$37,000,000 already committed by USAID in recent years.

● **THE RETURN OF SRI LANKAN** Tamil refugees from south India has been suspended according to a Rehabilitation Ministry source. With intensified naval patrolling by both Indian and Sri Lankan naval authorities across the Palk Strait, it was said that it would not be feasible to ferry refugees from Rameshwaram. The threat posed by 'Sea Tigers' was also an important factor that led to the suspension of ferrying refugees by ship. According to the Rehabilitation Ministry, 29,000 refugees have already returned to Sri Lanka.

● **THE GOVERNMENT** had opened the Elephant Pass route which is the normal passage to the Jaffna peninsula, but the LTTE was disallowing civilian traffic on the ground that the military would use this road to launch a drive to capture Jaffna from the LTTE. The Government would guarantee that security forces would not make use of the Elephant Pass route to move into the Jaffna Peninsula.

● **THE CONTINUATION** of the war in the Northeast of Sri Lanka could corrode the 'great prospects' of US investment in the island, the United States Ambassador Ms. Teresta Schaffer said during a lecture on 'US and Sri Lankan Economic Prospects' recently delivered in Colombo. Though the areas excluding the North and East are conducive for economic investment, the bleak picture shown on the inter-

national media about the war could withhold any potential international investors. It was vital for Sri Lanka to resolve the conflict as soon as possible and show the world that the country is economically viable.

● **THOUGH SRI LANKA** has the highest rate of inflation, it can claim to have the highest per capita income among south Asian countries, according to a paper presented by a Bangladeshi expert, Mr. Anwaruddin Chowdhury, to a conference of the South Asian Federation of Accountants. The paper said that the countries in the region were characterised by essentially as low income economies on the basis of World Bank capita income classification. Sri Lanka ranked the highest with a per capita GNP of \$470 followed by Pakistan and India with \$380 and \$350 respectively while those of Bangladesh and Nepal were \$210 and \$170 respectively. The annual GDP growth rates for 1991 were 6.4, 5, 4, 3.6 and 2.5 per cent for Pakistan, Sri Lanka, Nepal, Bangladesh and India. According to the World Development Report for 1992, the inflation rate was the highest in Sri Lanka at 11 per cent followed by 9 per cent in Bangladesh and Nepal, 8 and 7 per cent in India and Pakistan respectively.

● **SIX MORE DETAINEES**, claimed by the police to be hardcore JVPers responsible for several murders, robberies and other associated crimes during 1988 and 89, recently escaped from the Pelawatte Detention Camp bringing the total number of escapees to 16 since October last year. Police are shocked at the manner they have escaped on three consecutive days despite tight security being thrown in and around the detention camp. The three escapees were identified as Somasiri de Silva alias Shantha of Nagollagama, Mudiyansele Gunatilleke alias Sunil of Kadawatte and Padukkage Don Ratnasiri of Gane-mulla.

● **905 CHILDREN** died needlessly because of medical shortages in Sri Lanka's war-torn northern districts, according to a survey published in January. The children were among 14,416 people suffering from malaria and diarrhoea admitted to hospitals. Jaffna's health officials have repeatedly complained about the long delays in sending medical supplies from Colombo, and that only a fraction of what is needed is despatched to the north. Another recent survey indicates that in Jaffna almost 60 per cent of children are 20 per cent below average weight and over 5 per cent are seriously undernourished.



## Continued from page 19

appreciate this reality. It has reference to the question of the extent of devolution of powers but has sheepishly avoided any thought about the fact that the Indo-Sri Lanka Agreement had provided tentatively a merger of the Northern and Eastern Provincial Councils. Basically what was provided in the Agreement was that the two Councils be merged ultimately only if the will of the people of the Eastern Province to do so could be ascertained in a referendum. The immediate merger stipulated there was conditional and on it depended the disarming of the LTTE. The LSSP is of the view that the only solution that can at present be acceptable to the Tamil people is an acceptance of such merger subject to those very same conditions.

## An Impossible War

If it is impossible to accept that contiguous territory inhabited by a majority of Tamil-speaking people should constitute a unit for the devolution of regional power, it must be regarded that no possibility exists of peaceful negotiation of a solution to the Sinhala-Tamil problem in the country. There would then be no

alternative but to seek to impose a solution by one side on the other through the gathering of superior military force.

Ten years of searching for such a solution have today served to demonstrate its complete absurdity. In the first place, neither side has the ability to mobilise sufficient human and material resources to inflict a devastating military victory on the other. Any attempt to do so will result in the common ruin of both contending sides. In the second place, both Sinhala and Tamil chauvinists are heavily dependent on foreign sources for military supplies and financial assistance to pursue their military endeavour. Both sides have already reached a point when these supplies are likely to be withheld from them if no kind of peace is immediately established. Thirdly, the common people on both sides have reached the point of total disillusion with this war which nobody understands and only a self-seeking few desire. Large-scale desertions from the Sinhala armed forces and a virtual drying up of recruitment to the armed forces have become a significant phenomenon. In other words, even if peace is impossible, it is equally impossible to continue the war.

The Government of Sri Lanka must, therefore, be compelled to realise that it has an obligation to confront Sinhala chauvinism in order to serve the country's true interests. **The right to a contiguous Tamil territory as a unit of power-devolution is both a right demand, an irresistible demand and a demand that serves also the true interests of the people of the whole of Sri Lanka.** There is no alternative to it. At the same time, the sharing of power between centre and periphery detailed in the 13th Amendment and the Provincial Councils Act must not be curtailed in any way. If at all it must be improved. Land and responsibility for law and order necessarily belong to the Provincial Councils.

The LTTE may not appear to endorse this approach to peace at this juncture. In any case, there cannot be any opening of negotiations with them unless they first undertake to surrender their arms and participate in a multi-party political system. If the peace-makers can reach out to the masses of all parts of the country and construct an extensive front to bring about the stoppage of this war, it won't be long before even the LTTE cadres begin to think more critically of their present ways.

## Continued from page 23

powerful military force without Chandran.

His ideas and beliefs had a critical effect in shaping academic and media opinion which was a necessary adjunct to the emergence of the Tigers as a decisive factor in Indo-Lankan relations. His discussions with N. Ram who was editor of Hindu at that time were crucial in this respect.

His relationship with the Tamil group was also to a great extent determined by his ability to speak Tamil. Hence he was able to develop more than an official connection with them. There are those who argue that things might have been different if he had been a North Indian.

He is not a Tamil Brahmin from Tanjore as Rohan Gunawardena claims but a Pattar Brahmin of Palghat, on the Kerala-Tamil Nadu border.

Mr. Gunaratne again dwells only briefly on another important issue in RAW's intervention in Sri Lanka. In fact he, perhaps out of prudence, prefers not to mention the critical role played by an ex-Sinhala revolutionary in shaping Chandran's views on the JVP.

Chandran commissioned the ex-revolutionary who was living in exile in Delhi at that time after unsuccessfully plotting to overthrow J.R.'s government and who was also on JVP's hit list, to produce what is said to be a brilliant report on the JVP (the report argued against RAW's involvement with the JVP).

India first attempted to establish contact with the JVP through an Indian Tamil businessman who was known to Upatissa Gamanayake. Wijeweera's lengthy report to the party's central committee was secured and perused by the RAW. Chandran seems to have contacted the JVP through Trincomalee. The TNA and the provincial council collapsed before RAW could fully exploit the connection.

RAW however did not want to totally isolate Premadasa. But did some groundwork for a possible rapprochement in the future.

Today, one could say that everything appears to be going fine between India and Sri Lanka despite the doings of Somawansa Amarasinghe.

Rohan Gunaratne's book is clearly intended to create a critical sensibility in future Indo-Lankan relations. His conclusion subverts that intention.

The legitimacy of India's role in Sri

Lanka vis-a-vis the LTTE could even justify another phase of intervention in Sri Lanka.' (P. 484).

A little later he asserts in his concluding paragraph 'whether we like it or not, the LTTE supremo Prabhakaran has emerged as the *de facto* leader of the Sri Lankan Tamils' (p. 488). This, I think, is a curious situation. The RAW's involvement in the Sri Lankan Tamil problem will remain a tale riddled with dead ends and curiosities and as such will attract, perhaps dangerously, more story tellers trying to be cleverer than the other. What will fascinate them at the core would be the question - Was it patriotism bungled or patriotism sold?

Unni Krishnan, a RAW official who handled the Sri Lankan Tamil affair in Colombo and in Madras was uncovered as a CIA mole in the service. In prison he told a naxalite leader who was released before him. 'There was someone else above me.' Thus the tale lives on.

- by Taraki

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### MATRIMONIAL

**Jaffna Hindu brother seeks partner for sister, 33, LL.B., working as legal officer in reputed firm in Colombo. Please send details. M 644 c/o Tamil Times.**

**Jaffna Hindu engineer seeks partner for his qualified accountant brother, 31, employed in U.K. Horoscope and other details please. Confidentiality assured. M 645 c/o Tamil Times.**

**Hindu parents seek professional qualified groom in his forties for engineer daughter, British citizen. Send details M 646 c/o Tamil Times.**

**International Design Consultant, son, US citizen, respectable Sri Lankan Tamil, educated UK Masters degree, enjoying good successful life with world-trade appreciation, internationally famous, prosperous, 6', fair, smart, handsome, 42, seeks attractive, tall, fair, slim, qualified lady, 28-34 years, religion, nationality no bar. Send details, photo to 35 Lafayette Avenue, Titusville, NJ 08560, USA Or Tel: 081-685 9794 (UK).**

**Uncle seeks suitable Tamil partners willing settle Australia for culturally and religiously oriented girls, Hindu 28, Catholic 27. Both professional degree holders Australian Universities. Box 1229, Carindale 4152, Brisbane, Australia.**

**Cultured Jaffna Hindu parents seek pretty, qualified (minimum graduate) girl with good family background for their professional, doctorate son, 28, (Mars), in good employment (U.K.). Send details and horoscope. M 649 c/o Tamil Times.**

### WEDDING BELLS

We congratulate the following couples on their recent wedding.

**Dr. Kesavan son of Mr. & Mrs. N. Shanmuganathan, Montreal Road, Ilford, Essex and Girija, daughter of Dr. & Mrs. N. Sahadevarajah, 6 Rectory Garth, Hemeworth, W. Yorks., at Park Hill School Hall, Stanmore, Middx. on 28.11.93.**

### Matching Horoscopes

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### Lease for Sale

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## OBITUARIES



**Sivananthi**, beloved daughter of the late Sai Bavane; sister of Mrs. Sivashanthi Perinbanayagam, and Mrs. Sivayogi Sivayogaiswaran passed away in U.K. On 6.1.93. We thank all for their messages of sympathy and support during the period of grief - Mr. & Mrs. Sivayogaiswaran, 3 New Leasow, Sutton Coldfield, Birmingham B76 8YL.

**Two dearly beloved daughters of the late Mr. & Mrs. A.M. Brodie - Mrs. Leela Sabaratnam & Mrs. Kamala Johnpillai.**

**Mrs. Leela Sabaratnam** died on 28.12.92 in Jaffna. She was the beloved wife of Mr. C. Sabaratnam; mother of Sivakumaran (Texas), Sugumaran, Sooriakumaran, Selvakumaran (all of Vancouver), Shanthikumaran (Canada), Shantini (Colombo) and Suvendrini (Jaffna); mother-in-law of Ganeshasunderam, Balakrishnan, Punitha, Dhanushala, Sharmini, Rajani and Kumutha.

**Mrs. Kamala Johnpillai** died in New Zealand on 5.3.93. She was the beloved wife of the late Victor Johnpillai; mother of Rohan, Ajit (both of New Zealand), Hiran (Vancouver), Patricia (Bermuda); mother-in-law of Vasanthi, Mary Anne and Sharan. They are sisters of A.M. Brodie (Australia), late Navaratnarajah, Thirugnanam (Colombo), late Singarajah, Mrs. Saraswathy Kanagasabapathy, Mrs. Pushpa Candiah (both of Canada); Mrs. Gunawathy Shakespeare and Mrs. Pathma Yogarajah (both of London) and have a number of grandchildren, nieces and nephews.

We cannot forget the happy life, we all lived together at Brodie House. May these two souls rest in peace - Mrs. G. Shakespeare and Mrs. P. Yogarajah.

**Nagalingam Sanmugathasan** - born 3.7.1920; died 8.2.1993.

General Secretary of Ceylon Communist Party (Maoist), and General Secretary of the Ceylon Trade Union Federation. Husband of late Parameswary; father of Mrs. Radha Thambirajah; brother of Mr. N. Kugathasan and Mr. N. Sivathasan; Father-in-Law of Dr. M.S. Thambirajah and Grandfather of Sathyan.

Expired in Birmingham. Funeral held on 13.2.1993 at Solihull, Birmingham.

### Nanny Wanted

Nanny/Mother's help wanted. Nice location. Please ring (0908) 665610.

## IN MEMORIAM



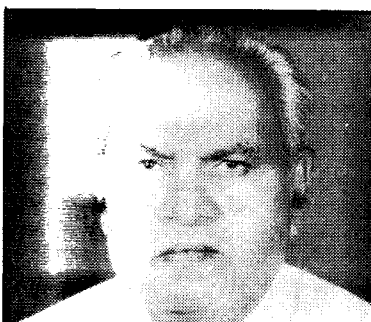
In loving memory of **Sebamanie Florence Tambyrajah**, on the first anniversary of her passing away on 3rd March 1992 after an accidental fall at home.

**Dearly loved wife of Robin**, devoted mother of Christine, Anton, Mahendran, Rajah, Balachandiran, Dinkie, Suhanthamalar and Yohini; mother-in-law of Doris, Tony, Helmut, Anja, Elke and Cuckoo and much loved grandmother - 19 Bramall Court, Peterborough PE3 6RD.



In loving memory of **Goby Pathmanathan** on the first anniversary of his passing away on 22nd March 1992.

**Sadly missed** and fondly remembered by his parents, sister Meera, other members of the family, friends and relatives. A poojah in his memory will be held at his parent's residence on 10th April 1993 - 401 Ley Street, Ilford, Essex IG1 4AB, U.K. Tel: 081-478 2648.



In loving memory of **Dr. Sinnathamby Selvarajah**, Retired Registered Medical Practitioner, Kantharmadam, Jaffna on the first anniversary of his passing away on 25th March 1992.

He was the loving husband of Thanaluxmy; father of Dr. Yoganathan, Dr. Yogaranjitham (both of U.K.), Mrs. Jeyaranjitham, Mr. Eswaranathan (U.K.); father-in-law of Manjula, Dr. Navaratnam (both of U.K.) and the late Mr. Sivalingam and grand father of Mahesh, Nilusha, Govardhan, Janardhan (U.K.), Bhiranavan and Sivanjali (Sri Lanka).

## IN MEMORIAM

**Sarojini Visvendran**  
née Kanagasabai  
Born: 8.9.41



Rest: 2.3.89

**Dr. Indramohan**  
Kanagasabai  
20.2.46



1.4.92

Both of you from the same brood  
Blessed with good heart and noble deed  
Loved and cared for, all in need  
Sadly called to rest without time to share  
With each and every one you did care  
The shock is fading slowly  
But not the love and affection we shared.  
Fondly remembered by the families and relatives.

- T. Visvendran, 27 Cromwell Road Stevenage, Herts, U.K. Tel: 0438 356533.

## In Loving Memory of Our Beloved

Daddy

Mummy

**Ponnampalam**  
Kanagaratnam  
Born: 11.10.1908



Rest: 2.3.1982

**Vemalaranee**  
Kanagaratnam  
10.7.1923



31.3.90

Gently with love your memory is kept  
Your affection and kindness  
We will never forget  
You both are always in our thoughts  
And for ever in our hearts

Remembered with love and affection by sons Sara, Brem and Dubsy; daughters-in-law Laliitha and Shyamala; and grandchildren Janarthan, Mehala, Uthistran, Arani and Anuja. - 19 Huxley Place, Palmers Green, London N13 5SU. Tel: 081 886 5966.

## FORTHCOMING EVENTS

**April 2** 6.30pm Colombothurai Sri Yogar Swamigal Abisekham and Guru poojah at Sri Ganapathy Temple, Effra Road, London SW19.

**Apr. 3** 6.30pm Paddum Paratham in aid of Sri Murugan Temple Building Fund by Sujatha Chandran (Vocal) and Sharmini Rajagopal (Bharatha Natyam) at Acton Town Hall, Acton High Street, London W3. Tel: 081-478 8433/205 1089.

**Apr. 3** 6.30pm Seventh Anniversary Cultural Evening of Institute of Tamil Culture at Holy Cross Convent School Hall, Sandal Road, New Malden, Surrey. Tel: 081-399 6167.

**Apr. 4** Pirathosam.

**Apr. 5** Panguni Uththiram.

**Apr. 6** Full Moon.

**Apr. 8** Maundy Thursday.

**Apr. 9** Good Friday.

**Apr. 10** Holy Saturday, Chathurthi.

**Apr. 11** Easter Sunday; 6.30pm Herts Tamil Union, Tamil New Year Dinner - Dance at Claremont High School Hall, Kenton, Harrow, Middx.

**Apr. 14** Srimugu Hindu New Year.

**Apr. 17** Ekathasi.

**Apr. 18** 5.30pm London Tamil Institute presents 'Dance Drama' Meenatchi Kalyanam at the Brent Town Hall, Forty Lane, Wembley, Middx. Tel: 081-904 3937/909 3113.

**Apr. 19** Pirathosam.

**Apr. 21** Amavasai.

**Apr. 23** St. George's Day.

**Apr. 24** Karthigai.

**Apr. 25** Chaurthi.

**May 1** Eastern Fine Arts Promotions presents Carnatic Flute Recital by Sri K. Jananayagam at Wembley High School Hall, East Lane, Wembley, Middx. Tel: 081-205 8214.

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

**Apr. 2** 7.45pm Mohini Attam by Tara Rajkumar and Group.

**Apr. 4** 10.30am Benefit Performance - Sitar Concert by Padma Vibushan Ravi Shankar.

**Apr. 10** 5.30pm Lecture on 'Mahabhata' by Sri Mathoor Krishnamurthi.

**Apr. 24** 5.30pm Lecture on 'History of Indian Art' by Dr. John Marr.

**Apr. 24** 7.00pm Bengali Music & Tagore's Dance Drama.

**Apr. 30** 7.45pm Karnatic Vocal by Jahnavi Jayaprakash.

## Manipay Hindu Alumni Meet

At the meeting of the alumni of Manipay Hindu College held at St. Mathews Parish Church Hall, Surbiton, Surrey on 28.2.93, **Mr. M. Perayiravar**, Principal Emeritus, who was on a brief visit to the U.K. said: 'Manipay Hindu College was not built on Macaulay's minutes on colonial education, which then decreed the college to turn out black Englishmen loyal to the establishment, but on Hindu Saiva vision which gave pride of place to life's fulfilment over society's needs carefully nurtured by Saiva Savants like Principal Vipulanandar and his worthy successors. We are grateful to them and the college for the message that human life is an opportunity for the soul to learn, to grow and evolve into maturity fulfilment and freedom through the learning process.

'How difficult would it be for a Tamil child living in a foreign clime to come to terms with the culture-conflict. It is our sacred duty to pass on at least a little of our ancient wisdom to our children in the U.K. to enable them to discover their own identity, dignity and freedom through their own language and culture. The many institutes of Tamil Culture in the U.K. are addressing themselves to this difficult problem and may their efforts to produce many Anandakumaraswamys, the rich and happy amalgam of both east and west be crowned with success.'

The following were elected office bearers for the ensuing year. **President:** Mr. K. Rajamanoharan, **Vice-President:** Mr. S. Kethulingam, **Secretary:** Mr. T. Skanda,

**Asst. Secretary:** Mr. A. Thirumoolan, **Treasurer:** R. Anbalahan, **Asst. Treasurer:** K. Jayaseelan, **Committee Members:** Mrs. Y. Thadchanamoorthy, Mr. A. Balakrishnan, Mr. A. Yogarathnam, Mr. K. Varatharajan and Mr. M. Jayathevan.

## Herts. Tamil Union Sends Humanitarian Aid

The Tamil Union of Herts. in its tenth year of existence has decided that **The need of the hour** as their priority function for the next decade and intends to step up their efforts to provide humanitarian aid to the suffering Tamils.

In the past the members have through their voluntary efforts donated cash and necessities of life to several orphanages and refugee organisations in the north and east of Sri Lanka in addition to maintaining the **Herts. Tamil School** based at Parkgate Junior School, Watford without external funds or resources.

Recent acknowledgements have been received for their shipments of basic necessities of life including opticals and hearing aids etc along with a donation of £1000 sent to Orphanages run by (a) Ramakrishna Mission, Batticaloa (b) Durgapuram, Tellippalai (c) Hindu Board of Education, Thirunelvely and (d) Bishop's House, Jaffna have enthused the members to organise another fund raising event in the form of a Tamil New Year Dinner Dance on Sunday, 11th April at 6.30pm at Claremont High School Hall, Kenton, Harrow, Middx. Tickets are available from Mr. Logan Rasiah - Tel: 0923 662811, Mr. M.P. Ganeshan - Tel: 0442 252664 and Dr. S. Sabaratnam - Tel: 0923 226000.

Arrangements have been made for large scale collection of used medical aids, artificial limbs during early summer.

## The Late Kailasapillay Kandasamy - A Great and True Centralite -

Kantha's connections with Jaffna Central College covers a period of about half century. He joined the college in the early 1940s as a student of the primary section and retired in May 1991 as Deputy Principal. When he married Manonmany the only daughter of Alfred Edward Tamber, Principal Emeritus of Jaffna Central College he became heir to a legacy of Tamber Family's association with Jaffna Central College for two generations. Kantha's close and long association with the lofty traditions of Jaffna Central College has enriched his life and service to become a great and true Centralite.

Jaffna Central College is unique in many ways. All Christian colleges founded in the early part of the British rule in Ceylon (Sri Lanka) were named after Christian saints, but Jaffna Central College was an exception to this general trend. A spirit of centralism in all matters physical, mental and spiritual and a broad vision free from class, creed and caste distinctions seem to have dominated the aspirations of the founders. The mutual inspiration and appreciation between the first principal Rev. Peter Percival and his student Arumuga Navalar who later became the Hindu revivalist, confirms the liberal, and

Continued on page 28

**Continued from page 27**

nationalistic values Jaffna Central College fostered. Central has also pioneered progressive thinking in education. 'Kantha' imbibed these educational, social and cultural values.

I came to know the late Kandasamy in 1952 when I joined the staff of Central as a teacher. He was my worthy colleague till I retired in December 1982. During this period I enjoyed his pleasant company and valuable friendship in all school and social activities. I also admired his deep love and loyalty to his Alma Mater. He was well known for his indomitable courage to initiate changes and face challenges. He never failed to fight for what he thought was right. A series of events can be mentioned to illustrate my point but for the sake of brevity I shall mention a few. Jaffna has always been the home of scholars; Educationalists, professionals, academics and political leaders have emerged from the North to lead the rest of Ceylon. After 1956 there was a sinister move to reverse this tide by unfair standardisation and regional restrictions in University admissions. A constructive way of overcoming some of the obstacles confronted by our students was through special student preparation in studies. Kandasamy plunged into this attempt at great risk to his position and organized 'YARL HALL', a centre of extra tuition for university entrance students. This institute of specialist teachers became very popular and was a success in many ways. It continues to this day as a living monument to his organising abilities.

During the 'Operation Fort Campaign' by

the Security Forces, Central was heavily damaged and a change of site was recommended by the Department. Mr. Kandasamy was against moving Central away from where it had been for more than a hundred and fifty years. He whipped up the loyalty of the past students, the parents and the community around the college. Thanks to Kandasamy, the true and great Centralite, today Central stands where it was. As Deputy Principal and vice president of the Jaffna Branch of the O.B.A. he was instrumental in renovating the damaged buildings and putting up new blocks.

The liberal attitude and religious tolerance which Kantha learned to respect at Jaffna Central College is evident in his private life too. He is a Hindu and his wife an Anglican Christian but religious differences united the family more than ever. The family went to the church with the mother and to the temple with the father. The children have grown to respect both religions and free to choose in their maturity according to their preferences.

Kandasamy's death was sudden and untimely. He departed at a time when his guidance and help were most needed by his family with all five children yet in their studies. On the First Anniversary of his death we join his family - his wife Manonmany, sons Jeyashankar, Vijayshankar, Thayalashankar, daughters Mythili, Kausika and mother-in-law Mabel Tamber - in their prayers for his life and service based on the motto 'In Gloriam Dei Optimi Maximi'.

**N.S. Rathinasingham,**

(Retired Principal, Jaffna Central College).

## Kalabhavanam Presents Saraswathi Packiaraja

The South London Fine Arts Centre, KALABHAVANAM, which flagged off last June with a classical concert by Manorama Krishna Prasad of Bangalore, has now proved worthy of its declared objective. In selection of artistes, and programmes and selective in presentation with the aim of unlocking the mysteries in the fundamentals of classicism Kalabhavanam has maintained a high profile in the art world of London.

After a highly rated Kuchipudi dance by a talented Andhra artiste Kalpana Srinivas in January last, the projection of the reputed Carnatic musical Trinity - Thiagaraja, Muthuswami Dikshitar and Syama Sastri - to the local audience, with an expert exposition of their musical genius has now established the lofty aim and purpose of Kalabhavanam.

In the cosy atmosphere of a small sized auditorium in Whitehorse Road, Croydon, on Sunday 28th February, Smt. Saraswathi Packiaraja presented some selected compositions from the krites of the musical Trinity in their true and unique forms. Saraswathi is a mature musician brought up in the traditional school under great masters. Sri P.P. Kanthan, a well known rasika and a great connoisseur of classical music gave an expert introduction to the compositions of the trio which enlightened the audience. Dr. Manjubhashini Sivanathan who compered the programme added a new dimension to the programme. Tiruvallur Kothandapani on the violin and Muthu Sivaraja on the mridangam gave suitable accompaniment to the vocal recital.

- Kalyani.



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

The winner will receive a prize of £10.00 sterling.

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

#### Across.

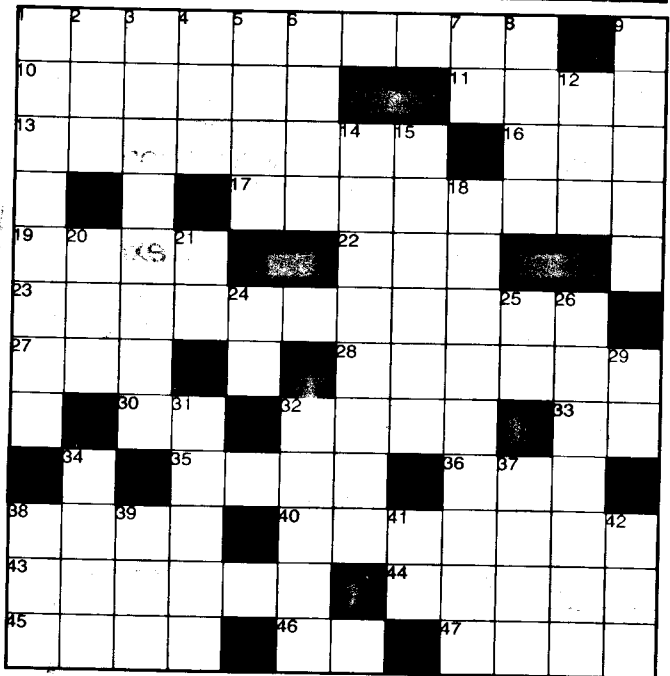
1. Chinna Yalpanam, a Colombo suburb (10)
10. A destructive period of time in the life of our planet (3,3)
11. The lioness that won the hearts of so many (4)
13. Counted and marked (8)
16. - East (3)
17. Forcibly removed out of a country (8)
19. Charged particles (4)
22. This group demands a republican state, with horrendous violence (3)
23. Southeast Asian island republic famed for its Malay-Polynesian-Chinese-Indian culture (11)
27. Printer's measure, (3)
28. A book of the Bible (6)
30. His Excellency (2)
32. A popular pet in Sri Lanka but a pest in the Seychelles (4)
33. Bachelor of Divinity (2)
35. Without one, public transport suburban travel could be quite tiresome (4)
36. Some use a shower, others a bath for which this is needed (3)
38. There are many in a pod (4)
30. In parent-child relationship, this denotes a strong attraction of the opposite sexes (7)
43. With tea, it is sweet and nice (6)
44. Angry (5)
45. Temporary residence in a place (4)
46. Not out (2)
47. Genial 1975 Wimbledon Men's

champion, an unfortunate victim of a cruel illness (4)

#### Down:

1. Manitoba's provincial capital, a lovely city (8)
2. Britain's unhappy currency system prospect (3)
3. A juice could be this if its citric (8)
4. A place to hold experiments (3)
5. Physical state of an elderly person (4)
6. We are, briefly (4)
7. Just a note, remember Sound of Music (2)
8. Felt confused (4)
9. Robust and strong (5)
12. Good to enclose this when a reply is expected, abb. (3)
14. Though not a parasite, needs the support of another plant (8)
15. Member of a warlike Hellenic people (6)
18. Maori chief (9)
20. Unit of electrical resistance (3)
21. Sri Lanka, abb. (2)
24. Third largest satellite of Jupiter (2)
25. Example in short (2)
26. Jewish and Christian day of rest (7)
29. I would in short (2)
31. Written composition (5)
32. Native people of New Zealand (5)
34. A distinct religion-based community (4)
37. Tropical trees (4)
38. Footlike part in a tree (3)

### QUIZ CROSSWORDS - No. 25. Compiled by: Richards



39. According to a particular style (3)

40. A princess in distress (2)  
42. Sheltered side (3)

### Quiz Crosswords - 23: Solutions.

**Across:** 1. Christmas. 9. We. 11. Haiti. 12. Apiary. 14. Upland. 16. Bee. 17. Elects. 19. Bal. 20. Do. 22. IQ. 23. Lake. 24. In. 25. August. 28. Ka. 29. Narrates. 32. Ugh. 33. Nauseate. 34. Le. 35. Dons. 36. Around. 37. Ailed. 41. Eastern. 43. Pellets. 44. Tea.

**Down:** 1. Chundikulam. 2. Hap. 3. Rile. 4. Italian. 5. Sine qua non. 6. Ma. 7. Apes. 8. Sl. 9. Wreak. 10. Eyelet. 13. ABBA. 15. DC. 18. Taurus. 21. Onager. 23. LTTE. 26. Grandee. 27. SAS. 30. Eaglet. 31. ST. 35. Dual. 37. Ass. 38. It. 39. Ere. 40. DNA. 42. At.

**Winner:** Miss Christine Arulrajah, 12 Glenthorne Road, Morden, Surrey, SM4 4JW.

#### Continued from page 15

motto. They have gone to the extent of financing and backing another Tamil weekly, 'CANADA EELANADU', in an obvious bid to undermine Jeyaraj's 'SENTHAMARAI' and other independent Tamil publications numbering over fifteen in Metropolitan Toronto alone.

On 1 January 1993, the editor of the Tiger-supported 'CANADA EELANADU' abused Jeyaraj verbally on the telephone and threatened him with bodily harm. On the night of 14 February, though not a journalist or writer, I.N. Ranjan who parades himself as the editor of the 'CANADA EELANADU' was present at the Science Centre and was seen in the company of the assailants at the scene of the incident in which Jeyaraj was attacked.

Jeyaraj was returning home after watching a movie at the Science Centre auditorium when two young Tamils accosted him in the car park and complained about a news report in the 'SENTHAMARAI'. This particular report contradicted the Tiger claim that India had promised through the Quakers safe passage to Kittu (who

committed suicide on board the ship M.V. Ahat when intercepted by the Indian Navy on 16 January), and then went back on its word and caused his death. The other armed youth then entered the scene and began the attack. Sources close to Jeyaraj testify that the assailants are persons closely associated with Uthayakumar, a senior leader of the LTTE sponsored 'World Tamil Movement' and with 'CANADA EELANADU' editor Ranjan, who attends also to the technical aspects of the production of the LTTE's weekly in Canada, 'ULAHATH THAMILAR'.

Tamil Tiger supporters in Toronto have on earlier occasions been accused of anti-media activity. Those associated with 'THAYAGAM', another independent Tamil weekly which has been critical of the Tigers, have been subjected to continuous harassment and intimidation, and the shops in which this journal was being sold were made targets of attack and shop keepers terrorised and prevented from selling it. Another community radio broadcaster, Ilayabharathy, complained to the police last year that

three bullets were fired upon his door after being abused on the telephone. On many an occasion, meetings and functions organised by persons holding independent or contrary views to those of the LTTE have been violently disrupted.

### Tamil-Muslim Unity Urged

Maruthoor Gani, Senior Vice President of the Sri Lanka Muslim Congress has issued a statement that: until and unless the Tamil Muslim parties get together by recognising their individuality, security and regional rights and speak out in one voice no solutions could be found for the North East problem. The Muslim Congress was compelled to enter into a dialogue with communal parties and to accept conditional demerger because the Tamil parties were not willing to recognise the rights of the Muslims. In as much as Sinhalese chauvinists deny the rights of the Tamils, the Tamil chauvinists also deny the rights of the Muslims. He further said that if they agree for the division of the East it is the Tamil parties who will be held responsible for it.

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