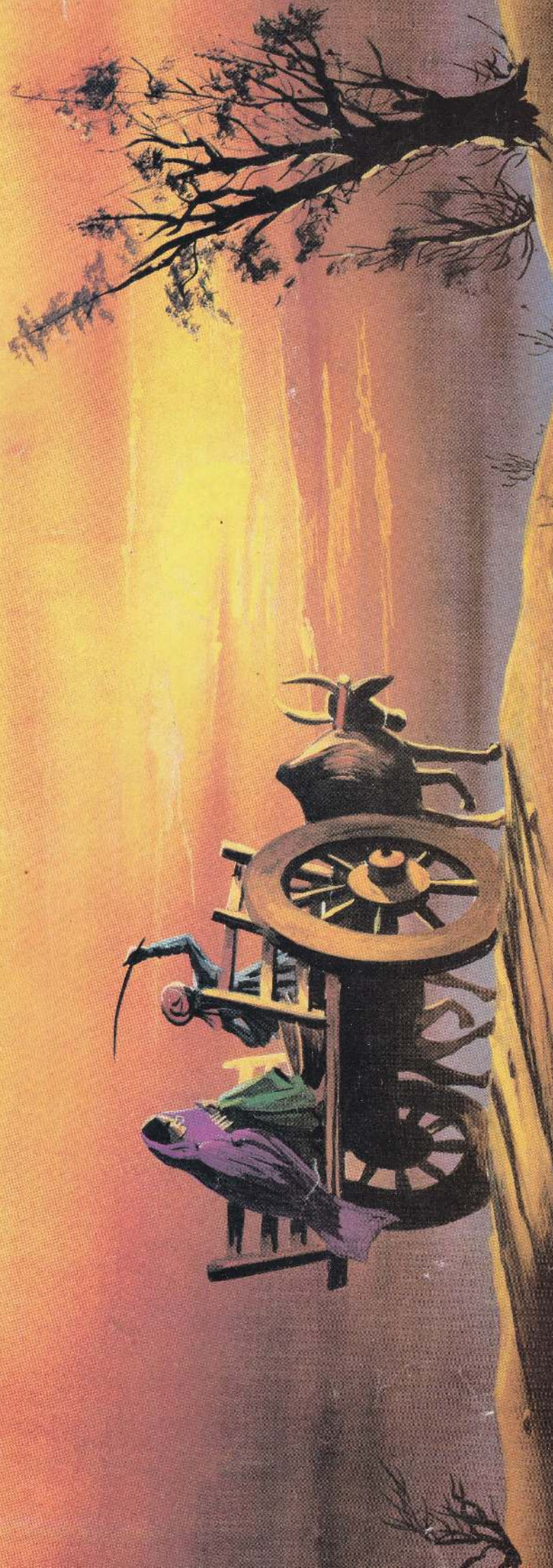


TWAN

ANNUAL REPORT 1993



TAMIL WELFARE ASSOCIATION (NEWHAM) U.K

தமிழர் நலனையும் சங்கம் (நியுஹாம்) ஸ்டூ.கே

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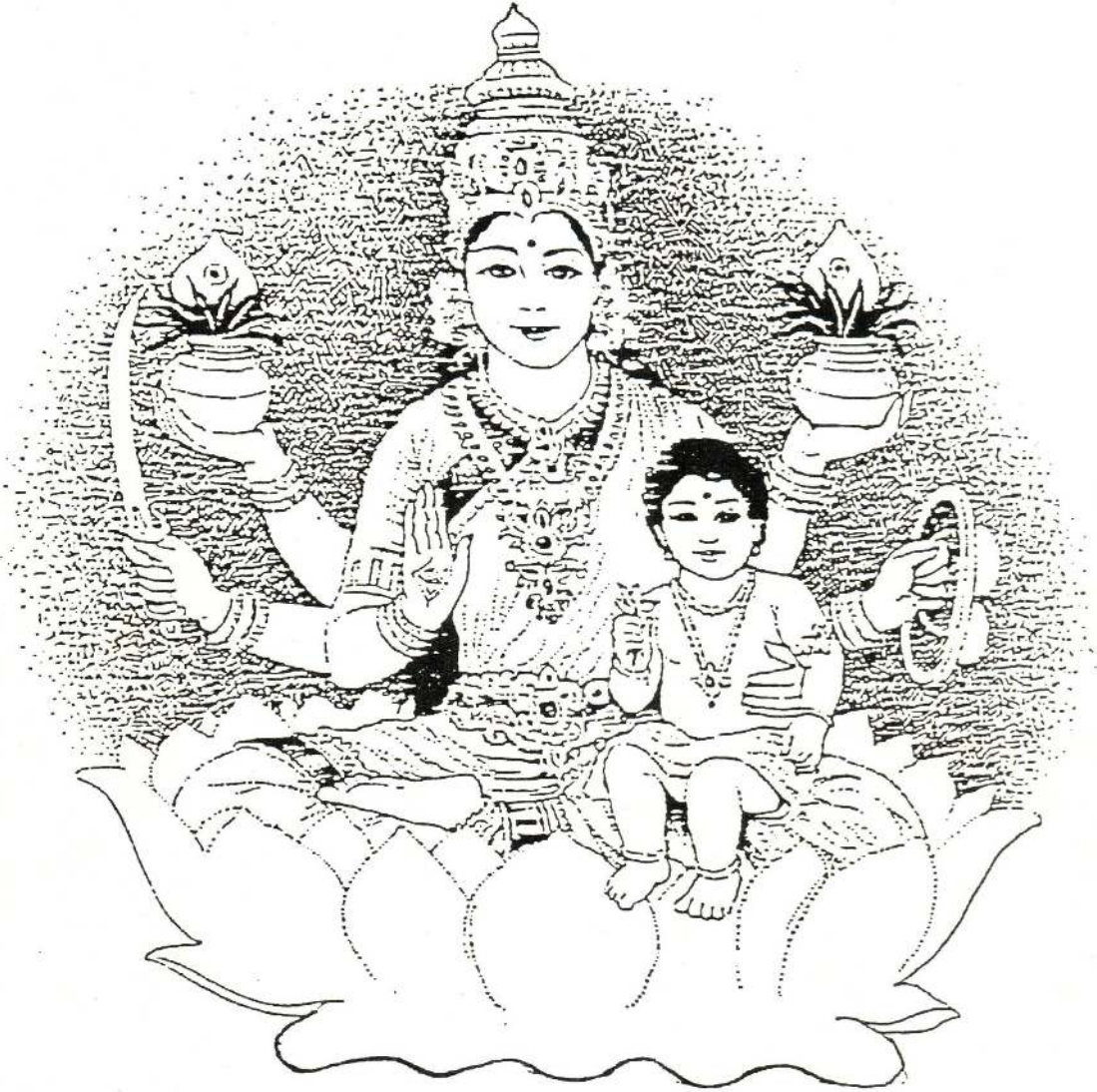
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தமிழ் கூறும் தரணிதனுக்கு
எம் தலை தாழ்ந்த வணக்கங்கள்.



பிறந்தது பவ இன்று
சிறந்தது பார் என்று
நிறைந்தது நெஞ்சமது.

தமிழர் நலன்புரி சங்கம் (நியூஹாம்) ஐ.ரா.

33அ ஸ்ரேசன் றோட், மனோர் பார்க், லண்டன் கிழக்கு 12

Tel/Fax: 081 - 478 0577

தலைவர் உரை

பிரியமுடன் கூடிய பிரித்தானியா வாழ் தமிழ் பேசும் மக்களுக்கு,

தமிழர் திருநாளாம் சித்திரைப் புத்தாண்டு இவ்வருடம் “பவ” என்னும் ஆண்டாக மலர்கின்றது. மலரும் இப்புதுவருடத்தில் சகலவளங்களும் கிடைக்கப்பெற்று, அமைதியுடனும், சமாதானத்துடனும் என் இனிய தமிழ் மக்கள் வாழ இறைவனை வேண்டி வாழ்த்துகின்றேன்.

தமிழராகிய நாம் சந்தர்ப்ப சூழ்நிலைகளால் பல்வேறு நாடுகளிலும் அகதிகளாக வாழ வேண்டிய நிலையிலும், நாட்டுக்கு நாடு வெவ்வேறு சங்கங்கள், உதவி நிறுவனங்கள், நலன்புரி நிலையங்களை அமைத்துச் செயற்படவேண்டிய நிலையிலும் உள்ளோம். இந்த வகையில் லண்டனில் நியூஹாம் “தமிழர் நலன்புரி சங்கம்” (TWN) என்னும் பெயரில் ஒரு சங்கம் எட்டு ஆண்டுகளுக்கு முன்பு தோற்றுவிக்கப்பட்டு, தமிழ் அகதிகளின் நலன் பேணி வருகின்றது. இச் சங்கமானது தொடர்ந்தும் தனது சேவைகளை திறந்த மனத்தோடு திறம்படச் செய்திட உங்கள் எல்லோரினதும் பங்களிப்பையும் வேண்டி நிற்கிறோம்.

மேலை நாட்டின் நாகரீக, கலாச்சார வாழ்க்கையின் நடுவே, தாய் மொழியாம் தமிழை மறவாது, பண்பாட்டை மறவாது அன்னிய மோகத்தில் அடிபட்டுச் செல்லாமல் இருக்க, எம் தமிழ் மக்களுக்கு மொழி, கலை, கலாச்சாரம் ஆகியவற்றினை நினைவூட்டி எமது இனத்தின் மகத்துவத்தைப் பேணிக் காக்கும் நோக்குடன் கலாச்சார நிகழ்வுகளையும், பிற செயற்பாடுகளையும் ஊக்குவித்து வருவதில் பெருமையடைகின்றோம்.

தொடர்ந்தும் எமது சேவைகளில் பல்வகையிலும் விரிவடையச் செய்வதன் மூலம் எம்மக்களுக்கு நன்மை புரிந்திட எல்லாம் வல்ல லண்டன் ஸ்ரீ முருகப்பெருமானின் ஆசியையும், அருளையும் வேண்டி நிற்கின்றோம்.

ஞா . குண்டுகலயேஸ்வரி

திருமதி கா சண்முகவடிவேல்
தலைவர்



ALF LOMAS

Member
of the European Parliament
LONDON NORTH EAST

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Fax: 081-503 0028

Tamil Welfare Assc. (Newham) U.K.

8th April, 1994.

Dear Friends,

I am pleased to send my very best wishes to all your Members.

Your organisation plays an important role in the welfare of Newham's Tamil population. We must work together to make sure that Tamils everywhere, whether in Newham or Sri Lanka, receive their full democratic rights.

Yours sincerely,

Alf Lomas, MEP.



இலண்டன் ஸ்ரீ முருகன் கோயில்

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Date 14.04.1994

தமிழர் நலன்புரி சங்கம்

33அ ஸ்ரேசன் சாலை

மனோர் பரர்க்

இலண்டன் கி 12

இலண்டன் மாநகரில் தமிழர்களின் கலங்கரை விளக்கமாய்த் திகழ்ந்து
அரும்பெரும் தொண்டாற்றி வரும் 'தமிழர் நலன்புரி சங்கம்' தமிழ்ப் புத்தாண்டு
தினத்தை அனைவரும் மகிழும் வண்ணம் கலை விழாவாக நடத்த இருப்பது
அறிந்து மகிழ்ச்சி அடைகிறோம்.

கடல் கடந்து வந்தாலும், கடவுளையும் கலைகளையும் கண்ணெனப்
போற்றும் நம் இனத்திற்கு இது போன்ற நிகழ்ச்சிகள் அடிக்கடி
நடத்தப்படவேண்டியது மிகவும் அவசியமான ஒன்றாகும்.

விழா சிறக்கவும், விழா மலர் நறுமணம் வீசவும், தமிழர் நலன்புரி
சங்கத்தினரின்கேவகனாக நம் மக்கள் பயன் அடைந்திடவும் வேண்டி எல்லாம்
வல்ல இலண்டன் ஸ்ரீ முருகப் பெருமானை வணங்கி வாழ்த்துகின்றோம்.

இங்ஙனம்

(Signature)

சீ. சம்பத்துமார்

தலைவர்



The Worshipful the Mayor
Councillor Jean Reeves

London Borough of Newham

The Chair and Members of
Tamil Welfare Association(Newham) UK
c/o 33a Station Road
Manor Park
London E12 5BP

31st March 1994

Dear Friends

It gives me the greatest pleasure to send you my best wishes on the occasion of the Tamil New Year celebrations.

It is my hope that the New Year will bring happiness and good fortune to you all and that your community will continue to prosper and grow.

yours sincerely

Jean Reeves
Mayor

பிறந்து வந்த 'பவ' வருடம்

'ஸ்ரீ முக' வருடம் தனை வழியனுப்பி
மலர்ந்திட்ட 'பவ' வருடம் தன்னை வரவேற்று,இன்று விழாக்
காணுகிறது 'தமிழர் நலன்புரி சங்கம்'.

60 வருடச் சுற்று வட்டத்தில்
எட்டாவது வருடமான 'பவ' வருடம், கார்த்திகை நட்சத்திரமும்,
சித்தாமீர்த யோகமும் கூடிய புதன்கிழமை பின்னிரவில் பிறந்தது.

எங்கள் வாழ்வும் எங்கள் வளமும்
மங்காத தமிழென்று சங்கே முழங்கு!

என்ற பாரதிதாசனின் கவிக்கூற்றை
நிகழ்வாக்கி வரும் தமிழர் நலன் புரிசங்கத்தினர் வருடா
வருடம் இந்தக் கலை இரவை நடாத்துவதன் மூலம் புலம்
பெயர்ந்த போதும் தமிழின் பண்பாடும், கலாச்சாரமும் மங்காது,
பேணிப்பாதுகாக்க வழி கோலுகின்றனர். துன்பம் துறந்து
எல்லோரும் இன்புற்றிருக்கவந்த 'பவ' வருடத்தை வாழ்த்தி
வரவேற்போம்.

'பவ' தனில் சுகம் பெற்று
புவி தானும் உய்வுற்றிருக்க
மங்காப் புகழினை மக்கள் தான் பெற
சங்கம் சார்பில் வாழ்த்துகிறோம்.
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SECRETARY'S REPORT

1. Annual General Meeting held on 2 May 1993

Agenda

- a. Opening Speech by the Chair of the Management Committee.
- b. Election of AGM Chairperson.
- c. Apologies.
- d. Annual Report from the Secretary.
- e. Project Report from the Public Relations Officer.
- f. Financial Report from the Treasurer.
- g. Election of Management Committee Members.
- h. A.O.B.

a. Opening Speech

The Chair to the Management Committee, Mr Ramachandran, welcomed the gathering. He regretted for the slight delay in starting the meeting because of some members reaching the hall late due to protest and intimidation outside the Town Hall where the AGM was held, by some ex-members of TWAN. He went on to call for nominations for election of a Chairperson to the meeting.

He also thanked the members present for having attended the AGM despite the protest and intimidation and also for having made it possible to hold the AGM with the required quorum.

b. Election of AGM Chairperson

Mrs Balasingam was unanimously elected to chair the meeting. Mrs Balasingam expressed her sincere gratitude to the gathering for the confidence and trust they had placed in her, to conduct the meeting. She appealed to every one present to offer their full and whole hearted support to make the AGM a success, and to help TWAN's activities for the welfare of the Tamil Community.

c. Apologies

None.

d. Annual Report from the Secretary

The Secretary said that his report for the year 1992 had been included in the Annual Report 1992 already published and circulated to members on the occasion of the Cultural Programme 1993.

Copies of the Annual Report were distributed to the members present and the Secretary briefed on some of the important matters from his report. The Secretary's Report was passed by the House.

e. Project Report from the Public Relations Officer.

As in the case of the Secretary's Report, the Public Relations Officer's Report had also been included in the Annual Report 1992 and circulated to members on the occasion of the Cultural Programme 1993.

The P R O read out some of the salient features of his report. His report was also then passed by the House.

f. Financial Report from the Treasurer

Again, the Financial Report was published in the Annual Report 1992 and tabled by the Treasurer. It was then approved by the House.

g. Election of Management Committee Members.

Under the strict supervision of the independent observers the election was conducted and the results were announced.

The independent observers who served on this occasion are as follows:

- 1) Dr R Nithiyananthan
(West London Tamil School)
- 2) Mr Sriskandarajah
(Solicitor)
- 3) Mrs Sivajothy
(London Sri Murugan Temple)
- 4) Mr Rama Veerasingham
- 5) Mr Sooriyakumar
(Solicitor)

h. A.O.B

In view of the imminent stoppage of the Council Grant to TWAN, the members unanimously agreed to send an appeal to the to the Community Affairs Sub Committee to restore the grant. An appeal was prepared and signed by everybody present at the meeting.

2. Office Staff

Following the vacation of the Information and Advisory Worker, Mrs Loganathan was appointed on a temporary basis to cover up part of the duties of the Information and Advisory Worker. She was assisted by Miss T Karthigesu who too was appointed on a temporary basis. But, with the stoppage of Council grant, TWAN was unable to renew their contracts. However, they offered to work for TWAN in the same capacities on a voluntary basis for a few more months. The Management Committee of TWAN wishes to express its gratefulness to both of them for the efficient services rendered by them to TWAN and the Tamil Community as a whole.

For the next few months, Mrs A Pulendran worked with us, again on a temporary basis.

Mr. R. Pathmanaba Iyer is currently looking after the running of the Office. The Management Committee is taking necessary steps towards recruiting a permanent worker for TWAN.

3. Grant Withdrawal

Though the Council held the view of stopping the grant to TWAN, the Council gave us the understanding that it would review its decision basing on how the AGM 93 was conducted and the functioning of the new Management Committee.

However, to the disappointment of all, the Council failed to review the decision even after the successful conduct of the AGM and the election of a new Management Committee and the smooth functioning of the MC thereafter.

It is a pity that the Council had reached this decision on the basis of false propaganda by a few individuals without having gone through proper investigation, disregarding the welfare of the Tamil Community.

4. Appeal

Following the stoppage of grant, under the appeal procedure, TWAN made a written appeal countering the Council's reasons for the withdrawal of the grant. However, this did not meet with success.

TWAN had suggested three alternatives to the Council before the Council made its final decision to stop the grant. However, these were not considered favourably.

5. Renewal of Membership

A few of the applications for renewal of membership which were not in conformity of the membership criteria were turned down. Similarly applications from some of those who acted in a manner as to bring disrepute to the organisation were also rejected.

6. Cultural Programme 93

We had our Tamil Cultural Programme for 1993 on 24.4.93 at the East Ham Town Hall. It attracted large gathering and it was a great

success.

We had a variety of cultural events such as dance, music and variety entertainment. Young artistes and talented musicians performed brilliantly and the audience were greatly pleased and showed their appreciation by applause. The professional artistes were honoured while young and potential artistes were awarded certificates. TWAN is ever grateful to the then Honourable Mayor of Newham Council, Mr W Chapman and the Leader of the Council Mr Steven Timms for honouring our invitation and delivering their New Year messages to the Tamil Community.

7. Summer trip

We had a well enjoyed one-day trip to Bognor Regis on 31 July 1993. This time we restricted the number on the trip to two coach loads so that we could manage the crowd better.

Families with children, men and women - both young and old - participated and had a great day of outing and entertainment. It is a pity that the weather was not nice at the resort on the day; however, our people found ways to enjoy the day at amusement centres and socialising themselves, singing in groups, etc.

8. Christmas Party

We arranged the last year Christmas Party at the St Paul's Church on 29 December 1993. Large number of children had great fun and enjoyment at the party. Lots of gifts were given out. There was ample food, music and other entertainment that made every one to enjoy every single moment thoroughly.

9. FIRE DAMAGE

On 31st May 1993, which happened to be a Bank Holiday, there was an arson attack on

the building where TWAN is housed. There was a fire downstairs and that soon spread to the upstairs and gutted the toilet and also causing extensive damage to our electrical, telephone and security system.

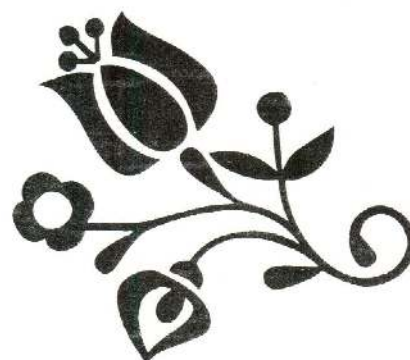
The prompt arrival of the firemen and the police averted a major fire and the consequent damages which could have resulted in great loss to TWAN and disruption of its services.

The firemen broke opened the front door to enter the premises to prevent escalation of the fire and had also broke open the emergency exit.

The front door being broke open and the failure of the electrical, telephone and security system warranted the need to employ a Security Officer for such time as these were all restored and the front door replaced. It took several days before all these were restored.

Despite all these, the services of TWAN to the Public was not disrupted for even a single day. We wish to place on record our gratefulness to the staff who kept the office running even under trying conditions without water and sanitary facilities.

As the landlord failed to get the renovation done, TWAN advanced money from its own fund and got the work done so that the services of TWAN are not disrupted. TWAN is yet to receive the reimbursement from the insurance company.





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PROJECT REPORT

INTRODUCTION

Ninety percent of the services provided by TWAN concerns with refugee matters. Therefore, it would appear that the volume of services provided would be related to the number of refugees arriving each year. According to available data on the number of Sri Lankan asylum seekers in Britain for the period 1980 to 1993, it was a mere 18 in 1980 increasing in an uneven manner to 2306 in 1985, and 1965 in 1993 as shown below:

1980	18	1987	774
1981	12	1988	469
1982	16	1989	2005
1983	380	1990	3620
1984	54	1991	3750
1985	236	1992	2085
1986	1332	1993	1965

From the above, it is clear that there are some peak periods and lean periods. For, there was heavy influx of refugees in the years 1985, 1989, 1990, 1991 and 1992. It has reached its peak in 1991 and thereafter it has started declining. This is mainly due to strict measures that have been introduced in these years and the introduction of the new Asylum Bill in July 1993.

As opposed to what could be expected due to reduced arrivals, the work load of TWAN has actually increased. This is mainly because of the complicated procedures that have been introduced since the implementation of the Asylum Bill 1993.

For example, in the previous years, an asylum seeker would be interviewed once and his or her case would be dealt with without repeated interviews. Now an applicant can be interviewed three to four times, separated by periods of several weeks, that several months or perhaps an year might have passed by. The purpose of having several interviews appears to be to find

discrepancies in the statements provided by the asylum seeker so as to enable the Home Office to show reasons for refusal of asylum. Where the Home Office is able to list discrepancies, immediate refusal will be given, otherwise, temporary admissions subject to renewals are granted.

According to the laws of the United Kingdom, a person from abroad is eligible for social benefits from the time of making his/her asylum application to the Home office. But, in practice, there is always a delay for an asylum seeker in obtaining his/her benefit. Asylum seeker is required to produce his

Standard Acknowledgement Letter (SAL) as proof of having applied for asylum for the Benefit Agency to approve the benefit. With the introduction of the 1993 Asylum Bill, the SAL is not issued immediately to the refugee and on the other hand the benefit agency does not pay without it, yet the refugee has to earn a living whether his or her case has been dealt with or not.

As a result of delay in the payment of Income Support, the Housing Benefit is also delayed, for, Housing Benefit is paid only on proving that he /she is in receipt of Income support, leading to accommodation problem for them.

As a result of such a situation, refugees are compelled to seek assistance and advice in overcoming the situation. Thus TWAN receives a fair number of refugees seeking help to determine their next line of action. TWAN advises them on their rights and presents their cases in a suitable manner to the authorities concerned. TWAN help them with completing applications, making representations on behalf of refugees with regard to Social Benefits, Housing, etc. and take suitable action within its capacity to alleviate refugee circumstances.

ASYLUM BILL

- a. **Finger printing**
- b. **Fast track system**
allowing only 48 hours to apply
for leave to appeal.
- c. **Entry visa system**
- d. **Changing the status**
- e. **Airlines' fine**
- f. **Without valid document at the port
of entry.**
- g. **Sticking on to the initial content of
the application**
- h. **Housing**
- i. **Third country arrival**
- j. **Detention of asylum seekers.**
- k. **Travel documents while living in
UK.**

a. Finger printing

With the introduction of the asylum bill 1993, finger printing is one of the initial pre-requisites demanded by the Home Office before any consideration of the asylum application can take place. In addition to its earlier campaigns, TWAN emphatically emphasises the discriminatory tendencies of this policy. It amounts to the violation of the Equal Opportunities Policy and human rights in general and has a long-term impact on the refugees. It portrays them as outcasts within the British community. For, only criminals are treated in this manner in this Country. Same treatment is now meted out to asylum seekers. After this bill aliens are scared to present their cases.

b. Fast track system

48 hours does not allow the refugee to get the necessary help. For example, it does not allow to get adequate evidence to support the case. Representation is made difficult or perhaps impossible as obtaining legal aid normally takes four working days. Processing legal aid over the phone is also difficult because the lines are always

engaged. From the experience in 1993, since the introduction of the Asylum Bill, it appears that the system has been designed in order to facilitate removal of asylum seekers by the Home Office without giving adequate time for the refugee his/her agents to go through the appeal process.

c. Entry visa system

It is an acknowledged fact that a person fleeing a country fearing persecution will not have the opportunity and the means to obtain an entry visa from the High Commission authorities concerned before fleeing. The definition of refugee under the UN Convention is very clear in this regard. TWAN is also not aware of anyone having obtained asylum visa prior to his departure. We are not also aware of how much the British High Commissions are committed and equipped with the knowledge of handling people escaping persecutions. TWAN is also unaware of the policy of the Home Office with regard obtaining entry visa by a person fleeing persecutions from a Country where the United Kingdom has no High Commission.

d. Changing the status

Following the 1993 Asylum Bill, it has become difficult for anyone wishing to change his or her status or extend it. For example, if one needs to renew a student visa, he/she may be required to go back to the Country of Origin and get the extension from the British High Commission in that Country. This is rather impossible. For instance, a Sri Lankan may have to travel 6,000 miles in order to obtain extension of visa from the British High Commission back home. This will cost a lot and not affordable. Decisions on asylum applications are often delayed that it may result in the asylum being refused as a result of change of situation in the country of origin of the applicant, which in the opinion of the Home Office may be safe for the applicant to

return to his/her country. Asylum seekers do not go back. Practically this is not true because regimes keep changing in the third world and it is not easy to draw a conclusion in such uncertain circumstances?

e. Airline's fine

The imposition of £2,000 fine on the Airlines carrying persons without proper documents has left the persecuted people without means of escaping. Since 1985 for a Sri Lankan to buy a ticket, would need to produce a visa. This has led to asylum seekers forging papers to ensure this requirement. The Carriers' Act 1987, provided £2,000 fine on airlines carrying persons without valid documents. This has been strictly implemented following the 1993 asylum bill. Under these circumstances asylum seekers end up seeking assistance from dubious organisations and getting involved in fraud rackets. These organisations charge a lot of money for their fraudulent assistance.

f. Valid document

According to the Geneva Convention 1951, a person seeking refugee status may travel incognito or he may lack the necessary documents, because under seige a person might not have the chance to acquire the above.

On the contrary the 1993 asylum bill is contravening this to avoid responsibility by the British Government. If a person is persecuted by a particular government, how can he escape using the same names passport or photo? It is the persecutor who provides the documents. The Home Office argues that the above clause is for identity purposes, but TWAN wonders why they should not ask for birth certificates, marriage certificates and other documents.

TWAN's experience since 1993 shows that 95 percent new arrivals of asylum seekers

arrive without valid documents. On the other hand some asylum seekers who arrived in 1984/85 had proper documents and applied for asylum at the airport and entry was refused. Some of them were detained and others were deported. Therefore TWAN does not believe that this clause is intended for the purpose as asserted by the Home Office. Furthermore, TWAN views this as a contradiction which serves the Home Office to deny people reception and thereafter throw out of U.K.

The Home Office continues to demand documentary evidence of individual cases of asylum seekers already living here, not considering the circumstances in their countries of origin. Due to troubles at home an applicant may not have the proper contact to obtain evidences or those back home may not have the capacity to process it. In this situation and to the dismay of TWAN, the Home Office may refuse to issue the Standard Acknowledgement Letter (SAL) to the applicants.

g. Interview at port of entry

This is done when the asylum seekers is not at all fit for it, because it is a long interview, the refugee is not familiar with that sort of thing, the refugee is tired and actually may not be sure of himself or herself. The most appropriate thing he or she requires is counselling to make him or her ready for any interview. After being composed to normally may add or adjust /amend their statements.

If asylum seekers come in a group and are given a prompt reception as provided by the 1993 Asylum Bill, the Immigration Office at the port of entry does not have enough personnel to respond to the situation effectively. This may force a few offices, for example interpreters to handle all the cases and end up not providing them adequate reception. Also on the part of the immigration officer, if he does not refer the

case or portray the true picture to the Home Office.

At the initial interview the refugees may not depict the true picture, because they are scared of giving the details and due to advice from the fraudulent agency, TWAN strongly opposes making the decision on the basis of the initial interview.

Following the asylum bill, the asylum seekers are not eligible for full statutory housing service like any other members of the community until a decision on their case is made. It further provides that temporary accommodation. This has led to discrimination of the asylum seekers against the local Council's criteria for providing accommodation. It is also important to note that even before the bill, asylum seekers or refugees were being given accommodation in abandoned properties. Therefore the asylum seekers had no impact on the local housing because they had been receiving properties unacceptable by the British standards. The Home Office is also interfering with the established local authorities procedures, set a result of the day to day circumstances in whichever borough.

i. Third country arrival

If a person touches another country on his way to U.K, the British government will consider his claim for asylum groundless. The argument is that asylum should have been requested at the first opportunity. Persons under this category can be deported within 48 hours by the British Govt. The removal order is given to the applicant by the immigration officer by hand. These people are considered to be under detention and cannot get any legal assistance. The Immigration Officer is self accountable and can do anything. So if he or she inherently conducts herself or himself indifferently towards the asylum seekers, there are no checks to counter such tendencies. This clause of the bill facilitates deportation of

the applicant to the third country. U.K sends the asylum seeker to the third country without contacting it. The third country sends the asylum seeker back to U.K. The asylum seeker is tossed between the two countries until either one of them decides to detain the victim or deport him to the persecutors (country of origin). For example, a lady came via Germany, TWAN contacted the British immigration which decided to detain the lady. The question is what happens when the third country refuses the asylum seeker and the bill does not answer this presently.

Asylum seeker normally run to neighbouring countries which may refuse to grant asylum and may even lack the means to handle the situation. If those asylum seekers find their way to the U.K. it does not mean that their cases are bogus. Most of the developing countries or the third world countries, have similar problems, therefore nobody would like to run from frying pan to the fire, although one may go through a third country as an inevitable step.

j. Detention of asylum seekers

Since 1985, the Home Office has been in the practice of detaining persons whose cases they cannot decide neither reject nor grant asylum. It is not also clear under what criteria, asylum seekers are to be detained under the 1993 asylum. For example on April 1985, a group of Tamil asylum seekers with similar cases arrived at Heathrow Airport, sought asylum at the first opportunity. Persons under this category can be deported within 48 hours by the British Government. The removal order is given to the applicant by the immigration officer by hand. These people are assumed to be under detention and cannot get any legal assistance. The immigration officer is self accountable and can do anything. So if he or she inherently conducts himself or herself indifferently towards the asylum seekers there are no checks to counter such

tendencies. This clause of the bill facilitates deportation of the applicant to the third country. UK sends the asylum seeker to the third country without contacting it. The third country sends the asylum seeker back to UK. The asylum seeker is tossed between the two countries until either one of them decides to detain the victim or deport him to the persecutors (country of origin). For example a lady came via Germany, Twan contacted Germany which responded that they were not prepared to receive her. Thereafter, TWAN contacted the British Immigration Authorities who decided to detain the lady.

At the airport counters 17 and 32, all the asylum seekers were detained, while those through the other counters were granted temporary admissions. This could have been due to the inconsistencies, lack of expertise or ill-intentions on the part of the immigration officers.

At the initial interview at the port of entry to UK, some asylum seekers tell the truth about themselves. For example, formerly a soldier, a rebel soldier and political activists. They detain such persons and claim they are a danger to the public. On the other hand the British soldiers or security personnel are not a danger to the public wherever they may go in the world. TWAN strongly opposes and calls upon the British government to up-lift its mechanical and double-standards approach towards the asylum seekers.

Harmondsworth Detention Centre:

This is where most of the asylum seekers are detained. This is composed of two blocks D and J. D is for arrivals and it handles approximately 66 people. J is for those on long term detention and those due for removal or deportation. The Centre is guarded by the private Sector group 4 Security. These guards are not trained to handle people of non-indigenous cultures.

In January 1994 TWAN visited Haslar remand Centre South Cost of Gosport and made the following findings. The Centre handles those who proved violent, ex-soldiers and those who failed to co-operate at Harmondsworth. At this Centre detainees are totally treated as prisoners. They are locked up in the cells 18 hours a day. Three inmates share one cell. The detainees are required to do all the cleaning, gardening, kitchen and other activities. Those working get £6.00 per week. The court recommended that those under 18 years old and are seeking asylum should not be deported but detained at Feltham Young Offenders Centre. When they are over 17, then they could be deported.

Pentonville Detention Centre:

This Centre was criticised in the Prison Governor's Report of 3rd week of March 94. It concluded that the quality of the service and conditions at this Centre were poor.

Normally from these detention centres, removals are executed by Group 4 Security under the instructions of the immigration office. All those reluctant to co-operate with the immigration officers Group 4 Security, another type of enforced removal might be used. In this situation (MPARO) Metropolitan Police Aliens Registration Office is given the task. In 1993, Sri Lankan Tamil refugee K was to be removed from Pentonville detention Centre. He was not co-operative with the Group 4 Security. As a result, MPARO was called to remove him. He was handcuffed and taken to the airport. He was forcefully put on British Airways with handcuffs and was escorted by two officers up to Colombo. On his arrival at the Katunayake he was handed over to the Sri Lankan Airport Police and later to the Sri Lankan CID Police. TWAN strongly disagrees with the use of Group 4. TWAN sees the British Government as distancing itself, from the ill treatment inflicted on the refugees while in detention and removals.

k. Travel documents while living in U.K.

After the 1993 Asylum Bill, there is a new clause on conditions of issue of Travel Documents as follows:

Travel documents will be issued to:

- Refugees who have been given full refugee status.
- refugees who have been granted Exceptional Leave to Remain (ELR) for the first time after the implementation of the asylum bill (26.7.93).
- Refugees who have been given the initial grant of ELR before the implementation of the act and can show that they have been formally and in personally refused a passport by their own authorities.
- People who have been accepted as Stateless.
- People who are permanently resident in this country and can show that they have been formally and unreasonably refused a passport by their own authorities, or entered the country on a non-national travel document which has expired.

Before this legislation, fees for travel documents for those with ELR was £15.00 and refundable, in case travel document is refused. But, now it is £67.00 and non refundable, in the event of refusal. At the port of entry, the asylum seekers give their passport to the immigration officers, and when the Home Office responds with a Visa after two or three years, the Visa is given on a paper but the passport is not handed back. In addition, the home office instructs the asylum seekers to go to their high commissions to get new passports. Asylum is sought as a result of fear of persecution by the national authorities. Therefore, some of the asylum seekers cannot go to their High Commissions.

Further, Sri Lankan High Commission will not normally issue a new passport without the old one. If the old passport cannot be produced, at least a written evidence such as police certificate must be produced.

On going back to the Home Office, the Immigration Officers suggest applying for Home Office Travel Documents. The Travel document section, asks for proof of refusal from the High Commission, whereas the fault lies with the Home Office itself. If the Home Office has lost the passport it should state that to the applicant in writing so as to help obtaining another passport. Also if the Home Office cannot keep the passports safe, how could they find fault with an asylum seeker for having arrived without valid documents. So if the Home Office genuinely believes that passport is an important document, then they should themselves attach importance to passports surrendered by refugees.

TWAN condemns this sort of practice by the Home Office, if the Home Office cannot give the passport back, it is their responsibility to give an alternative document free of charge. If the Home Office suspects a document to be forged, they should verify that with the authorities concerned which will be in a position to prove the validity of the document.

At the Home Office Travel Document Section, processing the document can take in excess of 8 months which TWAN considers to be a very long period. In some instances, the applicant for the travel document may not get any response even after 8 months. TWAN is also of the view that the Travel Document Fee of £67.00 is unjustifiable.

Renewal of travel document is not automatic. The Home office will ask so many questions, such as why one should not approach his/her national authorities. In certain cases, renewal is made subject to the condition that it would not be renewed again. These procedures

appear to be intended to scare away clients to apply for travel documents.

3. IMMIGRATION AND NATIONALITY.

(i) IMPORTANT DEFINITIONS

1. GEN 23: This refers to the document issued to those getting full refugee status.

2. GEN 19: This is issued to those getting exceptional leave to remain (ELR).

3. GEN 32: This document is the initial letter inviting an applicant to the screening unit for the initial interview intended for identification, finger printing and establishing means of entry.

4. GEN 24: Acknowledgement letter of the personal asylum questionnaire.

5. GEN 24: This document grants asylum seekers permission to work.

6. GEN 18: This document grants Indefinite Leave to Remain (ILR). Normally this has been granted to those completing 7 years (ELR).

7. GEN 22: This document is granted to those who ask for asylum for the first time. (ILR).

8. SAL: This refers to the standard acknowledgement letter for those who satisfy the initial interview of the Home Office at Lunar House screening Unit. This document makes the asylum seekers eligible for the social security benefits.

9. IS 96: This document is given for those seeking asylum at the port of entry. Previously it was temporary for six months, now it is to the discretion of the immigration officer at the point of entry at the time.

10. IS 82: This document is issued when

refusal of leave to enter is given for misrepresentation to achieve it, but with a valid entry visa.

11. IS 82A: This document is issued when refusal of leave to enter is given for lack of entry visa.

12. IS 82D: This document is issued to the spouse when leave to enter - no right of appeal is given for lack of entry clearance as required by the immigration rules.

13. IS 82E: This was introduced by Immigration Appeals Act 1993. This document is issued when the asylum has been refused on the grounds that the application is baseless. Refusal of leave to enter after refusal asylum is issued.

14. IS 87: This is a notice of an appeal to a special adjudicator after the asylum refusal by immigration officer. The appeal must be done within 10 working days and the applicant must sign the appeal not representatives.

(ii) MAKING ASYLUM APPLICATION (ASYLUM QUESTIONNAIRE).

After the 1993 Asylum bill, a person or an applicant must visit Lunar House in person with three forms of identification before they release the (AQ).

1. Nationality identity - passport, birth certificate.
2. Residential identity - (proof of address)
3. Personal identity - ID with a photograph, driving licence.

If the identification is accepted, the initial interview will take place. Its purpose is to establish means of entry to this country. Before the initial interview, finger printing is done. If the Screening Unit is happy with the applicants presentation, they will issue (PAQ), SAL and IS 96: In practice the

above criteria is not fulfilled because the applicant may not be able to produce the above requirements, for example the asylum seeker may not have the passport or the tenancy agreement. For those reasons asylum seekers are reluctant to go to Lunar House and may live illegally.

TWAN like any other organisation doing such activities help to fill this questionnaire (PAQ) for those who cannot do it for themselves.

When the Home Office is not happy with the content of the questionnaire, a number of interviews will follow. Failure to clear the discrepancies in the questionnaire may result in refusal.

The above process creates a workload for TWAN as well, as it is involved at all stages and TWAN is finding it difficult to cope.

The Home Office can take 2 to 3 years to consider the (PAD) and very rarely give refugee status, but most cases are granted EAR and others refusal. The refusal rate is increasing at least for the last 2 months.

(iii) TEMPORARY ADMISSION.

Before the 1993 Bill, this document usually had no definite date for its validity, but now it is specific. Following the bill, the temporary admission document stipulates the date, time and place to review the case. The period before the review depends on the discretion of the immigration officers.

TWAN normally makes a follow up of these issues.

In previous years, the applicants were not realising and responding to the date in the IS 96, he or she may be subject to detention. A person holding this document needs permission from the Home Office if he wants to change his address. Under this temporary admission, the asylum seeker

cannot work or study.

(iv) WORK PERMIT

After the initial 6 months granted, a person is eligible to work or study under the law. This is done by seeking permission from the Home Office. After receiving permission, TWAN assist asylum seekers in applying for the jobs and finding admissions to Educational institutions. As a result of the bill, the Home Office is reluctant to issue the work permit after the six months.

(V) EXCEPTIONAL LEAVE TO REMAIN (ELR)

The Home Office has been granting EAR on satisfactory presentation of PAD, but for the past three months, the number receiving the initial EAR is reducing. EAR visa has to be renewed 6 weeks before it expires. In the recent months TWAN has noticed that, those seeking renewals have to justify it and also attend another interview. Failure to convince, the Home Office may lead to refusal to extend the EAR. The Home Office refuses to extend the EAR because it assumes the situation to be normal in the countries where people have fled originally. This assumption is wrong because it is a generalisation. In this situation TWAN appeals. TWAN strongly advises its clients to be ready to justify their requests for the extension and also seek professional advice.

(VI) FAMILY REUNION

As a result of the asylum bill 1993, strictly the spouse and children have to get clearance from their British High Commission. Presently if this category of people came without clearance, immediate refusal and removal are implemented.

There is no right of appeal against the decision. If they want to appeal, they are required to do so at their British High Commission at home.

Normally those completing 4 years EAR were eligible to bring in their spouses or children under the family union, parents over 60 plus could join their sons and daughters permanently settled and financially capable.

(Vii) BRITISH CITIZENSHIP OR NATURALISATION (THROUGH INDEFINITE STAY)

TWAN has no records of any of its clients achieving the above. Those on indefinite stay can apply for naturalisation after one year on that status.

To naturalise there are requirements to fulfil:

1. Aged 18 years or over and are not of unsound mind.
2. Are of good character.
3. Have sufficient knowledge of the English language (or Welsh or Scottish Gaelic).
4. Intend if you become naturalised to live either in the UK or abroad in Crown Service.
5. Either meet the 5 years residence requirement or employed overseas in Crown Service.

So far TWAN has made three applications under this category. This year 1994, more applications are expected.

(ix) EUROPE AND TAMIL ASYLUM SEEKERS

Overall in Europe, there are 160,000 Sri Lankans seeking asylum. The majority are seeking asylum in Germany 38,000, France 35,000, Switzerland 29,000, Britain 21,000, Holland 9,000, Denmark 3,000 and the rest are spread in Norway, Italy and Sweden.

Switzerland and Denmark intend to deport the asylum seekers at present with the help of the UNHCR.

In Denmark 4,400 people received deportation orders. One person was deported in the 3rd week of February 1994 to Colombo. On his arrival at the Colombo Airport police arrested him and handed him over to the CID branch.

Finally he managed to come out of the detention with the help of some politician, and fled the country again. After this event the Danish authorities were proved wrong and stopped removals. Meanwhile they are investigating the matter.

In Switzerland 3,000 are on the waiting list for deportation, and it is not effected because the Swiss authorities are not agreed on the issue.

i. WELFARE RIGHTS

The number of asylum seekers making applications for the benefits is decreasing because number of arrivals is dwindling. On the other hand it is more effort on the part of the asylum seekers and TWAN to secure the benefit for applicant.

According to a report "Occasional paper 4 October 1993 by CAB". "The Benefit Agency in June 1993 produced a Persons from Abroad handbook for Local Office Staff. This makes it clear that the Home Office Standard Acknowledgement letter (SAL) should not be treated as the only acceptable proof of status and identity for receipt of benefit". Often it takes more than 3 months for an asylum seeker to receive his SAL. This means that he/she cannot get the benefit during this period. This totally destroys the quality of reception benefit. The Benefit Agencies need to develop more commitment to asylum seekers' day to day difficulties and have a listening attitude towards representative organisations like TWAN, CAB. TWAN strongly recommends Benefit Agency should review the above (SAL) policy. They should accept any other Home Office papers temporarily to ease this

problems.

HOME OFFICE AND BENEFIT DEPARTMENT

ii) Benefit through A1 Application Form

This is the initial application form for the asylum seekers to receive benefit. This benefit is named as income support supplement to benefit and paid by Order book system. Refugees who initially apply for asylum is eligible to benefit from that date. In practice TWAN has been helping asylum seekers to claim benefit immediately the application is made to the Home office. These days the benefit agency pay 6 weeks on the order books - normally order books last 26 weeks. The 6 weeks order books is a short period This practice causes problems for refugees. There is delay in replacing the order book at the end of the six week period.

During that gap the refugee will be reminding the benefit office to replace the order book. More so, they may refuse to pay for the benefit missed by the applicant. When the 6 weeks order book is issued, the agency does not say what to do after the book is finished. So if the refugee is unaware of the system, he or she might not act promptly. When he/she goes after 1 or 2 weeks to the agency, the officers say you do not want the money. "Why did you take so long?". The agency appears to be uninterested to replace the order book. Normally the benefit agency will send the order book to designated post office and not to the address of the asylum seekers. At the post office the book will not be there. At the benefit office they claim it is already sent to the post office. TWAN advised that acknowledgement letters should be sent upholding the weeks to 26 saving the asylum trouble of missing their entitlement and time wasting. This order book system stops once the person is granted EAR. When the benefit agency eventually receives the information of EAR of the person concerned, it sends an

immediate letter that "you are not entitled to income support " and the benefit is stopped forthwith.

Within that period a person on temporary admission cannot change his address without informing the Home Office. With the change of address the Benefit agency will ask the Home office for acknowledgement. But with EAR a person not need home office approval to change his or her address, but the Benefit agency is ignorant of this by certain officers are not adequately trained or not competent to handle asylum matters. They also reject the views of voluntary organisation like CAB, TWAN.

iii) Benefit through B1

Application form: Asylum seekers with EAR are eligible to get jobs. They are required to register themselves at the local employment offices and fill up B1 Income Support Supplementary form. The employment agency refuses to repay because the persons have no NI contributions because they have not worked. B1 is then sent to the benefit agency for income support later to be paid through the unemployment agency. From experience the two agencies are not co-ordinated properly. They have not agreed on what to do, and how to do it.

Those people signing on are not entitled for full time education. The unemployment agency says if you want full time education leave the benefit and go to the local Council. The local Council says spend three years on EAR. This results in giving up studies. This means that one will be unemployed through out since no knowledge to compete. The young asylum seekers end up not studying therefore. Their community in 5/10 years will have only illiterates, no professionals. After six months the unemployment office will start harassing the person. One has to prove that he/she is actively seeking job. This kind of system forces the asylum seekers to do only mean jobs or underpaid

jobs. The politician also claims that unemployment is rising due to the refugees, but refugees take up underpaid jobs which the local nationals are not willing.

(iv) MISSING GIROS

This is a common continuing problem as experienced by TWAN. The procedure requires the person to cash the giro to produce identity. If any person does not receive his/her giro, he or she has to make a written complaint that he did not receive it. They will not release the money immediately. It will take 8 weeks to do the investigation to come to conclusion.

TWAN has dealt with a few cases where the refugee has not received the giro cheques and on making representation to the Benefit Office, the Benefit Office come out with the story that the cheques had already been sent and subsequently cashed by the recipient. On enquiry at the Post Office concerned, the Postmaster says that such a cheque was not cashed at his Post office. In case the cheque had been cashed the cheque should finally be returned to the Benefit Agency and the Benefit Agency should be in a position to have a check on this. However, the Benefit Agency do not give attention to this matter. In such a situation the agency should be responsible. TWAN made a complaint to the manager unemployment agency letter to follow.

After the 8 weeks no solution, and they are unable to replace the cheque. This is a serious problem to the person involved. TWAN strongly urges the unemployment agency to remedy such situations. The unemployment agency does issue at the counter even in situations of crises it insists through the post.

(vi) SOCIAL FUND OR CRISIS LOAN

There is an instance of an asylum seeker who applied recently for crisis loan to buy some emergency items like cloth, shoes, blankets, winter coats. The regulation stipulates that for a person to qualify for the loan one has to be in receipt of unemployment benefit for more than 26 weeks.

The asylum seekers cannot fulfil that criteria. If they ask after six months the benefit agency will ask what happened to your cloth. Most people desperately need this money when they find private accommodation. They need to do furnishing. TWAN urges the Social Security to review this policy.

(vii) INFORMATION AND INTERPRETERS OF REFUGEES LANGUAGES

Benefit agencies adopted this policy recently for their clients who do not understand English, but in practice they do something else. TWAN has been escorting and interpreting in such circumstance. The benefit agency has also been calling TWAN for its services in fair contrast. The agency should put the policy in practice.

(VI) HOUSING BENEFIT

Those getting income support or unemployment benefit, those people can get 100% or partly housing benefit, but housing benefit department benefit section. It takes 3/6 months to release the money. The reason the delay is in fact that they are awaiting confirmation from the benefit office and lack of information about the applicant and staff availability. Under these circumstances asylum seekers find it hard to get private accommodation. Landlords are reluctant to surende their property. On the other hand the housing department benefit section refuses to give written acknowledgement and refuse

documentary evidence from the benefit agency held by the applicant. Payment of the rent benefit (amount) is very low compared to what the landlords want.

From 1993 strictly the housing benefit section asks for short hold tenancy agreements. The landlords when making the tenancy agreement put higher rent. The asylum seekers signs the agreement.

The benefit will directly be sent to the landlord. Normally Council will give low benefit compared to the tenancy agreement. This gives the opportunity to the landlord to evict the tenants whenever he wants, because the benefit is lower than the tenancy amount, balances accumulate. The landlord can seek an eviction order from the court this housing

benefit policy creates, asylum seekers who loose the case have to pay the court fees and the balances per week.

The benefit office (housing) should give advice to the asylum seekers before drawing the contract. If the council can give a statement, the council can justify the situation.

Community Charge/Council Tax

Still the refugees are receiving arrears of the above from the local authority finance department previous period. The Housing benefit section is not agreeing to pay the arrears of the charge. Whenever applying for community charge benefit, also receiving the court order, because the community benefit was not paid.

COMMITTEE MEMBERS ELECTED AT AGM 1993

Mrs K Shanmugavadivel

Mr R Ramachandran

Mr P Chandradas

Mr R Pathmanaba Iyer

Mr J Asokan

Mr S Gajendrakumaran

Mr M Janarthanan

Mrs M Balasingam

Mr T Vanason

Mr S Panneerchelvan

Mr W Suresh

Miss V Sangarapillai

Mr Y Sivayogan

Miss G Muthukumarasamy

Mr S Chandrasekar

Mr S Kirubaharan

Mr A Pusparatnam

Mr D Rajendran

Mr S Navarasan

Mr T Kumaran

Mr P Kamalanathan

Miss V Pathmanaba Iyer

* PROGR

WELCOME SPEECH

By the Chairperson of TWAN

ORCHESTRA - by students of Smt Rudrani Balakrishnan London Sri Murugan Temple

VEENA

Thaamharah Mahendrayogam
Priyadharshini Srinivasan
Amuthavane Anpananthar
Suboshini Kugaprasad
Rajenny Sivaganam
Rohini Rajendram
Abirami Linganandhan
Umaiyal Ganeshalingam
Rathika Radha

VIOLIN

Evangeline Peter
Jeyagowri Selvarajah
Chryshanthi Kugaprasad
Panchali Somasundaram
Sivatharshini Ganeshalingam
Arany Nerminathan
Kavitha Asokan
Vasantha Mahendrayogam
Julie John

FLUTE

Krishanth Pathmanathan



On Sunday 1

AMME *



VIOLIN - by Students of Natha Vidyalaya
Programme directed by Sangeeta Vidvan
Smt Kalaivani Indrakumar

Jeyavani Atchuthan
Gayathri Kathirgamanathan
Vithya Indrakumar
Piriya Manickkavasagar
Gayathri Mahalingam
Jamuna Ananda Nadarajah
Arunan Manamohan
Ganan Srigananathan

VEENA DUET - by students of Smt Rudrani Balakrishnan
Shree Ganapathy Temple Wimbledon

Sanjini Kanagaratnam
Vatsala Mohan

Assisted By

Mirthangam : Shiri M Sivarajah
Morsing : Shiri K Sithamparanathan
Gadam : Shiri A Gananathan

PLAY - "IYAH" CONTESTS ELECTION
(Iyah Election Kedkirar !)
by London Tamil Performing Arts Society

INTERVAL

MUSICAL FEATURE - by Sadhana Music Group

Vote of Thanks

7th April 1994

**TAMIL WELFARE ASSOCIATION (NEWHAM) U.K.
INCOME & EXPENDITURE ACCOUNT
FOR THE YEAR ENDED 31 MARCH 1994**

INCOME	£	£
Grant		36,436
Other grant		1,587
Bank deposit interest	325	
Subscription	864	
Donation & well-wishers	1,928	
Special events	2,878	

	5,995	
Less: Amount transferred to Building Fund	5,000	995
	-----	-----
		39,018
 Less: EXPENDITURE		
Salaries and Wages	6,760	
Rent and Rates	4,589	
Volunteers expenses	560	
Transport and travelling	694	
Printing, Postage and Stationery	739	
Computer expenses	369	
Light & Heat	779	
Insurance	599	
Telephone	1,123	
Repairs, renewals and maintenance	2,305	
Alarm and security expense	1,088	
X'mas activity	155	
Cultural activity	3,430	
Meeting expenses	304	
General expenses	129	
Accountancy fees	375	
Audit fees	250	
Legal and professional charges	2,579	
Bank charges	119	
Depreciation	3,389	

		30,335
 Excess of Income for the year		-----
		8,683
		=====

BALANCE SHEET AS AT 31 MARCH 1994

FIXED ASSETS	COSTS £	DEPRECIATION £	NET BOOK VALUE £
As at 1.04.93	16,943	5,437	11,506
Depreciation charge for the year	-	3,389	3,389
	-----	-----	-----
As at 31.03.94	16,943	8,826	8,117
	=====	=====	
CURRENT ASSETS			
Bank and cash balances		26,384	
Debtors and prepayments		1,845	

		28,229	
Less: CURRENT LIABILITIES			
Creditors and accruals		2,972	

NET CURRENT ASSETS			25,257

			33,374
			=====
PRESENTED BY:			
Accumulated funds brought forward			5,860
Excess of expenditure for the year			8,683

			14,543
Building Development Fund			18,831

Accumulated Fund as at 31.03.94			33,374
			=====

AUDITORS REPORT TO THE MEMBERS OF TWAN

We have audited the financial statements on pages 26 and 27 in accordance with auditing standards.

In our opinion the financial statements, which have been prepared under the historical cost convention, give a true and fair view of the state of affairs of the Association at 31 March 1994 and the results for the year ended on that date in accordance with the information and explanation supplied.

Beckwith Blake Kaye
Chartered Accountants
2nd floor
315-317 Ballards Lane
Finchley
London N12 8LY

DECLARATION BY THE MANAGEMENT COMMITTEE OF TWAN

We approve the above accounts and confirm that we have made available all relevant records and information for their preparation.

Phanchades
.....

SECRETARY

for and behalf of TWAN Management Committee

IN DEFENCE OF TAMIL REFUGEES...

Background

Over 160,000 Sri Lankans, mostly Tamils, have sought refuge in Europe since the July 1983 communal violence in Colombo claimed 3,000 lives and triggered a ten-year civil war with the majority Sinhalese Community.

Germany with 40,000 arrivals, France 35,000, Switzerland 30,000, Britain 20,000, and Holland with 9,000 have been the major Tamil destinations. Fewer than 5% are given full asylum, the rest receiving a temporary status, allowing them to be returned to their country when conditions improve.

In Britain because of colonial connection, there is also a significant Sri Lankan immigrant population of around 50,000 over 80% of them are Tamil. They constitute the first wave of a diaspora, beginning in the 1950s when ethnic tensions and discrimination in Sri Lanka drove many Tamils to seek first education and then employment abroad.

AFTERMATH OF 1983

Just after 1983, with the first wave of Tamil refugee influx, the British Government attempted at restricting it by deportation and detention. However, following the successful return of the 5 Tamils and the unsuccessful deportation of the 67 Tamils detained in the ship and subsequent release after the hurricane appeared to have changed their attitude of the British Government. Thereafter, most of the Tamils who sought asylum in the U.K. had been

granted ELR. While only a small percent of them were given full asylum under the 1951 UN Convention, the rest were given EXCEPTIONAL LEAVE TO REMAIN outside the ambit of the Immigration Rules. In such cases, initially ELR was given for a period of 1 year, at the end of which they were given a further period of 3 years, and on its completion, another 3 years of ELR is given. A fair number of such cases who sought asylum in the United Kingdom since 1985, who have completed 7 years of ELR, have now been granted or being granted indefinite leave to remain.

ASYLUM LAW 1993

Despite this, there had been growing concern about the heavy influx of refugees as a whole, not only in Britain, but also in the whole of Europe as a result of economic recession and escalating racism.

This resulted in the introduction of the asylum law, which came into effect from 27th July 1993. Even before the asylum law was passed, there have been a lot of ground work and measures taking place quietly to tighten up the refugee influx.

IMPLICATIONS

Following the introduction of the asylum law, the state machinery is set in full swing that the decision making process was speeded up.

A noteworthy change in the Immigration policy since then is the virtual withdrawal of the EXCEPTIONAL LEAVE TO REMAIN while only a few had been given full asylum under the 1951 UN

Convention, the applications of the rest are rejected and attempt at deportations are being made.

In the past few months alone there had been a number of refusals and there was also an instance of a deportation order.

ASYLUM REFUSAL

Earlier, Even though applications for asylum were refused on the grounds that they were to adequate proof of fear of persecution to qualify for asylum, they were allowed to remain in UK as the situation in Sri Lanka was considered volatile and unsafe for Tamils to be returned. But, at present, the British Government is no longer willing to accept such a position.

While the reasons for refusals vary with each individuals, depending on his/her case history, the basic reasons for refusal are:

"The Secretary of State is aware that Sri Lanka has in recent years experienced considerable disorder which the authorities have had to take measures to control. As a result of this disorder, individuals of all groups have suffered. The Secretary of State has also recognised that innocent civilians have been caught up in the military offensives in the North and East and that many of them have been killed in indiscriminate shelling and bombardments.

In a war innocent civilians casualties are inevitable but the Secretary of State cannot accept that the conduct of war by the Sri Lankan army against Tamil Tigers amount to a reason for the grant of asylum within the terms of the 1951 United

Nation Convention.

Furthermore, the Secretary of State, having considered all the available evidence, does not consider Tamils in Sri Lanka to be a persecuted group who have a claim to refugee status under the 1951 United Nation's Convention relating to the status of Refugees simply by virtue of their religion or national origins.

The Secretary of State is aware of the allegation of abuses of human rights by the security forces in Sri Lanka. He is also aware that the Government in Sri Lanka has taken measures to address these allegations and has agreed to implement safeguards to protect detainees."

In short, refusals are based on two assumptions:

1. Tamils in Sri Lanka are not considered to be a persecuted race; and

2. Government of Sri Lanka is taking adequate measures to control the human rights abuses in Sri Lanka and that Colombo and some areas in the South are safe for Tamils to live in.

SRI LANKAN SITUATION

While the first claim itself is disputable, more arguments have appeared in the recent past to establish that in the first instance Sri Lanka is not at all safe for any Tamils to be returned. A number of documents and articles have been published by organisations like the Amnesty International, Asia Watch, UNHCR, BC, TIC etc. which clearly indicate that the situation in Sri Lanka has to improve amply before anyone could be returned. We quote

below some the more important evidences that have been placed in some of the reports

1. State of emergency

In the first instance, Sri Lanka continues to be ruled for the twelfth 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. Draconian provisions of the Prevention of Terrorism Act investing the executive and security forces with extraordinary powers, including those relating to arrest and detention also remain in force.

2. Arrests

Since June 1993, well over 10,000 Tamils have been arbitrarily arrested in Colombo and its suburbs, regardless of whether they could demonstrate long standing residence and employment in Colombo and regardless of whether they were in possession of identity documents. Latest reports suggest that over 2,000 Tamils have been arrested in January 1994.

Some of those recently arrested have been taken away by men in police or military uniform, others by officers in civil dress, often in the middle of the night. Large sums of money are being demanded from relatives for the release of detainees. In some cases the arrests had still not been acknowledged by the police three or four days after the arrest and despite the explicit promise made in June 1993, that relatives of detainees would be informed of where prisoners were being taken, relatives often do not know where they are held. In a new practice

from January 1994, security forces are arresting Tamils who come out of cinemas showing Tamil films. Fourteen Tamil youths employed in a Greek ship were arrested on 22 January 1994 by police when the ship docked in Colombo.

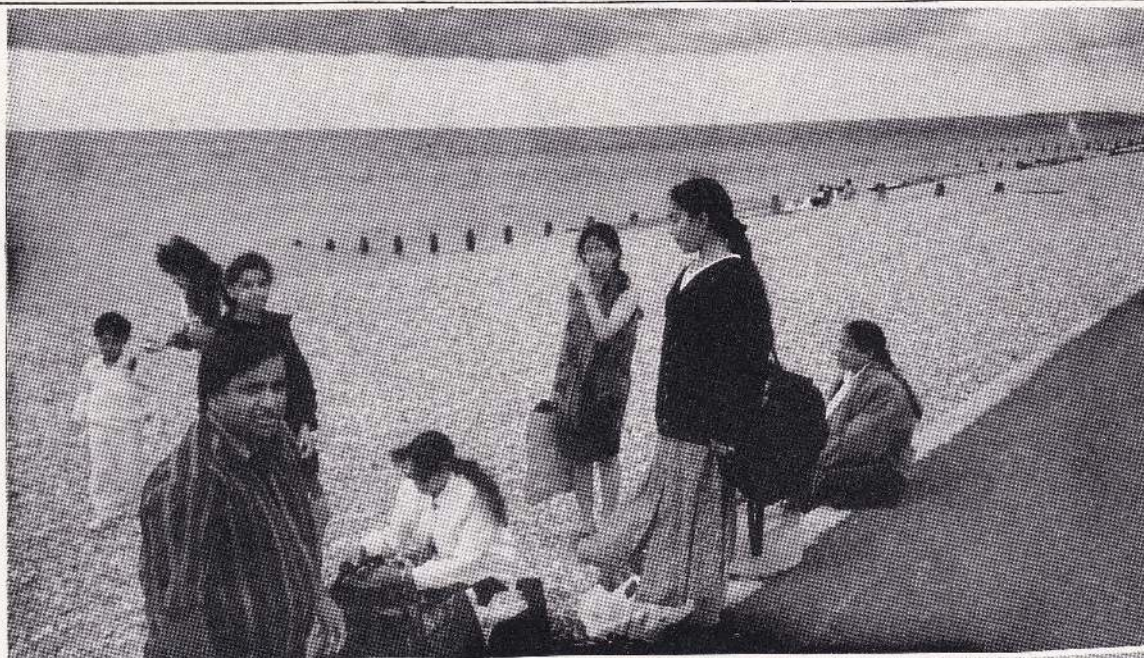
A number of arrests of Tamils have also taken place in the Hill country and according to the plantation trade union and political party the Ceylon Workers Congress (CWC), no action has been taken regarding disappearances. CWC President and Government Minister S Thondaman wrote recently to President Wijetunge protesting over arrests of youths in the plantations and crowded and insanitary conditions in which they are held.

In the Hill country Tamil houses and shops have been selectively targeted for searches and Tamils arrested despite possessing identity documents. A number of Tamils have also been detained for not possessing identity cards, Whereas the government has not issued identity cards to over 60% of the Hill country Tamils despite application.

3. Detentions

CASE 1

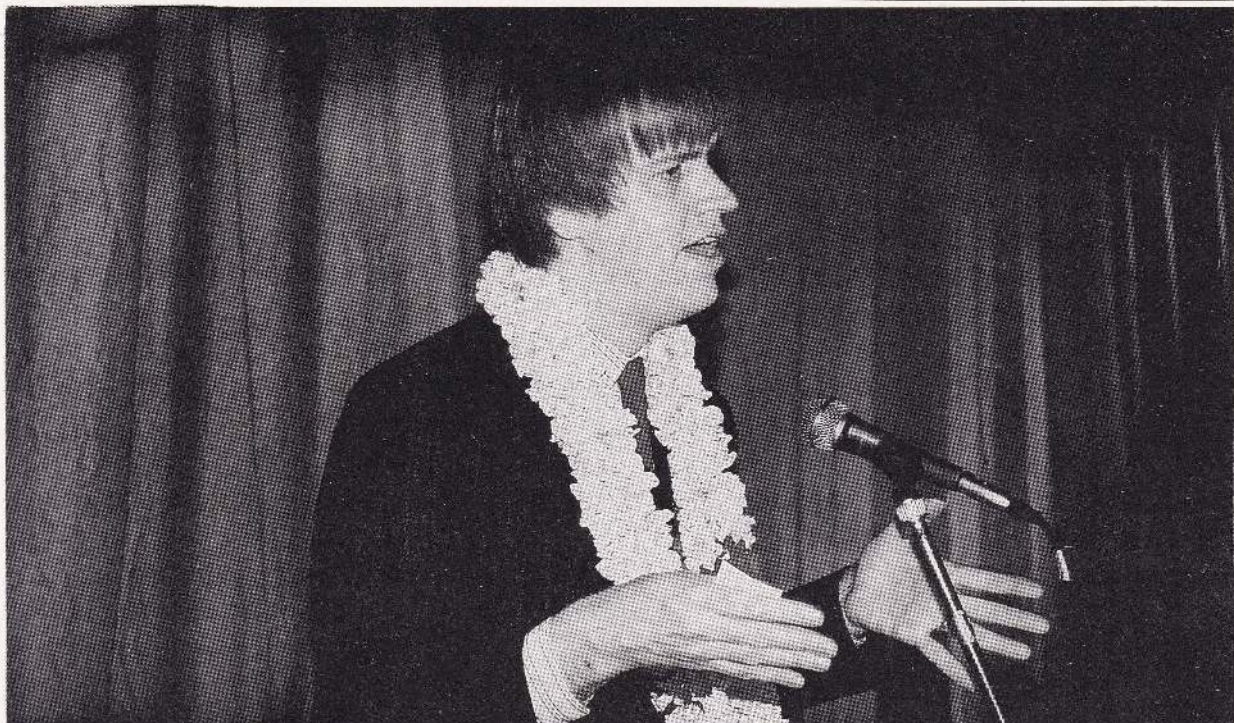
Puvilingam Suguneswaran (age 29) and Krishnarajah Vimalenthiran (age 17) were arrested in Negombo on 7 June, 1993. They were detained at the Negombo Police Station for two weeks and handed over to the Crime Detection Bureau (CDB). They were held in the sixth floor of the Police headquarters in Colombo until 25 July 1993 and are currently detained in the Magazine prison under Emergency Regulation 17(1). Suganeswaran came to Colombo from Atchuvveli in



SOCIAL ACTIVITY DAY TRIP 1993



Christmas Party 1993



NEW YEAR CULTURAL CELEBRATION DAY 1993

தேடுகிறோம் இவர்களை . . .

கோவில் மணி கேட்டெழுந்து
கொண்டை தனில் பூவைத்து
கோலமதை கோடிட்டு
குத்து விளக்கேற்றி வைக்கும்
குலப்பெண்கள் எங்கே

ஏழுமணி ஆகியும்
எழுந்திருக்க பஞ்சிப்பட்டு
எட்டு மணி ஆகியின் எழுந்து
எட்டியதை எடுத்து மாட்டி
ஏகமாய் பூசுதல் பூசி
தலையதனை கிளறி விட்டு
தலைகீழாய் உருப்பு மாட்டி
தருமங்கள் மாற்றும் பெண்கள் இங்கே

மீனாட்சியின் பாலெடுத்து
மீருக்குடனே அருக்களையில்
பலகாரம் ஆற்றும் அந்த
பைந்தமிழ் பெண் எங்கே

அஸ்டா (asda) வில் பால் வாங்கி
அரை குறையாக் காச்சியதை
அந்தரத்தில் அருந்தி விட்டு
ஆலாய் பறக்கும்
ஆங்கிலேய பெண்கள் இங்கே

காற்றுக்கினிய கானமதை
காதினிலே தவழ விட்டு
கச்சிதமாய் வேலை முடிக்கும்
கன்னித் தமிழ் பெண்கள் எங்கே

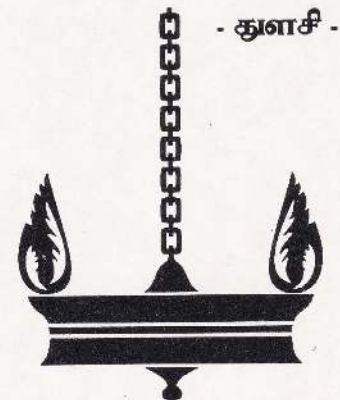
காதுகிழிய கண்ட
காட்டுக் கத்தல் கேட்டு
காலதனை தலைகீழாய் தூக்கி நிற்கும்
கலிகாலப் பெண்கள் இங்கே

கண்ணியமாய் காலையிலே
கல்விக்கூடம் சென்று
கன நேரம் படித்தவர்கள்
மாலையிலே வீடு சேர்ந்து
மறுபடியும் படிப்பினிலே மூழ்கும்
மறப்பெண்கள் அங்கே

காலம் தாழ்த்திப் பள்ளி சென்று
காதல்லிலை பண்ணிவிட்டு
மாலையிலே வீடு வந்து
மற்றவர்கள் வம்பு பேசி
மாடன் படம் பார்க்கும் பெண்கள் இங்கே

இரவின் தனிமையிலே
இனிய வார்த்தை பேசி
நிலையான நினைவுடனே
நித்திரைக்குப் போகும்
நில மகள் எங்கே

இருட்டிய பின்னும் வீடுசேரா
இங்கிலாந்து தியேட்டரிலே
இரண்டாம் சோ படம் பார்த்து
நித்திரையின் நினைவு வந்து
நீண்ட இடைவேளையின் பின்
நிலம் திரும்பும் பெண்கள் இங்கே



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சத்யன் ஜ்வலர்ஸ்

தரமான 22 கரட் தங்க நகைகளும்
சீக்கோ, ரைமக்ஸ் மணிக்கூடு விநியோகஸ்தர்களும்

220, Green Street
Forest Gate
London E7 8LF

Tel: 081 471 0564
081 470 7056

SEELANS

இலங்கையில் இருந்து இறக்குமதி செய்யப்பட்ட,
உங்களுக்கு அவசியமான அன்றாட தேவைப் பொருட்கள்.
கடல் உணவு மற்றும் மரக்கறி வகைகள்
தமிழ், சிங்கள பழைய, புதிய ஓடியோ வகைகள்
தமிழ், சிங்கள சினிமா வீடியோ பிரதிகள்
அனைத்து வார, மாத சஞ்சிகைகள், பத்திரிகைகள்
மற்றும் உங்களுக்குத் தேவையான சகல விதமான பொருட்களும்
எம்மிடம் பெற்றுக்கொள்ளலாம்

உங்கள் நலன் கருதி எமது எந்தாபனம் நாள்தோறும்
காலை 8.00 மணி முதல் இரவு 10.00 மணி வரை திறந்திருக்கும்.
உங்கள் தேவைகளை இனிதே நிறைவு செய்யக் காத்திருக்கின்றோம்.

332 High Street
Manor Park
London E12 6PM
Tel.: 081 472 2942

மீண்டும் பூக்குமா ?

இங்கிலாந்தில் summer time தொடங்கிவிட்டது. அதிகாலையிலேயே செஞ்சூரியனின் பொற்கிரணங்கள் சாளரங்களினூடு புகுந்து வந்து 'அவன்' முகத்தில் அடித்தது. எரிச்சலுடன் எழுந்து திரைச்சீலைகளை இழுக்க கை நீட்டினான். நித்திரை கொள்ள விடாமல் இடையூறு படுத்திய சூரியனில் எரிச்சல் கொண்டிருந்த அந்த வேளையில் கூட எதிர் தெரிந்த வனப்பு அவனை அதனை ரசிக்க வைத்தது. இலையுதிர்ந்திருந்த மரங்கள் எல்லாம் துளிர்ந்திருந்தது. ஒரு மரம், அவனுக்கு அதன் பெயர் தெரிந்திருக்கவில்லை. அதைத் தெரிந்து கொள்ள அவனுக்கு அவகாசமும் கிடைத்தது இல்லை. கிளை கொள்ள அது பூத்திருந்தது. இளஞ்சிவப்பில் காமப் பூக்கு பூத்திருந்த அந்த மலர்கள் அவன் மனத்தை ஒரு கணம் சந்தோசத்தில் சிலிக்கவைத்து பின் வேதனை கொள்ளச்செய்தது. அவன் தன்னையும் அந்த மரத்தையும் ஏனோ ஒப்பிட்டுப் பார்த்தான். last summer இலும் இதே மாதிரி அந்த மரம் கிளை கொள்ளாது பூத்திருந்தது. பின் winter தொடங்கியதும் இதே மரமா பூத்திருந்தது என்று நினைக்கத் தூண்டும் வண்ணம் பட்டமரம் போல காட்சியளித்தது. மீண்டும் இன்று பூக்கு விட்டது.

'ஷாத்விக்கன்' என்று அவனுக்கு சிவனின் பெயரை வைத்ததாலோ என்னவோ அவனுக்கு நடனம் என்றால் அப்படி ஒரு பிரியம். வீரசிங்கம் மண்டபத்தில் நடைபெறும் எந்த ஒரு நடன நிகழ்ச்சியையும் அவன் தவறவிட்டதில்லை. அவளின் நடன நிகழ்ச்சியையும் முதன் முறையாக வீரசிங்கம் மண்டபத்தில் தான் பார்த்தான். அன்று வரை பரதத்தை மட்டுமே காதலித்து வந்தவன் அன்றிலிருந்து,

அந்தப் பாவையையும் காதலிக்கத் தொடங்கி விட்டான். கண்ணனைக் காதலித்து அவள் 'பதம்' செய்யும் போது அவள் தன்னை நினைத்தே ஆடுவதாக எண்ணி இவன் புளகாங்கிதம் அடைவான். வெண்ணிலாவைச் சுற்றி நட்சத்திரங்களால் அலங்கரித்து விட்ட மாதிரி, அவள் முகத்திற்கு அந்த சிகையலங்காரம் எத்தனை எழிலைத் தந்தது. அவளையும், அவள் நடனத்தையும் ரசித்து வந்தவனுக்கு அவளை நெருங்க சந்தர்ப்பம் கிடைக்கவில்லை. ஆனாலும் எப்படியோ அவன் தங்கை நடனம்படிக்க வேண்டும் என்று நின்றதில், தங்கைக்கு குருவாக்கி, அவளை நெருங்கினான். பரதத்தில் அவன் கொண்டிருந்த ஈடுபாடு அவனை அவனிடம் நெருங்கச் செய்தது.

'தன்யா இந்த முறை programme க்கு ஒரு நாட்டிய நாடகம் போடு வித்தியாசமாக இருக்கும்.'

'அது சரி தான், ஷாத்வி. ஆனாலும் நாட்டிய நாடகம் என்றால் at least 10, 15 மாணவிகளாவது வேணுமே.'

நாட்டிய நாடகம் என்றவுடன் நீயேன் 10, 15 பேரைத் தேடுகிறாய்? ஒரு பாரதியார் பாடலையோ இல்லை வேறு ஒரு சிறு கதையையோ எடுத்து மூன்று பேரை மட்டுமே வைத்து நிகழ்ச்சியைத் தயாரி. இவ்வாறு தான் அவர்களின் நெருக்கம் ஆரம்பத்தில் இருந்தது. பின், ஒரு நாளில் அவன் தனக்குள் இருந்த தன் காதலை அவனிடம் தெரிவித்து விட்டான். அவளும் அவன் காதலை ஏற்றுக்கொள்ள அது கல்யாணத்தில் வந்து முடிந்தது. ஆரம்பத்தில் இரு வீட்டிலும் சிறு எதிர்ப்புக் காட்டினாலும் நாளடைவில் கல்யாணத்திற்கு சம்மதித்து விட்டார்கள்.

எத்தனை இனிய தம்பதிகளாக வாழ்ந்து கொண்டிருந்தார்கள். அவன் accountant ஆகப்பணியாற்றிக் கொண்டிருந்தான். அவள் திருமணத்தின் முன் போலவே திருமணத்தின் பின்னும் நடனப்பள்ளியை தொடர்ந்து வந்தாள். அவர்களின் அன்பின் அடையாளமாக இரு குழந்தைகள், ஒன்று ஆண் குழந்தை, மற்றையது பெண் குழந்தை.

அன்று ஞாயிற்றுக் கிழமை, இருவரும் எந்த அவசர வேலையும் இல்லாமல், ஓய்வாகக் குழந்தைகளுடன் கொஞ்சி விளையாடிக் கொண்டிருந்தனர்.

'ஷாத்வி நான் ஒரு idea வைத்திருக்கிறேன். என்ன சொல்லுங்கோ பார்ப்பம்.'

'நீயே சொல்லும்மா இந்த suspense எல்லாம் தாங்காது.

ஆமா நீங்க எப்பதான் கண்டு பிடித்திருக்கிறீங்க, சரி நானே சொல்லுறேன். நான், நீங்க, பிள்ளைகள் நாலு பேரும் சேர்ந்து ஒரு programme கொடுக்கலாம் என்றுயோசித்திருக்கிறேன்.'

'சரி தான் அதைப் பார்க்க ஆளும் வேணுமே' என்று அவன் சிரிக்க தன்யா கோபத்துடன் எழுந்து கொண்டாள்.

அந்த நேரம் தான் ஒலிபெருக்கியில் அந்த அறிவித்தல் கேட்டது. இராணுவத்திடமிருந்து வந்த அந்த அறிவித்தல் 25 வயதிற்குக் கூடிய ஆண்களை உடனடியாகக் குறித்த இடத்திற்கு வரப் பணித்தும், வராதவர்கள் உடனடியாகக் கைது செய்யப் படுவர் என்றும் கூறியது. தன்யா தன் கோபத்தை மறந்து

வேதனையுடன் ஷாத்வியை பார்த்தாள். 'என் தன்யா பயப்படுகிறாய்? ஏதோ checking ற்காக கூப்பிடுறாங்கள், போய்டு வாறேன்.' தன்யாவின் கண்களில் நீர் திரண்டது. அவளை ஆறுதல் படுத்தி விட்டு, எட்டே மாதங்களே நிறைந்திருந்த ஸௌம்யாவைக் கொஞ்சி விட்டு, சசி tata என்று சொல்லிக் கொண்டு புறப்பட்டாள். அது தான் அவன் அவர்களைக்கண்ட கடைசி நாள். அதன் பின் இன்றோடு எட்டு வருடங்கள். சந்தேகத்தின் பேரில் என்று கைது செய்யப்பட்டவன், நண்பர்களின் உதவியோடு இராணுவத்திடமிருந்து தப்பியோடி, பின் ஊருக்குத் திரும்ப முடியாமல் colomboல் நின்று பின் colombo இலும் பிரச்சனைகள் அதிகமாக மாலைதீவிற்குப் போய், அங்கிருக்கும் போது தன் அருமை மகன் சசி சூடு பட்டு இறந்ததை அறிந்து வேதனையின் உச்சியை அடைந்து மீண்டும் நண்பர்களின் உதவி யோடு london வந்து சேர்ந்து பட்ட கடன் அடைக்க இரவும் பகலும் வேலை செய்து கொண்டும், இருக்கும் மகனையும், மனைவியையுமாவது தன்னோடு அழைத்து விடத் தீர்மானித்து agent க்கும் காசு கட்டி விட்டு காத்நிருக்கிறான்.

மீண்டும் பூத்துவிட்ட அந்த மரத்தைப் பார்த்தபோது அவனிடமிருந்து ஒரு ஏக்கப் பெருமூச்சு வந்தது. அந்த மரத்தைப் போல, என்று தான் தன் வாழ்வும் மீண்டும் பூக்கும் என்ற கேள்வி அவன் நெஞ்சை நிறைத்தது. விரகதியுடன் திரைச்சீலைகளை இழுத்து விட்டு பருக்கையில் போய் விழுந்தான். அவன் மனதில் எண்ணற்ற வினாக்கள் எழுந்தன. இரவு வேலை செய்த அயர்ச்சி அவனை விடை தேட விடாது தூங்கச் செய்தது.

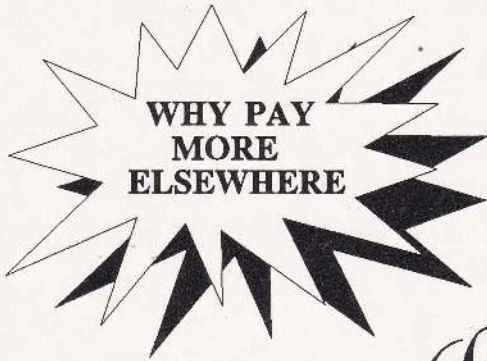
-யாவும் கற்பனையே.
-லஷ்மி குமாரசாமி.

ஒரே இடத்தில் உங்கள் அனைத்து தேவைகளான இறக்குமதி செய்யப்பட்ட தரமான இலங்கை, இந்திய உணவுப் பொருட்கள் மற்றும் உடன் மரக்கறி வகைகள், கடலுணவுப் பொருட்கள், வெகுமதிப் பொருட்கள், எவர் சில்வர் சாமான்கள், இலங்கை, இந்தியப் பத்திரிகைகள், சுஞ்சிகைகள், பழைய, புதிய ஓடியோ, வீடியோ கசெற்றுகள், CDக்கள் அனைத்தையும் மலிவு விலையில் மன நிறைவேரு பெற்றிட அனைவரும் நாடவேண்டிய தரமான நம்பிக்கையான ஒரே ஸ்தாபனம்

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 நீ கூடக் குடியாமல்
 ரியூப் எடுத்து ஓடிருவான்
 கடன் கணக்கின் கனம் ஒரு புறம்
 மணமாகா சகோதரிகள் மறுபுறம்
 பல்லைக் கடித்துக் கொண்டே
 பன்னிரண்டு மணித்தியாலங்கள்
 பசியையும் பார்க்காமல்
 செய்து முடித்திருவான்
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 தொடர்ந்து செய்துவிட்டு
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 சமையல் செய்துவிட்டு
 குளித்து சாப்பிட
 மணி பத்தாகிவிடும்.
 படுக்கிடுவான் ...
 மீண்டும் காலைமீல்
 அதே பல்லவிதான்
 கடிதம் எழுத நேரமில்லாவிடினும்
 கஷ்டப்பட்டு எழுதிப்போட்டான்
 அம்மா எனக்கிங்கு
 வேலைக் கஷ்டமென்று
 அத்துடன் கூடவே
 சமையலும் கஷ்டம் என்று
 வந்தது பதிலொன்று
 அம்மாவிடமிருந்து
 தம்பி நீ கஷ்டப்படாதே
 சமையலுக்கு ஆளுண்டு
 தம்பி உனக்கு விருப்பமென்றால்
 அம்மம்மா சும்மாதானிருக்கா
 அவளை உங்கு கூப்பிட்டால்
 சமையல் வேலை கலபமென்று

ஏதோ மனதிருத்தி
 எவ்வளவோ கஷ்டப்பட்டு
 கடிதம் ஒன்றை எழுதிவிட்டு
 காத்திருந்தவனுக்கு
 வந்தபதில் கண்டு யோசித்தான்
 அம்மாவுக்கு எழுதாமலே
 விட்டிருக்கலா மென்று.

-அருண்ராம்-

புதுப்பரணி பாடிருவோம்-

அருப்படியில் குந்தியிருந்து
 அகப்பை மிடித்த கைகள் - இன்று
 ஆயுதங்கள் கையிலேந்தி
 ஆடுகளம் (போர்) செல்கின்றன

பெண் என்றால் பேதையென்பர்
 ஆண்களுக்கு அடிமையென்பர்
 கவிஞர்கள் கண்டுவிட்டால்
 பூவென்பர் மலரென்பர்
 இன்னும் எத்தனையோ
 வர்ணனைகள் செய்துவைப்பர்

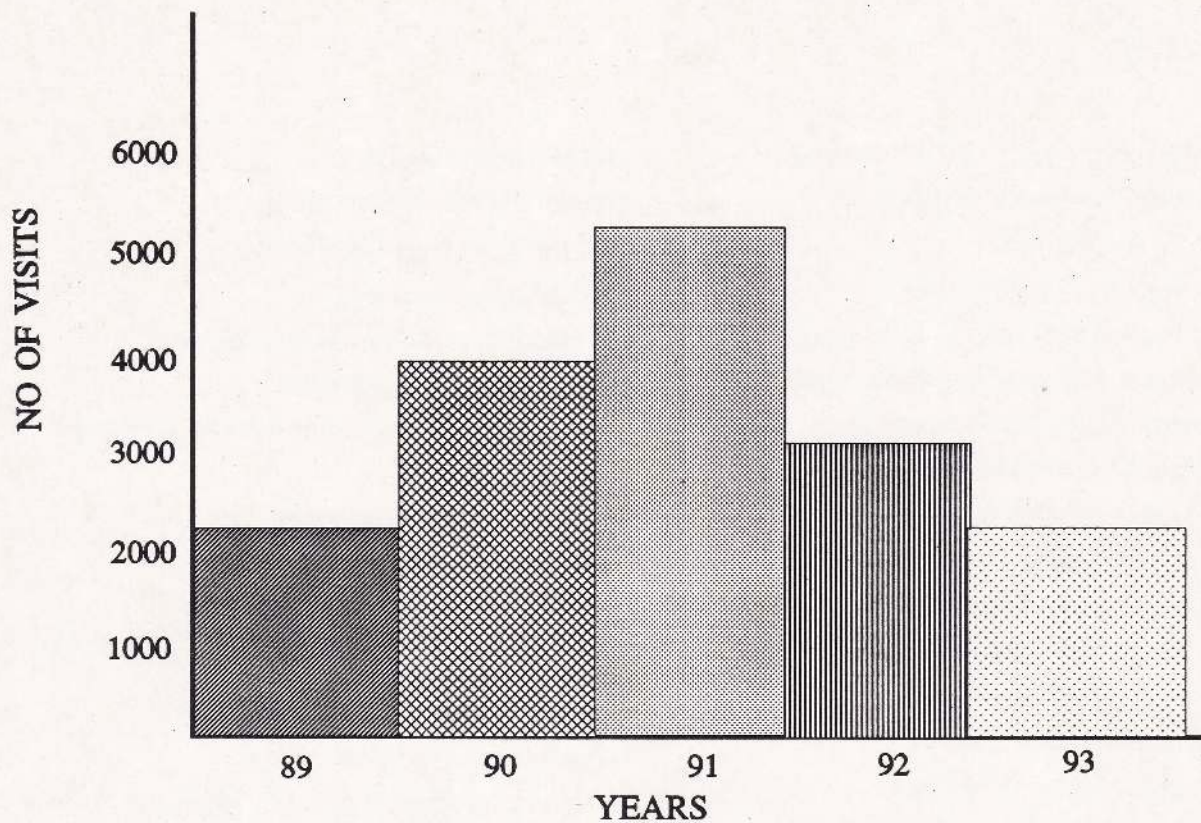
பெட்டிப்பாம்பாக அன்று
 வீட்டிற்குள் முடங்கியவர்கள் - இன்று
 சுரு கலங்கள் கையிலேந்தி
 சூறாவளியாய்ப் போர்க்களத்தில்

அன்றொரு போர்ப்பரணி உண்டு - அது
 ஆண்கள் வீரம் பாடிட - ஆனால்
 இன்றொரு புதுப்பரணி பாடிருவோம்
 எம் பெண்களின் வீரத்தினை

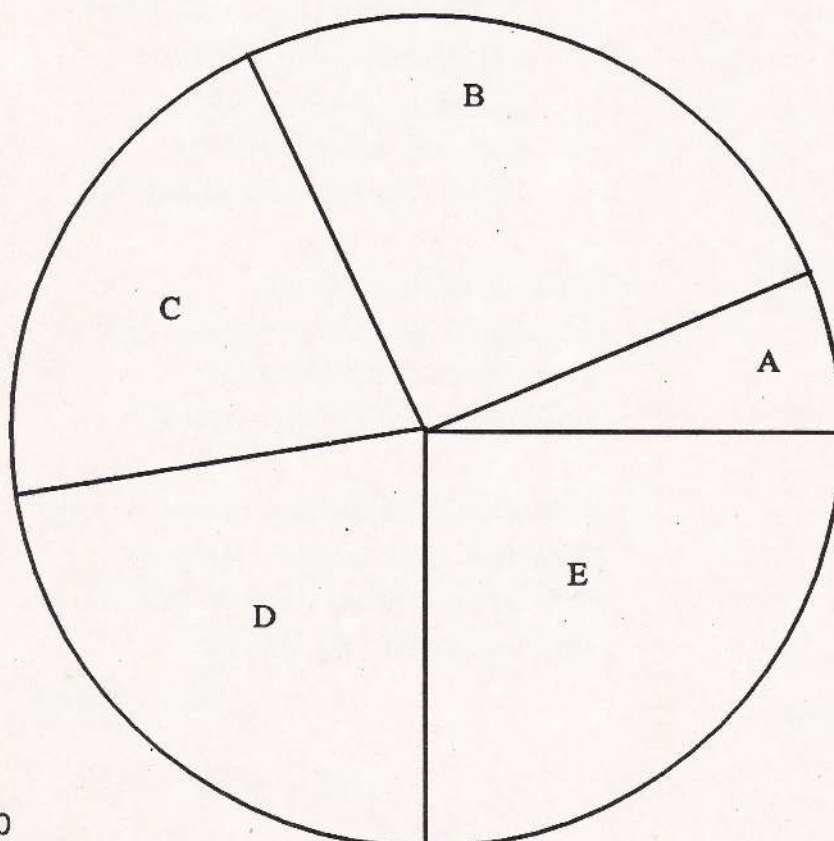
நினைவிருத்தி.

-அருண்ராம்-

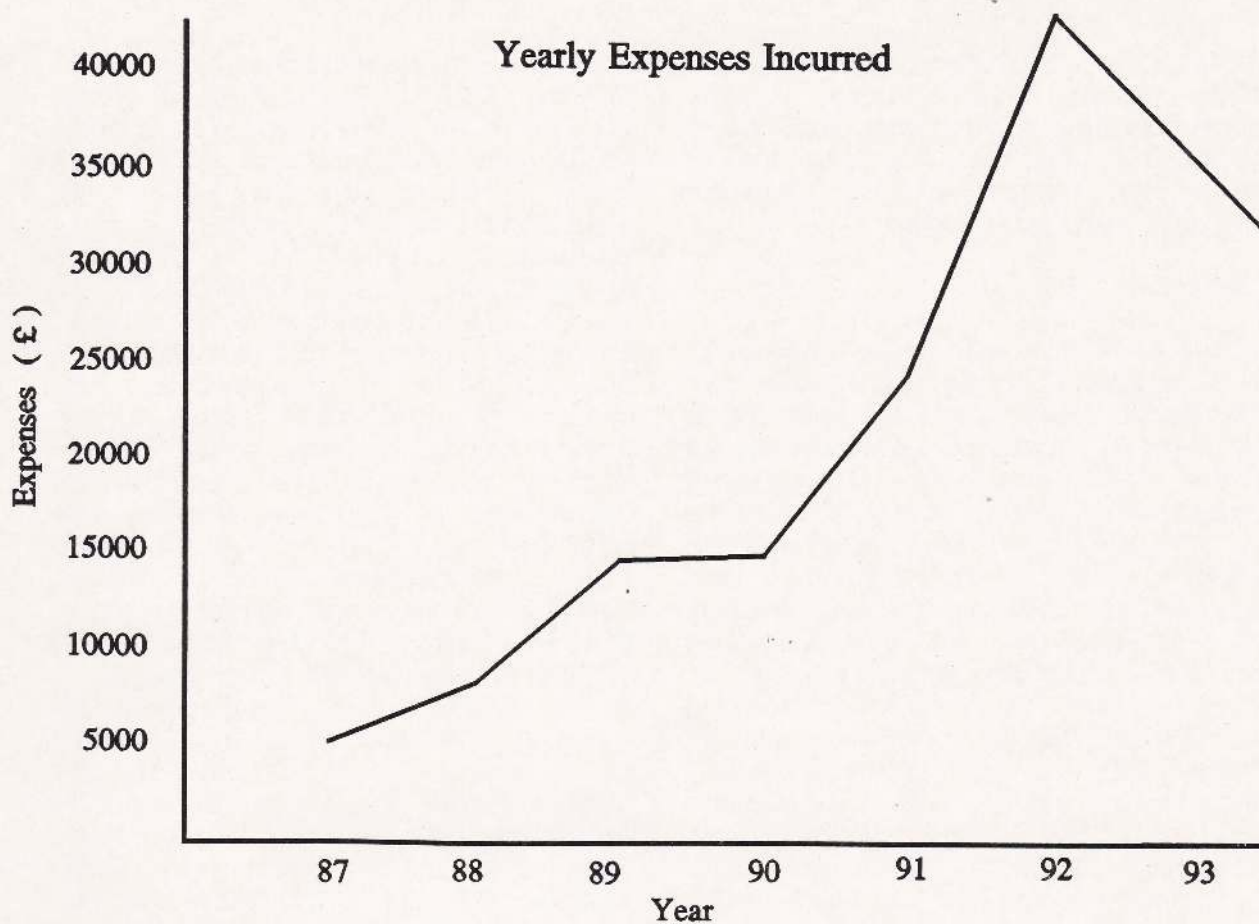
People Received Services From TWAN



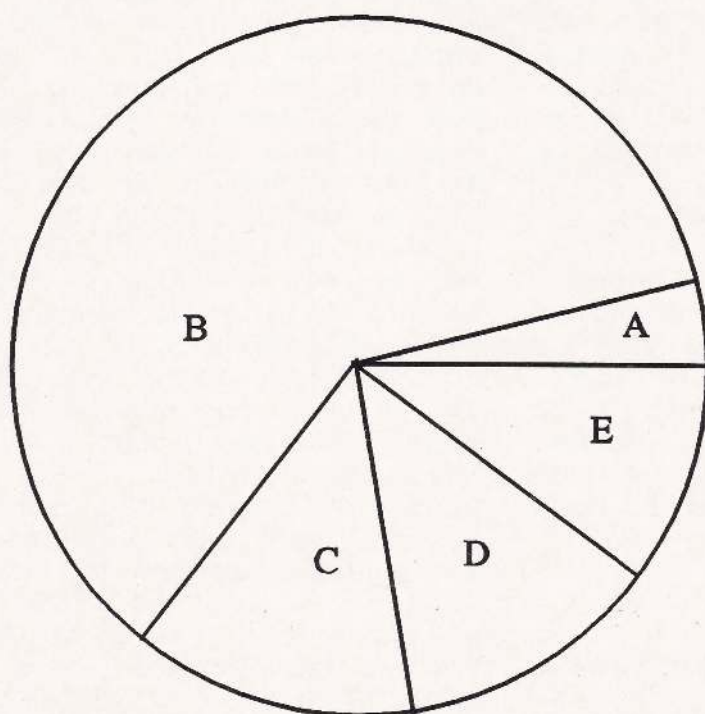
Analysis of Persons visited TWAN in Year 1993



- A. Education & Grants
- B. Immigration & Nationality
- C. Accommodation
- D. Welfare Rights
- E. Others



Analysis of Expenditure Year 1993



- A. Volunteer expenses, Transport & Travelling
- B. Office administration
- C. Professional charges
- D. Cultural activity
- E. Maintenance

Jaffna to go abroad. No reasons have been given for their arrests and they have not been produced before a court, their parents have filed habeas corpus applications.

CASE 2

Muthukumar Gunasingam (age 40) a farmer from Mallavi in Vavuniya and father of five children, came to Colombo on 25 June 1993 after obtaining permission from Army Officers in Vavuniya to see his sister who is married to Thillaianathan, a former Member of Parliament. He was staying at Sri Siddharththa place at Kirilapone and was arrested during a police round-up on 26 June 1993. He is currently detained at the Magazine prison. He has not been produced before court and the reasons for his arrest have not been given. His wife Kanapathipilli Malini has filed a habeas corpus application.

CASE 3

Joseph Panimayam, a mother of five children and her son LMV Joseph are currently being detained by the Chilaw police. Panimayam's husband works abroad. She was arrested by Chilaw police on 13 June 1993. No reasons have been given for her arrest. LMV Joseph a student of ST. Antony's College, Wattala was arrested on 14 June 1993 when he went to visit his mother in Chilaw. Both persons have not been produced before court. Habeas corpus applications have been filed by Panimayam's niece Mary Rita Argus.

CASE 4

Sabastianpillai Ravi Sankar (age 23) was rounded up by the Modera Police at 12 midnight at his home in the presence of his

cousin B R Manmatharajah on 17 August 1993. Ravi Sankar fled to India as a refugee in August 1990 and remained in a refugee camp until August 1992. He returned to Sri Lanka on a request by his father Swampillai Sabastiampillai on 14.8.1992 by plane and stayed in Mount Lavinia from 14.8.92 to 23.11.92. Thereafter he moved to Colombo and stayed there until he was rounded up. During his stay in Colombo, he underwent a driving course and obtained a bus licence from the Registrar of Motor Vehicles. **He was working as a driver transporting goods to UNHCR while he was arrested.**

Ravi Sankar was subjected to severe torture by CDB Officers at Gregory's Road, Borella and was forced to sign documents under duress. According to Ravi Sankar's statement, he was subjected to torture after telling them that he had stayed in India as a refugee in the refugee camp.

CASE 5

Sundramoorthy Mahathevan (age 26) went to Saudi Arabia for employment on 22.5.1993 and as he could not proceed to Jaffna due to military operations he stayed in a lodge in Colombo. He was arrested by the Pettah Police while returning from a temple. He had produced to the Police all evidences required to establish his identity and his whereabouts since he arrived from Saudi Arabia, but the Police refused permission and detained him at the Welikade prison. He was produced before the court on 22.6.93 and was released. He was again arrested by the same Pettah Police at the Court premises and taken to Pettah Police and detained from 22.6.93 to 18.8.93. He was released due to the intervention of his uncle.

வாழ்த்துப் பாடிடுவோம்

நிமிர்ந்து நிற்கும் அன்னைக்கு
நீள் கவி பாடிடுவோம்

நாற்றிசையும் சுவள்
நாமம் பரவிடவே
நாவாரப் பாடிடுவோம்

தன்னிகரில்லா சேவைபாற்றும்
தமிழர் நலன் புரிசங்கத்தினர்க்கு
தலை தாழ்த்தி வணங்கிடுவோம்

நதியிழந்தும் சுவள்
நிலத்திடை வீழ்ந்தவளா?
நிலையிழந்து வருவோர்க்கு
நீண்ட கரம் நீட்டியிங்கே
நிலைபெடுத்து நிற்கின்றாள்

பழிகள் பல சுமந்தாலும்
படிகெடுத்து ஓடினாளா?

பசுந்தமிழ் மக்களுக்கும்
பாங்குடனே உதவிடவே
பார்த்தே இருக்கின்றாள்

பனாவில்லை என்று
படமெடுத்து ஓடினாளா?

பரிதவித்து வரும்
பல சின மக்களுக்கும்
பல வழிகள் காட்டுகின்றாள்

இருக்க இடமின்றி
இன்னல் படுவோர்க்கும்
இளிய இடம் தந்து
இறுமாய்பாய் நிற்கின்றாள்

சுமைகள் பல சுமந்தாலும்
சுமமா இருந்தாளா
சூரியன் பாதையிலே
சுழன்று வருகின்றாள்.

கதியிழந்து வருவோர்க்கு
கலங்கரை விளக்காக
கன்னியமாய் நிற்கின்றாள்

வளர்கின்றாள் வளமுடனே
வாழ்த்திடுவீர் மனமுடனே

நாங்கள் (பெண்கள்) என்ன?

ஆசைக்கு வாங்கி
அவசரமாய் திருபிக் கொடுப்பதற்கு - பெண்கள் என்ன
ஆர்கோசு (argos) அயிற்றுங்களா?

திரியும் வரை திரிந்து விட்டு
தீர்ந்த பின் எறிவதற்கு - பெண்கள் என்ன
one day travel cardகளா?

தாகத்திற்கு தண்ணீர் பருகி விட்டு
தூனியிலே எறிவதற்கு - பெண்கள் என்ன
disposable cupகளா

சப்பும் வரை சப்பி விட்டு
சங்கத் தீர்ந்த பின் துப்புவதற்கு - பெண்கள் என்ன
சக்கைச் சுவிங்கங்களா?

சுவை அறிந்த பின்
சுறுட்டி எறிவதற்கு - பெண்கள் என்ன
சும்மா வரும் சாம்பிங்களா?

காலம் போய் கரை போனதென்று
கராச்சிலே கரை பேற்றுவதற்கு - பெண்கள் என்ன
காலம் கடந்த கார்களா?

(f)பாசன் மாறிப்பெடுத்து
பரன் மேலே எறிவதற்கு - பெண்கள் என்ன
பழைய உடுப்புக்களா?

உங்கள் பதில்களை
உடன் எழுதிடுவீர்
உருப்பட்ட (news paper) பேப்பர் உண்டு
உரை குளப்புவதற்கு லைட்னிலே.

~விஜ்~

Mahathevan accuses the police of causing mental and physical pain, harassment and extortion.

TORTURE

Torture of Tamils in custody is a common occurrence and a number of cases alleging torture were filed in the Supreme Court in 1993. Torture is carried out in the name of 'justice' or 'finding out the truth' or 'maintaining peace and national security' or 'supporting the cause of Tamils' or 'supporter or member of LTTE'. Torture methods commonly used include beating and kicking, suffocation under water, suffocation in a plastic bag, burning with cigarettes, forcing water mixed with chillies into the victim's nostrils, suspension in distorted positions, electric shock to the most sensitive parts of the body.

A number of Tamils have disappeared or been executed without trace in the North-East Sri Lanka since the armed conflict between the security forces and the LTTE began in June 1990. Tamils suspected of having contact with the LTTE have been arrested, shot, stabbed to death or burnt alive by government troops.

In this regard, whilst the UN commission recognised that there had been a reduction in disappearances in 1992, the UN working Group on Enforced or Involuntary Disappearances observed that "the situation regarding disappearances in Sri Lanka continues to be serious" and "the single most important factor contributing to the phenomenon of disappearances is that of impunity." Furthermore, it stated "there is no official mechanism in place in Sri Lanka with the principal task of

clarifying the fate of 12,000 outstanding cases of disappearances and only a few of the recommendations of the Working Group had been implemented by the government."

INSECURITY OF RETURNERS

Since mid-August 1993, the Indian Government has repatriated over 7,000 Tamils from the southern state of Tamil Nadu. Refugees have faced direct and indirect coercion to return home, including arbitrary arrest, withdrawal of stipends and food rations and pressure to sign forms indicating their desire to return without knowing the contents of what they were signing. Local NGOs and international agencies have been denied access to refugee camps in Tamil Nadu to monitor whether the registration of refugees to return is voluntary. Since August 1992, UNHCR has been able to interview refugees only after they have already registered and been moved to transit camps for repatriation. Refugees have no reliable means of obtaining information about conditions in their home districts on which they can base their decision to return. They are often unaware that bombing and shelling will make it impossible for them to return directly to their own villages and that they will be forced to stay in overcrowded refugee camps. Asia Watch and other human rights organisations have called for the suspension of the programme.

RECENT EVENTS

Many Tamils have fled the North and the East to seek refuge in Colombo or the Hill Country. This is because many have links with these parts of the Country through relatives and friends.

அந்நாளும் வந்திருமோ நமக்கிங்கு!

செம்மண் புழுதிதான் - ஆம்
அது செம்மண் புழுதிதான்
வானம் பார்த்த பூமியாயினும்
வளம் கொழித்திடும் பூமி - அதில்
காளையகள் தன்னை
கலப்பையில் பூட்டி
புழுதி உழுவென
சால் உழவு செய்து
ஒரு காலைப் பொழுதினில்
ஓராயிரம் கண்டுத்தரையை உழுதுதள்ளி

சுற்றத்து வேலி
பூவரசமரச் சருகுகளையும்
முற்றத்தில் நிற்கும்
அருநெல்லி, வேப்பமர
குறோட்டன் இலைகளுடன்
மாட்டுப்பட்டிகளின்
சாணகத் துகள்களையும்
ஒன்றாகச் சேர்த்து வைத்து
குப்பையென்றாக்கி விட்டு ...



பத்தினி பிள்ளைகளுடன்
பட்டணத்துக் கடகத்தில்
குப்பையைக் கோலிவிட்டு
புழுதித் தரையில் கொட்ட வைத்து
மண்வெட்டி கொண்டு
தரையைப்பதப்படுத்தி
பெருவாய்க்கால் போட்டு
சிறுபாத்தி அமைத்துவிட்டு
புழுதி நடுகை நட்பு (வெங்காயம்)
புளகாங்கிதம் அடைந்திருவோன்
நட்டதரைக்கு நாளளந்து
நீர் பாய்ச்சி, களைபிடுங்கி
பெருவிளைச்சல் எனக்குத்தான்
பெரும்போகத்தில் இந்தமுறை
என்று சொல்லிப்
பெருமைப்பட்ட
நாளும் இனிவந்திருமோ
நமக்கிங்கு!

-அருண்ராம்-

அகதி

பாண்டவர்கள் அன்று
ஆண்டவர்களாயிருந்தார்
கௌரவர்களின் சதியால்
நாடிழந்து நகரிழந்து
குந்தி இருக்கும் நிலமிழந்து
காடு சென்றார்

அன்றவர்கள் தஞ்சம் புக
நாடுகள் இல்லாததால்
காட்டில் தஞ்சமாகினர்
இன்று எம்மவர்கள்
வீருமனை பொருள் இழந்து
அந்நிய நாடுகளில் தஞ்சமாகினர்
அன்றவர்கள் காட்டில் தஞ்சம் - அது
அஞ்ஞாதவாசம் என்றனர்
இன்று எம்மவர்கள்
வெளிநாடுகளில் தஞ்சம் - இது
அகதி என்கின்றனர்.

The fact that so many have sought refuge in these areas has meant that the government, and even the UNHCR, have said that these parts of Sri Lanka are therefore safe for Tamils. However, this is simply not true. There is a clear pattern, dating back to independence, that whenever there is communal violence in Sri Lanka the Tamils living in these areas have been targeted, often as a response to violence elsewhere.

Recent examples of this phenomenon are the assassination of navy Commander Vice Admiral Clancy Fernando, Northern Commander Major General Kobbekaduwa, the opposition MP Lalith Athuladmudali and President Premadasa. When Navy Commander Vice Admiral Clancy Fernando was killed on 16th November 1992 by a suicide bomber in Colombo, over 3,000 Tamils were arrested in the city. After Northern Commander Major General Kobbekaduwa and five other Senior Military Commanders were killed by a landmine on Kayts Island near Jaffna in the North, 35 Tamils were slaughtered at Mahilanthanai Village in the East by soldiers. The opposition MP Lalith Athuladmudali was killed in April 1993, and President Premadasa was killed on 1st May 1993. After these two incidents thousands of Tamils were rounded up in Colombo, the hill country and the south. In mid-August, 35 young Tamil women were arrested and interrogated. Over 1,000 Tamils were rounded in mid-night operations a week later and 150 were detained for further questioning. In the six months that have followed the killing of President Premadasa, over 10,000 Tamils have been arrested in Colombo alone. There are no official figures available on the number of

Tamils in detention. Estimates say that nearly 2,000 Tamils remain in declared detention centres.

A joint statement of several Sri Lankan Human Rights NGOs reports that unidentified persons removing Tamils blindfolded in the middle of the night and their whereabouts are not known. Abductions of Tamils by armed men in unmarked vehicles were also reported in Colombo recently and this matter was raised in the Parliament by Tamil MPs in October and November 1993. The October statement of Amnesty International (ASA 37/WU 04/93) says "The latest arrest show a complete failure by the Sri Lankan Government to implement the measures which it agreed with Tamil Political Leaders in June."

In September 1993, the Police conducted many search operations in the Hill Country, particularly in Urban areas. In operations in Gampola, Badulla, Kandy and Pussellawa only Tamil-owned houses and shops were searched and a number of Tamils have been arrested.

On 11 September 1993 around 30 Tamils on their early morning walks were arrested by Police on the Wellawatte beach in Colombo. First the Police inquired whether they were Tamils and then made the arrest. This clearly shows that the Tamil Community had been targeted.

On 27 September 1993, the Police surrounded the Mutwal Refugee Camp in Colombo and arrested 97 Tamils. No reasons were given for the arrest.

APPEALS AGAINST HOME OFFICE DECISION

The Tamil Welfare Association

is aware of several cases where their applications for asylum had been refused by the Home Office and the asylum seekers have appealed against the Home Office decision to Special Adjudicators. In almost all cases, the cases are pending. In these cases, the legal persons for the appellants ventured to establish that in contrary to the Home Office claim that Colombo and some other areas in the South are safe for Tamil people, Sri Lanka continues to be unsafe for Tamils. Tamil Welfare Association reliably understands that, in at least two cases, the Adjudicators have held the view that the Home Office had not produced adequate evidence to prove their claim and have ruled out that the Home Office had to produce them in order they could deliver justice on the

grounds that ample evidence had been provided by the legal persons for the appellant to prove that Sri Lanka was not safe for Tamils to be returned. Yet the Home Office had not provided their evidence to match them.

JUDICIAL REVIEW

Tamil Welfare Association is also aware of a case in which the application for asylum had been refused and subsequently his Appeal was heard by a special adjudicator who had upheld the Home Office decision. The Leave to Appeal to the Tribunal having failed, application for Judicial Review was made and at the time of writing the report, the Judge has ordered the case to be heard afresh by a Special Adjudicator.

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S. Paramalingam BA, LL.M

Assistant Solicitors

Miss R Kulasegaram

Mr T Thanarajasingam

ACKNOWLEDGEMENTS

We thank all our distinguished guests for having graced the occasion with their presence this evening.

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London Sri Murugan Temple, London Ganapathy Temple, Natha Vidyalaya, parents and teachers.

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