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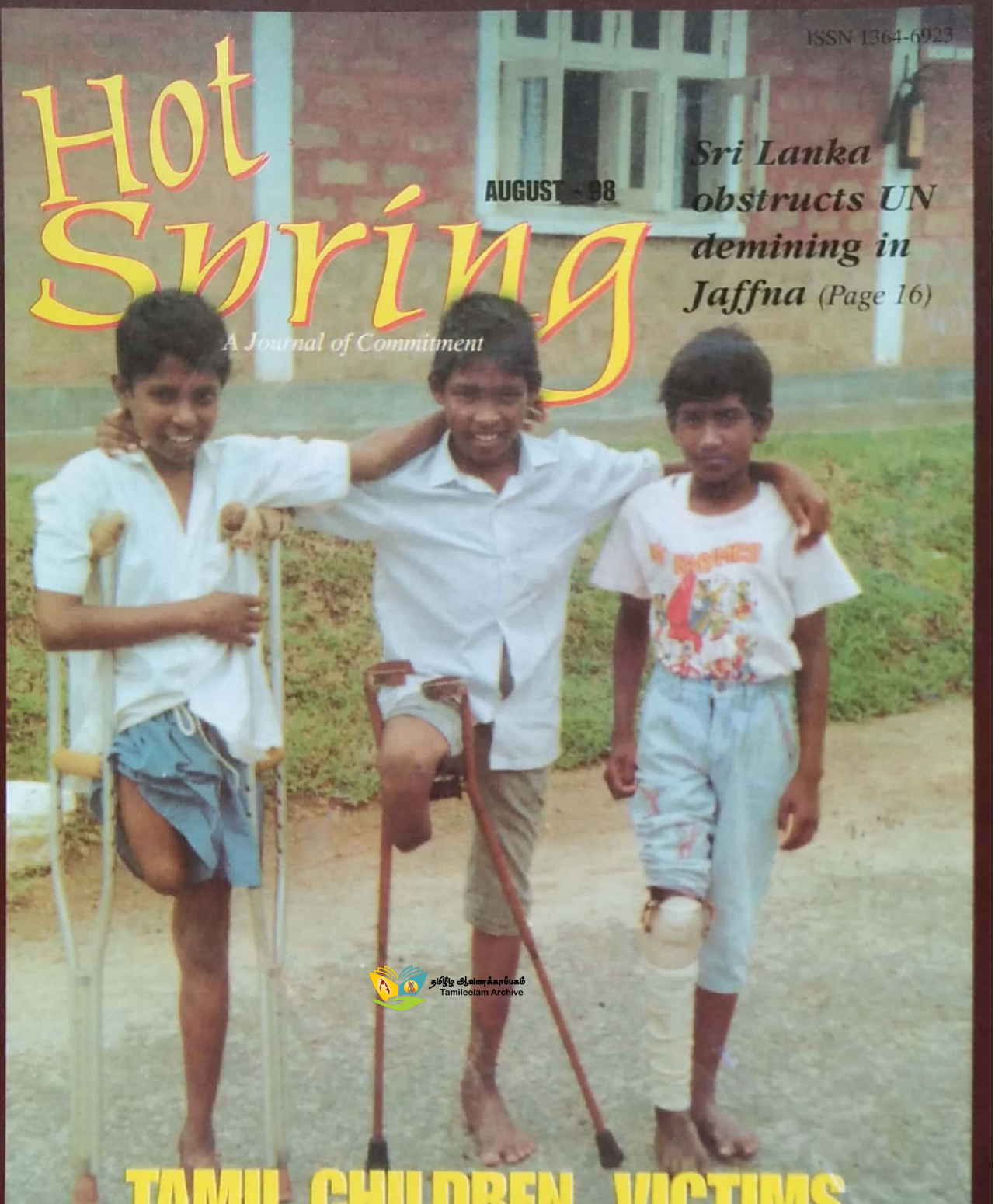
Hot Spring

AUGUST - 98

A Journal of Commitment

Sri Lanka obstructs UN demining in Jaffna (Page 16)

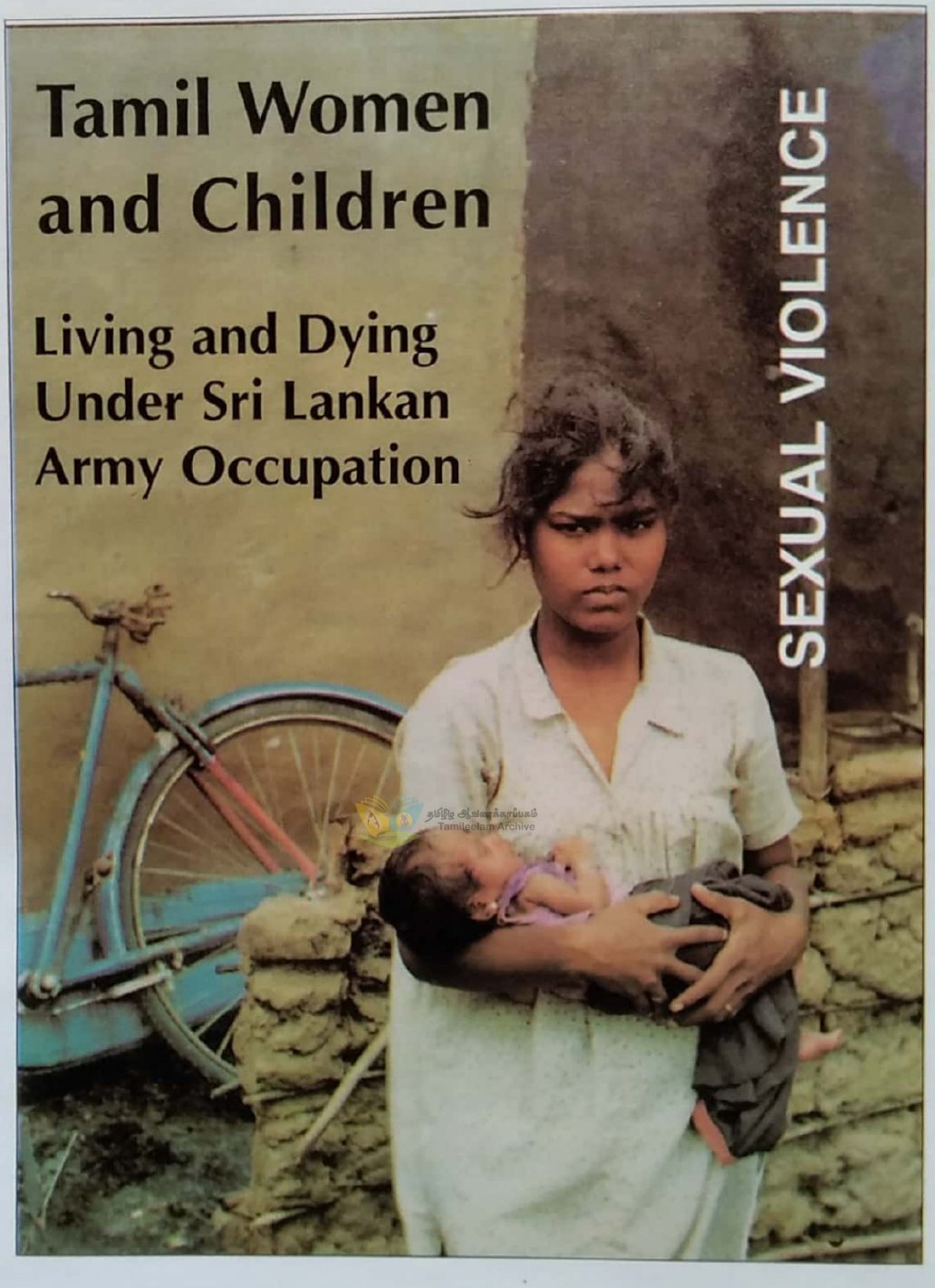


தமிழீழ ஆவணக்காப்பகம்
Tamileelam Archive

TAMIL CHILDREN, VICTIMS OF SRI LANKAN LANDMINES

Tamil Women and Children

Living and Dying Under Sri Lankan Army Occupation



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The Women's Development and Information Unit (WDIU) works with women from exile communities in developing their advocacy skills. WDIU specialises in producing information to bring out the voices and opinions of oppressed women with an aim to dissolve confusion resulting from colonialist analysis and patriarchal perceptions.

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Editorial Comment

Pretence & Reality

There was a time, well over fifty years ago, if one saw a country waging war by land, sea and air, it would have implied war between two nations. World War II for example, when Hitler nearly overan half of Europe by land, tried to invade Britain by sea, and when the German Luftaffe scattered bombs over London. That is now history, dating back to the years 1939-1945.

Today, as we approach the new millennium, we see the strange sight of a little island country tucked away at the bottom of the South Asian map, waging a similar war by land, sea and air, but we are told it is an INTERNAL affair!

"Internal" ? World War II lasted five years. This has lasted 15 years. There was many a historic battle during that world war: the Battle of Britain, El Alamein, Dunkirk, Stalingrad... but none of them lasted as long as this battle of the A9 highway to Jaffna. This has now lasted 15 months.

தமிழீழ ஆவணக்காப்பகம்
Tamileelam Archive

This little country spends one-third of its national income on the war. Each year the war expenditure goes up and up; 44 billion rupees in Sri Lankan currency last year, and it will be 52 million this year, according to the country's deputy finance minister Prof.G.L.Peiris; all because he says of the high cost of opening a land route. Land route to which other country ?

Britain's war leader Winston Churchill said in a world broadcast in 1941: "Give us the tools, and we will finish the job". Here, the tools are already there: tools from Israel, tools from China, tools from Ukraine, tools from superpower America, tools even from the old colonial master Great Britain. But the job never seems to get done. Why ? If it is an internal matter, how come this country is unable to have command over its own land, and its own sea ? Not even over its own air, against an enemy that has no air force of its own, not even a navy except a few fishing boats fitted with guns.

It is not difficult to identify the root causes of this ruinous war which is not only destroying Tamil life, but debilitating Sinhalese society as well. There was that inability of the Sri Lankan Sinhala State to recognise the existential truth that the Tamils could lay claim to be a nation in their own right. The fact that the Tamils happened to be numerically smaller in numbers in the island did not necessarily mean that they did not possess all the prerequisites required under the UN Charter to constitute a nation. They had their own language, their own religion, their own defined territory, their own culture and way of life, their own history, and even their own law - the "Thesavalamai" in the north.

When the Tamil voters in the north-east gave their accredited leaders of the time a clear mandate for Tamil nationhood more than 20 years ago - at a democratically-held elections in 1977 the message was clear. Having been compelled to recognise the truth, there was that persistent Sinhala unwillingness to accept it. In fact the anti-Tamil rioting of 1977 was an attempt to thwart the mandate, made easier by the timidity and selfishness of the Tamil leadership under Amirthalingam.

As Bandaranaike, the father of the present President said once

- rivers do not flow backwards, there is no point in trying reverse a historical trend through brute force. It might be nice to keep on saying to oneself that this is an internal matter of Sri Lanka , but it is proving too costly to keep up that pretence.

This is NOT an internal matter. This is a war between two nations, the Sinhalese nation-state on the one hand and the yet unborn nation-state of the Tamils on the other. The sooner one gets nearer that truth, the sooner will we see the end of the war, and the end of human suffering on both sides. Why wait for the dawn of the new millenium?

S Sivanayagam

What They Say

"For the last several years India has followed a policy of leaving Sri Lanka to settle its own internal problems. We appreciate that stand. I don't think India can interfere in our internal problems".

- President Chandrika Kumaratunga, in an interview with PTI, Colombo, August 1.

* * * * *

"President Kumaratunga is inexperienced. She has no idea of how to govern the country. For four years there was only talk, but she has not delivered the goods to the people. She blames the government officials, the farmers, the workers, the media, the pensioners, the LTTE, the security forces. At the end there is one person who is not to be blamed and that is Chandrika Kumaratunga. It only exposes the incompetence of the Kumaratunga administration. If you do not test your microphone half an hour before you make your address at the heads of governments summit, what more do you expect me to say ?

- Leader of the Opposition Ranil Wickremasinghe, in an interview with SUNDAY LEADER, August 16.

* * * * *

"I will serve the party and my people as a "one-eyed leader", like the one-time Israeli commander Moshe Dayan. In fact when I went to Palestine in 1978 for my training, I thought it was a style for Moshe Dayan to cover one eye. But later I learnt he lost his eye in a struggle like mine"

-Douglas Devananda, M.P and General Secretary of the EPDP, interviewed in the SUNDAY LEADER August 9, on the attack made on him in the Kalutara jail

* * * * *

"If your place of birth is Jaffna (LTTE) or Matara (JVP), does it mean that you are a terrorist ?"

- R.Wijesekera of Colombo 5 in the course of a Letter to the Editor, SUNDAY LEADER complaining about the stifling security in Colombo during the SAARC conference.

"If one reads most of the English newspapers, except for a few, and that too in few pages and columns, almost all of them are geared towards an anti-Tamil reader.Worse still is the fact that even the Sinhala readers are not given a fully balanced picture. It will be an interesting exercise in this regard,to compare the Sunday editions of the Sinhala, the Tamil and the English newspapers" .

- Karthigesu Sivathamby, Professor Emeritus, University of Jaffna, Consultant Professor Eastern University, Chenkalady, in an article in THE ISLAND, August 9.

* * * * *

"It was also during this period that the sacred Dalada Maligawa in Kandy, held in veneration by millions of Buddhists the world over, was attacked by JVP terrorists and the weapons of a group of soldiers guarding the Dalada Maligawa was grabbed by the terrorists".

- S.R.Abeywardene, writing of the JVP terror in 1971 and 1987-89, in THE ISLAND, August 9.

* * * * *

International

"Indeed, I did have a relationship with Miss Lewinsky that was not appropriate. In fact, it was wrong. It constituted a critical lapse in judgement and a personal failure on my part for which I am solely and completely responsible . . . . I misled people, including even my own wife. I deeply regret that . . . . Even Presidents have private lives "

- President Clinton in a nationally televised address on 18 August.

* * * * *

"People out there are laughing at us. Every time you turn on the television there is a comedian joking about the President"

- 38-year old Cinda Medina quoted at Kansas, U.S.A.

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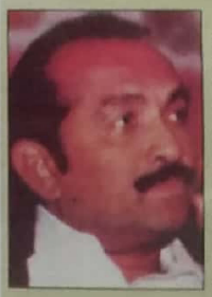

"He is the tallest leader of India and a man of unquestionable integrity. I have got the greatest respect for Mr.Vajpayee, for his honesty and for his marvellous statesmanship".

- Vaiko, leader of the MDMK tells reporters in Madurai

* * * * *

"We, with God's help, call on every Muslim who believes in God, and wishes to be rewarded to comply with God's order to kill the Americans and plunder their money wherever and whenever they find it"

- statement from the World Islamic Front for Jihad against Jews and Crusaders,

* * * * *

LTTE save the lives of 17 Indian sailors

A major diplomatic row between Sri Lanka and India was averted when Tamil Sea Tigers rescued in time 17 Indian sailors who were about to be bombed by the Sri Lankan Air Force aboard the cargo ship m.v.Princess Kash. The incident occurred a day before Indian Independence Day, August 14, off the eastern coast of Mullaitivu.

In a desperate attempt to bomb the ship before the Sea Tigers could (as feared by the military authorities) unload the cargo, the Sri Lanka government was ready with a fictitious story involving the Indian captain of the ship.

A 2-page statement from the President Chandrika Kumaratunga's office said: "The location of the ship and the conduct of its captain gave sufficient cause for grave suspicion to the defence authorities that **he was acting in connivance with the LTTE to transport and deliver dangerous merchandise to the LTTE".**

The so-called "dangerous merchandise" consisted of 3,500 tones of cement, two cars, 10 tractors, 104 motorbikes, 10 threewheelers, rice, and beer. This was a fact known to the Colombo authorities, because all cargo leaving for Jaffna are checked at the Colombo port. So there was no question of "dangerous merchandise". Had the ship been bombed along with the captain and the crew, the Sri Lankan government could have stuck to the fictitious version about the "dangerous merchandise", because both cargo and crew would have been destroyed and there was no way the Indian government could have contested the story about the Indian captain's alleged collusion with the Tigers. After all, dead men cannot tell any tales!

The statement from the President's office was also silent on whether Indians were part of the crew or not. It merely said that the crew members were from "several nationalities, including Sri Lankans". The idea was to plead ignorance about the Indian crew, if there was a query from the Indian government, although the charterers of the ship, the Goodwill Co. had already announced the identity of the crew.

The Indian High Commissioner in Colombo Shivshankar Menon sought "clarification" from the Sri Lankan government about the alleged "connivance" of the Indian captain Mr.B.N.Karkera with the LTTE, but of course, Colombo could not produce any proof. Later abashed by her government's sorry performance over the episode President Kumaratunga took the opportunity in extending her good wishes on India's Independence day to Indian Prime Minister Vajpayee by giving a long explanation about the ship episode.

Ultimately, the Tigers were the ones who came out best in the episode, when they treated the Indian crew to Tamil hospitality and freed them without fuss, having even saved the life of the captain on the shore by pushing him into a LTTE bunker, when artillery shells exploded around him.

Forty six year old Karkera who had a brief taste of what it meant to be a LTTE fighter told Express Newsline in India: "Amid the ferocious din of battle, we were constantly moved between hideouts and guest houses to avoid the Sri Lankan army for 2 days".

◆◆◆

Britain's envoy offers advice to Tamils

Britain's High Commissioner in Colombo David Tatham spoke up for the Chandrika Kumaratunga government in addressing a public gathering in army-occupied Jaffna, and advised the Tamils living overseas to return home and help restore peace. He said "War was wished on the government in 1995. It was not the desire of the government and I believe the government wishes to see a political solution".

According to the AFP report from Colombo, the envoy told local community leaders that they should ask the Tamils abroad living in England, Canada and Australia to supplement the efforts of the international community to rebuild Jaffna, which the AFP report refers to as "the former rebel-held town of Jaffna".

The High Commissioner also informed the Tamils by implication that suffering was not their" monopoly". "Every community has suffered in this country", he said, "some have suffered more than the others, but no community wishes the war to continue."

There was no reference in the report as to any explanation offered by Mr.Tatham, as to why in that case the government was continuing the war in the Vanni Tamil heartland.

Mr.Tatham, while stressing the need for peace did not evidently make any reference to the military assistance that his country was offering to the Sri Lankan government to prosecute the war. He also did not make any mention of the British colonel John Fields who is now helping to train Sri Lankan army officers at British expense.

(For details of British military assistance to Sri Lanka, see report on Page 13).

NOTE: An uncensored report published in the government-owned SUNDAY OBSERVER of August 23, carries on Page1 under a full length headline: DAVID TATHAM CALLS FOR A HALT TO FOREIGN FUNDING TO LTTE, the following: "Tamils living abroad should refrain from providing financial support to the armed campaign by Tamil militants in Sri Lanka....

(As to whether Mr.Tatham said that, or whether the paper concoted the story, was not clear at the time this journal went to press)

"THE WORLD HARDENED MY HEART"

Jayalalitha speaks on Jayalalitha

"If I am perceived as a strong and ruthless woman, it's because life has turned me into someone like that. If I hadn't been tough,I wouldn't have survived. I can be very sentimental too".

That is what AIADMK General Secretary Jayaram Jayalalitha told FILMFARE magazine in an interview recently. **"I am very efficient and organised. I expect people around me to live up to my standards. I am a perfectionist. Otherwise, I'm easy-going, soft-hearted, kind, and gentle", she says in the August issue of the magazine.**

Highlighting the sentimental side of herself, Ms.Jayalalitha said she was shattered when her pet pomeranian, Julie, died. "I was in Delhi but I had to see her before she was buried.. I came rushing back to see her before she was buried", she said. It might be recalled that Ms.Jayalalitha's sudden return to Chennai for her pet's burial led to various speculations in the Indian Press about her links with the BJP government.

When asked if she ever got upset by her portrayal in the media, the AIADMK leader replied in the affirmative and said: "But I have learnt to live with Jayalalitha-bashing. There has been gross distortion, there seem to be preconceived opinions about me. Many times, what's written about me has been pure fiction. When I'm in a good mood, I laugh off such reports. When I'm not, my blood pressure rises, but then that's only temporary".

Asked if she ever went to the cimema halls, she replied she had not been to one for the last 18 years and that she didn't miss it. "I am told the cinema halls are full of rats and cockroaches" remarked the former actress.

She thought Mani Ratnam's films as being over-rated and said that the director had made a "hash" of IRUVAR, the controversial Tamil film supposedly based on the life of former Tamil Nadu Chief Minister, the late M.G.Ramachandran.

According to her, both films and politics were not as attractive as they might seem from the outside. In films there was so-called glamour, and in politics, so-called power, but in both it was hard work, sweat, tears and even bloodshed.

"In films, there is at least a cut-off period. Once "pack-up" is announced, you can go home and take it easy till the next morning. But in politics, there's no switching off. Especially for a person like me. I am the leader of a mass-based party with millions and millions of followers. I am on call for 24 hours, 365 days of the year", Ms.Jayalalitha said.

Report from Jaffna - 01

Military solution the only option, says Sinhala general

John Zubrzycki, Special to The Christian Science Monitor

JAFFNA, SRI LANKA-At his heavily bunkered headquarters in Jaffna, Maj. Gen. Lionel Balagalle revels in treating correspondents to an eggs-and-toast breakfast briefing on how he is winning the war for the hearts and minds of Sri Lanka's minority Tamils.

Complete with computer-generated graphics, detailed maps, and impressive statistics, the briefing is more public relations than strategic analysis.

"The disappearances, rapes, and other excesses have to stop," says the mustached and portly leader. "But getting the confidence of the people is difficult," he admits.

General Balagalle says the soldiers patrolling the marketplace and manning checkpoints at almost every intersection are there to reassure the Tamils that peace and security have returned.

But people are angry and frustrated by the constant searches, the lack of electricity, and the shortage of telephone lines. The only way out of the city is by a motley fleet of chartered Ukrainian aircraft booked months in advance.

"We are in a prison. We can't go anywhere, we can't do anything," says a street vendor who asks not to be named.

With no end to the 15-year-old separatist war in sight, an increasing number of Sri Lankans believe that the government and the armed forces are perpetuating the conflict for their own ends.

Since the Liberation Tigers of Tamil Eelam (LTTE) and other separatists took up arms to demand a Tamil Eelam, or homeland, in the early 1980s, more than 50,000 people have died in this brutal and intractable ethnic conflict.

Maj.General Lionel Balagalle

Last week hopes of a resolution took a step backward when President Chandrika Kumaratunga extended a state of emergency already in force in Jaffna to cover the whole country, citing the threats posed by the ongoing insurgency.

The opposition blasted the move as an excuse by the government to postpone provincial elections that they claim would go against the ruling People's Alliance.

The loyalties of many people in this battle-scarred city are still with the LTTE. For nearly five years, until they were driven out in December 1995, the Tigers ran a de facto state in Jaffna - collecting taxes, dispensing justice, and recruiting fighters for their cause. "LTTE government good. Strict. Understand the Tamil people. No curfew. No problem with food," whispers Kanagaratnam, a shopkeeper at Jaffna's central market, making sure no soldiers are within earshot.

Whether this former British colony, the former Ceylon, can ever restore the 'emerald isle' image promoted in glossy tourist brochures will depend largely on Balagalle's success in weaning Jaffna's Tamils away from the Tigers, who have retreated to the jungles in the south.

The 45,000 troops under Balagalle's control are drawn entirely from the Sri Lanka's Sinhalese majority and are seen as an occupation force by the peninsula's Tamils. **"The majority of our soldiers cannot speak Tamil and there is a vast communication gap,"** Balagalle says.

From a largely ceremonial force of just 12,000 in 1983, the Sri Lankan military has grown 10-fold and now numbers 120,000 soldiers and 6,000 officers. Defense spending consumes a massive 30 to 40 percent of the annual budget.

In a country where unemployment is endemic, thousands of rural youths are absorbed into the Army every year. And the need to keep the forces equipped with increasingly sophisticated weaponry has increased the opportunity for corruption.

"The youth are not joining the army for patriotic or nationalist reasons. They are joining because they need a job. If there was no war, where would they go?" asks

Marwaan Macan-Markar, features editor at the Sunday Leader newspaper in the capital, Colombo. "And yes, you have people who have built empires as a result of the war, particularly those in the upper cadre."

Uncovering evidence of corruption within the military can be risky for journalists who are already subjected to strict censorship when reporting on the war. When Iqbal Attas, an investigative reporter for Colombo's Sunday Times, began closing in on evidence of massive kickbacks in a combat-aircraft deal, armed men broke into his house, pointed a gun at his head while his terrified wife and daughter looked on, and then fled. Mr. Attas later identified one of the assailants as the personal bodyguard of a former Air Force commander implicated in the deal.

"The war has become a very big industry," says Attas. "Look at the sophistication of the Army and the Air Force ... and yet they claim that the LTTE numbers only a couple of thousand soldiers."

As the military tries to sidestep damaging allegations of corruption, a new controversy has erupted that could jeopardize whatever progress Balagalle has made in Jaffna. In June, a Sinhalese soldier being sentenced to 30 years imprisonment for raping and murdering a school girl at an Army checkpoint made the startling revelation that a mass grave containing 400 bodies of Tamil civilians was located on the outskirts of the city.

Balagalle has promised a thorough investigation. But Tamil groups accuse the government of stalling for time so that the Army can tamper with the evidence before a fact-finding mission reaches the site. "Delays of this nature are making the people suspicious," says S. Paramantan, a member of the People's Council for Peace and Goodwill. "It cannot be left up to the Army alone. One person cannot be the prosecutor and the defense."

With a devolution package giving more autonomy to Tamil-dominated areas stalled in Parliament and the Tigers unwilling to come to the nigotiating table, a military solution is the only option, says Balagalle.

"Peace will only come through military means. I am saying that because we(the Army) know the LTTE better than anyone else."

◆◆◆

Report from Jaffna - 02

"Enormous groundswell of sympathy for the Tigers"

தமிழீழ ஆவணக்காப்பகம்
Tamileelam Archive

Saisuresh Sivaswamy, The Rediff Special

Dateline Jaffna Here there is no dulcet greeting with Ayobowan or Vanakkam, or the mime over safety belts. In fact, on the Antonov 32 flight from Colombo airport to Palaly airbase off Jaffna -- Yazhpanam, as the locals insist on calling it -- there is hardly anything to write home about. Seated sideways after boarding through the maws of the aircraft, hunting around for the greasy seatbelts under the plastic benches that pass off for seats, the flight does nothing to one's eardrums or buttocks.

But then, this is the only official way to reach Jaffna from Colombo, as testified by the number of locals clamouring for the extra seats that are still unoccupied on the AN32, after the media team has spread its wares -- from Betacams to boom mikes, laptops to haversacks -- around. The fare, discreet inquiries reveal, comes to about Sri Lankan Rs 1,500, and there is enough coming and going between the two cities to warrant more than one flight a day.

Major General Balagalla, in charge of the army's 5 Div in Jaffna district, is a picture of confidence, and not without reason. For long the symbol of Tamil resistance on the peninsula, Jaffna's capture by the Sri Lankan army, after years of desperate struggle, in April 1996, was the turning point in the island-nation's history.

But that there is an enormous groundswell of sympathy for the Tigers, who were running a parallel administration in Jaffna till they were pushed back, is evident. On the Palaly-Jaffna road, a dusty, two-lane affair that passes off a highway, Subbaiah, a farm-labourer, misses the 'boys' for the simple reason "there is no real freedom now". There is a curfew after 9 pm, and we can't move about freely at night, he points out. Otherwise, life is slightly better now, he admits. At least there is no bombing of houses, and peace seems to be gaining ground.

Another farm-hand points out that with air transport being the main link to Colombo, the vegetables they grow in Jaffna have no real market. Some of it is sold here, fine, but large portions rot, because there is no transport, he rues.

The Lankan army seems to have learnt its lessons well, this time round.

The soldiers have been instructed to win hearts, and not behave as an occupation force as it is wont to. The army is being put through a 21-day crash course in Tamil, so that barriers can be bridged, life can go on.

It sure has been, in the last two years. The city's telephone system, badly damaged in the war between the Tigers and the armed forces, is being slowly reinstalled, complete with ISD facilities.

Life maybe limping back to normal in Jaffna, but the insurgency has left it in a time-warp. The landscape is littered with bombed out buildings, standing mute testimony to the intensity of the struggle to possess it. The destruction remains a sore point with the locals, since the promised compensation to rebuild homes has not materialised so far.

There is a feeling of unreality as one drives through Jaffna town. Barring the high-powered vehicles that ferry military personnel, the civilian population still makes its way around mostly on bicycles, and the slightly well-to-do ones on two-wheelers. Through the day I spent there, I encountered maybe three four-wheelers, Morris Minors and of similar vintage.

It is still estimated that around two-thirds of the original population of 750,000 is yet to return. The LTTE, it is said, evacuated the town when the 40,000-strong army laid siege to the city. Even the destruction of the city is laid at the Tigers' door by the army, as part of its scorched earth policy. But locals insist to the contrary.

"Why would the Tigers destroy their own city, all this was done by the army when they pushed back the LTTE," says Nathan, an employee of Srilanka Telecom.

Jaffna University, which has the distinction of not shutting down for a day, even at the height of the war for the city, today is a picture of calm, and near-normalcy. "We were displaced in 1995, but still managed to complete our syllabus," says Shanmukhadas, acting vice chancellor of the university.

Today, the 24-year-old university boasts of 3,000 students, in four faculties. The medium of education is Tamil, though English was introduced recently. And like his counterparts from across the Palk Straits, the Jaffna Tamil is fluent in English as well. Shanmukhadas insists that there has been no change in syllabus from what was when the city was in the control of the Tigers, notably in history. "The events you are referring to are too recent to be included in the history syllabus, it is for the future to decide on its nature," he says.

What is of interest is that there is an association called the University Teachers for Human Rights (Jaffna) that releases regular pamphlets on the conditions in the hapless city. **Not only is it obviously anti-Tigers, its latest report, Countdown in the Vanni, Looking beyond the Tigers, was handed over to the media by the army!** Questioned about its presence on the university campus, Shanmukhadas says the UTHR-J has no presence there anymore, having shifted its base elsewhere.

Another interesting aspect of Jaffna life is the significant number of Roman Catholics. The RC bishop -- as opposed to his Protestant counterpart -- is more actively identified with the establishment, and has in fact held a few meetings with the LTTE in Vanni, where the latter is now massed, to find a via-media.

Fr Selvaraja, who has been present right through the army action in the church, refusing to evacuate even under extreme distress, is hopeful a way will be found. "The situation is now steadily improving, even if there is an amount of tension among the people," he states. The people of Jaffna are conditioned to privations by now, he argues, having faced the worst of both situations. "They are in a delicate situation, they don't want to be seen taking sides."

The war itself, he recalls, was a nightmare to live through, with bombs exploding all around the church, and even inside. "But we refused to move out, some people had taken refuge here too, and we continued to be here, till the army walked in." Liberation also saw the People's Council for Peace and Goodwill being formed, with the church playing an active part in it. NGO Paramanatha, who has been actively involved in its activities, says they have been pursuing the matter of mass graves found in Chemmani, near Jaffna, and have expressed themselves against the army probe that the government has ordered. "What we want is an independent investigation," he says.

The army action has driven the LTTE, and the locals, into Vanni, out of the Jaffna district. Emboldened by its recent successes, the army today aims to clear the 30-odd km stretch of the Kandy-Jaffna highway, so that overland transport could start once again. Some of the army's claims are laughable: that there are only 100 LTTE activists left -- surely, it wouldn't need 40,000 troops to clear this small number!

One overt sign of the army presence, or the war that is still being waged, is press censorship. War news are actively screened, even though Vithiyatharan, associate editor of Uthayan, Jaffna's Tamil daily claims that freedom of the press is more pronounced in his city than in Colombo. The editor, Kaanamayilnathan, asserts that his paper does not give anyone special treatment, and yes, the Tigers do once in a while send out releases.

Openly critical of the army presence, Kaanamayilnathan believes that the government has not paid heed to the Tamils' genuine demands, now or before. The time for talking is long gone, the Tamils have wasted too much time in dialogue, he asserts.

Life sure has changed under the army, he admits, even if Jaffna continues to remain backward. Compare it with Colombo to know the difference.

The Tigers have little difficulty getting their point of view across, despite the censorship, thanks to their radio station which is keenly tuned into, both the civilian population as well as the defence forces in Jaffna. Years of living under the gun, either friendly or

inimical, has also taught the locals to infer the truth to be somewhere between the army's and the Tigers' claims.

Wherever the uniform has been in control, friction has been unavoidable with the civil administration and Jaffna is no different. There is a mayor, Ponnudurai Sivapalan, in charge of the city's affairs, but that the men in army fatigues have no time for niceties was evident when we walked into the municipal office -- which is functioning from a marriage hall since its own structure has been bombed out.

The mayor, on getting to know that a press party was coming down, naturally expected that the first port of call will be his office, since as City Father it was his prerogative. Alas, the defence authorities in charge of our visit had no inkling of this, and casually brought us to the mayor at 2.30 pm. Sivapalan, naturally, was irked no end, but considering that his continuance in office -- his predecessor Sarojini Yogeswaran was gunned down, apparently by the Tigers -- depended on the men in uniform -- he was rather muted in his criticism.

While the mayor is from the Tamil United Liberation Front, others in his council are from the other Tamil groups like Eelam Peoples Revolutionary Liberation Front, People's Liberation Organisation of Tamil Eelam and the Eelam People's Democratic Party. The LTTE, by far the most powerful organisation in the region, has steadfastly refused to take part in the democratic process, and has made known its intentions to disrupt it whenever it could.

The civic administration has taken up the time-consuming task of reconstructing the city, literally brick by brick, and is hampered by the insecurity of its leaders. One thing that unites the civic leadership is their belief that India should once again re-involve itself in the island's affairs. This view, in fact, runs through the Jaffna township, regardless of political affiliations. It is India alone, the people believe, that can assure them of justice and fairplay from Colombo. Also, since there is an umbilical cord linking them to India, the latter cannot wash its hands of their plight.

Life, in the meantime, trudges along in the city. There is a public transport of sorts, a bus service utilising vehicles that must have been condemned in other Asian cities a generation ago. The main thoroughfare resembles a village main road. There are stores open, hawking provisions. But what one doesn't encounter is the vitality, the zing that makes or mars cities. This is a city waiting for deliverance. Either from the government, or the Tigers.

◆◆◆

A refugee girl recalls a Jaffna experience

தமிழீழ ஆவணக்காப்பகம்
Tamileelam Archive

by Gowri

Translated from Tamil

I was about 12 when the boys (LTTE) took over Jaffna. Life was normal. We only lived in fear of shelling. Some of the "boys" lived in a house near mine. The occupants had fled to London long ago. The also used it as a sort of police station for some time. But it was never meant to be permanent because if the knowledge of their residence leaked out to the army then the house and the neighbouring area was sure to be bombed. The "boys" kept much to themselves and taught us a few procedures to follow in case of shelling. These were mainly how to lie down, and what to do afterwards. The army could bomb us from land from their Palaly camp, by air or by sea. Our house was quite near to the beach, so we were even more vulnerable. And once they bombed, the shell usually comes in three parts into the neighbourhood and we tried to take shelter under the less risky areas, like under a flat concrete roof But nowhere is completely safe. Sometimes when we know that our area is going to be attacked we usually flee to the more safer areas like close to Red Cross hospitals, temples and churches or places further inland. And we had to be ready any time to flee. But again what area is safe? Think of the Navaly incident.

I remember one time when they bombed our neighbourhood. It was the time that the boys were living in that house. The army must have known. It was the day before my cousin's wedding and her house was right opposite the house occupied by the "boys". My mum and I had helped at our cousin's house for the wedding. We had made lots of 'palaharams' and afterwards made our way to our house. Suddenly we heard the loud noise. It seemed so near and I knew that our area was under attack. We both lay down on the ground waiting for the next two sounds. But they were less loud. They were at a more further place. I heard screams from my cousin's house. And after a while, when we thought it was more safe, my mum and I went towards the noise. Two old women had been injured and a dog died. We were lucky in this case. One of the other shells, we later heard, had killed one person. The boys rushed to the scene and took the two women to the hospi-

tal. The children of one of the women came to stay at our house. They cried all night but fortunately their mother was not badly hurt. It's these things really that make children want to join the movement. But the "boys" don't allow kids to join. There is an age limit and the younger ones who want to join are told to come back later.

Usually once a place has been hit by shells, the people are frightened to go to the scene of attack immediately because there is more chance of another shell hitting the same place again. The reason is to kill the LTTE boys who rush there. But civilians get killed too. Another incident that happened in our neighbourhood crippled a mum and her baby daughter. The father was also hit but the eldest daughter who was 15 at that time was unhurt. It was a night when this happened and she was sleeping in her bed. Her mum, dad and baby sister were sleeping in another room. The girl had heard the sound of shelling and had immediately got up and rushed to the well outside. She had crouched there. The second shell hit their house maiming the three people inside. Once it was all over, the girl had shouted for people to come but no one went for a few minutes because of the fear of a second attack. It is so horrible. She studied in the same school as me.

The "boys" did not stay in our area for long. At another time the LTTE girls also came to live after the "boys" left. But again they too left soon enough. They never stay in one place for long. There are so many other incidents I know of but I have been so lucky. My family were never directly hit. And now I am safe, away from all the bombing. But my friends are back there. Now they live under the army's control. During my time there the only thing we had to fear was the bombing. Apart from that life was fine. The boys were one of us. We felt safe with them there. But now the army is in our place. They are foreign. They are not one of us and the lives of my friends are under threat.

A Hole near the tail grounds Air Lanka plane

Chennai, August 11,

An Airbus-320 aircraft belonging to Air Lanka, which landed at Anna International Airport from Colombo, has been grounded at the airport here following detection of a ``gaping 3 x 5 inches hole near the tail cone area of the aircraft".

Giving details of the major snag ever reported in the recent past in any of the Airbus-320 jets flying over Indian air space, airport sources here told *The Hindu* that the ``hole was found within the pressurised bulk area of the fuselage of the aircraft which could have led to depressurisation problem during the flight in progress".

The Commander of the scheduled Air Lanka flight, who flew the aircraft from Colombo this morning, did not have ``any negative indications in the cockpit panel" while cruising in mid-air or while landing. They are also unable to provide a clear explanation of how and when this gaping hole came - whether before departure in Colombo or during the course of the flight or soon after landing at Chennai airport.

The aircraft with 146 passengers made a safe and normal landing at 8-30 a.m.

Ground staff and aircraft maintenance engineers of Indian Airlines wondered how the Airbus-320 flew from Colombo to Chennai without any complication. There were no complaints from the passengers who arrived by the flight about any inconvenience on- board during the 70-minute journey to Chennai.

As the airbus on its return flight to Colombo from Chennai with 144 passengers on-board was ready to be ``moved with a pushback tractor" for the take-off, ground engineers who were carrying out the final check, noticed something unusual near the tail cone area of the jet. On a closer scrutiny, the engineers noticed the hole near the ``tail cone area of the aircraft".

Immediately, all the passengers were made to disembark and a flash message was sent to the Director of Air Worthiness, Southern Region and Senior Air Safety Officer of the Directorate General of Civil Aviation so that they can carry out a detailed examination and find out if there was any major snag in the fuselage of the aircraft. The Airbus with the call sign ``4R- ABA" has been grounded and towed to the IA hangar.

According to aircraft maintenance engineers of the Indian Airlines, only a team attached to the ``sheet metal works of the Airbus Industrie based in New Delhi" can carry out the rectification work.

All the stranded Colombo-bound passengers have been accommodated in two different city hotels. However, Air Lanka was making alternative travel arrangement for the stranded passengers. ❑

Tamileelam Archive

An Indian in London writes to the Sri Lankan envoy

27th July 1998

Bhupendra M. Gandhi
18 Wimborne Drive
Kingsbury
London
NW9 9UA

The High Commissioner
Sri Lanka Embassy
13 Hyde Park Garden
London
W2 2LU

Dear Sir

I am obliged to write this letter after reading about the Krishanthi Kumaraswamy murder case. I am neither a Tamil nor a Sri Lankan but I do have friends, Sri Lankan Tamils as well as Sri Lankan Sinhalese.

I know that Sri Lankan government is trying to bring to justice the soldiers involved but as per accused which includes Lance Corporal Somaratna Rajapakse, this is only the tip of the iceberg. **Every soldier who is sent to Jaffna peninsula is involved in the massacre of the innocent civilians, so often at the instigation of the army leadership. The mass graves at Chemmani is yet to be investigated.**

Please note that I am not writing this letter out of an outrage or hatred but out of despair that the two communities I would like to call brothers are at others throat for such a long time. After all Hinduism and Buddhism are two peas from the same pod. If these two communities can not get along then what hope is there for the rest of us!

I have also come across a list of more than three thousand Hindu temples destroyed in Sri Lanka, mainly by the army. This list is compiled from the information released by the Sri Lankan government. We do not expect this in a country which is predominantly Buddhist.

I go on holiday twice a year and have seen most of the countries on the tourist map with the notable exception of Israel (Holy land) and Sri Lanka, as my wife would not contemplate visiting these countries due to the civil unrest. I would love to visit Sri Lanka and pray to Almighty every day, to bring this carnage to an end. Do you imagine how much economic excellence is possible with a flourishing tourist industry and booming export in agricultural products such as tea, fresh fruits and vegetables and of course cottage industries at which hard working Tamils are an object lesson. But only if there is peace and harmony on this emerald island...a jewel in the blue lagoon Indian ocean?

I hope you will read this letter in the spirit it is written, a heartfelt plea from someone who is a true friend and would love to see Sri Lanka progress and prosper.

I was delighted when Sri Lanka won the world cup in Pakistan and wish her all the best in next year's competition which will take place in this country.

With best wishes to you and your family members.

Yours Sincerely

WHAT TAMILS CAN LEARN FROM GEESE

Fact No.1: As each bird flaps its wings, it creates an uplift draft for the bird following. By flying in a "V" formation, the whole flock adds a greater flying range than if one bird flew alone.

Lesson No.1: *People who share a common direction and sense of community can get where they're going quicker and more easily because they are travelling on the strength of one another.*

Fact No.2: Whenever a goose falls out of formation, it suddenly feels the drag and resistance of trying to fly alone and quickly gets back into formation to take advantage of the lifting power of the bird immediately in front.

Lesson No.2: *If we have as much sense as geese, we will stay in formation and be willing to accept help when we need it and give help when it is needed.*

Fact No.3: When the lead goose gets tired, it rotates back into formation, and another goose flies in the pint position.

Lesson No.3: *Geese instinctively share the task of leadership and do not resent the leader.*

Fact No.4: The geese in formation honk behind to encourage those up front to keep up their speed.

Lesson No.4: *We need to make sure our honking from behind is encouraging and not something else.*

Fact No.5: When a goose gets sick, is wounded or is shot down, two geese drop out of formation and follow it down to earth to help and protect it. They stay with their disabled companion until it is able to fly again or dies. They then launch out on their own or with another formation or catch up with the flock.

Lesson No.5: *If we have as much sense as geese, we, too, will stand by one another in difficult times and help the one who has dropped out regain his place in the formation.*

Chandrika's Minister recalls a July '83 experience

" ....Then came 1983. The optimism was short-lived. The real horror that was beneath the surface emerged. I remember one sad occasion which I always try to forget, but Iam unable to forget, and that was in July 1983 in Colombo. Since I did not want to get caught up in the curfew in Marawila, I returned to Colombo by bus. It was while walking from Pettah to Lake House in order to take a bus to Kirillapone, (as there were no buses from Pettah) where my sister lives that I saw a gory sight.

"While walking to take the bus, I saw a terrifying sight of a Tamil woman being burnt alive in her Mercedes Benz car. The mob just surrounded the car and burnt her inside. It was in front of my own eyes. I felt helpless and did not know what to do. It shocked me.

"That was in my opinion the exposure of barbarism which was simmering below the surface for a long time. Most people were complacent that everything was all right. But it was not to be as was evident

- Media, Posts and Telecommunication Minister Mangala Samaraweera, in the course of an interview given to Sukumar Rockwood of the WEEKEND EXPRESS, Colombo, August 8-9, '98.

Tamilelam Archive

A pilgrimage to LTTE country

"After a lapse of many years, we the parishoners of St.Mary's Church, Dehiwela, 42 in all, and a further 41 from St.Anthony's Church, Mt.Lavinia, had the privelege and God's blessings to make a pilgrimage to Madhu Church deep in the heart of the hitherto war infested Mannar district.....

"The most exciting part of our journey was from the LTTE checkpoint six (6) kilometres from the Madhu Church from which point we were compelled to disembark from our buses and journey through in trucks provided by the church"

"On arrival we were videoed and photographed by the LTTE who treated us with much courtesy and were treated by them to refreshments. In conversation with them it was apparent that they too were longing for peace."

"One of the most striking features of the whole trip was the pathetic conditions of the refugees who are housed near the church. In fact they are in dire need for food and clothing. Young men and women from these camps were extremely helpful to us and volunteers from this camp saw to most of our needs of obtaining water and also in the preparation of food, which was provided to us by the Madhu Church authorities."

-Robin Wijesinghe The Island August 2 '98

"Jaffna to the Tamils is like Israel to the Jews"

"The Jaffna-Tamils are a hard-working persevering people and will contribute immensely to the economy of the country if properly motivated. There are thousands of displaced Tamils in key places all over the world who are intensely national minded and Jaffna to them is like Israel to the Jews. If an acceptable peace package could be worked out, the Tamil speaking province, backed by the international Tamils will contribute in a great way to our economy, and will create jobs not only for the Tamils but for the Sinhalese in the province and in the neighbouring areas."

"An interesting question is asked by the Tamils. "You Sinhalese have governed for the past fifty years. Each party says the other party has messed the country. You persecute and displace us from our homes. Give us the country to rule and we will do a better job and treat you fairly. Or at least give us the Tamil speaking areas we will show you, how to get the best out of the land and people, and you can follow our example.""

- Upatissa Hulugalle,writing in The Island, August 2 '98

Rule of law and Rajiv Gandhi murder trial

by P.Varothayasingham

Modern versions of the Rule of Law tend to be formulated in broad political language embracing concepts such as 'justice', 'the rights of man', 'fundamental freedoms' etc. An example is the Declaration of Delhi 1959:

'The Rule of Law means the principles, institutions and procedures, not always identical, but broadly similar, which the experience and tradition of lawyers in different countries of the world, often having themselves varying political structures and economic backgrounds, have shown to be important to protect the individual from arbitrary government and to enable him to enjoy the dignity of man.'

The absence of precise legalistic analysis from this declaration probably allows various countries around the world, including India, to claim that the Declaration has been applied, with 'modifications', into the soil of their constitution and legal system. The Rule of Law becomes a political concept made of clay to be modified into the shape desired by the potter.

However, if one reverts to the classic theory of the Rule of Law as propounded by the Victorian Oxford Professor A V Dicey one finds formal legal analysis which is at least capable of being used to measure the actions of government., and which even today is invoked from time to time to criticise the abuse of power. It might well still be a political concept dressed up as law, but it is not as vague as the Declaration of Delhi or other modern variants. So political murders should be judged within the wider framework of the Rule of Law.

Dicey contended that the Rule of Law has three essential elements:

a) that no one should be punished or lawfully made to suffer in body or goods except for a distinct breach of the law established in the ordinary legal manner before the ordinary courts of the land:

b) that no one should be above the law, that every person, what ever his rank or condition, should be subject to the ordinary law and answerable to the ordinary courts; and

c) that the general principles of the constitution, such as the right to personal liberty and the right of public meeting, are the result of judicial decisions and that so we have a judge made constitution.

Dicey's second concept - equality before the law - Dicey was also referring to no man being above the law. One can easily list exceptions (in UK) - the Monarch's immunity under the the Crown Proceedings Act 1947, MPs freedom from liability for anything said in Parliament, diplomatic immunity, judicial immunity in respect of the exercise of judicial functions. However, these exceptions are granted and recognised by law. Their exceptions does not deny the Rule of Law, but certainly qualifies this second aspect.

The Death sentence given to 26 Tamils in the Rajiv Gandhi assassination case should be considered in the light of his responsibility for killings that went on in Tamil Eelam while the Indians were supposed to be 'peace keeping'. Rajiv Gandhi ordered the IPKF into Jaffna (which is 100 percent Tamil and therefore not requiring any peacekeeping) and killed over 6000 Tamils, thousands more Tamils maimed, seriously injured and raped. He carries the responsibility for these crimes along with his advisors, officers and those who physically committed the crimes. These culprits are not above the law. Will the Indian government prosecute them or send them to Tamil Eelam to stand trial?

When Rajiv Gandhi took over following his mother's assassination, it has been alleged that there was a significant (three days) delay before the troops were ordered on the streets to stop the slaughter of Sikhs in Delhi and other areas. It is estimated that around 25,000 Sikhs were killed. Only a handful of those responsible have ever been prosecuted. So the Sikhs too would have had a motive to take revenge on Rajiv Gandhi.

Element (b) of Dicey's theory, concerning equality under the law, means that no one is above the law, not even Rajiv Gandhi. All those thousands who died or suffered other human rights violations while he was in charge of the Executive have the same rights like him under the Rule of Law. 26 people have been condemned to death for his murder but justice has been denied to thousands who perished under his government. This is not a recognised exception to the Rule of Law.

It is submitted that Dicey's formulation of the Rule of Law remains a useful yardstick for measuring the position of the individual in relation to the state. Equity demands that the 26 lives be spared because the state under Rajiv Gandhi failed to protect the human rights of all those thousands who perished or suffered.

The Indian secret service (RAW) also share responsibility for the killings and other human rights violations that went on in Eelam. Steps should be taken to establish a statutory framework and a system of parliamentary control for the security services.

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Britain's role in Sri Lankan War & Peace

"It is important that there is a lasting and just peace for the internal problems of Sri Lanka. We always encourage political dialogue, which we regard as the best way to make progress and deal with the human rights issues that are so important to all communities in Sri Lanka".

- Minister of State for Foreign and Commonwealth Affairs, Derek Fatchett (Hansard, 25 November, 1997, column 768)

"We believe a lasting solution to this tragic conflict can only be achieved through a political settlement. We have said publicly that we stand ready to help in the resolution of the conflict if both sides ask us to play a role".

- Derek Fatchett (Hansard, 10 February 1998, column 145-146).

Military Equipment to Sri Lanka

Friday 17 July 1998

101: Barry Gardiner, M.P. Brent North: To ask the President of the Board of Trade, if she will list the export licences issued by her Department for military equipment to Sri Lanka during the last twelve months.

Mrs Barbara Roche

The Export Control Organisation's computer databases have been interrogated, and the following results were obtained:

Between 13 June 1997 and 12 June 1998, 68 individual licenses were issued covering the export to consignees or endusers in Sri Lanka of goods subject to export control by being listed in Part III of Schedule I to the Export of Goods (Control) Order 1994, the socalled Military List. Sixty-five Standard Individual Export Licences (SIELs), and 3 Open Individual Export Licences (OIELs). The entry in the relevant legislation under which the export of goods is controlled is known as their rating. Individual licences may cover a range of goods with various ratings. Where this is so, the licence is included in the table in the total for all the relevant ratings.

British Colonel is Army Instructor in Sri Lanka

Ministry of Defence, Friday 17 July 1998

Mr.Barry Gardiner (Labour) (Brent North) To ask the Secretary of State for Defence, if he will make a statement on the support in terms of (a) finance, (b) personnel and (c) advice his Department is supplying to the Sri Lanka Army Staff College at Batalanda.

MR.HENDERSON

My Department currently provides one Colonel as an instructor at the Sri Lankan Army Staff College. The cost of this post, some £116,991 per annum, is shared between the FCO and MOD and includes elements to cover the Colonel's pay and allowances, his national insurance and pension contributions, local overseas allowances, loan service pay and incidental movement costs. The Colonel is currently serving on a one year tour of duty.

Wednesday 29 July 1998

That Hovercraft "unlikely to be used for internal repression" - *Derek Fatchett*

In a letter addressed to Barry Gardiner Esq. M.P. House of Commons, Minister of State in the Foreign and Commonwealth Office Derek Fatchett writes under date 3 August 1998:

"Dear Barry, I was pleased to meet you and Robert Evans MEP on 30 June to discuss the current situation in Sri Lanka.

"During the course of our discussions you asked if the British Government had authorised the sale of military hovercraft to Sri Lanka. I can confirm that, as I told you at that time,, I have not received an application for the sale of this type of equipment. My officials have looked into the matter however and it would appear that the previous government agreed an Export Licence Application for the sale of a 20 metre hovercraft to the Sri Lankan navy in April 1997. **The hovercraft was considered too vulnerable to be used for offensive military operations and unlikelY therefore to be used for internal repression. I understand the hovercraft was due to be shipped at the end of July.**

"The present government is of course not responsible for the decisions on export licences made by the previous Administration. We do not however, consider that it would be realistic or practical to revoke licences which were valid and in force at the time of our election".

Mr.Robin Cook, British Foreign Secretary at the Luxembourg Conference of E.U Foreign Ministers:

"IN THIS DAY AND AGE THE INTERNATIONAL COMMUNITY WILL NOT ACCEPT THE USE OF HEAVY WEAPONS ON CIVILIAN CENTRES OF POPULATION".

(Note: He was not referring to the bombardment by the Sri Lankan Air Force on the Suthanthirapuram refugee centre in the Vanni district on 10 June).

Rajiv Gandhi case documents sent to Delhi

A massive consignment of the translated documents (from Tamil to English) pertaining to Rajiv Gandhi assassination case was despatched from Chennai to Delhi by train amidst tight security, on August 8.

The documents, packed in 37 gunny bags and three steel boxes totally weighing two tones, and put in a brake van in Tamil Nadu Express, being taken by six senior officials of the Madras High Court, which was entrusted with the task of translating over 1,600 documents, including witness statements, depositions, etc.

Considering the sensitive nature of the consigmment, tight security has been provided to safeguard the volumimous documents and a posse of policemen are posted as guards for the brake van. The officials are expected to hand them over to the Supreme Court Registry on August 10.

The designated Court hear sentenced to death all the 26 accused in the case and they filed an appeal in the Supreme Court against the conviction. The Apex Court, while staying the operation of the death sentence, directed the Madras High Court to translate into English the documents which are mostly in Tamil.

The High Court, which took up the task of translation on April 10, completed it on Friday, within 4 months. A total of 50,000 pages were translated into English and nearly 12 lakhs pages were used for this purpose. The statement spent over Rs. 25 lakhs for this mind-boggling exercise. Last month two consignments (in 10 gunny bags) were sent to the Supreme Court and the last and major consignment was sent today.

In the beginning the translation department in the court took up the task of translation. Later, at the instance of the Chief Justice, the State Government sanctioned 100 posts of Assistant Section Officers (translators).

These 100 personnel and other 10 senior persons in the categories of Section/Court officers and PA's to Judges were drawn up for the work. The draft translation was scrutinised by 33 judicial officers in the rank of sub-judges and certified that it was fair and correct.

Thereafter the papers were sent to the computer department for keying the translated work. Then, 25 xerox copies of each document were taken, which were catalogued, indexed, bound and packed in gunny bags. Certain important papers meant for judges were put in the form of files and packed in boxes. ❐

You may be white, but you can't be a "Tiger"

A reply to "White Tiger" (Hot Spring, July) by Charles Somasundrum

I have heard of 'White Elephants', in fact the Sri Lankan government continuously gives birth to these, but have never heard of a 'White Tiger'. What you call yourself sir, is your prerogative. But may I point out that though you are well within your rights to call yourself 'white', being a 'white' man, the same does not go for the word 'Tiger'. As far as we Tamils are concerned, the word 'Tiger' has a special connotation for us. This word represents for us, those brave young men and women, boys and girls who are fighting for the ffeedom of the Tamil nation. Who have given their very lives for the cause. You are definitely not one of them!

You have queried the statement of Mr K Kanavathipillai that "...hundreds of people perished of hunger and disease between November 1995 and April 1996". Your comment - "Where did this happen? Where is the evidence ? From where did this information come? **I saw no such thing** (my emphasis)"

You claim to have lived in Jaffna for nearly two years and made a further four visits there between '96 and '97. Apart from the fact that you do not seem to realise that Jaffna is just one city of Eelam, don't you think that you are being a teensy bit immodest. Was it a requirement that every death in Eelam should be registered with you ! How extensively have you travelled in Eelam? Mr Kanavithipillai has stayed on in Eelam through all the battles there. He has, unlike you, not had the privileges that the staff of NGOs enjoy. Sure, you may have undergone privations like not being able to have your daily hot bath or cold beer but these are nothing compared to the privations that Mr Kanavathipillai has endured and still endures. He has made it his duty to live in Eelam, keep himself informed and write about these matters.

You ask for proof Authenticated evidence. **To actually see the dead bodies!** Yet, you claim in your letter that the LTTE " used well practised psychological methods in their recruitment drives. School and tuition classes were often met by LTTE cadre when their studies ended " I could rebut this statement with your own words here. "Where did this happen ? Where is the evidence? From where did this information come?" Yet, sitting in Jaffna during two years and the four visits you made, you feel qualified to generalise. You must have had a lot of free time sir!

You admit that you were in the UK during the Navaly church bombing. You claim you went there after the attack and have photographs to prove that the damage to the Navaly Church was "limited to blast damage". I was not there either, yet I have seen video footage taken minutes after the bombing and while bodies were still being recovered ffom the wreckage and beg to differ. I know Navaly and the church and have been there countless times. Navaly was my mother's home village. The church is the only large building in that area. There are the usual houses surrounding it. This was not at any stage, a "combat zone" as you claim. Besides, if you were in the UK at the time of the bombing how would you know if it was a combat zone ? I have also seen the list of names (with addresses, sex and age) of the people killed in that bomb attack. There is the authentication you so earnestly desire.

Finally, your comments on the Eelam national flag are entirely uncalled for. The Tamils sir, are a nation and have always been, long before the birth of Christ and long before the English could call themselves a nation. At any rate, long before the Sinhala nation established themselves in the island. Our flag though, is more recent. Yes, it started life as the flag under which the LTTE freedom fighters fought their battles. This flag has been baptised in the blood of thousands of freedom fighters. This flag is precious to us Tamils. In saluting this flag, we salute those who gave and are giving their lives for our freedom. It is the Eelam national flag and Eelam Tamils the world over accept it as such.

Swamy charges Vajpayee

Mr. Atal Behari Vajpayee was the first Indian Prime Minister not to have raised the issue of extradition of the LTTE chief Prabhakaran in talks with the Sri Lankan President, the Janata Party president Dr. Subramanian Swamy, said in Chennai on August 11.The item was on the agenda of points for discussion between Mr. Vajpayee and Ms. Chandrika during the recent SAARC meeting at Colombo but the External Affairs Ministry deleted it on instructions from the Prime Minister, Dr. Swamy alleged at a news conference in Chennai

NEWS BRIEFS

Sharp rise in war spending

Sri Lanka's spending on the war is expected to rise sharply - this year, according to the deputy Finance Minister Dr.G.L.Peiris "We started by allocating 44 million rupees (663.3 million dollars). We would now need to increase it roughly by eight billion rupees", Dr.Peiris told a news conference in Colombo. Defence expenditure in 1997 was 46.6 billion rupees.

Tourist raped by army deserter

A German student on holiday in Sri Lanka was raped by an army deserter in Ambalangoda on the southern coast of the island last week. The girl has lodged a complaint with the local Police that she was by the beach when she was accosted and dragged behind a bush.

She told police she would come back from Germany to identify the men who had molested her on the beach if they were apprehended. Police sources said that the army deserter was arrested later in a jungle in the area during a cordon and search operation.

Thousands of soldiers who have deserted from the Sri Lankan army are still at large in the Southern provinces of the island despite the generous amnesties regularly granted by Colombo and the concerted effort by the Sri Lankan Police to round up the deserters.

Sri Lankan Police says that the dramatic rise in violent crime in the southern provinces is the direct result of the growing number of deserters who roam the countryside with their personal weapons.

Child victims of hand grenades

The dead bodies of three children with hand grenade injuries were handed over to the Jaffna hospital on 12 August. Two of the children were identified as Pasupathy Paskaralingam (7) and Ponnuthurai Mathialagan (11).

On the same day, a one-week old infant abandoned and discovered in a unoccupied house in Kantharmadam was handed over to the Jaffna hospital.

Eelam in 2005: Sinhala film scenario

Will Tamil Eelam be an accomplished fact in the year 2005 ? This was the postulation of a script for a proposed film by the veteran Sinhala actor Gamini Fonseka. But the film will not be produced because the Sri Lankan Ministry of Defence has refused permission for the production on the grounds that it would be "politically dangerous".

The proposed film under the title "The Judgement" depicts the Tamils as having carved out a separate nation for themselves which prospers while the people in the south feel they are getting nowhere. The script of the film was sent to the Defence Ministry for approval because military equipment was needed to produce the film.

Govt. stalls Jaffna demining.

A team of United Nations workers in Sri Lanka has warned that it may have to cancel a demining project in the Jaffna peninsula if it is not allowed to take in vital radio and communications equipment. A UN spokesman has said it is vital that the demining programme is established, otherwise many of the thousands of refugees returning to the Jaffna peninsula could be injured by these landmines. The BBC Colombo correspondent says the government is apparently worried that the equipment could be seized by the Tigers who remain active in parts of the peninsula. But political observers believe that thousands of mines laid by the military authorities in the peninsula are meant to prevent the Tigers from recapturing Jaffna; hence the government will want to stall the process.

Tamil pilgrim youth arrested

A Tamil youth from Batticaloa who on a pilgrimage to Kadirgamam was arrested by the Sri Lankan intelligence and has been detained at the Police station in Hambatota in the southern province of the island. The youth Kaathalingam Sathiyamoorthy, 24, had gone to Kadirgamam with his mother and sister.

Sources said that the two women were stranded in this Hindu pilgrimage centre after the local Sri Lankan intelligence unit had arrested and taken away Sathiyamoorthy for interrogation.

Mr. Joseph Pararajasingham TULF MP for Batticaloa said that he has forwarded a letter by the youth's father to the Sri Lankan Human Rights Commission seeking the release of his son. Sathiyamoorthy was arrested on August 5. Annually thousands of Tamil devotees from the northern and eastern provinces of the island flock to the Kadiragamam shrine of the Tamil god Murugan. The large pilgrimage centre is situated in the Sinhala dominated southern province. Tamil pilgrims are regularly arrested, harassed and, not too infrequently, fleeced, by the local police and criminals posing off as intelligence operatives.

Hatton bomb blast: 20 Tamils held

The Sri Lankan Police arrested 20 Tamils near Hatton in Sri Lanka's central province in connection with a bomb blast in the area that derailed a goods train on August 8. The train's engine and five carriages were damaged in the incident said sources. The engine driver and his assistant were seriously injured they said. The bomb had gone off on the track about 200 meters ahead of the train near the Rosalyn station in Hatton.

No. 5 in the series of interviews given by the LTTE leader to the media

"20,000 of Tamil lives subordinated to India's strategic interests"

Flashback 1987 !

V.Prabakaran, the LTTE leader is a key player in the Dramatic developments represented by the Indo-Sri Lanka agreement and its implementation. He was invited to New Delhi before the agreement was signed, raised apprehensions and objections, met Prime Minister Rajiv Gandhi for a frank discussion of the situation and the problems, and returned to Jaffna in early August On August 4. Prabakaran made a speech that drew wide attention: in it he analysed the situation from the LTTE's standpoint, expressed his dissatisfaction with the agreement but also his closeness to India and said the LTTE would hand over arms basically because it "loves India" and did not want to clash with the Indian peacekeeping force. A week later, a FRONTLINE team comprising writer ***T. S. Subramanian*** *and photographer* ***D. Krishnan*** *met him for this session in Jaffna. Soon after this. fresh Indian assurances led to the LTTE deciding to go ahead with the handing over of arms.*

FOR his first extended interview after returning to Jaffna from Tamil Nadu in January 1987, Velupillai Prabakaran, the Supreme Commander of the Liberation Tigers of Tamil Eelam, meets representatives of FRONTLINE and THE HINDU in the second week of August in Jaffna.. The interview, conducted in Tamil, lasts over an hour.

The LTTE leader looked cool and relaxed. He sets the ball rolling by suggesting that we should go to the Eastern province where the Sri Lankan soldiers, he alleges are still harassing Tamil civilians.

FRONTLINE: *There was a media story that when the Sri Lanka armed forces began their offensive against the Vadamarachchi region of the Jaffna peninsula on May 26, you were trapped in Velvettiturai and you managed to escape. Is this version true?*

Prabakaran (smiling): I moved to Jaffna on the night of May 25. They began the offensive the next day morning. They attacked Velvettiturai thinking that I was there.

Q: *What is your assessment of the Indo-Sri Lanka agreement? What are your apprehensions about it? You say there is a shortfall in relation to your expectations. What are the main areas of dissatisfaction?*

A: As far as the agreement is concerned, they say that there will be a referendum in the Eastern Province even on the merger of the North and the East. Moreover, they say the referendum will be decided by a simple majority. **It is not a question of the merger of the North and the East. It is our homeland. There is no question of any negotiation on this.**

There are some further complications. It is an agreement between the Government of India and the Sri Lankan Government, as far as we are concerned..... In 1983, there were only a few Sri Lankan army camps in the North and the East. But now there are some 200 camps. The Sinhalese settlements could not be removed or dissolved without removing these army camps and, in fact, the camps 'legitimised' the Sinhala settlements. An important aspect (in the agreement) is that there is no room at all for the removal of the camps. To stop such settlements and prevent atrocities, the Indian Army should stay there.

But a strange thing is that there are no Indian Army camps beyond the Elephant Pass or Jaffna peninsula. But today, the Indian Army camps have been established at Kodikamam. Achuveli, Palai, Vannankerni, Yakkachi junction, Thalaiyadi coast. Pandatharippu

and Kankesanthurai Light House. There is no need (for Indian Army camps) in these places, because there are no Sinhalese here. But the Indian Army has set up camps there.

We say the 200 (Sri Lankan) Army camps should be removed. But the Indian Army is establishing more camps. This itself has led to doubts and dissatisfaction among the people, at a beginning stage... There is no atmosphere of safety for the refugees to return. Security and surveillance zones have not been lifted yet. The Indian Army camps have been established. This has led to dissatisfaction among the people. They came to the LTTE's office to give petitions and we told them to give the petitions to them (the Indian peace-keeping forces).

Q: *You said the text of the Indo-Sri Lanka agreement was not given to you.*

A: They took away the copy. Mr. J. R. Jayewardena today says there will be a referendum. The bill has not been moved in the Parliament.

(At this point, Yogi, one of the political organisers of the LTTE, intervenes to say that there are "technical difficulties" in the passing of the bill. The Sri Lankan Government is not sure of getting the two thirds majority required to pass it "So, the changes in the constitution cannot take place," Yogi says).

Prabakaran: The question of cut-off points should be settled. The Government Agents say that people who had fled their places after 1983 could return. But people left their places even before 1983. There are two important aspects in this agreement. One is related to our homeland consisting of a unified North and East. The second is our land. Both are complicated problems, major complications. The agreement has not solved these two questions This is the fundamental problem.

Q: *What is your attitude towards the Government of India and Prime Minister Rajiv Gandhi?*

A: Attitude?

Q: *I mean your standpoint . . .*

A: As they took into consideration their own interests and hurriedly arrived at the agreement, they have not looked after the grievances of the people who have been affected for so long.

LTTE leader addressed a massive gathering at the Suthumalai Amman temple grounds (next page) on August 4, 1987 in his first appearance after the signing of the Rajiv Ghandi-Jayewardena agreement. Pictures shows the late leader Kumarappa addressing the gathering, seated on Prabhakarans right is Kittu.

Q: *How?*

A: There are refugees in Mullaitivu. People are taking out processions. But before that, we have to lay down our arms. However, the people's problems have not been solved. The problem is that people must return to their land. To facilitate that, the (Sri Lankan) Army camps should be removed. But the Indian Army is not prepared to remove the (Sri Lankan) Army camps and this will ,not bring about a solution. If this had been discussed before the agreement was arrived at we would have laid down certain conditions. We would have said the army camps should be removed. But this has not taken place.

When we say the army camps should go back to the position that obtained on May 25, then why do they establish more Indian Army camps in Kodikamam? People are not able to go back first; the refugees are unable to return.

(At this point, Prabakaran asks his bodyguards to bring the Jaffna Tamil newspapers and says we should know the situation. He reads out the title of a local newspaper's editorial, "Nobel prize is calling.")

Q: *Adressing the public meeting on the Sudumalai Amman temple grounds on August. 4, you said you had a heart to-heart discussion with Rajiv Gandhi. You also mentioned that he gave you some assurances and then you relented. What are the assurances ?*

A: Mr. Rajiv Gandhi gave the assurance that we, the Tamil people will be protected in the North and East. But people are not able to return to the East.

The Indian Army has gone there but the Tamil people are not able to go there—because there is an increasing opposition from the Sinhalese Home Guards and the Sinhalese people. There are army camps there in individual houses, schools and cooperative stores. But the Indian Army has not been deployed in such places. The Ceylon Army has not been evacuated, the problem has not been solved. Another thing is the people's lack of faith arising out of the non-removal of the Ceylon Army. Even if the Indian Army goes, occupies such places and later vacates, the Sinhala army will come back. Further we wouldn't have arms.

Q: *What did Rajiv Gandhi say*

about the removal of 200 army camps?

A: We opposed the agreement on this point. Nobody was prepared to consider it.

Q: *In Delhi?*

A: Yes, in Delhi (firmly).

Q: *In the future political set-up of the North and East. , what is the role you envisage for the LITE, once the laying down of arms is completed?*

A: When we say political role, we have contacts with people at the organisational level and we are strengthening it. We are strengthening our organisation in the East also. We are already working with the people in Trincomalee and Batticaloa districts. This is not a difficult task.

Q: *Is the LTTE strong in the East. ?*

A: In the East our people are active even in areas where there are Sinhalese. When the people hoisted the LTTE flag at Mudur, they were shot dead. The Indian Army and the Government Agent wanted the flag to be removed. To that extent, people are conscious of things.

Q: *Will you accept a multi-party, competive political system? You said earlier that there should be a one-party democracy on the lines of Yogoslavia.*

A: This is important and you should know our position. We have not achieved Tamil Eelam. I had expressed my views on a political setup for Tamil Eelam. But there is no separate country now. This is an agreement imposed on us. In this (setup) everyone is equal, everyone is the same. We will fight for our political objective. We will take the Eelam political objective in a sustained manner before our people.

What I said then was to be done after the establishment of our own State. But there cannot be any compatibility between one-party rule and what obtains now. **What is taking place now is this. Sri Lanka and India have concluded an agreement. The Indian Army is here and is asking for our weapons. If we don't do that, we will have to fight the Indian army. To avert that, we accepted these arrangements, but we have not abandoned our political objective.**

Q: *There are conflicting or varying reports on what you said during the press conference you held in Jaffna on August 5. While one report.said that you would not allow the "anti-social" militant groups to contest the elections, other reports said you would allow other groups to contest. Which is true?*

A: Everybody will be allowed to contest elections. We will place our views before the people.

Q: *What is the role you see for the TULF as the elected representative of the people ?*

A: You are aware of what they did before. What do they know but the job of fighting elections? They will go back to fighting elections. We don't want power to pass into their hands—that is our intention and our stand. Let the people decide. They will contest elections. We will stand against them in the furtherance of our cause. The people will decide on whose side they will stand.

Q: *At the Sudumalai public meeting you said the LTTE would take to different forms of struggle What are they? Will it be a mass-based struggle, a revolutionary party, a non-violent struggle or will you take to armed struggle again ?*

A: We will resort to a mass-based

struggle.

Q: *But isn't LTTE a purely military organisation?*

A: Today, the LTTE is a mass-based organisation. You would have noted our May Day rally. There is military rule here during the time of the rally. Military helicopters are firing from above. At the same time, the Sinhalese people in the South are not able to celebrate the May Day. In this kind of dangerous situation, if we are able to mobilise 200,000 people and take out a rally in the burning sun, it does mean we are a mass-based organisation. We have built up such a strength. If ours had been merely a militant organisation, people would not have attended the May Day rally in such a massive way.

Q: *What is your attitude towards the Muslims in the East?*

A: We don't look upon the Muslims as a separate category: we consider them an integral part of the Tamils. It is a question of people united by language and differentiated by religion.

(At this point, Yogi made a remark to the effect that it was the Sri Lankan Government which separated the Muslims from the other Tamils.)

Q: *President Jayewardene has been appealing to the people in the East to vote against the merger in the referendum. What will you do if the Muslims vote against the merger?*

A: We have not planned for that situation it is something that is going to happen in the future. We can respond to the problem only at that stage.

Q: *In a system where there are going to be elections - a competitive political structure - what are the problems you foresee ?*

A: We have already met such political competition. We are no strangers to such competition. Let the people decide ultimately whom they want. Let them choose for themselves a proper leadership to free themselves from this confusion.

Q: *What will be the future of your cadres estimated to number 5,000?*

A: We will devise a proper plan for their future life. We will not abandon them. We will find a way out for them to continue their livelihood.

Q: *In what way?*

A: We will create job opportunities. Those who want to study will be allowed to study. We will arrange for their technical training. All of us will remain disciplined and create opportunities in a collective way.

Q: *What was the reaction of your cadres to the agreement and to the proposition of handing) over arms? Did they oppose the handing over of arms?*

A: As far as the cadres are concerned, they have much faith in me personally. That is why they deferred to my word. But even today there is no protection. Dangers arise for us from the cadres of the other armed organisations and from the Sri Lankan Army.

Q: *Was there any opposition?*

A: As regards opposition, I myself was not willing. Then, imagine the feelings of the cadres. There is no security. So many cadres have died.

Q: *What happens to the cyanide-capsules that you men wear round their necks? Are they necessary when there are no arms ?*

A: I think the capsules are needed most, they are indispensable now. They are the only weapons for the cadres to protect themselves in the Eastern province from hoodlums, the rival groups and the Sinhala army. Not only that: they would continue to wear them in remembrance of those comrades who fought along with them and sacrificed their lives.

(At this point, Prabakaran asks Yogi whether he sports the cyanide capsule. Yogi pulls out the capsule tied to a string around his neck. It is made of white and black plastic. Prabakaran also pulls out his capsule from under the collar of his shirt and shows it to us. When we ask him whether we can photograph him at this moment, he politely declines the proposition.)

Q: *How do you feel when your fighters are killed? For example, you have named your son Charles Antony in memory of a loyal LTTE fighter who was killed in a clash with the Sri Lankan Army in July 1983.*

A: As far as our feelings are concerned, we have been very deeply affected in our hearts. Having fought so much, having sacrificed so many lives and having lost 20,000 people all this has been subordinated to India's strategic interests. Not only that, we the representatives of such martyrs, have not been properly respected.

Hence in this kind of situation ..... during the interim arrangement .... we feel that we want to demonstrate to the Government of India the support we have from the people. India has not given us our due. Without consulting us, they have arrived at an agreement. Hence, we would like to enter politics with the people's support and with the goal of Tamil Eelam. That will be the fitting reply.

Q: *Today's Tamil papers in Jaffna quote an LTTE representative as saying the organisation would not fully surrender arms.*

A: Yes, we made the statement. It is better to fight and die than surrender the weapons in an insecure environment and die on a mass scale!

Q: *What are the shaping influences on your life ?*

A: Ra. Su. Nallaperumal's serial "Kallukkul Eeram" ("It is wet inside the stone") published in Kalki magazine. I have read it five times. It revolves round the Indian freedom struggle. Mr.Nallaperumal balances the ahimsaic struggle and the armed struggle. Generally, I read anything on any freedom movement. I used to read books on Joan of Arc, Napoleon and so on. I was always interested in history. Shivaji was the first guerilla to have fought against the Mughal rule. When I was young, I always had a picutre of Netaji Subhas Chandra Bose. I used to keep his picture on my table when I used to study. I had written on my table, "I will fight till the last drop of my blood for the liberation of my motherland".

"FRONTLINE: Thank you, Mr. Prabakaran.

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"The forces of right and Truth will win in the end"

Robert Evans, Member of European Parliament at the International Tamil Foundation lunch

Today is the 28 June, Monday 30th marks the last day of the British Presidency of the European Union. For the last six months all the key European meetings have been chaired by British ministers. It has been our Prime Minister, Tony Blair who has spoken on behalf of the whole of Europe on the international stage. It has been our foreign secretary Robin Cook who has represented the European Union Foreign affairs.

Foreign affairs in the last six months that have been dominated by perhaps, the on going troubles in former Yugoslavia, the latest tinderbox area being Kosovo that we see the harrowing pictures of, on the television nearly every night. We have seen also pictures of the dreadful earthquake in Afghanistan, itself a troubled country before natural disasters took over.

We have seen the tensions mounting in the nuclear arms race between Pakistan and India. We have seen pictures and stories of the troubles in Israel and the middle east and we have all held our breath as we wait to see if Good Friday peace initiative in Ireland is going to hold and bring peaceful times to that divided land. We have this weekend, had the continued coverage of the results of those elections. The British government has worked tirelessly to achieve a solution. The United States senator George Mitchell has provided independent chairing to try and help bring the sides together.

From around the world, on going troubles; tinderbox areas, disasters, wars, military conflict and divided lands. There has been lot of coverage, pictures, discussions, comments and thoughts. But all those adjectives

could apply equally to Sri Lanka, and of that island what have we heard? What pictures have we seen on the television? What coverage in the papers? What priority has been given to easing the conflict? Have the United States expressed any interest in getting the Sinhalese dominated government to sit down and discuss peace initiatives with Tamils? To my mind there are real parallels between the situation in Ireland and the state of affairs in Sri Lanka. Of Course there are big differences too and you could argue the big difference is the world's silence. **The world's indifference, but indifference through ignorance and lack of knowledge.**

The European Union, US and the world has been too wrapped up in other matters and the other troubled regions, to spare any time or any efforts for Sri Lanka. But all the time the situation remains the same. People have disappeared, families have been murdered, women and girls have been raped, schools have been damaged, hospitals bombed and museums destroyed. Those of us here today, we have all seen the pictures. But they are published in periodicals that are not widely distributed. The stories don't reach the independent world press.

You will know, sometimes from the experiences of your friends and families still there that whole communities have been destroyed, lives and families ripped apart. And what coverage do we get? Nothing. Not even the BBC can cover the conflict in Sri Lanka. It is too dangerous for journalists to venture into the north of Sri Lanka. Or so we are told. I suggest we are told this because it suits the government of Sri Lanka to tell us this. They do not want the world to see the pictures of what is really happening in the North of a far away isle. An island that is still in the holiday brochures and still entertaining visiting cricket teams from around the world.

When we do get coverage we get a few limited words from Colombo suggesting we should rejoice at the latest government victory, the latest atrocity perpetrated in the name of the government. Not a word of the civilian cost. Not a word of the destruction of property, culture and history. Of course, as in any situation of conflict there are very definitely faults on both sides. But that is not the picture we are being given here in Europe. Here we are led to believe it is all the fault of the Tamil rebels, fighting against the democratic government forces.

I know from talking to Tamils in my area of northwest London and hearing their stories of the sufferings of their families this not true. I

know from reading Tamil Guardian, Hot Spring and other publications that there are other sides to the stories. I know from talking to colleagues in the European parliament that the truth cannot be just what we are being told. I also met a few months ago some Tamil families living in refugee camps in India. Tamil people who cannot go home for fear of their lives at the hands of the government. Each has a story to tell but it is a story that is not reaching the millions in Europe or the rest of the world.

Almost alone amongst situations of conflict in the world, we are given a news black out on the war in the north of Sri Lanka. And it's getting no better. Only last week President Chandrika Kumaratunga pronounced a full news black out on events in the north. Why? It seems likely that this is to cover the significant setbacks that the military are experiencing as they try to press forward in Vanni. Although details are a bit sketchy, it seems that all media, local and international are forbidden from publishing or broadcasting anything, any material that might relate to operations carried out or proposed by security forces. This will cover the actual and possible movements of troops, of materials, weapons and vehicles, ships and aircraft.

These regulations also prohibit the publication of any statement regarding the activities of any military personnel. Anyone breaking these rules will be guilt of an offence. Sadly we know what that can mean.

So press coverage is being blocked. This fits in with a pattern. Newspaper offices have been raided and news paper editors arrested. Reporting of all sorts has been censored and public are not being informed. If news is being passed on, it is either edited or one sided in its presentation. And sadly the world's independent press seems to be colluding with this. The BBC, even the BBC does not seem to be resisting the censorship and reporting restrictions. Censorship, a dangerous word and a dreadful policy for any government to follow. Censorship of military news from Sri Lanka and a blanket of secrecy surrounds the journalists and newsrooms. **But, and this is important whilst the Sri Lankan government can claim to be fighting the LTTE and relaying of some latest military conflict to the world, it is really the LTTE who are winning the propaganda war. The news from Sri Lankan government does not stand up to scrutiny whilst that from the Tamils does and it is for that reason the powers don't let it filter out very widely.**

One only has to look at an atlas or a book of world facts, even a tour guide to Sri Lanka to dispute some of the stuff the Sri Lankan government puts out. They hide the real facts.

Facts that tell us that 50,000 troops or separatist fighters have died as a result of the battles of the last 15 years. And what do the government gain by hiding this? I suggest nothing. However much censorship you use, any journalist worth his or her salt could visit the cemeteries in war areas to validate these sorts of statistics. I am not a journalist but I have seen the pictures of the graves of war dead from north of Sri Lanka and I tell you, any real journalist could easily discover this. So censorship stops the journalists going there.

As for the civilians. In war torn areas, sadly it is always more difficult to say how many civilians have perished. But if you add up the reports from the papers the desperate sad bits and pieces that you can read. Someone caught in crossfire here, someone shot there, People killed in bomb attacks and children killed in schools, it must be another 50,000 dead. Dreadful statistics, hidden from the wider world. But truth will find a way out eventually. No government can suppress statistics or information forever. The people of Sri Lanka, the Sinhalese people as well, will resist. They see posters urging them to sign up to fight, to fight against so called terrorists from the north. **One man's terrorist is another man's freedom fighter and I don't believe the Sri Lankan government can carry their people with them forever. They will want answers to wider questions. Is the war being fought by their government a war they can win? Is it one they really need to win? Is there not another alternative, more peaceful route? Why, they will demand sometime? It may not be today, it may not be tomorrow, but the will of the people will demand to know why their government will not talk. Why will the US, UK, India or some other world power not mediate as they have in other areas. Why do they not intervene to stop the atrocities and to stop the senseless killing?**

These are the questions that eventually they will ask. They do not want to know how many troops government is sending north. They will be questioning the government's apparent recent drive to tap school, for soldiers. 15,000 school leavers will be encouraged to join the army and to fight. But a time will come when the people will resist; a time when they stand up and say they do not want military information and they don't want war statistics. They will demand answers to simple pacifist questions. And when the people demand that and the world press start to back them, then the Sri Lankan government will have to act. But sadly it may still be some way off.

The story is not all doom and gloom. You may have heard recently that some Sri Lankan journalists are trying to break free from government shackles, from the straight jacket of censorship. A few weeks ago a group of Media people did get together and formulate a so-called Colombo Declaration on Media Freedom and Social Responsibility. They reiterated their commitment to freedom of expression and media freedom. This declaration states that freedom of expression is 'vital to a democratic society and essential for its progress and welfare and for the enjoyment of other human rights and fundamental freedoms.'

Later on, it states that 'censorship has often been arbitrary and erratic and in violation of the public right to know and also in violation of international standards of freedom of expres-

sion.' It also calls for a new constitution, one that recognises press freedom-a bit like the welcome changes that have occurred in South Africa. A freedom of Information Act, changes to the rules governing newspapers and the media.

Significantly the Colombo declaration also demands a genuinely independent Broadcasting Authority, one that is not dominated by one political party and one that is responsible for the licensing of all radio stations including community ones, in addition to being responsible for maintaining a fair balance to reporting and news coverage.

Declarations are however one thing. Putting them into practice is entirely another. Getting them observed and followed is all too often a real problem. In the end they often are limited in their effectiveness. But I think we should be pleased and pay tribute to these journalists. I don't know quite who they, but I pay tribute to courageous press people who have tried to put forward the Colombo Declaration. Those who have had the courage to say that reports from Sri Lanka are not balanced at the moment and that massive censorship is occurring. Let us hope it is history that will reward these journalists. And history that can be written quite soon.

I move now nearer to home, to the European Parliament. There are 626 MEPs from 15 countries representing 320 million citizens of European Union. Along with 15 others, I am a member of the South Asia delegation. I am working with my colleagues to try and put pressure on the Sri Lankan government, firstly to open up. To open up the north to the world's media so people can see for themselves what is happening. So we can allow a fair and balanced picture. Yes there are LTTE attacks on government posts. Yes there are Tamils fighting for an independent homeland. But there are also atrocities being perpetrated by Sri Lankan government forces. Atrocities against civilians, women and children and against whole communities.

I think we need to look again at how the LTTE is being portrayed. In Europe it is seen as a terrorist outfit in conflict with the Sri Lankan government army. In fact, as you know the LTTE is a liberation movement that for 24 years has been fighting for a homeland. A properly constituted organisation. True it has taken up arms. But when the rights of this people are being denied, it is not difficult to see why. Norway, Canada and Netherlands have recognised this. Netherlands but not Norway is a member of the European Union and has representatives in the European Parliament.

The LTTE it seems to me is also burdened with covering for the deficiencies of the Sri Lankan government. The deficiencies, which leave the Tamil, people short of food, forced from their homelands and denied their culture and heritage. This is why the LTTE levies taxes on its people to try to cover for the inadequacies of the government. A government that has diverted economic assistance away from north while rest of the world turns a blind eye.

There are also Tamils all round the world who are supporting their people and their culture. Supporting them despite the Sri Lankan government efforts to globally discredit them. It has been one of the most pleasurable activities of my time as member of the European Parliament to visit Tamil schools, to see the work of the children and also to be invited to present the prizes at the annual presentation afternoon.

I have met recently with Derek Fatchett the UK government minister responsible for Asian affairs. We spoke about our worries in India with the change of government. We spoke about our fears now that both India and Pakistan have nuclear weapons and we spoke about Sri Lanka. I had so much to discuss with him on this issue that we have arranged to meet again to take the matter further, to see what the UK government working with the European Parliament can do together.

When I meet Derek Fatchett again, I will tell him the stories I have heard from many of you. I will be very interested after I have spoken to take down your points, your questions and anything else you would like me to ask the minister. I will show him what he hasn't already seen, the pictures of destruction and death in the north of your beautiful island. And I will tell him the harrowing tales that I heard, first hand from people I met in refugee camps in Tamil Nadu. People and families who had suffered immeasurably, people who were living in dreadful conditions but who, like all the Tamils I know were cheerful to a level way beyond what could reasonably be expected in their situation.

For those people, those families, those children whom I met and saw I vowed to do something to help them return to their homeland in safety. And I will continue to work to do what I can. Working with you with the UK government and through the European Parliament.

In conclusion, I have spoken of the almost sinister way in which the world hears nothing of Sri Lanka but lots about other trouble spots around the world. I have discussed the horrors of the situation in the north of Sri Lanka as I perceive it, thousands of miles away. I have told you a little about my experiences with friends in the London Tamil community and my visit to Tamil Nadu. I have spoken about some of the latest developments in the war in Sri Lanka and how the media is being censored. And I have spoken about why I believe the forces of right and truth will win in the end.

That is the reason we are here today. As forces of hope, of reason and decency.

It is my aim, in the months ahead to work with you, to work with people in positions of national and international power to start, to start to put the pieces of a jig saw together. The jigsaw that will bring a peaceful solution for the people and island of Sri Lanka.

Thank you.

Who are the most enduring terrorists?

NEW STATESMAN • 21 AUGUST 1998

JOHN PILGER

The bombings in East Africa and Northern Ireland have drawn responses of formidable hypocrisy. The US Secretary of State, Madeleine Albright, said: "We will not be intimidated or pushed off the world stage by people who do not like what we stand for; and that is, freedom, democracy and tbe fight against disease, poverty and terrorism."

It is now clear that the mostly African victims of the two US embassy bombs were left to suffer in appalling conditions while Albright flew home with the bodies of ten American dead to a flag-draped media event featuring a tearful Bill Clinton. Although more than 5,000 people were wounded in Nairobi and Dar es Salaam, few were given medical help by the Americans. One Boeing 707 chartered by the US government, able to carry 60 bed-bound casualties, flew from Nairobi to Pretoria with no Kenyans on board, only three Americans: one on a stretcher and two who were able to walk off the plane. In contrast, staff at Nairobi's Kenyatta Hospital were so overwhelmed that only the seriously injured were treated; in the morgue, hundreds of bodies were piled on tables.

This is the metaphor of the "world stage" across which Madeleine Albright struts. The source of the embassy bombs was undoubtedly the Middle East, where the policies of Albright's government and its predecessors cast long shadows. In 1'391 a force led by the US killed more than 200,000 Iraqis in a colonial massacre, with one side having a huge advantage in forces and weapons. US and British forces fired tens of thousands of depleted uranium shells, an illegal weapon under UN Resolution 32/84, which bans the use of "radioactive material weapons". The Americans also bombed and buried alive Iraqi conscripts who were offering no resistance or were already in retreat. **Both of these actions are war crimes.**

Madeline Albright:
Strutting on the world stage

Most important, the Middle East is subjected to an American-designed "peace process". This means the opposite. It is a war and terrorism process that has corralled the Palestinians between Israeli military forces and foreign invaders, known as "settlers", who are sponsored and armed by the Israeli government and subsidised by the US. The model is apartheid South Africa. In the meantime, the Palestinians and all Arabs must put up with stereotypes about Islamic fundamentalism and violence, when, in fact, not only have Muslims been responsible for a tiny proportion of deaths caused by terrorism, but in recent years it is they who have been **the greatest sufferers from state terrorism: in Palestine, Iraq, Bosnia, Chechnya and Somalia.**

The omission from public debate of these truths, and of the pervasive violence of western fundamentalism as it goes about its divine work, is given respectability by western academics, journalists and think-tanks and by popuiar western culture. Arnold Schwarzenegger, in the movie *True Lies*, kills 80 terrorists, all of them Arab Muslims. In Hollywood, as in the American and British media, itis apostasy to describe the democracies as terrorist states, regardless of their record.

Tony Blair said he "simply wept" for the victims of the terrorist act in Omagh. He, also wept following the massacre of children at Dunblane when he vowed to "outlaw" handguns. Categori es of guns were banned in Britain; but as the world's second biggest exporter of arms, the Blair government has secretly issued export licences for small arms sales to Kenya and Turkey, where members of the parliamentary opposition and journalists are routinely murdered. British-made handguns have also gone to the Far East, Algeria, **Sri Lanka** and Colombia countries engulfed in day-to-day political and criminal violence . . .

(Courtesy: New Statesman, London)

Suresh case: Conclusion of Karen Parker's testimony

"Civilian attacks on civilians is terrorism"

(Continued from previous issues of Hot Spring)

HIS LORDSHIP: In effect, what you are saying is an attack on civilians would be an act of terrorism, according to you, pursuant to Protocol II, Article 4 that we just read?

THE WITNESS: If carried out by civilians.

HIS LORDSHIP: If carried out by civilians?

THE WITNESS: If carried out by military forces, it would be an attack on the civilian population and a violation of the Geneva Conventions if it can be shown that it was done intentionally and not in the otherwise lawful pursuit of a military target. Wars, you see, generate animosity between the civilians as well as the military. And the attempt, you see, is to keep wars to be fought between the armed forces, not with civilians going at it on their own and the tendency, regrettably, had been for civilian participation as was viewed and seen in the Vietnam War and other wars and so that provision was added for that reason.

Karen Parker

தமிழீழ ஆவணக்காப்பகம்
Tamileelam Archive

BY MR. VAILLANCOURT:

Q. So, terrorism is civilians against civilians, only; not in a combatant against a civilian?

A. *Yes. There is a tendency, however, to call bad acts "terrorist" and say the Bosnians or the Serbians or someone engaged in terrorism when, in fact, it is war crimes as we know from the tribunal going on in The Hague. Those same acts really in The Hague are chargeable as violations of the Geneva Conventions or The Hague Conventions and are, in fact, war crimes. But, there is a tendency in the lay to refer to military against civilian as terrorism.*

Q. And you don't agree with this?

A. I agree that it is bad and I agree that it is terroristic, but the legal definition of "terrorism," I don't hold it to that.

HIS LORDSHIP: I am sorry?

THE WITNESS: I don't consider it legally that. I consider military against civilians war crime. Civilian against civilian or sort of orchestrated civilian bands against civilians I call terrorism.

BY MR. VAILLANCOURT:

Q. I refer you specifically to an incident taking place in '83, April 29th. I would like to just give you more information, Ms. Parker. I just want to. refer, in all fairness to the witness, to the ... I think there were two yellow stickies attached to your ... one of which referred... I think it was the last one which referred to that last incident.

HIS LORDSHIP: I have it here.

MR. VAILLANCOURT: Thank you. I just want Ms. Parker to see it.

BY MR. VAILLANCOURT:

Q. Again, this is the example where, according to the documentation provided to the Court and my friends, it refers in more length to a warning to politicians, to Tamil traitors, supported a racist government, reference to UNP candidates, UNP being the ruling party at the time. There is a reference to the fact that: ". . . As a direct consequence of this action all Tamil UNP candidates withdrew from the election, several Tamils resigned from the ruling party..." It talks of an assassination of these three individuals. Would you describe this incident as, according to Protocol II or according to your own definition, an act of terrorism?

A. *If true, on these facts, I would refer to it as a war crime. I will say, though,*

Q. Would you say why?

HIS LORDSHIP: Wait a minute. Let her finish her answer, please.

BY MR. VAILLANCOURT:

Q. Yes.

In the Federal Court of Canada :
The Manickavasagam Suresh
inquiry held before
Mr. Justice Teitelbaum
March 21 1996.

A. *There has been some discussion among people who work in humanitarian law whether or not civilian political figures who side with your enemy are lawful military targets. The discussion arose a great deal during World War II during the Resistance, with people functioning in the Resistance, whether or not it was acceptable to assassinate the Nazi government people installed in villages, et cetera, in France. The Resistance did carry out a number of killings of those people, to the big applause of the international community. There was some feeling, however, about that and probably the prevailing feeling now is that carrying out killings of opposition civilian political leaders is not justifiable as an act of war under the traditional operation of armed conflict. I side with those who consider it a war crime. There are, I will say, colleagues who do not. It has been a strategy of military forces since war began.*

My government has engaged in military operations where similar people were targeted and, in fact, killed in a number of wars. I am hoping that the next round of Geneva Conventions will clarify or perhaps remove from legitimate targets political figures.

I remember, quite frankly, in the El Salvador situation where there had been some assassination of mayors by the opposition forces there, this discussion coming up and in discussions with lawyers for the International Committee of the Red Cross and with other humanitarian lawyers, how far removed, from leadership down, can a public fig still be a target and we have got down to librarians and dog catchers. A common understanding is at the mayor level and perhaps at the legislative level. As I say, I don't take that view. I don't approve it. In my view, it is a war crime.

"Since 1983 there was a third party obligation to support The Tamil cause"

Q. Where do you draw the line? When you mean government officials, mayor, like...

A. *Where do I personally draw the line?*

Q. Yes.

A. *It is an operational line and it is a humane one, in my view. I mean, war is always dirty and wars are not fought cleanly with the military forces on a football field where you can see them. I think legitimate military targets include the military and the direct civilian command of military forces, I don't take the view that legitimate military targets go beyond that into legislators or others. But, there are. . . as I say, there are some who do. They say it is legitimately a military target because it is the government that is waging the war.*

HIS LORDSHIP: Madam, I clearly understand what you just said and I understand your position. But, here, according to this document, and I am not saying it is correct, it was done as a warning to all Tamils, not as a direct target because these individuals were part of a government, it is a warning to all Tamils not to side with a racist government.

THE WITNESS: The strategy is defended in a variety of ways as that same strategy was defended during the Resistance in France and in Norway. Frequently, it is described exactly that way as a warning to others to not collaborate. For me it is a very painful point because I disagree with ever having civilians, other than those in direct command of military, ever be military targets. But, I am well aware of the fact that humanitarian law has not prohibited it in a blanket fashion as of now and I think it is an area that needs solid clarification and I hope it clarifies itself, accommodating my view. It also is a point, if I may interject here, of my discussions with opposition forces in some of the conflicts where I have been, my advice has been sought, I am very clear on that concept and have been with representatives of the LTTE.

BY-MR. VAILLANCOURT:

Q. Is it your view also that there is no generally acceptable ... internationally, I mean... definition of the word "terrorism"?

A. *I think the international committee is struggling with it right now very hard. The recent conference that our President, I think both your Prime Minister and my President attended, grappled with the subject in a recent, rather high level summit on the topic. It is a very, very troubling phenomena. In my view, having this kind of prohibition clearly in the Geneva Conventions helps very strongly in a generalised battle against terrorism, though, in my view, this kind of act falls under the purview of the Geneva Convention. I think that the international community has not done as well as it could in clarifying some of these points. Having them as loose as they are creates fewer deterrents in the international community.*

Q. So, is your answer "No," that there is no internationally-accepted definition for the term "terrorism"?

A. *Said in the negative, I would say yes; there is no straight term, no.*

Q. Because, again, the world community cannot agree on a definition; do you agree with that proposition?

A. *Yes. Everyone wants to make sure that their own acts don't fall under it in the dirty tricks arena of international affairs.*

Q. You mentioned, and I am not disputing that, that the Sri Lankan government and its armed forces have engaged themselves in acts of human rights violations. What about the LTTE?

A. *Yes, both sides have violated the rules of war.*

MR. VAILLANCOURT: Thank you, those are my questions.

HIS LORDSHIP: Mr. Waldman?

MR. WALDMAN: May I just have one minute?

HIS LORDSHIP: Of course.

RE-EXAMINATION BY MR. WALDMAN:

Q. In terms of the issue of the right to self-determination and the international opinion with respect to this, is it not correct that many non-government organisations have made statements recognising the right of the Tamil people to self-determination so that it is, although not recognised by many governments, has been recognised by the non-governmental community as a right?

A. *Yes.*

BY-MR. WALDMAN:

Q. Just to clarify something. You mentioned that you represented a non-governmental organisation that was accredited and this organisation is accredited?

A. *Yes.*

Q. Is it routine for non-government organisations to get accredited or is it a difficult process? Are there many NGO's that are accredited? I guess that is my question.

A. *There are many that are accredited. Most of the organisations that you might think of in the field of human rights are, in fact, accredited. There are Canadian NGO's, American NGO ' s, European NGO's, international NGO's. There is a process established through the Economic and Social Council for accreditation. It can be difficult if .. for instance, Tamil groups have not been accredited because the Sri Lankan government blocks them in the Committee of Economic and Social Council. There are no Tibetan groups that are accredited because the government of China blocks their accreditation.*

So, although there are a large number of NGO's who are accredited, there are an equally large, if not larger, number of NGO's that are not accredited, many of them for political purposes.

Q. In order to be accredited, what characteristics to you have to have, perhaps to assist us?

A. *Expertise in the area. You have to be viewed as contributing affirmatively to the work of the United Nations. Honesty, integrity, value.*

Q. Now, have there been other NGO's, within your knowledge, who have taken the position that the Tamils have a right to self-determination?

A. *Yes.*

Q. How would you describe it in terms of "a lot of," "the majority," "many"?

A. *Well, it is difficult to say a majority. I would say a majority of the active human rights non-governmental organisations in the commission on human rights. In the U.N. system as a whole there are a large, large number of NGO's. Many of them do not attend these sessions, do not participate and I certainly cannot speak with them, I have never asked them or they have not come forward.*

Most of the major non-governmental organisations, internationally, have come forward affirmatively, either by signing a statement such as this one, making a statement or submitting a document or quoting other scholars, urging the right of self-determination of the Tamil people.

Q. Now, in terms of sources of international law, and this is a question you were asked, and the lack of a consensus, what is the value given to academic opinion as being a source of international law?

A. *It is a source of customary international law as identified in the Charter , the United Nations Statute of the International Court of Justice. I am not as familiar with Canadian law, but in the United States' jurisprudence, since the very earliest Supreme Court, expert opinion is viewed as a source of international law and it was written into one of our key opinions on customary international law, the Paguete Habana in the year 1900 where the primary reliance was on scholarly opinion. So, in that sense, the statute of the International Court of Justice duplicates the already existing customary international law hierarchy of sources of international law.*

Q. Now, you told us in questioning in your understanding there is no consensus internationally as to what constitutes terrorism. In your opinion, is there a consensus as to what acts might be excluded from terrorism, i.e., acts committed by combatants engaged in a civil war or a war of self-determination, is there a consensus on that point?

A. *I think there is a very clear consensus on acts of war, yes.*

Q. That acts of war or actions committed by combatants might...

A. *They, either are legitimate acts of war or they are actions carried out in the course of armed conflict that are specifically prohibited and, therefore, are chargeable under violations of The Hague or Geneva Conventions or customary international law and theoretically liable to tribunals such as the ones now existing in The Hague for the former Yugoslavia and Rwanda.*

Q. So, is it your expert opinion that any act committed by a combatant in the context of a civil war or war of self-determination, whichever, in that sense it doesn't matter, could not be constituted as terrorism, an act of terrorism?

A. *It would be reviewed as to whether or not it violated the Geneva Conventions or The Hague Conventions.*

Q. And if it were found to violate, it would be what?

A. *A war crime.*

Tamileelam Archive

EXAMINATION BY THE COURT:

Q. Can one, madam, in your expert opinion commit an act of terrorism while committing a war crime?

A. *The act which from my view would legally be a war crime would, if committed by a group or person not covered under the Geneva Page 242 Conventions, could be, in that context, called a terrorist act. It could be the exact same act committed in wartime by a combatant, it is a war crime; committed in another situation by a noncombatant, it would be terrorist.*

Q. I don't know if that is my question ... if that is the answer to my question. I think my question is: Can one, within committing a war crime, can that act also be considered ... can it be considered a terrorist act when that group or individual is committing what you have defined as a war crime?

A. *I think that characterisation would be inconsistent.*

Q. That is fine. Thank you. You were asked a question: Once it has been determined by a group that they have a right to self-determination ... asked this by Mr. Waldman ... when can that group . . . I am going to add the word, he didn't... "legitimately," I am adding that word, legitimately take up arms to achieve their objective? And I am going to ask you, if you don't mind, please, because I don't know if I took down your answer completely, if you can repeat what you replied to, if you can recall what you said, because this is much later. When can one, legitimately, in your opinion as an international humanitarian expert, when can if this group decides, "Well, we are now entitled to self-determination because we feel ourselves as [and I will use your definition] a peoples with a distinct historical right to a territory," et cetera, et cetera, because we have had a few slightly different kind of definitions as to that, when does that right...

A. *The use of force in vindicating the principle of self-determination is, in my view, acceptable when a reasonable person would view that continuing dialogue or a possibility of political settlement is not possible.*

Q. So, therefore, from what I understand you to say, and that is what I thought I had understood, was that one must first attempt to obtain a political settlement? You said because when one determines you can't have a political settlement." So, therefore, by implication, you must attempt to have a political settlement?

A. *Yes.*

Q. Is it your view, because you are very, very active with U.N. and it is a work, and that certainly is a political organisation in my view. I don't know if you disagree with me.

A. *I do not disagree, Your Honour.*

Q. Is it not your view, then, that one must, before taking up arms, that such a group that believes in self-determination should fi attempt to have the United Nations negotiate and try to achieve self-determination for these people that the U.N. said would be normally entitled to? Do you not believe that before one takes up arms?

A. *I don't believe it is a point of law, Your Honour. I do...*

Q. Well, it is all a question of politics. Not as a point of law, we are not...

A. *Yes, I do believe in a point of practicality and certainly as a preferred route, but...*

Q. I am sorry, are you telling me it is a point of law that you can just simply take up arms?

A. *No, no.*

Q. No.

A. *In the process of trying to work out the realisation of self-determination during the sort of .. before the use of force is vindicated, there is nothing in the concept that requires that the parties go to the U.N. I think there is ample evidence that in the period between 1948 and 1983, there was intense domestic discussion and many, many efforts to work out a political settlement to the satisfaction of the parties in question. During that time, there was also some gesture toward the international community to mediate or moderate or intervene or help out, relatively...*

Q. Between '48 and '83?

A. *Yes.*

Q. No, between '48 and '74?

A. *Between '48 and '83 and also during the period...*

Q. Well, but the Tamil Tigers...

A. *...there was some involvement of internationalised bodies in attempting to work out the Tamil-Sinhala problem in Sri Lanka. When the United Nations did become involved, it was ironically at the time when I would say that the reasonable person, certainly the reasonable Tamil, would conclude that no other avenue would work. And, at that same time, the United Nations did become involved with the conflict in condemning the communal violence in a resolution of the subcommission in 1983, another review in 1984, some action at the commission, a lot of speeches by governments condemning the Sri Lanka government for violations, not leading to resolutions at that point but throughout the period, and offers of mediation and assistance by a number of governments in the period between 1983 and now.*

A key note of the 1987161 resolution, which your government co-sponsored, was that there should be a cease fire and discussions or negotiations. First of all, dim was a recognition of the application of humanitarian law. Second of all, there was a listing of the reports of special rapporteurs of the Commission on Human Rights which verified many,many human rights and humanitarian law violations in the course of the conflict. But, the main impetus of that resolution was to say to both sides to the conflict, "Negotiate and the Commission on Human Rights takes an interest in achieving such a negotiation."

Throughout the period that I have been involved in the Sri

Lankan situation, that has also been my urging and I have sought groups of countries to offer mediation, I have addressed offers of mediation with the Carter Centre, Jimmy Carter, there have been offers of mediation with, I think at this point the list is nine Nobel Laureates, church groups in Canada, church groups in Norway. So, although I do believe that the justification of the use of force did exist, there was still ongoing efforts to seek peaceful resolution of the conflict and there are today. The airways are hot and heavy with such initiatives and I am directly involved with them now.This has been one of the thorns in the side of human rights people for years and years and years, trying to get the parties to the table and many times the LTTE has come to a table only to have one of their delegates assassinated on the way in. age They are chary at the time, I don't blame them, which is why the LTTE is now saying they are open to mediation, but they want international observers, whether through the United Nations or through a country that offers its services. The government right now is rejecting those and has rejected other offers through the Commission on Human Rights and governments. So, in spite of the politics on the concept of self-determination, there is a certain amount of pressure on the parties to the conflict to go back to the mediation.

HIS LORDSHIP: Thank you, ma'am. I think you went beyond my question, but that is all right. I didn't stop you. Thank you very much and thank you for coming.

THE WITNESS: You are welcome.

MR. WALDMAN: I just have one question.

HIS LORDSHIP: Sorry, go ahead.

CONTINUED RE-EXAMINATION BY MR. WALDMAN:

Q. I just wanted to pick up on one thing you said. Am I right in catching you saying that there has been formal recognition by the United Nations of the applicability of humanitarian law to the

A. *Oh, yes.*

Q. Conflict in Sri Lanka?

A. *Oh, yes.*

Q. And what

HIS LORDSHIP: I am sorry, "there has been formal"?

THE WITNESS: Formal recognition of the application of humanitarian law to the situation in Sri Lanka.

HIS LORDSHIP: Oh, of humanitarian law?

MR. WALDMAN: Yes.

THE WITNESS: Yes.

BY MR. WALDMAN:

Q. And when did that occur?

A. *In the Geneva Conventions and The Hague Conventions and customary, the whole*

Q. And where was that?

A. *At the Commission on Human Rights, the 1987 session when the Resolution on Sri Lanka specifically invoked it. It is United Nations Commission on Human Rights Resolution 1987 / 6I.*

MR. WALDMAN: I think I have it, My Lord.

HIS LORDSHIP: Yes, but that simply says that human rights should apply to all peoples, to the Tamil people?

THE WITNESS: It invokes humanitarian law.

HIS LORDSHIP: It doesn't say that they are entitled to self-determination?

THE WITNESS: No, no. It invokes humanitarian law

HIS LORDSHIP: Okay. That is fine, yes.

THE WITNESS: I said. It invokes humanitarian law. So, from that point of view

HIS LORDSHIP: I would hope that applies everywhere.

THE WITNESS: Humanitarian law is invoked regardless of the vindication of the right to self-determination.

BY MR. WALDMAN:

Q. That brings me to my last question in following up. Even if one assumes that the Tamils could have negotiated further and failed to, in your view, does that affect the applicability of humanitarian law once it reaches the level of insurgency?

A. No, not at all. Once there is armed conflict, humanitarian law applies, regardless of..

HIS LORDSHIP: Wouldn't humanitarian law always apply to all peoples?

THE WITNESS: Only in armed conflict. It is...

HIS LORDSHIP: Only in armed conflict. If there is no armed conflict, humanitarian law has no application?

THE WITNESS: Right.

BY-MR. WALDMAN:

Q. And then...

A. *It discusses the comportment of armed forces and the protections of civilians in time of war. Human rights law applies at all times.*

Q. Isn't that critical, in your opinion, to when something is an act of terrorism? If humanitarian law doesn't apply, then it may be a act of terrorism; but, if it does, it cannot be?

A. *Right.*

Q. When humanitarian law applies, in your view

A. It is not that it cannot be. It is legally inconsistent. It is a war crime. You violate the Geneva Conventions, you violate the . . .

HIS LORDSHIP: But, up until 1977 or 183, it was, according to your definition, a civil conflict? They were not combatants; it was a civil conflict.

MR. WALDMAN: No

THE WITNESS: Well, you are combatants in a civil war.

HIS LORDSHIP: Well, everybody is a combatant all the time, then. So then, when is there a terrorist act?

THE WITNESS: No. You can only apply humanitarian law if the people who seek it, so to speak, are a military force and are engaged in sustained and concerted military operations and they are in a war, military operations are occurring between them, and the opposition which in the case in Sri Lanka would be the government. And it is very clear that from I980 from the mid- seventies that the government of Sri Lanka had military forces targeted against the . . .

HIS LORDSHIP: That is fine. You said '72-'73, I agree, '74.

BY-MR. WALDMAN:

Q. Now, just to clarify this point, following up, an example of a circumstance where there wouldn't be an armed conflict, would that be, for example, the Red Brigade putting a bomb in . . .

A. *Yes, yes.*

Q. Or whether the Red Brigade didn't have what were the things about the Red Brigade that would lead you to conclude that it wasn't in an armed conflict?

A. *There were no sustained and concerted military operations between that group and the governments in question, whether in Germany or Italy. I think there were two places where they were active. Number two, they weren't constituted as a military force with a responsible chain of command that had sufficient territory from which to engage in sustained and con~ military operations. To my understanding, they never engaged in any military operations.*

Q. And the same would apply to Mr.... the accused in the Oklahoma bombing in the United States?

A. *Yes that was not a military operation;- it was a . . .*

MR. VAILLANCOURT: Who knows ?

HIS LORDSHIP: You were . . .

MR. VAILLANCOURT: I said, 'Who knows?"

HIS LORDSHIP: I am sorry, did you want to say something . . .

MR. VAILLANCOURT: No.

HIS LORDSHIP: on the record or . . .

MR. VAILLANCOURT: No, I don't want to get into that.

HIS LORDSHIP: Madam, as I said before, thank you very, very much for coming and I trust you had an opportunity, as I have said to others, an opportunity to see this beautiful city and it is a wonderful country to visit as well.

THE WITNESS: Thank you very much.

Concluded.

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AN AMERICAN LAW JOURNAL ON SRI LANKA'S WAR CRIMES

"The most egregious violations include denials of food and medicine or medical supplies, especially for children," states Prof. Jordan J. Paust in an essay published in the Vanderbilt Journal of Transnational Law (May '98). The article, titled 'The Human Rights to Food, Medicine and Medical Supplies, and Freedom from Arbitrary and Inhuman Detention and Controls in Sri Lanka,' is highly critical of the Sri Lanka government's human rights record. It asserts, "...[these] denials also violate related prohibitions under the laws of war, and constitute serious war crimes."

In this 26 page article, Prof. Paust analyses the human rights violations in Sri Lanka under three headings: (1) the right to adequate food; (2) the right to adequate medicine; and (3) the right to freedom from arbitrary and inhumane detention and controls.

He cites several International Laws and Covenants, to support his inference that the government's denial of these necessities constitutes War Crimes.

THE DENIAL OF ADEQUATE FOOD.

On the denial of food, he states, "There are several serious allegations and significant recognitions of the failure of the government of Sri Lanka and its officials, officers and agents to provide adequate and available food to populations in northern regions, including allegations that crops have been intentionally destroyed."

"There are also allegations that these failures are often deliberate: that the failure to provide adequate food is used as political tactic or weapon of war against noncombatants in the northern regions for various purposes. Such purposes allegedly include the intent to break down civilian support processes so that the civilians are forced to move to detention centers or government controlled areas; the intent to assure suffering, insecurity, and thus, instability in various regions; the intent to engage in punishments or reprisals against unsympathetic civilians."

Citing several International Covenants and Protocols, he states, "whatever the full contours and permeations of the right to food might be, it is clear that it constitutes a violation of the human rights law to deny adequate food to a given population. Moreover, it would be especially unlawful and egregious to deny the right to adequate food as government tactic to control certain persons or as a weapon of war."

Specifying Article 3 of the 1949 Geneva Conventions, he states, "starvation or a policy of denial and neglect involving starvation and malnutrition would violate the prohibition of 'cruel treatment,' and the duty to treat civilians 'humanely.' Further the actions would constitute 'humiliating and degrading treatment' of civilians forced to starve or suffer near starvation or malnutrition while also watching family members and friends fall victim to the same denial of rights. **A violation of common Article 3 is not merely a violation, but also constitutes a war crime."[emphasis ours]**

He also cites the 1919 List of War Crimes prepared by the 'Responsibilities Commission of the Paris Peace Conference' to declare that, "the deliberate starvation of civilians has already been recognized as a war crime," as far back as 1919.

Fear of food falling into the hands of enemy combatants is not an excuse for denying food to the civilians, he asserts.

"If food is likely to be used by both the general population and enemy combatants, the destruction or denial of food, in circumstances where one can reasonably foresee that the general population will suffer, will necessarily involve the indiscriminate use of food as a weapon."

He further argues, "starvation even of enemy combatants, seems necessarily inhumane because it involves unnecessary and lingering death and suffering."

THE DENIAL OF MEDICINE AND MEDICAL SUPPLIES

Quoting the US State Department's Country Reports (1997 & 1998) he sates, "within the 1997 Country Report, however, one finds a shocking confirmation of war crime policies and activities with respect to medicine and medical supplies... War crime policies are further documented in the 1998 Country Report..."

"More shocking is the [US State Department] recognition that, 'the government refused to permit relief organizations to provide medical attention to wounded LTTE fighters."

"The government's refusal of medical treatment of wounded insurgents is a violation of common Article 3... As the authoritative commentary by the International Committee of the Red Cross (ICRC) adds, the duty to respect and protect the wounded and sick is 'a categorical imperative which cannot be restricted.'"

"Therefore, the intentional withholding of medicine and medical supplies from LTTE-controlled areas, as recognized by the State Department, is a clear violation of Article 3, and a war crime. This is true whether or not medicine and medical supplies were foreseeably destined solely for use by enemy combatants or enemy wounded and sick. Medicine and medical supplies are neutral and protected property in time of armed conflict and may not be withheld."

He also cites additional conventions and protocols to support this assertion.

(Continued overleaf)

THE DENIAL OF FREEDOM FROM ARBITRARY AND INHUMANE DETENTION AND CONTROLS.

Under this heading he discusses a number of subjects such as arbitrary arrests, reprisals and collective punishments, denial of the right to freedom of movement, censorship and denial of access, etc.

"Internment, as such, creates other responsibilities under Geneva Civilian Conventions... There are serious claims and significant recognitions that the government of Sri Lanka does not comply with these norms."

"Collective penalties and systematic terrorism are also among the customary prohibitions in the 1919 List of War Crimes... There are serious allegations and significant recognitions that both reprisals against and collective punishments of civilian persons have occurred in Sri Lanka."

"The 1997 Sri Lanka Country Report contains numerous statement and recognitions of related violations of human rights, including political and other extrajudicial killings and reprisals; disappearances; torture and other cruel, inhuman or degrading treatment or punishment; arbitrary arrest, detention, or exile; and denials of freedom of movement, travel and emigration."

"The pattern of behavior established by the government's refusal to allow non-governmental and HRTF investigations, as well as the refusal to adequately investigate denials of human rights, coupled with evidence of government impunity, constitute circumstantial evidence of the policy of denial of rights noted in all three sections of this Essay.

The essay is also critical of the US State Department's report for its inadequacy in certain areas.

Prof. Paust concludes by stating,

"It is time for the international community to recognize that, in addition to medicine and medical supplies, food should always be treated as neutral property during an armed conflict. Because of highly predictable consequences, both short term and long term, food should never be used as a weapon of war. Moreover the international community should strive to assure that corridors for the free passage of food and medicine and medical supplies are negotiated or imposed during any armed conflict. For the children and others who suffer, criminal and civil sanctions are inadequate and come too late, if at all."

Courtesy: Vanderbilt Journal of Transnational Law Vol. 31;Number3:May 1998

Professor Paust is the Law Foundation Professor at the University of Houston and Co-chair of the International Criminal Law Interest Group and the American Society of the International Law. ❑

Obituary

Anthonyraju Davidrajuh died tragically in Colombo on August 2. He was 31. He was the Editor of PC-Quest Computer magazine and information desk manager at the Ceylon Chamber of Commerce.

Anthonyraju was son of E. V. Davidrajuh (former Deputy Editor, Virakesari) and late Mrs Bernadate Davidrajuh, brother of Daisy, Rhavy (UK), Reggie (Norway), Jaisy, Roy and Lucky, brother-in-law of Vijayaraghavan, Valentine and Ruglin.

Burial took place at General Cemetery Kanatte, Colombo on Saturday August 8.

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An invitation to the whole world!

"The Tamil expat community as well as these NGOs like Eide, are coming to realise the stark reality that this is no ethnic conflict but a war waged by a fascist organisation that had gone after the democratic Tamil politicians and to a large extent the so-called upper classes in Hindu caste hierarchy.

"Western nations are still very slow to understand the need to identify, isolate, and defeat the LTTE. They have been dragging their collective feet - only to get periodic rude awakenings like the bombings last week in Nairobi and Dar-es Salam".

- Editorial lament from Ramanayake Mawatha, SUNDAY TIMES, Colombo, August 16

By Our Raving Correspondent

That's the spirit Ramanayake (writes our Raving Correspondent). Now that the SUNDAY ISLAND has shed its racist bigotry, with the departure of the man who was a wholesale dealer in that kind of stuff, somebody has to step in -shouldn't one ? - and carry the Sinhala flag ? Right. So you have volunteered for the job ? Good for your soul. It is clever on your part to learn the secret that many a Sinhala politician from the time of Solomon the wise Bandaranaike knew: If you want to survive in the jungle of Sri Lankan politics or in Colombo journalism (yours is getting to be a crowded profession, isn't it ?) there is always a short cut - GO FOR THE TAMILS. You will have the entire gallery of saronged supporters on your side. But of course you are not anti-Tamil. Who says so ? You are only anti-Tiger. (Between you and me and the four walls, that's the line to take, buddy, and that's the way to fool the world). Throw the word "terrorism" all the time. That will stop people thinking, and help them to get worked up against the whole ruddy bunch of Tamils. Another thing - if you can't defeat the Tigers in war, the next best thing, you know what START CALLING THEM NAMES. The dirty, fascist, terrorist scum !.

But I must also tell you, I dont see eyeball to eyeball with you on some of the matters you mentioned. For example, you say that the Tamil expats are coming to realise the "stark reality" of the LTTE's fascism. Oosh.. don't say that Ramanayake, because that goes contrary to what your Foreign Minister's constant thesis is about. Dear Kadi Aiyah is telling the whole world that it is the Tamil expats who are stuffing Prabhakaran's pockets with pounds and dollars, and you say that wisdom has come to them. Dont you see the contradiction ? They can't be seeing the stark reality and yet pumping the cash, can they ? As Cousin Clinton would say, that wouldn't be "appropriate" behaviour. See the point ?

I must of course compliment you on another bright idea of yours. Your reference to how the Tiger fascists go after the "upper classes in Hindu caste hierarchy" - oh, that was superb. Nothing like putting the upper classes against the lower classes, the Ta goigamas against the Tamil karav and to hell with the whole lot of the Full marks to you.

Talking about eyeball to eye here is another matter where I b disagree with you. You say "Wes nations are still **slow** to understanc need to identify, isolate, and defeat LTTE". Let us first take your refere to slowness. Do you really mean say that Monica Lewinsky's Ame was slow in damning the Tigers? If ask me they went about the busines pretty fast. Fast on the heels of ser ing their Green Berets to train y untrainable army guys, they called Tigers terrorists, and quickly after t they decided to train your policemer their own academies.They coulc have been faster than that. ? Dic auntie Madeline Halfbright hers make some noises at some univers function or other about Hindu terro ists?

But about the "need" of the weste nations to defeat the LTTE, you a dead right. If it is not their business t defeat the LTTE, whose business is i anyway ? Surely not that of Sri Lanka ? That is the way to argue the matter. Place the responsibility squarely where it lies. Peace-making as we all know is a domestic affair, an internal matter, and no third party may dare poke their fingers into our problems. But war, defeating the LTTE, ah, that's another matter. Will the whole world come and help us finish off this one man - Prabhakaran? Thank you. May you have the blessings of the Triple GEM!

Sri Lankan lobbyists cut a sorry figure in Geneva

Helen Whitehead

The 50th Session of the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities is meeting in Geneva between 3rd August and 28th August. On 3rd. August Mr. Guisse, human rights expert, was elected the Chairperson of the Sub-Commission.

Item 2 on the agenda concerns "Violations of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories". Many interventions were made by Non-Governmental Organisations (NGOs) speaking out against human rights violations committed by the Sri Lankan government against the Tamil people. The Sri Lanka government delegation reacted to these statements. **One expert, brain-washed by government sources and friends of Chandrika made a partial intervention, which was later countered by a Tamil veteran lobbyist. This last went down well in the 50th session.**

The problem that the Tamil lobbyists found this time, is that Sri Lanka has found professional lobbyists, in the lawyers Mr. Wimala Goonesekere and Ms. Deepika Udagama, who now add to the government delegation. This is the first time in the UN Sub-Commission history that a so-called "independent human rights expert" and an alternate have been lobbying for their country. It was viewed as ridiculous by many in this session. A few NGOs told the Tamil human rights activists that some experts had informed them that they had boicotted the dinner thrown by the Sri Lankan delegation for all the experts, as a way of introducing them to Mr. Goonesekere and Ms. Ugagama. They viewed such a gesture as undiplomatic. The circulation of a document on behalf of the government, by Mr Goonesekere, was also viewed badly and seen as a distasteful act.

Many experts were hinting that this is the first time that a newly elected expert was introduced to the other experts and to United Nations VIPs by the government of the expert. Experienced experts said that it was obvious that the reason this was done was to attempt to hide the massive human rights violations by the SL government.

When the Sri Lankan delegation finished their intervention under item 2 there was a hum in the forum that what had been said was pure fiction. Other agenda items received no reply from the government. From this, NGO representatives and VIPs concluded that the allegations of human rights violations were accepted by the government of Sri Lanka. Many statements were read regarding the systematic rape of Tamil women by the Sri Lankan armed forces, impunity and the government's Emergency Regulations, which all amount to war crimes and crimes against humanity, since Sri Lanka is in breach of the Geneva Conventions to which it is a party.

There were two NGO briefings on issues relating to women. Even though these were organised by Western NGOs, as usual, the Sri Lankan government brought a few well-dressed thugs pretending to be intellectuals to pose idiotic questions which once again proved to more NGOs that the question needs to be raised, "How can Tamils negotiate with such barbaric people?". As per usual the pro-government gang were trying to prove their genuiness to their government . These people are now being seen for what they are, puppets acting like robots in the government's interests.

This time, Tamil lobbyists found that the Sri Lankan government was desperately chasing behind every NGO which makes an intervention on Sri Lanka. **Many NGOs said that even though one or two delegates from the government approached them, they understood little as there was a communication problem. The Sri Lankan delegates speak neither English nor French fluently, which astonished the NGO representatives as these were diplomats from an ex-colony of Britain.** This is one of the problems that has fallen on the island since the "Sinhala Only Act" and "Education in Mother Tongue" were introduced. The Sri Lankan diplomats' English is not sufficiently good to explain their counter-lobbying points.

A few Sri Lankan delegates who attended the 50th Session asked journalists indirectly to include their names in our reporting presumably so that they could be considered for promotion as Ambassadors, being genuine workers for the government. They say that it is a game that they are playing, they have to lobby for the UNP as well as the PA, its the only way to survive, in the government services. ❑

Tamileelam Archive

Geneva rally: A huge success

By Kothai

A leading figure in the South African Government spoke out in support of the mass Tamil rally in Geneva held on 10th August 1998. **Mr Jacky Selebi, the new Director General of the Foreign Affairs Department in Pretoria, South Africa** told a packed audience of high-ranking diplomats, UN Experts and UN Accredited Non-Governmental Organisations in Geneva that they must overcome their political inhibitions to listen to the thousands of people assembled outside of the UN.

Mr Selebi was receiving an award for his contributions in the field of Human Rights on 12th August, having earlier been the Chair of the UN Human Rights Commission and also the former South African Ambassador in Geneva. He spoke of the thousands of (Tamil) people who had come to give a message to the Human Rights Sub-Commission, and that it was now the duty of those involved in the UN work to listen to them.

His reference to the importance of Tamil people's voices was significant because Mr Selebi had openly singled out the Tamil cause for international attention.

The effect of his openly pronounced support for the Tamil cause was not lost on the audience who had all been highly aware of the Tamil gathering outside the UN and its purpose. More than ten thousand Tamils had marched through Geneva's streets condemning Sri Lanka's genocide against Tamils and demanding recognition for their right to self-determination. They gathered outside the United Nations where they raised the Tamil Eelam national flag and spoke and sang about the Tamils' freedom struggle.

The demonstrators were drawing the international community's attention to the crimes of genocide committed by the Sri Lankan Government in its racist war against the Tamils. At a press conference, chaired by **Ivan Pedropillai**, earlier in the day various organisations and advocates spoke to the media to explain the issues.

Mr Kirubaharan, General Secretary of the Tamil Centre for Human Rights focussed the press attention on the masses of civilians who had been targeted for destruction by the Sri Lankan Government forces over the last 15 years. Of particular note were the figures of 13,000 Tamils who have disappeared during the last 7 years in the East of the island alone, up to 30,000 Tamil children who have been made orphans as well as 200,000 Tamil houses destroyed. He asked the media to use its powers to force the government to allow an independent investigation of the 300 to 400 bodies which had been found in a mass grave in Jaffna located in a military security zone.

Tamileelam Archive

Poongkothai of the Women's Development and Information Unit spoke of the daily terror of Tamil women and young girls living under Sri Lankan army occupation, and in particular of the brutal sexual violence which is now widespread. The trauma of rape is great, she said, "the women do not kill themselves because of a social stigma, they kill themselves because they cannot live with the trauma of the brutality which has entered their bodies". The Women's Development and Information also presented their new report, Tamil Women and Children Living and Dying Under Sri Lankan Army Occupation: Sexual Violence.

Karen Parker of International Education and Development, a US-based specialist in international humanitarian law and armed conflict, delivered a powerful argument to show how the military actions against the Tamil civilians by the Sri Lankan Government were not the actions of a government which wanted to live in unity and harmony with the Tamils after the war was over. Separation was, therefore, not only a desire from the Tamil side, but also a logical conclusion to the Sinhalese Government policy of genocide.

Deirdre McConnell, an international human rights advocate spoke about how the quantity of World Bank funds allocated to Sri Lanka per year is equal to the amount of money budgeted by Sri Lanka to prosecute the war.

Mr Jean Marrie Julia, of the French Federation of Tamil Associations, explained the history of the conflict, how the British colonial administration had joined the two nations and how the Sinhalese had taken control over the whole island once the British had left.

Every year, twice a year, Tamils demonstrate in Geneva during the sessions of the UN Human Rights Commission and Sub-Commission. Every year the numbers of participants are greater. This year more than ten thousand children, women and men marched through the streets with placards and banners, proclaiming "Stop the genocide", "International community, recognise the Tamils' right to self-determination", "Recognise the Tamil traditional homeland", "Our leader, Pirabakaran". Demonstrators themselves were overawed at the participation, "I lost count of how many people there were, I was in the middle of the march and I couldn't see the beginning nor the end of it, it was a huge success," said one Tamil from Germany. ❑

The fate of Sri Lankan Tamil speaking Hindus

During my recent visit to England, I had occasions to meet and to talk with Sri Lankan Hindus. I also saw a video recording of devastation caused in the Jaffna peninsula.

On Saturday 27th and Sunday 28th June 1998, I attended an "International Conference on Hindu Solidarity" in UNESCO hall in Paris, France. This was arranged by Tamil speaking Hindus, most of them from Sri Lanka. then on Sunday 12th July 1998, I was invited to visit a Tamil school run by Sri Lankan Hindus for children. After a short talk to the children, I had a meeting with the parents. Both in Paris and London what I heard and saw on the video is blood curdling. Even if it is half true it should make us sit up, ponder and to act before these people are banished and / or annihilated from their 2,500 year old homelands in Sri Lanka. Let me share some of the facts with the readers.

Sri Lanka gained independence from the British almost immediately after Bharat became free. The island country is inhabited by the Sinhalese who are Buddhists and are in a majority. Hindus are the next largest group consisting of two sections. One of them is an indigenous group living there for 2,500 years, mostly in the North and the East of the country. The other group was brought from mainland Bharat as labour force to work in tea plantation areas. These people are living almost like slaves and have no citizenship rights. There are few Muslims called Moors and also Christians.

The indigenous Tamils are facing the most inhuman atrocities. People are being killed, women raped and Hindu Mandirs (temples), some very ancient, are being demolished. In fact the atrocities they are facing at the end of the twentieth century are comparable to the atrocities perpetrated by the barbaric medieval Muslim invaders in Bharat. Yet those committing these crimes are Buddhists professing a peaceful religion.

Jaffna peninsula has been totally devastated. There is news of a mass grave of more than six hundred people. All towns, villages, streets are deserted. Peace of burial ground prevails everywhere. Is it then any wonder people who look at the LTTE as their only saviour and V. Prabaharan as their hero?

Dr K.P. Hardas
Former President of
"Friends of B.J.P.(U.K)

How to avoid this genocide? To start with a fact finding high powered team should go to Sri Lanka with full freedom to visit all areas and talk to people freely. Further steps should follow the report of this team.

As a follow up action the Sri Lankan government must be given a set time limit to put its house in order. If human rights violations of Tamil Hindus continue we should not hesitate to take stronger action. After all did we not send army to East Pakistan under similar circumstances? We would not like Sri Lanka to be partitioned but Tamils should be guaranteed autonomy to manage their own affairs and to preserve their culture and religion.

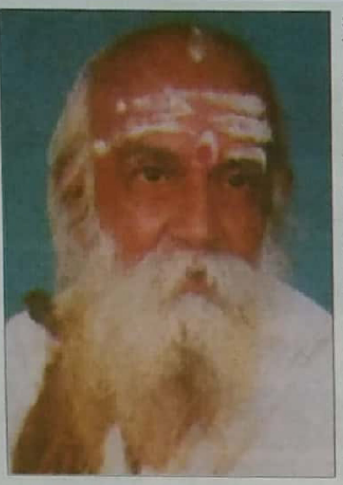
Unfortunately whatever steps were taken by our government in the past was worked to the disadvantage of Tamil Hindus. The late Shri Rajiv Gandhi who should have been an arbiter of the dispute as the then Prime Minister of Bharat, got sucked up into the disputes, The naval cadet who hit Shri Rajiv with a rifle butt is being eulogised as a hero. The Indian Peace Keeping Force has unfortunately not endeared itself to the Tamilians. In fact the people there remember it for very unsavoury incidents. This was the success of the cunning fox Late President J. R. Jayawardane. That mistake must never be repeated.

As a nation we can not allow these things in our back yard. Those of the Tamils who have come to the west are doing better financially. But deep down in every heart there is anguish. The sword of Damocles in the form of unhappiness, uncertainty and unsafety hangs on almost every head. Every one has some one back in Sri Lanka whose safety can not be taken for granted. Is it then any wonder incidences of nervous breakdowns and heart attacks are fairly high amongst the migrant Tamilian Hindus. Those who have come to Tamilnadu as refugees are falling easy prey to Christian missionaries.

Some British MP's are taking interest to highlight their plight and the abuse of human rights they are suffering. It is surprising to find that no important voice in Bharat has been raised for these hapless people. Our people by and large are ignorant of their sufferings. It is our moral duty to worry about them. Some of our fundamentalist secularists have shed copious tears for the Bangladeshi Muslim infiltrators to the extent of even justifying their infiltration yet not even solitary voice has been raised for Sri Lankan Hindus. It is high time we do something about them. ❑

Kriya Yoga festival in London

Yogi Ramaiah who is inaugurating a 6-week long European Kriya Yoga festival in London will be arriving on September 15. He will deliver a series of lectures with demonstrations; followed by initiations into Kriya Yoga; concluding with an advanced Yoga retreat in Wales.



Yogi Ramaiah

Yogi Ramaiah is the founder-director-dean of International Babaji Yoga Sangam with over 50 ashrams, temples and branches and a direct disciple of Siddha Yogi Babaji who revived the ancient techniques of Kriya Yoga.

The holistic 5-fold path of Kriya Yoga is a vast and ancient practice of scientific mysticism. The 5-fold path consist of perfecting the skills of : 1. Hatha Yoga (Physical postures and exercises); 2. Kundalini Pranayama (Scientific breathing techniques); 3. Dhyana Yoga (Meditation and Self-realization techniques); 4. Mantra Yoga (Moola, Bija Mantra and Homa Science) 5. Bhakti Yoga (Practice of Blissful Devotion).

Yogi Ramaiah's programme of events in London are as follows:

15th Sept: Arrival at Heathrow, Terminal 4 , 1.00 p.m.

17th Sept: Media Conference. Yogi Ramaiah addresses the European Press, TV and Radio (By invitation only)

18th Sept: Inaugural Pooja and Reception, Sri Ganapathy Temple, 7.00 p.m.

19th Sept: Public lecture with Asana demonstration at Highgate Murugan Temple, 6.30 p.m.

21st Sept: Public lecture with Asana demonstration at Bharatiya Vidya Bhavan, 6.30 p.m.

23rd Sept: Public lecture with Asana demonstration at Sivan Kovil, Lewisham

25th Sept: Public lecture with Special Asana Class at Oshwal Grand Hall, 1A Campbell Road, Croydon, Surrey, 7.00 p.m. (followed by enrolment for initiation)

The festival events include Bhajans, Exhibitions, Books and Refreshment stalls. ❑

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Netherlands Tamils remember Black July '83

Tamils in the Netherlands held a 4-hour demonstration opposite the Parliament (Tweede kamer) in Den Haag on 23 July in memory of the Tamil victims of the July '83 pogrom in Sri Lanka.

The following demands were put forward : That the LTTE be recognised as the true representatives of the Tamil people; that the Netherlands government must exert pressure on the Sri Lankan government to pull out its occupation armed forces from the Tamil homeland; and that Tamils who have sought asylum in the Netherlands be not sent back until they are in a position to live peacefully in their homeland.

Homage to Black Tigers in Palermo, Italy.

The Eelam Tamil community in Palermo, Italy, paid homage to Black Tigers at a cultural function in Palermo, Italy, which also served to collect funds for the Children's Home in Tamil Eelam run by the LTTE.CHENCHOLAI.

The function held on July 5, was inaugurated with the lighting of the traditional oil lamp by the sister of Black Tiger Captain Maniarasan, who gave up his life in blasting a Sri Lankan superdvora gun boat off the Point Pedro seas in 1993.

Among the many items was a dance-drama presented by the pupils of the Malathy Arts Academy, and directed by Selvi Lourdesmaria Geetha Fontgalland and Selvi Helena Manoharadas, portraying the bravery and spirit of self-sacrifice of the Black Tigers.

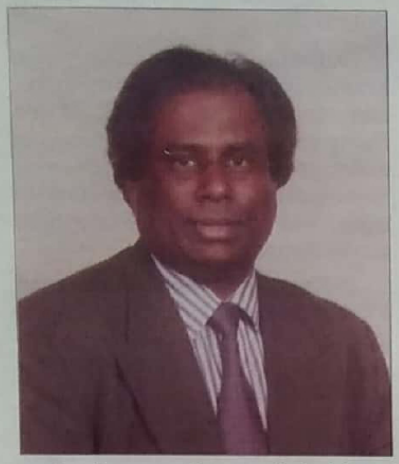
LTTE representative from Norway, Thiru Sarve and Italian branch convenor Thiru Mehta spoke.

Seven women among 70 runners

Seven Tamil women also took part in the annual Hindu marathon held in Newham on 26 July. 70 runners took part on behalf of the TRO, while neary 700 runners participated in all, including a few international athletes.

All the TRO participants successfully completed the distance, and were awarded medals. Funds raised by the runners would be sent to the Tamil homeland in Sri Lanka for the rehabilitation of those displaced by the war

A Tamil Councillor for Brent



In the recently concluded local elections Mr. C. Selvarajah was elected as a councillor for Brent Council. He represents the Kingsbury ward and contested as a Conservative Party candidate. This is the first time a Sri Lankan and particularly a Tamil has been elected as a councillor for the London Borough of Brent.

Mr. Selvarajah is a solicitor of the Supreme Court and practises in Kingsbury together with his wife who is also a solicitor. As a solicitor he has been serving the people of Brent for over 12 years in all aspects of the law. He has particularly represented Tamils in variety of matters including applications for asylum and appeals of Tamil refugees. He has regularly appeared, for the past 12 years in immigration courts on behalf of Tamil refugee applicants.

Mr. Selvarajah has been in the Conservative Party for a considerable period of time and is also a legal advisor to the party. As the only councillor from Sri Lankan community Mr. Selvarajah hopes to work hard for the upliftment off the community.

Mr. Selvarajah obtained his law degree from the University of Ceylon, Colombo in 1974 and proceeded to become a lawyer. He practised as an advocate and also a visiting lecturer at the Law College.

He then obtained his Masters degree in Law at the University of London and has since been practising as a solicitor in London.

தமிழ் ஆவணக்காப்பகம்
Tamileelam Archive

Tamil couple at Queen's Garden party

Mr.Victor Cherubim, General Secretary of the Committee for Cultural Affairs of Tamils (U.K.)writes from Essex:-

There is very little that misses the attention of H.M. The Queen, in these days of E-mail. As a close follower of events in Sri Lanka, she commanded that the Tamil people were represented at this year's Buckingham Palace Garden Party, which was held on 14 July '98.

Mr.& Mrs. S.Kanagenthiran of Manor Park,London E12, were fortunate in being selected to represent the Tamil community on the recommendation of C.C.A.T. - The Committee for Cultural Affairs of Tamils (U.K).

This organisation,which specialises in providing a high level of research, communications advice, resettlement help to Tamils and Tamil speaking peoples in the U.K, is a voluntary ,non-profit, independent, cultural body.

Mr.S.Kanagenthiran, an old boy of St.Henry's College, Illavalai, Aquinas University,Colombo and South Bank University the latter as a sponsored student by the London Borough of Camden, has been involved in Tamil Community activities, in the UK for many years. His invitation was in recognition for service which he performed without much publicity.

Engaged
Rahulan-Malini

Rahulan, son of Mr.C.Tyagarajah, former Education Officer, and Mrs.Y.Tyagarajah of Manipay Ladies College and Murugesar Lane, Nallur, now in Colombo, and Malini, daughter of Dr.E.V. Packianathan, former Chief Librarian, Jaffna Public Library and Mrs.Packianathan, now in Sydney, Australia. Engagement took place in Sydney, Australia on July 11.

Married
Nandan - Shakila

Nandan, son of Mr.and Mrs.Kandappa of 83/2, Anniewatte Road, Kandy, Sri Lanka, and Shakila, daughter of Mr. and Mrs.Sountharanayagam of 510-25 Silver Springs Blvd. Scarborough, Ontario, M1V IM9, Canada. Marriage took place at Holiday Inn, Colombo.

Obituaries

Death of a Community leader

A.T.S.Ratnasingam

(27.11.33 - 16.08.98)

HOT SPRING records with regret the passing away under tragic circumstances of Mr.A.T.S.Ratnasingam, a well-known personality among expatriate circles in the U.K. Besides being a pillar of the Tamil Hindu community in the U.K. he was a philanthropist and activist in Tamil affairs. He was 64.

Mr.Ratnasingam was the founder and proprietor of the popular Sri Ganapathy Temple in Wimbledon as well as a trustee of the London Highgate Murugan Temple. He was the chairman of the recently held Saiva Conference in Lewisham, and the benefactor which made it possible for the publication of the book "Destruction of Hindu Temples".

Mr.Ratnasingam's death occurred while he was motoring in Tamil Nadu in connection with the purchase of Hindu idols and temple requirements . All four in the car including the driver were killed in the accident involving a heavy vehicle. Mr.Ratnasingam was scheduled to leave for Malaysia along with his wife, around the time that the accident occurred.

Mr.Ratnasingam's body was kept for public view at the Lola Jones Hall, Tooting Leisure Centre on Wednesday 26 August and the cremation took place at the Black Shaw Road Crematorium, the same afternoon.

Mr.Ratnasingam leaves behind his wife Kuneswari, and children Gita, Latha and Ranjith.

K.Kanagarajah

The death occurred recently of Dr.K.Kanagarajah, a pioneer entrepreneur in soap manufacture in Jaffna, a social worker, philanthropist, and a well-respected figure in Jaffna. His name was associated with the name of the soap which he marketed named "Milk White Soap", the manufacture of which became a model local industry in Jaffna.

Dr.Kanagarajah was a pioneer in the Palmyrah Seed Planting campaign, and was also a director of the Palmyrah Development Board for over a decade. His involvements extended to shramadana campaigns in rural villages, tree planting and helping build school libraries.

Dr.Kanagarajah who was conferred a doctorate by an American university in recognition of his outstanding services to the community was 70 at the time of his death.

Soma Ponniah

Mr.Edward Somakander Ponniah passed away peacefully on 11 August 1998 at St.Helier Hospital, Sutton, Surrey, U.K. aged 86 years, just 12 days short of his 50th wedding anniversary.

He was the youngest son of Mr. and Mrs.Chellappah Ponniah of Araly, Jaffna, and of Rosmead Place, Colombo and the brother of the late Dr.Sampanthar Ponniah (Brisbane), the late Vaheesar Ponniah (Chavakachcheri) and Katy Abraham (Melbourne).

Mr.Ponniah was Assistant Commissioner of Labour in Sri Lanka, and after his retirement served as Registrar and Deputy Head of St.John's Academy, Jaffna.

The last twelve years of his life were spent in the midst of his children and grandchildren in England and Canada.

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Mass Tamil rally in Geneva condemning genocide of Tamils in Sri Lanka

A musical programme of Tamil liberation songs was held in London on 22 August.

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