

SRI LANKA UPDATE

Committee for Democracy and Justice in Sri Lanka

Autumn 1991

A CHRONOLOGY OF RECENT EVENTS IN SRI LANKA

- August 27: The Speaker, M.H. Mohamed, was handed over a notice of a resolution to impeach President Premadasa. Of the total 212 sitting members of parliament the resolution had reportedly been jointly signed by 120, including 45 dissident members of the government parliamentary group of the United National Party (UNP).
- 28: The Speaker wrote to the President, informing him that he had entertained the impeachment resolution in terms of Article 38 (2) of the Constitution.
- 30: The President prorogued (suspended) parliament and thus blocked the passage of the impeachment resolution on to the Order Book of parliament. Lalith Athulathmudali and G.M. Premachandra resigned from the cabinet.
- September 2: The government parliamentary group adopted two resolutions; one expressing opposition to the impeachment motion and another expressing implicit confidence in President Premadasa.
- 3: 116 members of the government parliamentary group handed over a petition to Speaker M.H. Mohamed alleging that the signatures of some of them to the impeachment resolution had been obtained by false pretence and misrepresentation.
- 5: The Working Committee of the UNP expelled K. Vincent Perera, Premaratne Gunasekera, Lalith Athulathmudali, Lakshman Seneviratne, Chandra Gankande, Gamini Dissanayake and G.M. Premachandra from the Party with effect from September 6, 1991.
- September 13: The President, in a letter to the Speaker, stated, 'You will observe that, in view of the advice of the Attorney-General that the notice of resolution does not fall within the provisions of Article 70 (4) the same cannot be proceeded with under the Constitution during the next session of parliament which commences on September 24. It follows that the notice of resolution cannot now be placed on the Order Book or in any Order Paper of parliament.'
- 14: The speaker, in a letter addressed to the President, stated that he had entertained the notice of resolution in terms of Article 38 (2) of the Constitution. The letter further stated that the notice of resolution had been given in accordance with all provisions of the Constitution and that, therefore, the question of whether it could go through parliament on September 24 did not arise.
- 24: Parliament resumed its sittings. The President addressed parliament and the opposition walked out in protest. The Speaker adjourned the proceedings.
- 25: Parliament resumed its proceedings and the Emergency was extended. The President prorogued parliament until October 8, 1991.
- October 7: The Speaker rejected the impeachment resolution. The President's office stated that the Speaker believed that some of the signatures on the resolution were invalid.
- 10: An opposition motion of no-confidence in the Speaker failed.

THE IMPEACHMENT RESOLUTION

The *Notice of a Resolution under Article 38(2)(a) of the Constitution* makes detailed allegations about the behaviour of President Premadasa and calls for an inquiry and report by the Supreme Court. The President is accused of acting dictatorially, failing to protect national security, violating human rights, misusing government funds, providing his relatives and friends with key posts and lucrative public assets and being out of touch with reality.

One-man government

The resolution reports that the President violated the Constitution, usurping the powers of parliament and the cabinet. Claiming he had 'the duty to supervise the work of all Ministers', he bypassed their authority. For instance he assigned secretaries to them, who were instructed to give him confidential reports on what ministers were doing. Although ministers had legal responsibility for appointing the directors of state corporations in their own areas of work, he stated that 'every appointment to Boards of Directors must receive my approval'.

According to the resolution the President, despite being commander-in-chief of the armed forces and minister of defence, failed to take positive action to bring about security and peace but instead carried out dangerous political adventures, secretly negotiated with and armed the Liberation Tigers of Tamil Eelam, causing the deaths of soldiers and others, and convened an All Party Conference over the heads of the rest of the government. It is claimed that he also undermined Sri Lanka's relationships with other countries, making such public statements as 'I am undiplomatic.'

Human rights violated

The President is accused of failing to protect basic human rights, and deliberately preventing the investigation of the torture and murder of journalist Richard de Zoysa, the disappearance of local councillor Lakshman Perera and the abduction, torture and killing of thousands of others by hired groups.

A police state was created, it is claimed, to intimidate the population into submission: telephones were tapped; tax officers, the Bribery Commissioners Department, CID officers and customs and excise officers were used

against political opponents; a separate Investigation Unit, parallel to the police force, was set up under retired police officers with public funds earmarked for other purposes, and used for extra-legal political operations; and civil servants were hired, promoted, disciplined and dismissed without proper procedures.

Extravagance and corruption

The resolution alleges that public money was wasted on such events as the Anniversary Celebrations of the Inauguration of the President, though parliament is supposed to control public expenditure and he himself stated that 'every Minister must be circumspect in expenditure of public funds.'

The President is accused of allowing corruption and nepotism. For instance, it is alleged that some of his relatives were given senior positions in Air Lanka; contracts were awarded without putting them out to tender; and public land and buildings in Nuwara Eliya and elsewhere were allocated to his associates.

All the above, asserts the resolution, show that the President deliberately violated the constitution, setting out to turn a democracy into a 'one man show'.

Incapable of fulfilling his responsibilities

What is more, it is alleged that he has delusions of grandeur and is incapable of fulfilling his functions as President: for example he had a gold-plated replica of the throne used by ancient kings made for his use at official functions; lavishly celebrated his birthday at public expense and had songs and dances in his honour composed to convince himself that his actions were endorsed by the people; antagonised friendly nations and made unrealistic military decisions which led to disaster; tried to create a fanciful public image of himself as a pious Buddhist; and treated even close associates with suspicion.

Impeachment

On these grounds, the resolution calls for President Premadasa to be impeached.

A TASTE OF LOST FREEDOM

This time the challenge to President Premadasa's leadership is tiny. The Tamil Tigers could not mount such a challenge to him despite the fact that now they can meet his Sinhalese army more or less on equal terms in the North and East. The Sinhalese JVP could not challenge him effectively because he was able to decimate them with unparalleled ruthlessness in Sri Lankan political history. The masses could not rise up against him because intimidation, terror and death have been the norm in his response to political opponents. But finally he found his enemies within his own party. Though the challenge is tiny it is simple, straightforward and shocking. It may have far-reaching consequences.

In the first week of September, two of his most powerful cabinet ministers resigned. They did not resign merely to go into the political wilderness or to march on the road to death, as has been the fate of many who have opposed him in the past. They listed a series of charges against him involving corruption, abuse of power and nepotism. With the signatures of some other MPs from his own party and opposition members, an impeachment motion was submitted to the Speaker of parliament. The impeachment motion provides an introduction to the activities of a Marcos in the making in a fragile Third World democracy.

The initiators of the impeachment must be credited for their secrecy: their action took others by surprise. It was like a guerrilla attack, an ambush - all too familiar to the inhabitants of the war-torn island of Sri Lanka. But in political terms it was far more damaging to a leader who pretended to be the saviour of the Sri Lankan people. It sent shock waves, disrupting Mr Premadasa's dreams of holding on to power.

Mr Premadasa, so far the greatest manipulator and political swindler of all the politicians in the country, used his

constitutional powers and suspended parliament for one month. This gave him an opportunity to use tactics of intimidation and other schemes.

Whatever happens to the impeachment motion itself, its effects will lead to an important new chapter in Sri Lankan politics.

The UNP has never before been divided, except in one instance. The first time when this happened was in the early 1950s, after the resignation of Mr S.W.R.D. Bandaranaike and others. They were able to defeat the UNP in 1956. The present division could also lead to such a defeat of the UNP under Mr Premadasa if a general election were to take place.

Reports from Colombo strongly support such a conclusion. The mass base of the UNP is deeply divided. Since the initiators of the impeachment motion put the issue to the people along with others in opposition parties, the masses have started to taste once again the freedom they have lost under the UNP regime. This has given a new impetus to its opponents, strengthening their mass base. Opposition parties are holding well-attended meetings throughout the Southern part of the country.

The real danger is if the opposition is unable to evolve a political programme which demarcates between right-wing populism of President Premadasa's kind and real democracy in which the people have power. How far this can be achieved by the opposition will depend on their perspective on the democratic rights of the Tamils, and other issues of democracy.

The objective of the opposition must not be merely to defeat or remove President Premadasa. If this is not accompanied by a demand for the restoration and extension of democracy, the present mass upsurge will be in a lost cause.

Danushka

THE COMMITTEE FOR DEMOCRACY AND JUSTICE IN SRI LANKA

The Committee for Democracy and Justice will campaign for:

- * the cessation of all political violence and in particular State violence which has resulted in large scale and indiscriminate killing of Sri Lankan people;
- * an end to all violations of human rights such as arbitrary arrests, detention of persons incommunicado and torture, and for the release of all political prisoners;
- * the repeal of all repressive laws and regulations such as the Emergency Regulation No 55 F (which permits the Security Forces to dispose of dead bodies without an inquest), Prevention of Terrorism Act etc;
- * the holding of free and fair elections at the earliest possible date;
- * the urgent resolution of the National Question on the basis of the right of self-determination.

Further the Committee calls upon all political organisations in Sri Lanka to cease all internecine violence and join forces to establish democracy and justice in Sri Lanka.

To find out more about the Committee for Democracy and Justice in Sri Lanka, fill in and return the form below.

Please send me/us more information about CDJ.

Name/organisation.....

Address.....

**Committee for Democracy and Justice in Sri Lanka
BM Box 5471, London WC1N 3XX**

