

# Tamil TIMES



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Prime Minister  
Ranil Wickremesinghe  
with  
President George Bush  
during the PM's visit  
to the White House

LTTE chief negotiator  
Mr Anton Balasingham  
with  
the Norwegian peace  
team in Oslo  
on 14 August  
(below)





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

*-Voltaire*

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## For a Southern Consensus

After months of dilly-dallying resulting in inordinate delay since the signing of the Ceasefire Agreement on 22 February this year, the peace process is back on track. The much desired breakthrough came on 14 August during the meeting in Oslo between Minister Milinda Moragoda leading the Sri Lankan government delegation and the LTTE's chief negotiator Anton Balasingham following which the announcement was made that direct face-to-face peace talks will commence on 12 September in Bangkok. The peace process regained its momentum as the announcement regarding commencement of talks was welcomed both within Sri Lanka and internationally. Contrary to its previously stated position, what is also of significance is the statement attributed to Anton Balasingham that the LTTE was ready to discuss the core issues concerning the conflict besides the subject of an interim administration being installed to administer the war-torn northeast of the island until an agreement is reached between the parties.

While the peace process has taken a positive turn, what is less heartening is the unseemly public spectacle of the destructive partisan political struggle between the governing United National Front (UNF) and the main opposition Peoples Alliance (PA) which is manifesting itself as a confrontation between Prime Minister Ranil Wickremesinghe and President Chandrika Kumaratunga. Leading members of both parties, including the President, Prime Minister and cabinet Ministers are spending almost all their time and energy in relentlessly pursuing this quarrel. Exacerbating the quarrel are the vindictive actions and vituperative accusations by some erstwhile political partners of the President who had fallen out with her and have now found ministerial positions in the new government.

At the heart of this crisis is the inability or unwillingness on the part of the Executive President elected by the people and the Prime Minister whose party won a majority in parliament in the election held last December to work out an arrangement of political cohabitation. Both sides seem to have become afflicted by a sense of self-induced paranoia. The President not without justification feels that the governing party including many leading members of the cabinet are out to hound her out of office by whatever means at their disposal. On the other hand, her detractors fear that she would exercise her constitutional power to dissolve parliament unseating the government, and therefore they want to curtail her powers by enacting the required amendments to the Constitution. Any attempts by the government in this direction will without doubt produce a climate of confrontation, political instability and distract attention from concentrating on the main tasks facing the government, namely the taking the peace process forward and taking remedial measures to deal with the country's economy which is in a parlous state.

What has to be realised is that a "southern consensus", meaning a consensus between the two major parties - UNP and PA - representing the Sinhalese community on all issues concerning the ethnic conflict and its resolution, is an absolute must if the peace process and the projected negotiations with the LTTE are to have any chance of success. The LTTE itself is on record as saying that such a consensus is a prerequisite for any agreement between the parties becoming capable of being implemented. The Prime Minister, who has taken a courageous and forward looking position in regard to first entering into a ceasefire agreement with the LTTE, and now in commencing negotiations with the LTTE, has a specific and vital responsibility to make every effort to promote and construct such a consensus. Politically motivated targeting of the President and her party now in opposition would only serve to alienate them and to defeat any effort in building such a consensus.

## Peace Talks Next Month

The announcement that direct peace talks between the government and the LTTE would take place in September this year has been widely welcomed both within and outside Sri Lanka.

Prime Minister Ranil Wickremesinghe described the decision taken between the government delegation led by Minister Milinda Morogoda and LTTE political advisor Mr. Anton Balasingham in Oslo, Norway, on 14 August as an important and decisive step to strengthen the peace process. "The agreement reached between his government and the Liberation Tigers of Tamil Eelam to fix date for direct talks in September is a watershed in the peace process" the Prime Minister said addressing the ruling United National Front parliamentary group.

An official press release issued by the Norwegian government on 14 August said that direct talks between the Liberation Tigers and the Sri Lankan government would commence in Thailand with Norwegian facilitation between 12th and 17th of September.

The meeting in Oslo took place in the presence of Norwegian State Secretary Vidar Helgesen and the Norwegian facilitation team consisting of special advisor to the Foreign Ministry Erik Solheim, Norwegian ambassador to Sri Lanka Jon Westborg and advisor Lisa Golden. During the discussion on the ceasefire agreement between the parties, the Head of Mission of the Sri Lanka Monitoring Mission, Trond Furuuovde, was also present.

The discussions at the meeting also covered issues related to the implementation of the ceasefire agreement, the resettlement of internally displaced persons and the release of detainees. During the discussions were discussed The two sides considered the July report of the Sri Lanka Monitoring Mission on violations of the ceasefire agreement and discussed the reported incidents of LTTE recruitment of cadres under the age of eighteen and abductions. The LTTE had agreed to investigate the issues and take necessary remedial measures.

Meanwhile the Constitutional Affairs Minister Professor G.L. Peiris said on 15 August that a four-member government delegation would participate in talks with the LTTE at Bangkok in Thailand in the middle of September. The leader of the Sri Lanka Muslim Congress, Mr. Rauff Hakeem, will be a member government delegation that will begin direct negotiations with the LTTE," Minister Peiris said.

A communiqué issued by the Prime Minister's Secretariat stated that the government had decided to organise rallies in many parts the country in support of the peace process during the month of September.

### Reactions

In welcoming the announcement, President's media director general Janadasa Peries said, "Talks should not give priority for setting up of an interim administration but should be based on the reasons that caused the ethnic conflict, war and issues pertaining to the Tamil community. In a time frame both parties should arrive at a consensus on this matter and only then the interim council be required to implement them." "We continue to believe that peace talks should encompass a comprehensive role or a wider agenda that include all issues that are at stake, specifically the human rights and the rights, freedom and the dignity of the people of the North and East. This area should also come within the democratic framework of the country," he said.

The Ceylon Chamber of Commerce expressed its elation on the announcement of the commencement of peace talks and congratulated the Government and the LTTE for the very positive step taken. The Chamber stated that this announcement signaled

### Announcement of Peace Talks

*The following is the full text press release issued by the Norwegian Government on 14 August 2002:*

"On August 14, 2002 a meeting was held in Oslo between the Sri Lankan Minister of Economic Reforms, Science and Technology and Deputy Minister for Policy Development and Implementation, Milinda Moragoda, and the chief negotiator for the Liberation Tigers of Tamil Eelam (LTTE), Anton Balasingham. Moragoda was accompanied by the Director General of the Secretariat for the Coordination of the Peace Process of the Sri Lankan government, ambassador Bernard Goonetilleke. Balasingham was accompanied by his wife, Adele.

"The meeting took place in the presence of Norwegian State Secretary Vidar Helgesen and the Norwegian facilitation team consisting of special advisor to the Foreign Ministry Erik Solheim, Norwegian ambassador to Sri Lanka Jon Westborg and advisor Lisa Golden. During the discussion on the ceasefire agreement, the Head of Mission of the Sri Lanka Monitoring Mission, Trond Furuuovde, was also present.

"This was the second direct meeting between the chief negotiator of the LTTE and a central government minister supervising the peace process. The meeting followed up on the progress made at the first meeting between Moragoda and Balasingham, held on July 27 at the Norwegian ambassadorial residence in London.

"In the meeting, the parties agreed to commence formal talks in Thailand between the 12th and 17th of September, with Norwegian facilitation. The Norwegian government will issue a statement announcing the exact date for the meeting.

"The meeting in Oslo also covered issues related to the implementation of the ceasefire agreement, among them the situation in the high security zones, the resettlement of internally displaced persons and the release of detainees. The two sides took note of the July report of the Sri Lanka Monitoring Mission on violations of the ceasefire agreement. The parties discussed reported incidents of LTTE recruitment of cadres under the age of eighteen and abductions. The LTTE agreed to investigate the issues and take necessary remedial measures. In this context, the parties welcomed the upcoming visit in late August of Special Representative of the UN Secretary-General for Children and Armed Conflict, Olara Otunnu, to the north and east of Sri Lanka.

"The atmosphere in the meeting was cordial and constructive. The session lasted for two hours, followed by lunch.

"While in Oslo, each of the parties also met with Norwegian Foreign Minister, Jan Petersen. Petersen, who commended the parties for their agreement on starting talks in Thailand, saying it demonstrates that they are working together in a highly constructive spirit to resolve issues and take the peace process forward."

the beginning in realizing the dream of all Sri Lankans to have a permanent end to the travails the country has gone through over the last 19 years including the loss of lives, the adverse impact on the country and its people and in particular the future of our children. "The Ceylon Chamber of Commerce believes that there is a proactive role that civil society has to play to ensure that the peace talks will be successful and encourages all Sri Lankans to come together and stay focussed on achieving a successful conclusion to the peace talks," the Chamber said.

Meanwhile, the Janatha Vimukthi Peramuna (JVP), which is set against the peace process and talks with the LTTE, challenged the government to reveal the nature of the solution it would propose to the LTTE in the Thailand peace talks.

"We understand that the government cannot reveal the de-

tails the A to Z, but it should reveal the general framework unless it is a treacherous deal," JVP Propaganda Secretary Wimal Weerawansa told a news conference on 14 August.

Mr. Weerawansa said the JVP would like to know whether the solution the government had in mind, was a federal or a confederation of states. "We are interested to know how it will differ from the present constitution and what will be the relationship between the central government and the regions," he said.

Mr. Weerawansa condemned the government's agreement to open a sea route for the Tigers in the East, saying it would pave the way for regular gun running. "There was no such provision in the original ceasefire agreement and we question what guarantee the government had got from the LTTE to allow the Tigers to roam free in the sea," Mr. Weerawansa said adding that the JVP had some evidence that the LTTE was using the Point Pedro harbour in the government controlled area in Jaffna for its military activities.

### International support

The United States, Britain and Japan welcomed the announcement that the Sri Lankan government and the Liberation Tigers will commence direct talks in Thailand in mid-September. The governments also strongly endorsed the Norwegian facilitated peace process and applauded the efforts by all sides to end Sri Lanka's protracted conflict.

"The United States welcomes the announcement by Norway that talks between the Sri Lankan Government and the Tamil Tigers will take place in Thailand in mid-September," Deputy State Department Spokesman Philip Reeker told reporters on Thursday 15 August.

"We strongly support the process underway in Sri Lanka with the help of Norwegian mediation to restore peace in the country," he added. Welcoming the progress made in the peace process in Sri Lanka, Mr. Reeker said that "after almost twenty years of conflict, a political solution to the conflict in Sri Lanka which maintains the country's territorial integrity would be welcome by the international community, including the United States, and we urge all parties to continue to work toward that goal."

Japan also welcomed the announcement of talks and said it strongly hoped that both parties would maintain their commitment to a permanent settlement and engage in sincere discussion to achieve a lasting peace, a statement issued by Japanese Foreign Minister Yoriko Kawaguchi said.

Stating that, "It is a strong desire of the Government of Japan that the Government of Sri Lanka and the LTTE will reach a final agreement," Kawaguchi pledged continued assistance for humanitarian projects in the North-East and stressed that Japan would spare no efforts to contribute to the reconstruction and rehabilitation of those areas once durable peace is achieved.

British Foreign Office Minister Peter Hain said: "I welcome the announcement that the Sri Lankan government and the LTTE have agreed to begin peace talks."

"Direct talks between the two parties is a significant step forward and has our full backing. I applaud the considerable progress made towards a peaceful settlement of the conflict in Sri Lanka, and urge both sides to continue their efforts to ensure that talks start. I pay tribute to both sides for the hard work they have undertaken to bring this about, and to the Norwegians for the important role they have played in facilitating these talks. We continue to encourage both sides to work towards a negotiated settlement that meets the aspirations of all communities," said Mr. Hain.

The newly appointed British High Commissioner, Mr Steven Evans, at his first official engagement as patron of the Sri Lanka-United Kingdom Society on 15 August said, "The peace process here is a particular focus of attention," adding that "yesterday's announcement that the Sri Lankan government and the LTTE have agreed dates for peace talks is, of course, a very significant development."

"We will do everything we can to encourage both sides to

work towards a negotiated settlement that meets the aspirations of all communities, and to support the wider process of building peace in Sri Lanka," he said.

The United Nations High Commissioner for Refugees (UNHCR) hailed the decision by the Sri Lankan government to begin direct peace talks with the liberation Tigers of Tamil Eelam (LTTE).

"The announcement carries a huge potential promise of return for hundreds of thousands of people uprooted by the Sri Lankan conflict," said High Commissioner Ruud Lubbers. "Now that lasting peace is in sight, we have to get ready to help hundreds of thousands of people get back to their war-ravaged towns and villages," said Lubbers.

### LTTE ban to be lifted

A day after Sri Lanka and the LTTE agreed to begin formal talks next month in Thailand, the government said it would stick to its promise to lift the four-year ban on the LTTE. "Prime Minister Ranil Wickremesinghe's promise will be fulfilled. We will select the best possible means to do it," Cabinet spokesman G L Peiris told a media briefing in Colombo on 15 August. The LTTE has laid down removal of the ban as a pre-condition for entering into negotiations.

He admitted that that the parties did not yet have an agenda, which would be prepared only at the negotiating table. This left the contentious issue of what mattered would be discussed and in what sequence is yet to be finalized. "The agenda has received a great deal of attention. We still have some time, there will be more discussions," Mr Peiris said. He, however, said the agenda for the talks would not include any discussion of a separate homeland for the Tamils. "The prime minister has said everything is open to discussion, except division of the country," Mr Peiris said, when asked if the government had ruled out discussions on a separate state.

"We will take up the first issue, that is, a substantive agenda," Mr Peiris said, adding that the parties would be flexible on modalities for further talks. The government has often said it is working meticulously on preparing an agenda, but the fact that a timeframe for beginning talks has been finalized without an agreement on the agenda came as a surprise.

Mr Peiris said the government would be sending a four-member delegation, including Ports and Muslim Religious Affairs Minister Rauff Hakeem, who would represent Muslims in the parleys. The talks, he said, would not break down, and elements of continuity would be built into their structure and sequence. The parties were likely to meet twice a month, with each sitting lasting about three days, he added.

### Ready to discuss core issues

The Liberation Tigers of Tamil Eelam (LTTE) is "willing to discuss core issues as well" during the direct talks in Thailand next month.

A London-dated report in the Tamil daily, *Sudaroli*, published from Colombo, quoted "LTTE sources" as saying that the Tigers were willing to take up for discussion political as well as core issues of the conflict.

According to the front-paged report, a preparatory meeting would discuss the preliminaries regarding the timetable for talks and other modalities. The LTTE was of the view that the issue of interim administration, along with daily problems faced by the Tamils such as those of the internally displaced people would have to be addressed first. "In the meanwhile, we are also willing to discuss important political issues and the core issues, if the Government so desires," the report quoted its sources as telling the newspaper.

This comes at a time when there is increasing pressure on the Government to broadbase the agenda of the talks. The need to include the core issues in the agenda gained momentum after the President, Chandrika Kumaratunga, and the Opposition People's Alliance insisted that the talks should not be held in isola-

tion of the basic issues as well as questions of democracy and human rights.

Though there has been no official announcement about the composition of the LTTE's team for the talks, a news report from Colombo said. that the organisation's Chief Administrative Officer, Thangan, and the political wing member, Pulithevan, are 'likely' to join the Chief Negotiator, Anton Balasingham, at the parleys. Though there are many expatriate Tamil intellectuals who are ardent advocates of the LTTE's cause, the LTTE leadership has so far has shown reluctance in using any one them directly or officially to represent the LTTE. Whether there will be change from this longstanding reluctance is yet to be seen.

#### The venue for talks

Thailand has proposed a range of venues to host historic talks

## Sea Lane for Sea Tigers

12 Aug - Following protracted negotiations, Government and the LTTE sealed a deal which would permit the LTTE to ferry civilians and cadres twice a week from the Vanni to the East and vice versa under certain conditions. Since May the LTTE has been demanding Government the use of a 'sea lane' to ferry civilians and cadres in LTTE boats between the Tiger held areas in the Vanni and the East.

Under the agreement LTTE boats flying the SLMM flag, with SLMM monitors on board, will be permitted to use sea lanes under the observation of the Sri Lankan Navy. The main movement will be from Mullaitivu to Vakara, a distance of about 150 kilometres.

According to the deal, at least one SLMM monitor will be on board every LTTE vessel throughout the journey and he will be responsible for examining the vessels and their movements. The Navy will hold the right to sail alongside the Tiger vessels keeping a minimum distance of two nautical miles. The maximum number of vessels in a each convoy is four. They are required to sail at a minimum distance of five to eight nautical miles from the coast.

The LTTE is required to inform the Government 48 hours before of these sea movements, which according to the agreement is permitted only in daytime - from 6 am to 6 pm.

The LTTE should inform the Navy about the purpose of the movement and its point of origin and destination, estimated time of departure and arrival, route, type of vessels, number of cadres and civilians being transported, method of communication with the SLMM and the Navy and the number of crew members. The LTTE vessels will not be permitted to enter any area classified as restricted by the Government.

The Peace Secretariat of the government in a statement issued today said "the new arrangements and procedures would apply to LTTE cadres who are going on leave, being transported from an LTTE dominated area to another LTTE dominated area (as referred to in Articles 1.5 and 1.6 of the cease-fire Agreement). This sea transport would be conducted in daylight (between 6 a.m. and 6 p.m) and not more than twice a week. "Among the provisions of this arrangement are that the LTTE will inform the Navy through the SLMM forty-eight hours in advance of any such sea movement: Purpose of movement, Point of origin with estimated time of departure and destination/s with estimated time of arrival; including the ETD and ETA of the return journey, the route, type of vessel/s, number of LTTE cadres being transported, method of communication with Navy and SLMM during movement and number of permanent crew numbers, the Secretariat said.

"The SLMM will inspect and verify all LTTE vessels used to transport cadres going on leave. Further, the SLMM guaran-

expected to start between September 12 and 17, between the Sri Lankan government and the LTTE next month, including the resort island of Phuket, officials said. "We have proposed Chiang Mai, Phuket, Chiang Rai, Chonburi (Pattaya) or even Bangkok but they (Norway and Sri Lanka) have not yet chosen the place," a foreign ministry official told journalists.

Chiang Mai and Chiang Rai are popular tourist destinations in the country's cool and mountainous north, while Pattaya is a town east of Bangkok more famous for raunchy nightlife than political negotiations.

"After they have chosen the venue, a preparation meeting to set the agenda and decide on other matters will be organised before the actual talks start," the official added.

tees the LTTE adherence to the arrangement by inspecting and monitoring the entire activity. At least one SLMM monitor will be on board every LTTE vessel to ensure compliance with the agreed procedure. Such vessels will be required to fly SLMM flags", it said. Among the other arrangements made is a measure that ensures that no more than a stipulated number of cadres remain at the destination, it added.

According to the statement, although the ceasefire agreement provides for the movement of unarmed LTTE cadres by land, the land routes (both A35 and A15) from Mullaitivu in the Northern Province to Vakara area in the Eastern Province have not been in operation partly or fully.

With the opening of the sea route under the supervision of the SLMM and with the concurrence of the Navy, LTTE cadres will now be able to proceed on leave to their homes in the Eastern province, the statement said.

"Our monitors are ready and standing by to move in to monitor the sea movements of the LTTE," SLMM spokesman Teitur Torkelsson told the press.

LTTE boats would travel the shortest route safe for navigation and keeping in the range of five to eight nautical miles from the coast, he said. Acting SLMM chief Hagrup Haukland said this was a breakthrough in the co-operation between the parties and showed the will of the government to reach solutions in difficult issues.

While commending the parties for their patience he said this was very much in the spirit of the Ceasefire Agreement.

## Dons for Sustainable Peace

The Conference of University Academics for Sustainable Peace, attended by over 150 academics from twelve different universities in the country held on July 28, 2002 at the Sri Lanka Foundation Institute:

Having considered and exchanged views on economic, social and humanitarian issues in respect of war and peace;

Recognizing the need to address political, constitutional, democracy and human rights issues for a permanent and a sustainable peace; and

Realizing the importance of the ongoing peace process, the ceasefire and the proposed negotiations:

Agree upon the following policy recommendations and resolutions.

#### Against war

We express our strong opposition to war. The war has devastated the country and aggravated misunderstandings, mistrust, and suspicions between the different communities. It has de-

stroyed lives as well as the livelihood of men and women, the education of children, family life and the economy of the country. The main sufferers from war have been children and women. Our sympathies are with the displaced people of all communities, the Tamils, the Muslims and the Sinhalese, and those who have lost their kith and kin because of the war.

The war has militarized and dehumanized the country. Demilitarization is a priority. We condemn any party to the conflict resorting to war again or rousing any type of communal violence.

### Towards positive peace

We express our support to this ongoing peace process. It is built on (1) the approval and endorsement of the people at several elections, (2) the various attempts at peace in the past, and (3) the positive contributions made by the international community. However, the current ceasefire is not complete peace. It is a good starting point. Nevertheless, it has to be seized upon without delay to convert the prevailing negative peace towards positive peace through political negotiations. Correcting injustices to the Tamil and other communities is necessary. This entails (1) new constitutional arrangements toward more devolution, while ensuring adequate power sharing at the centre and (2) policy changes that are necessary to accommodate the aspirations of all the Sri Lankan nationalities in the economic, social, political and cultural spheres.

We strongly emphasize the importance of (1) protecting and promoting all human rights of all individuals and communities without any delay, (2) restoring democracy, democratic institutions and democratic electoral processes particularly in the war affected areas as early as possible, (3) introducing security guarantees and (4) strengthening the capacity of social institutions to build and sustain positive peace. There should be a firm com-

mitment on the part of the parties to the conflict, to human rights, democracy and pluralism, if we are to transform negative peace to positive peace.

### Inclusive negotiations

We strongly urge the government and the LTTE (1) to start political negotiations with necessary care and due preparation without delay and (2) to seek a consensus with the opposition. We equally urge all political parties of all communities to forge a common approach to peace and national reconciliation through initiating a parallel process of democratic dialogue and discussion. A common approach necessarily requires the moderation of currently held positions and policies of all parties. Intransigent policies or positions will not bring sustainable or any peace to this country. Negotiations and agreements between the representatives of all concerned parties are required for a lasting and sustainable peace. We further request open, transparent and inclusive political negotiations, with constructive inputs from civil society organisations and the international community.

### What we can do

Believing that university academics could play a major role in national reconciliation and peace in this country through education, research, publication and other activities, the conference of University Academics for peace urge the government to take steps to ensure that a wide choice of educational materials that encourage pluralism and tolerance is readily available to students,

Promote reforms that ensure accountability and ready responses to the needs and priorities of people at all tiers of administration, Resolve to take further steps to encourage the cooperation of universities and academic communities and to secure their involvement in policy making with regard to the socio-economic development of the country and national reconciliation.

## Peace draws 400,000 to Madhu

More than four hundred thousand Sinhala and Tamil devotees from all parts of Sri Lanka thronged the Madhu feast this year, which concluded Thursday 15 August.

Rt. Rev. Rayappu Joseph, the Bishop of Mannar, in whose diocese the church is located in northern Sri Lanka, said, "The number of devotees is unprecedented. After a gap of nineteen years the devotees of the Madhu Maatha (Mother Mary) poured out their suppressed devotion. The hundreds of thousand faithful who flocked to the shrine have expressed their love for peace. Everyone who gathered here have shown that they are against war."

"The Madhu shrine and its precincts should be declared a zone of peace under the guardianship of the Catholic Church," the Bishop said.

According to reports from northern Sri Lanka, pilgrims travelled to church in more than ten-thousand vehicles. On Wednesday 14 August alone, 95 thousand pilgrims came from several parts of the island. About 6000 went to the shrine from the other parts of the Mannar district the same day. The Madhu Road was open throughout Wednesday night.

Sri Lanka's Minister for Interior, Mr. John Amararatunga, Minister for Rehabilitation Mr. Jeyalath Jayawardena and TNA MP for Vanni, Selvam Adaikalanathan paid homage to Ave Maria in Madhu.

Bishop of Jaffna Thomas Soundranayagam, Bishop of Mannar Rayappu Joseph and the Papal Nuncio Thomas Hay also celebrated the festive High Mass presided over by Colombo Auxillary Bishop Malcolm Ranjith Fernando.

Chilaw Bishop Frank Marcus Fernando declared at the historical shrine of Madhu that peace negotiations were the only way out to save the country maintaining that war only kills, maims and renders homeless thousands of people while destroying property.

Addressing a record number of over 400,000 pilgrims during his homily at the High Mass on Thursday the Bishop said real peace, which was not the absence of war, would come with a just and fair solution to all communities.

He said throughout a period of twenty years the country was engaged in a demented war that has killed over 60,000 people, maimed 40,000 and rendered over 100,000 homeless.

"No one will benefit by war. Not only the people the whole country and even governments are destroyed by the war," he said urging devotees to march towards peace. He said peace does not come automatically but has to be won, protected and preserved.

Urging Christians to be the bridge between Sinhalese and Tamils he said God could be met not during war but in an atmosphere of peace. "Today you have an important task before you. You should do your part and contribute to the peace process," he said noting that the path to peace was clear. "Today Sinhala and Tamil people have gathered here as sons and daughters of the same mother (Mary)," he said adding that Christians came to Madhu church for several centuries as children of the same mother.

The Bishop reminded Catholics how at the Bishop's Conference last year a decision was taken to take the Statue of Our Lady of Madhu to the South paving the way for peace talks.

"This has brought us results. We see the sun peeping through dark clouds. We feel the tranquillity of the post war period," he said.

After the Holy Mass the decorated chariot carrying the statue of Mother Mary paraded the Madhu church grounds. Many priests and sisters including the Madhu church Administrator Father Stan Phillips participated at the service.

## 174 Ceasefire violations

15 Aug - A total number of 174 incidents have been ruled as Ceasefire violations by the Sri Lanka Monitoring Mission (SLMM) since the implementation of the Ceasefire Agreement which was signed on 22 February this year, The SLMM said in a statement issued on 14 August.

The LTTE was held responsible for 146 cases, while the Government was responsible for 28, it said.

A total of 740 valid complaints have been processed by Sri Lanka Monitoring Mission (SLMM), with 576 against the LTTE and 164 against the Government.

A SLMM news release said that the most common violation on the LTTE side is Underage Recruitment (55 instances), followed by Abduction (43) and harassment (20).

The most common violation on the Government side is harassment (11 cases) followed by restriction of movement (6) and restriction of fishing (5).

In addition to these ruled violations, 125 complaints have been made against the LTTE for Underage Recruitment, 116 concerning Abduction/Missing people and 71 for harassment, the release added.

Against the Government side, there have been 39 complaints made for harassment, 31 for occupation of civilian land and property and 10 for Restriction of Movement.

The release said that the SLMM was still inquiring into these cases.

"It is clear that at this point in time the LTTE has to do better in adhering to the Ceasefire Agreement, considering the high number of complaints and violations concerning Abductions and Underage Recruitment. This practice is not only a Violation of the Ceasefire Agreement and International Law, but is also hindering The Restoration of Normalcy in Sri Lanka," the SLMM said.

At a meeting with Hagrup Haukland, Acting Head of SLMM in Kilinochchi on Wednesday (14 August), the LTTE Political Leadership rejected the violations and complaints as wrongful allegations.

Haukland stated after the meeting that it is clear that the LTTE is taking this issue very seriously. "SLMM is confident that the LTTE will find a solution to this matter because they are very much committed to the Ceasefire Agreement and the Peace Process. Today, the LTTE promised SLMM their full cooperation."

## Police Record in Three Torture Cases

In two successive days recently, the Supreme Court held senior police officers guilty of torture and awarded compensation. It is significant to note that the awards made in two of the cases against currently serving two very senior officers: DIG(CID) Punya de Silva and Senior Superintendent of Police (CID) Bandula Wickremasinghe.

**DIG ordered to pay compensation:** 4 Aug - The Supreme Court this week awarded Rs 170,000 to Captain Y.K.Abeyratne, the Officer-in-Charge of the Bindunuwewa Rehabilitation Camp as compensation and costs for the infringement of his fundamental rights by the officers of the Criminal Investigation Department.

Captain Banda who was the Officer-in-Charge of the Bindunuwewa Rehabilitation Camp where a number of Tamil inmates were massacred had filed a fundamental rights petition, citing CID Director Keerthi Gajanayake, Inspector Linton, SP Nandana Munasinghe, DIG Punya de Silva all of CID and IGP as well as the Attorney General as respondents.

**Bench comprising Justices Mark Fernando, D.P.S.Gunasekera and C.V.Wigneswaran** awarded Rs 120,000 as compensation for the infringement of his fundamental rights to freedom from arbitrary detention guaranteed under Article 13(2). Of the total amount one half shall be paid by DIG Punya de Silva of the CID personally and Rs 30,000 as compensation for the infringement of his fundamental right to freedom from arbitrary arrest which shall be paid by CID Director Keerthi Gajanayake, CID Inspector Linton and SP Nandana Munasinghe of the CID personally in equal shares. Court also awarded Rs 20,000 as costs payable by the State.

These payment shall be made on or before September. The registrar was directed to forward copies of the judgement and the pleadings and documents produced in this case to the Public Services Commission(PSC) to enable the PSC to consider disciplinary action against those responsible for the arrest and detention of Captain Banda.

Court observed that the CID had failed to follow the procedure prescribed by the Emergency Regulations by failing to hand over Captain Banda to the Bandarawela Police. Court also observed that Captain Banda was made a convenient scapegoat and kept out of circulation until public attention was directed elsewhere.

In a sequence to the incident of a gruesome massacre of nearly 24 inmates in the said camp on October 25 of 2000, the CID next day informed Captain Banda that they wished to question him along with Lt. Abeyratne and they were brought to the 4th floor of the CID headquarters, Colombo.

On October 29, he was informed by IP Kumarasinghe that he had been detained under a detention order. Captain Banda said that there was no evidence of a reasonable suspicion against him at the time of his arrest.

**Police officers to pay compensation:** 4 Aug - The Supreme Court this week awarded Rs 150,000 as compensation to a torture victim who filed a fundamental rights violation petition against CID officers.

The Bench comprising Justices Mark Fernando, D.P.S. Gunasekera and Hector S. Yapa awarded compensation of which Rs. 50,000 to be payable by the State while Rs. 50,000 each to be payable by DIG Punya de Silva and SSP Bandula Wickremasinghe of the CID personally.

Petitioner Saranapala was taken into custody on August 13, 1998 in connection with the Majestic Mudalali murder case at 1.45 p.m. at Rahumaniya Hotel, Town Hall while having his lunch. In his petition, Saranapala inter alia stated that after his arrest by the CID, he was taken to the Bandaragama Police Station. Thereafter he was brought to his house. Police personnel kept a grenade in the garden of his house, accused him of hiding a grenade and assaulted him. He alleged that he was illegally arrested because of his connection with the then opposition leader Ranil Wickremesinghe and Anura Bastian. He said the police gave no reason for his arrest and neither was the receipt for this arrest given to his wife. He said he was taken to the CID and detained for three months.

He filed a petition in the Court of Appeal in February



1999, against his arbitrary arrest and detention. Court of Appeal granted him an interim order for his bail.

He cited Sub-Inspector Rodrigo, Police Constable Jayasinghe, SSP Bandula Wickremasinghe, DIG Punya de Silva, all of the CID and the IGP as respondents. The court ordered the Public Services Commission to conduct a disciplinary inquiry against these police officers. Upul Jayasuriya with Iyanthi Abeywickrama instructed by Chula de Karunatilake appeared for the petitioner. State Counsel Riyaz Hamza appeared for the respondents.

**Compensation for tortured woman:** 3 Aug - The Supreme Court on 2 August declared that a 25 year old unmarried woman was subjected to torture, illegal arrest and illegal detention by officer-in-charge (crimes), Selvin Saleh, of the Narahenpita police station in Colombo. The petitioner, Angeline Roshana Michael of Colombo 5, was awarded compensation and costs in a sum of Rs. 100,000/- payable on or before September 30, 2002, of which state shall pay Rs. 70,000/-. The OIC was ordered to pay the balance Rs. 30,000/- personally.

The petitioner lived with her parents at 100/4, Dabare Mawatha, Narahenpita. She had been working as a domestic aide in a nearby household at 18/95 Dabare Mawatha, Narahenpita. She was arrested on December 3, 2000, as a sequel to an alleged theft of a gold wrist-watch, belonging to her employer's wife.

The judgement was by Justice Mark Fernando, with Justice D. P. S. Gunasekera and Justice C. V. Wigneswaran agreeing.

## US Senior Official's Visit

Meanwhile, US deputy Secretary of State Richard Armitage will visit Sri Lanka from August 23. He is the highest ranking US official to visit Sri Lanka in recent times.

Mr. Armitage's visit would help to further strengthen goodwill between the two countries and it comes as a direct result of Prime Minister Ranil Wickremesinghe's visit to the USA and the assurances given by President Bush to cooperate with the peace process and economic development.

Among other matters, the government hopes to discuss the process of expediting de-mining in the North-East with Mr. Armitage, since mines continue to hamper the resettlement of refugees in those areas, the Prime Ministers' office said yesterday.

Mr. Armitage's talks here are likely to focus on the peace process including plans to develop Jaffna and other uncleared areas, progress in the demining process, improving security service in the country through military training and developing the intelligence service as well, sources said.

Mr. Armitage is also expected to hold talks with regard to the economic cooperation between the two countries based on the Free Trade Agreement, sources said.

They said Mr. Armitage who is expected to make a strong statement in support of the peace process and the government would meet Premier Wickremesinghe and Ministers Milinda Moragoda and G.L. Peiris.

The visit comes in the wake of the US Senate passing a resolution in support of Sri Lanka's peace process with a call for support and assistance from the international community to the process and reconstruction of the war-damaged areas.

The resolution states the US is willing to "lend its good

offices to play a constructive role in supporting the peace process, if so desired by all parties of the conflict."

This came 10 days after Prime Minister Ranil Wickremesinghe's meeting with US President George Bush.

The resolution also called on the parties to negotiate in good faith with a view to finding a "just and lasting political settlement to Sri Lanka's ethnic conflict while respecting the territorial integrity of Sri Lanka."

## The Case of Johnson And his release

The Liberation Tigers of Tamil Eelam abducted another civilian and his son returned to Sri Lanka in search of his father. Anthony Johnson is a 59 year old Sri Lankan Burgher who was a civilian employee of the Sri Lankan Navy for more than 20 years in Trincomalee. He was abducted by the LTTE during the first week in August and held in a LTTE camp in Muttur according to information received by his son. His son Jerytton Johnson, a Sri Lankan Burgher studying at RMIT in Melbourne, Australia for his Masters arrived in Sri Lanka on 24 July.

According to information received by Jerytton, the LTTE sent his father 3 letters regarding the ownership of their land to one of their relatives who hail from Mullaitivu. When he had gone to meet the LTTE they had taken him to custody. When Anthony's brother and his niece had gone to the LTTE office to check on his whereabouts the LTTE had informed them that he was transferred to the camp in Muttur. Anthony Johnson's family has been living in the village of Palaiyuthu for more than 20 years.

In a letter sent to the Amnesty International and other important organisations Jerytton said that abduction of his father was a serious violation against the MoU signed between the government and the LTTE. He questioned how a terrorist organization banned in Sri Lanka can hold somebody without his consent in a government controlled area. He said, "We are not Tamils. The LTTE police force is solely for Tamils and not for any other community. They cannot exercise control over us, which they are doing to a great extent at present. There is a government police station and courts in my district."

"Even before getting all the powers to establish an interim council in the North and the East through talks in Thailand, the LTTE is engaged in this kind of serious violations. Then what would happen afterwards once they have been given all rights to run such a police force legally?" he asked.

Jerytton said that Burghers were a minority in Sri Lanka and they didn't want to engage in politics. The so-called international community which is looking after the interest of the general public led by Norway should take prompt action. He appealed to all human rights organizations to help him in trying to obtain the release of his father. He pleaded that his father was an innocent man who had not been to a police station from 1943 to date even to make a complaint against anyone.

Following intervention by the Amnesty International, the LTTE released Anthony Johnson from custody and permitted him to return home.

● **Trial-at-Bar to hear Ratwatte case:** 22 Jul - The Chief Justice Mr. Sarath N. Silva named a three-member bench of the High Court to constitute the Trial-at-Bar to hear the Udathalawinne massacre case. The case concerns the murder of ten Muslim youths on the general election day, December 5 last year at Udathalawinne in the Kandy district.

In this case the former deputy defence minister General Anuruddha Ratwatte, his two sons Lohan and Chanukah and twelve other persons have been charged on 72 counts, including conspiracy to murder and murder. The names of the three judges appointed to hear the case are Mr. Kumar Ekaratne (Chairman), Mr. Maxwell Paranagama and Mr. S. Karunaratne.

On an application made by the Attorney General the Chief Justice ordered that the Udathalawinne massacre case be heard in Colombo High Court. Earlier the Attorney General had filed indictments against the accused in the Kandy High Court.

● **Bribery complaint against Minister:** 23 Jul - Anura Bandaranaike has lodged a complaint with the Bribery and Corruption Commission against Trade and Consumer Affairs Minister Ravi Karunanyake, party sources said.

They said Mr. Bandaranaike and members of the JVP, the MEP and the PA's Mulberry group officially handed over a petition against Mr. Karunanyake, alleging irregularities in the purchase of 40,000 metric tons of white raw and red raw rice from India against the tender procedure.

Sources said Minister Ravi Karunanyake had purchased the stock of rice on February 8 this year from India as 25,000 metric tons of white raw rice and 15,000 red raw rice. Due to the purchasing of rice against the tender procedure, a loss of more than Rs. 55 million was incurred to the government, sources said.

● **Muslim theologians express concern on:** 23 Jul - The Council of Muslim Theologians has expressed serious concern with regard to the security and well-being of the Muslim community in the context of the current peace process, in a letter written to the President and Prime Minister.

The Council states that the signing of the ceasefire Agreement by the government and the LTTE was greeted by the people of all communities with a sigh of relief in the hope that the bloodshed that caused thousands of deaths, maimed and crippled several thousand and displaced further thousands had come to an end.

They point out that while Muslims

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being mindful of the fact that the ceasefire Agreement did not recognise the special problems faced by their community yet threw weight behind the peace process in the interest of the country at large. "Apart from the fact that it is the duty of the State to do so, it is also important to note that failure of the law enforcement agencies to act could result in the reoccurrence of such violence in the Eastern Province thereby jeopardising the peace process, this is something which we cannot allow to happen under any circumstance."

"The culmination of this state of insecurity was the events that took place in the Eastern Province more particularly in Valaichenai and Muttur last month. Had these problems been quickly arrested and dealt with as any other law and order problems, they would not have spread and caused loss of lives, widespread damage and tension in the region."

The council urged President Chandrika Kumaratunga and Premier Ranil Wickremesinghe to take effective and binding measures to ensure the security of the Muslims, particularly those living in the North and East and thereby restore their fundamental rights to live without fear of being killed, perform their trading and cultural activities with full freedom and security.

● **Assaulted LTTEers desert camp:** 24 Jul - The Army handed over two LTTE deserters who sought refuge at the Athawatuna Army camp on 21 July to the Welioya police.

The two LTTEers, 20-year-old Rasaratnam and 19-year-old Selvadurai Wijekumar surrendered leaving their arms at the LTTE camp. On being questioned, Selvadurai Wijekumar said that he was badly beaten up by his chief Wasanthan because he reported two days late after home leave and since he was disappointed he decided to quit and come along with his friend Rasaratnam. They have been trained in the use of automatic weapons and paid Rs. 4000 a month. The police gave him medical attention due to the assault marks on his body.

● **Sister rescued by brothers:** 24 Jul - A 16 year-old girl, who was abducted by the LTTE was rescued by her two brothers on July 20 and arrived at Security Forces check point at Muhamalai.

An army spokesman said that two youths with the teenage girl had arrived at Security Forces check point along with

representatives of the ICRC to inform the Security Forces that their sister was rescued from the LTTE detention after she was abducted by the LTTE.

The teenager had been identified as Thavarasha Rajakumari from Velvetithurai. According to her brothers, they had gone to Pallai area to rescue the teenager after she was abducted by the LTTE when she was at home.

The two brothers who had somehow managed to rescue their sister Rajakumari from LTTE custody had further stated that the LTTE cadres were chasing behind them after her escape. However, the teenager was handed over to the representatives of SLMC at the check point where she was to be safely accompanied to her residence in Velvetithurai.

● **MPs trade blows in parliament:** 24 Jul - Sri Lanka's parliamentary sittings were suspended on 24 July for about fifteen minutes when a group of ruling and opposition members exchanged blows in the well of the House. Pandemonium erupted when the Leader of the Opposition, Mr. Mahinda Rajapakse, made a statement calling for an apology from, and the resignation of, Commerce Minister Mr. Ravi Karunanyake on the grounds that he had accused the President of carrying a bomb in her handbag.

The Leader of the House and Law Minister Mr. W. J. M. Loku Bandara rose to his feet to vehemently deny the allegation on behalf of Mr. Karunanyake, who is on an official visit to Pakistan.

Thereafter a group of opposition members rose to their feet waving banners and shouting slogans. The Speaker attempted to calm the opposition members and asked them to take their seats.

In the meantime the Finance Minister Mr. K. N. Choksy presented the Value Added Tax Bill to the parliament. When the Finance Minister was on his feet some opposition members rushed to the well of the House and attempted to remove the Mace from the Speaker's table. The Sergeant-at-Arms foiled it. Thereafter about thirty ruling and opposition members exchanged blows in the well of the House. The Speaker as a last resort suspended the sitting for about fifteen minutes.

● **Strong support for peace drive from Bush:** 25 Jul - Prime Minister Ranil Wickremesinghe met President George W. Bush at the White House today, and left brandishing a "tremendous" vow of support for his bid to end a 20-year civil war with the Tamil Tigers.

"When the president says he is behind you, that means a lot," Wickremesinghe told reporters as he left the presi-



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dential mansion. "We came here to discuss mainly about the peace process in Sri Lanka - and I got all the support I want for that," he said.

"President Bush and the US government have given us all the encouragement to go ahead with the political process to bring peace to Sri Lanka, a peace based on equality, human rights, rule of law, in other words democracy... The backing he has given me has been a tremendous help."

Wickremesinghe met senior members of the House of Representatives and the Senate foreign policy establishment during his visit, amid some concern over the delay in opening final peace talks with the Tamil Tigers.

United States' President George Bush offered Sri Lanka's Prime Minister Ranil Wickremesinghe American support in efforts to resolve the island's ethnic conflict, a White House spokesman said. The two leaders' meeting lasted approximately 15 minutes, the spokesman Ari Fleischer said. "President [Bush] expressed his strong support for Sri Lanka, for their democracy, and the closer ties that are being forged between the United States and Sri Lanka," Mr. Fleischer said in response to journalists' questions.

"The President offered American support for Sri Lanka's pursuit of peace

initiative [the Norwegian], and economic development and proposed to send several teams to assess how best we can work together in those areas," he said.

Wickremesinghe's meeting with Bush was the first time a Sri Lankan leader has been in the White House since President J.R. Jayewardena met Ronald Reagan in 1984.

● **367 arrested and released on orders:**  
27 - When the Bindunuwewa massacre case was taken up before the Colombo High Court Trial-at-bar, the Police Head Quarter Inspector Bandarawela giving evidence said he witnessed the slaughtered and burning human bodies when he entered Rehabilitation Camp. In this incident 27 inmates of the camp were murdered and 14 others were severely injured.

The trial-at-bar comprised High Court judges Sarath Ambepitiya (President), Eric Basnayake and Upali Abeyratne.

In this case forty one persons including ten police officers and some villagers were indicted. There were eighty three counts including being members of an unlawful assembly, committing 27 murders and attempted murder of 14 inmates of the Rehabilitation camp run by National Youth Services Council of Sri

Lanka, at Bindunuwewa, Bandarawela.

The witness told he heard the noises in the morning hours of the fatal day when he was going to face a disciplinary inquiry held against him by Assistant Superintendent of Police Bandarawela. He said when he was going towards the camp he saw the building on fire and a violent mob carrying clubs in their hands running around it (camp). The HQI said that he heard the cries and saw bleeding bodies lying on the ground within the camp when he entered the camp. He said some of the bodies were burning and he soon called for the fire brigade. He quickly despatched the wounded men to hospital as an immediate measure. The witness said that he later came to know that the violent mob had come from the teachers training college which was situated next to the rehabilitation camp.

Cross examined by the counsel for the accused, HQI Seneviratne said that on the eve of the day prior to the said incident, he heard that there was a tense situation in the camp. The witness said he heard that the detainees had taken the weapons of the police personnel who were on the duty in the camp and had taken control of it. However he said that situation was brought under control when he went there and proposed to them to take away the police post set up inside the camp. The

witness said on that day the inmates were frightened that an attack would come from outside.

The police officer said 367 suspects were arrested over the incident on October 25 and later all of them were released on the orders of SSP and ASP Bandarawela.

● **New Archbishop exhorts national unity:** 27 Jul - "All Sri Lankans should join hands to find a lasting solution to national issues irrespective of communal, religious and other differences," said the newly installed Archbishop of Colombo Most.Rev.Dr. Oswald Gomis. The Canonical installation of the eighth Archbishop took place at the Cathedral of St.Lucia, Kotehena in Colombo.

The Archbishop said, "All differences should be set aside to settle the ethnic conflict and prevent further degradation of the society. The Catholics in the country have always worked in close cooperation with the Buddhists and members of other faiths."

Several leading Buddhist monks participated and blessed the new Archbishop by chanting Seth Pirith. Presidential Secretary Mr.K.Balapattependi on behalf of President Chandrika Kumaratunge and Defense Minister Tilak Marapone on behalf of Prime Minister Mr.Ranil Wickremasinghe offered good wishes. New Archbishop was born in 1932, December 12. He is the current President of Bishops' Conference and he has always stood out as a champion of national harmony.

● **Moragoda meets Balasingham in London:** 27 Jul - Sri Lanka's Minister Milinda Moragoda met Mr. Anton Balasingham, the chief negotiator of the Liberation Tigers at the Norwegian ambassadorial residence in London, Saturday. In a statement Saturday, the Norwegian Government hailed the meeting as a "new phase" in its peace initiative in Sri Lanka.

Following is the full text of the statement: "On July 27, 2002 a meeting was held between the chief negotiator of the Liberation Tigers of Tamil Eelam (LTTE), Anton Balasingham, and Sri Lankan Minister of Economic Reforms, Science and Technology and Deputy Minister for Policy Development and Implementation, Milinda Moragoda. Balasingham was accompanied by his wife Adele.

The meeting marked a new phase in the ongoing peace process in Sri Lanka. The discussion covered a variety of issues regarding the implementation of the ceasefire agreement and preparations for direct negotiations in Thailand, including the agenda for negotiations and the question of an interim administration. The meeting was held in a good atmosphere. The session lasted for two hours,

followed by lunch. This was the first direct meeting between a central government minister supervising the peace process and the chief negotiator of the LTTE. The meeting took place at the Norwegian ambassadorial residence in London. Norwegian facilitators were present as observers. State Secretary of Norway, Vidar Helgesen, said after the meeting that it demonstrated the firm commitment of the parties to the peace process and constituted a major step forward toward peace."

● **SLA vacates Hartley and School:** 29 July - The Sri Lankan army handed two buildings of the Point Pedro Hartley College in Jaffna. They handed over the keys of Poornampillai Hall and Lower Hall, named after two past principals of Hartley College, to Mr.Murugupillai Sripathi who is the school's principal now.

Mr. Sripathi said the two buildings; Poornampillai Hall and Lower Hall have been badly damaged. The Poornampillai Hall is on the verge of collapse due to severe damages to its main beams. Until necessary repairs are done the school buildings cannot be used, he added.

In eastern Sri Lanka, the Army vacated the Morakkoddanchenai Ramakrishna Mission School in the Batticaloa district after twelve years of occupation. The handing over event was held at Morakkoddanchenai School Monday morning. Mr. K. Thangavadivel, Batticaloa district parliamentarian, General Officer Commanding of the SLA's 23 Division, Major General Sunil Tennekoon and the SLA'S Batticaloa commander Lt. Col. V.R.L.Anthoniz attended the ceremony.

Lt. Col Anthoniz handed over all documents related to the school to the Kalkudha Director of Education Mr.V. Kanapathipillai. The SLA has been encamped in the school and the village center since 1990.

● **PTA detainees release depends on each case:** 30 Jul - The Attorney-General's Department has denied reports which stated that the department was making preparations to withdraw all cases against Tamil detainees arrested under the Prevention of Terrorism Act (PTA). A highly placed department source was quoted journalists in Colombo Mirror that the Attorney-General's Department would treat each case on its merits and that would include those involved in very serious attacks.

However, the Minister of Estate Infrastructure met the Prime Minister Ranil Wickremasinghe 29 July urging the Premier to expedite the indictments of the suspects or release those held under the Act in accordance with a clause under the Ceasefire Agreement.

"Although there have been reports to

the effect that we are releasing all of the suspects taken in under PTA, we will only be releasing the suspects on the merits of their cases. For example, the suspects involved in hard-core cases such as those of the Central Bank bombing, the attack on the President and the Dehiwala train bombing will be taken up for trial and we will not be releasing these suspects until it is decided at court level," the source confirmed.

The source further said that contrary to the reports, the case with regard to the attack on the President has already been taken up for trial. "All very serious cases will be assessed on a case-by-case basis. Some cases will be dependent on the confessions made but where there is substantial evidence, we will not be discharging them," the source added.

"It will not be reasonable to simply discharge these suspects who have attracted so much public attention and are accused of such grave crimes," another Department source said.

It is learnt that since early May, up to 350 suspects have been released after Attorney-General K. C. Kamalabeyson appointed a committee to look into the matter.

● **India prepares to ban LTTE:** 30 Jul - India is taking preparatory action to renew the ban on the LTTE for a further two years. Unlawful Activities (Prevention) Tribunal, New Delhi has issued notice on the LTTE calling upon it to show cause in writing within 30 days from July 6 as to why it should not be declared an unlawful association and why order be not made confirming the declaration already made.

The notification has referred to the Unlawful Activities(Prevention) Tribunal consisting of Justice S.K.Mahajan, at the Delhi High Court.

Ignoring the LTTE's plea to lift the ban on it, the Indian government has gone ahead to renew the ban. India has also already ruled out her involvement in the Norwegian-brokered peace talks between the Sri Lankan government and the LTTE.

India's main opposition party Congress is pressing the government for the extradition of LTTE leader Velupillai Prabhakaran supported by Tamil Nadu Chief Minister Jayalalitha whereas the Marumalarchchi Dravida Munnetra Kalagam (MDMK), a constituent party of the ruling coalition in New Delhi, is demanding that the ban imposed on the LTTE be lifted.

At a news conference held in Wannai, in April LTTE leader Prabhakaran had asked both India and Sri Lanka to lift their ban imposed on his organisation describing Rajiv Gandhi's assassination as a tragic incident that happened 10 years ago.



The LTTE was proscribed on May 14, 1992 following the assassination of former Prime Minister Rajiv Gandhi on May 21, 1991. LTTE leader Prabhakaran and his intelligence chief Pottu Amman remain on India's most wanted list. The Sri Lankan government proscribed the LTTE in 1998 following a truck bomb attack on Dalada Maligawa. Since then the LTTE has been proscribed in the United States, the United Kingdom, Canada and Australia.

**Bail for Lohan and Chanuka:** 31 Jul - After languishing in jail for nearly six months, the Ratwatte brothers Lohan and Chanuka were granted bail by The Court of Appeal on 30 July.

A two-member bench comprising Court of Appeal President Justice Nihal Jayasinghe and Justice K. Sripavan decided that Lohan and Chanuka Ratwatte should be released on Rs. 100,000 cash bail each with two sureties but warned them not to interfere with any witnesses in the case where they are accused of involvement in the Pallethalawinna massacre on election day last year. They were also ordered to report to the CID every Wednesday.

Earlier the Court of Appeal had also allowed bail for their father and former PA strongman Anuruddha Ratwatte.

The Ratwattes' lawyer Tirantha Walaliyadda while challenging the testimony of the sole eye witness also produced medical reports saying the children of one of the suspects were suffering from depression and stammering.

The Court of Appeal president said the Court had to look at the way in which the sole eyewitness had made his statement. He had not directly stated that he identified the suspects. Instead he had said that while he was pretending to be dead he saw the suspects. Due to this reason the Court could not rely on that evidence. When Justice Jayasinghe asked state counsel Achala Wengappuli as to whether he would challenge the medical reports, he said it was a sad situation but most suspects had to go through it.

**● Ruhuna u'grads on war path:** 31 Jul - More than 2000 Ruhuna University students held a protest march on 30 July from Matara town to Wellamadama, demanding the withdrawal of punishments meted out to 17 medical students for the violence that took place at the Medical Faculty at Karapitiya last year. Students representing all six faculties participated in the march.

The Deputy Vice Chancellor, Prof. Rohan Rajapakse assured the student union representatives that their appeal would be taken up with the University Council soon. The 17 medical students were allegedly involved in assaulting

some nurses who attended a breast-feeding management course, which was opposed on the grounds that it was a feelevyng course, and it would pave the way for private degrees in the future.

They were given temporary suspensions up to one year and suspensions from examinations up to three months upon recommendations by the university disciplinary committee.

Meanwhile, the 17 medical students have threatened a fast-unto-death if their punishments were not withdrawn immediately.

**PA to go to court over MPs arrests:** 1 Aug - Leader of the Opposition Mahinda Rajapakse threatened to file a Human Rights case against the arrest of seven SLFP members of Parliament by Laggala police.

He said on 31 July that this was another attempt by the government to take revenge from opposition MPs. As the Leader of the Opposition and a senior member of parliament he condemned this act, Mr. Rajapakse said. He said that the UNF government should put a stop to arresting opposition MPs in this manner.

Mr. Rajapakse said as soon as he received news of these arrests he contacted the Prime Minister, the Speaker and Defence Minister. While condemning this action by the police he requested that justice be done without any delay.

He would discuss this matter with the arrested MPs and file separate cases of Human Rights violations against those responsible, he said. Mr. Rajapakse said that if MPs' rights could be so easily violated by the police, it was not difficult to imagine how vulnerable the common man would be.

**● Mangala acquitted of bribery charges:** 1 Aug - Former Minister of Posts and Media Mangala Samaraweera was discharged of bribery and corruption charges by the Bribery Commission on 31 July.

In a communication addressed to Samaraweera, the Commission to Investigate Allegations of Bribery and Corruption has informed him that the commission has decided to discharge him from further proceedings in the complaint made by Rajitha Senarathne MP and to close file.

Rajitha Senarathne then an Opposition Member of Parliament complained to the commission that Sri Lanka Telecom has issued a credit card to the then minister and that the use of these credit cards by Samaraweera amounted to bribery and corruption.

Samaraweera appeared before the commission and made a detailed statement in which he asserted that these were official payments made to him for his

official purposes of meeting travel incidentals by an institution under the ministry.

He also told the commission that previous ministers received similar payments by way of travellers cheques which he converted to credit card for greater transparency.

**● Navy hands over schools:** 2 Aug - The ceasefire agreement between the Tamil Tigers and the Sri Lankan government has largely been implemented in Trincomalee, the head of the international monitors in the eastern district said. Ms Victoria Lund was addressing the weekly meeting of the Trincomalee Rotary Club as its guest speaker where she answered several questions on the ceasefire agreement.

"The challenge for the people in Sri Lanka is to develop mutual trust and build confidence. People are now talking to each other with the ceasefire in force," she said.

Acknowledging that the SLMM in Trincomalee had received a number of complaints, Ms said "[this] is not necessarily a bad thing, it can be positive." "The violations are very different in their nature. The SLMM will say that it is not a violation if the parties show sincere willingness to find solutions and reduce tension," she said.

In the meantime, the Sri Lanka Navy (SLN) handed over three government schools, which they had been occupying in the Trincomalee district, to the north-east provincial department of education. The handing over event took place at Iranakerni Government Tamil Mixed School hall, one of the three schools, 1 August The Contingent Commander of the Nilaveli SLN Jayantha de Silva handed over the documents related to the schools to the Trincomalee Zonal Director of Education Mr. K. Thilakaretnam. The other two schools vacated are Thiriyai Tamil Maha Vidyalayam and Sakarapura Sinhala Vidyalayam.

**● Musharraf support for peace process:** 2 Aug - The visiting Pakistani President Pervez Musharraf has thrown his country's full weight behind the peace process in Sri Lanka, including direct talks with the LTTE and pledged Pakistan stood ready to give any moral, diplomatic and material support.

Addressing mainly editors and other top journalists at a news conference in Colombo on 1 August, General Musharraf said "Pakistan is with Sri Lanka all the way" and was hopeful that normalcy and permanent peace would be a reality soon.

The Pakistani leader, given red carpet treatment in Sri Lanka amidst tight security, said that while political and dip-

lomatic ties between the two countries were firm, there was a common wish to expand socio-economic cooperation, for which three new agreements were signed yesterday.

Gen. Musharraf said that besides the new agreements on tourism and archaeology, science, culture, technology and media; and the free trade, he believed there was still more potential for trade and investments on a mutual basis and he hoped these would be explored with the focus on a dynamic private sector role.

● **Motion against Defence Minister: 2 Aug** - A motion of no confidence on Defence Minister Thilak Marapana especially for allegedly mishandling the Eastern crisis was handed over On 1 August to the Speaker by Opposition Leader Mahinda Rajapakse.

The motion has also been signed by representatives of the JVP, LSSP, CP, NUA, MEP and the EPDP.

"This motion is regarding the Eastern issue strictly. In this country we have a reputation for bringing a series of issues into a no confidence motion. As well as to bring in personal issues and sling mud. But this will deal only with what happened in the East and how the Minister dealt with it," NUA leader Ferial Ashraff told the press.

She also said that the Minister's interview with the BBC where he had stated that the LTTE was not responsible for the violence that had come under fire from Eastern Muslims and that they had lost confidence in him.

● **Trinco-Batticaloa highway to reopen: 5 Aug** - The A15 highway between Batticaloa and Trincomalee is to be reopened for public use following discussions between representatives of the Sri Lankan government and the Liberation Tigers. A significant portion of the 132 km long road is under the control of the LTTE.

An agreement to reopen the A15 was reached at a meeting between LTTE and Sri Lankan government representatives held in Mutur on 3 August, according to reports from Colombo.

The government was represented by Abdullah Mohamed Maharoooff Mohamed, Trincomalee MP from the ruling United National Party (UNP) and Alisahir Moulana, counsellor for the Ministry of Plan Implementation and Policy Making. The LTTE was represented by senior officials from its political wing, Mr. Tilak and Mr. Ruban.

The opening of the A15 is another step towards restoring links between the war-torn north and east with the rest of the island following the signing of the ceasefire agreement between the LTTE and the Sri Lankan government.

In April, the A9 highway which runs from Kandy in the island's centre to the northern Jaffna peninsula was opened for public use. The road was the site and objective of pitched battles from 1997 to 1999. The LTTE controls the A9 from just north of the Sri Lanka Army garrison town of Vavuniya to Muhamalai midway along the Jaffna peninsula. Last month, LTTE and Sri Lankan military officials in the eastern province participated in the opening of the A5. The A5 is one of the oldest highways in the island, the main road link between the east coast and the central hills of the island.

● **US ban on LTTE stays: 5 Aug** - The United States has redesignated from July 2002 the ban on the LTTE as a Foreign Terrorist Organisation.

FTO designations play a critical role in the US's fight against terrorism and are an effective means of curtailing support for terrorist activities and pressuring groups to get out of the terrorism business.

The ban on such organisations is usually renewed every two years. The LTTE has been banned by the US from 1997.

● **Japanese Ambassador visits Vavuniya: 6 Aug** - The Japanese Ambassador to Sri Lanka, Mr. Sciichiro Otsuka, visited Vavuniya on 6 August and reviewed resettlement of displaced people now being undertaken in the northern district. The Ambassador's visit was intended to study how his government could assist about nine thousand villagers who have been resettled in more than twenty villages in the Nedunkerny divisional secretariat area, Vavuniya Government Agent, K. Ganesh, said.

Later Mr. Otsuka, who was accompanied by Ms. Noriko Iseki, First Secretary for Economic Cooperation and Mr. S.A.S. Devotta, Senior Assistant for Political Affairs met with Mr. Ganesh and other officials and discussed several proposals to develop the town which has a population of more than forty thousand.

Mr. Otsuka agreed to consider a project to supply water to Vavuniya town to ease the drinking water shortage if the authorities concerned submitted a plan.

During his visit to the Vanni, Mr. Otsuka met and had discussions with the head of the LTTE's political section, Mr. S. P. Tamilselvan, at the LTTE political headquarters in Kilinochchi.

According to LTTE sources the discussions centred on the Norwegian peace initiative as well as the reconstruction of the North-east. Mr. Otsuka expressed Japan's full support for the Norwegian peace effort and also pointed out the necessity of commencing immediate reconstruction work in the North-east.

● **Murder suspects identified: 7 Aug** - All the eleven suspects in the Thadchanamadu murder case were identified on 7 August before the Mannar acting Magistrate Mr. S.A. Johnthasan. All the fifteen witnesses who were present in the court identified the accused when the identification parade was held. The suspects were produced under heavy security.

The suspects had been arrested in connection with the killing of three persons, a driver, conductor and an assistant of a bus, whose bodies were recovered last month by the LTTE's police personnel at Thadchchanamadu. Eight of the suspects are Sinhalese and three Tamils. The Sri Lankan Police arrested the suspects from Seeduwa, Katunayake and Gampaha in south Sri Lanka.

The identification parade commenced in the Mannar court before the acting Magistrate under the supervision of permanent Magistrate Mr. M.P. Mohideen. Of the sixteen witnesses fifteen were present in court. Of them four were police personnel of Uyilankulam checkpoint, one is the owner of a lodge where the suspects had stayed and two employees of a hotel where the suspects had taken meals. After the identification parade all the suspects were produced before the Mannar Magistrate Mr. M.P. Mohideen who ordered them to be remanded till 19 August. No lawyers appeared on behalf of the suspects. The Police recorded statements of the suspects after the identification parade. The suspects were taken back from Mannar to Anuradhapura prison with tight security.

With the arrest and identification of the 11 suspects a clear picture emerged regarding these killings which remained a mystery for several days.

According to investigations, the three victims have been identified as a driver, a stand-by driver and a helper of a bus that was hired in Kandy by a man called Shankar who led a group from Mattakkuliya to Madhu. Shankar, believed to be a vehicle racketeer from Vavuniya, and the bus in question are now in the LTTE custody. The LTTE has said it would hand over Shankar to the Sri Lankan Police.

ASP de Silva said that according to statements recorded by the police from the ten suspects who joined the journey, Shankar had been purchasing vehicles through finance companies in Colombo and selling them in the North and East. He had been a regular visitor to Mattakkuliya from where he operated his business.

The ASP who is leading investigations said that according to the statements made by the suspects, most of whom are from Seeduwa and Negombo areas in south Sri Lanka, Shankar had asked them to join him on a trip to Madhu via Kandy

in his vehicle. In Kandy, Shankar had claimed that the vehicle had broken down and had hired a bus belonging to a Muslim businessman, with whom he had a financial dispute. Shankar had on an earlier occasion paid the businessman Rs. 360,000 to buy a bus, but the businessman is said to have refused to release the bus until full payments were made.

However, Shankar managed to hire the bus for Rs. 10,000. The group then proceeded to Madhu in the bus driven by two drivers who worked for the Kandy businessman. They were also joined by a helper.

ASP de Silva said that Shankar is alleged to have killed the two drivers and the helper in Madhu and hid the bodies in the forest with the help of the ten suspects.

Shankar had driven the suspects to the nearest Army checkpoint the next day after attending the mass. He had also given them money and instructed them to return to Colombo. He was arrested by the LTTE soon after the bodies were recovered by villagers.

● **Australia warns Lankan people smugglers:** 7 Aug - Australia sternly warned Sri Lankans not to smuggle in immigrants, pointing to the fate of four men imprisoned for the crime.

"The jailing of four Sri Lankan people smugglers in Australia ... sends a strong message that Australia is committed to stopping the illegal trafficking of human cargo and will punish those involved in this dangerous activity," the Australian high commission said in a statement.

A court in Perth on July 30 sentenced four Sri Lankans to up to five years in jail for trying to land 65 illegal immigrants in a leaky boat on Australia's remote northwestern coast last year.

Since the beginning of the year there has been a spate of human smuggling attempts out of war-torn Sri Lanka. In January, three trawlers packed with 250 Sri Lankan men were seized by the navy.

Small boats crowded with young men seeking better lives in Europe, Australia or Japan are frequently detected on the water or turned back after reaching their destinations. The Australian government has adopted a tough stance against illegal immigration and people smuggling, including a policy of mandatory detention for asylum seekers which has been criticised by the United Nations and human rights groups.

● **Seven Lankans arrested in China:** 7 Aug - Seven Lankans had been arrested in China last month for allegedly trying to use China as a transit point illegal migration to the West.

The Chinese government has introduced tough new measures to deal with

those attempting to use China as an illegal transit point, the Lankan Embassy in Beijing said.

A fine of Chinese Yuan (RMB) 500 (Rs. 5827) per day is levied for the first 10 days upon detection. Thereafter a flat fine of Chinese Yuan (RMB) 5000 (Rs. 58263) is payable to the Public Security Bureau in order to obtain an exit visa to leave the country.

The seven Lankans are awaiting the processing of their applications, without knowing when exit visas would be issued.

Some of the stranded persons claim that they had paid Rs. 300,000 whereas others had paid as much as Rs. 700,000 to human traffickers to reach their destinations via China. The traffickers have decamped after bringing them to the mainland.

With the Chinese authorities taking a tough attitude towards the illicit immigrants, these persons will be in China for an undetermined period until their exit visas are issued by the authorities, the Embassy said.

● **Navy hands over schools, houses to officials:** 7 Aug - After the handing over of three schools and four private houses which were occupied by the Sri Lanka Navy to the Zonal Director of Education K. Thilakarathnam and a representative of the Tamil National Alliance S. Jesudasan respectively the Commander Eastern Naval Area Rear Admiral H. S. Ratnakerthi said the responsibility of protecting the buildings was over with the handing over of the building in accordance with the MoU.

He requested those who took over the buildings to look after the buildings as hereafter the Navy would have nothing to do with the buildings concerned.

According to P. Ramanathan whose house was well maintained by the Navy as an officers' mess, there were 1,400 families living at the village of Thiriyai. They were farmers doing paddy cultivation under the major Neelapanikkan Kulam tank under which 1,500 acres of land could be cultivated during the Maha and 300 acres of land during the yala.

There are four other minor tanks Sinnaveli tank, (10 acres of land), Kaddukulam tank (25 acres of land), Thiriyai tank (25 acres of land) and Karayaveli tank (10 acres of land). People in the village also had large herds of cattle which are now scattered and living in the jungle.

● **US Envoy reiterates its cooperation:** 8 Aug - American Ambassador Ashly Wills again reiterated US support to the country's peace process stressing that Sri Lanka would get its maximum cooperation.

Ambassador Wills offered flowers to the Sacred Tooth Relic 7 August morn-

ing with the Diyawadana Nilame Nera-njan Wijeratne at the Dalada Maligawa.

He also made a courtesy call on the Mahanayake of Asgiriya Chapter Most Ven. Udagama Sri Buddharakkita Mahanayake Thera who received the Ambassador cordially and called for the need to strengthened further the relations between Sri Lanka and America.

Answering questions from the media, the Ambassador said the recent visit of the Prime Minister Ranil Wickremesinghe to the US strengthened the relationship between the two countries and said that the Norwegian government did a great service to ease the present Sri Lankan situation which enabled the implementation of the peace agreement between the government and the warring LTTE. He said at present the country had seen the best opportunity to achieve peace.

The Ambassador and his team of officials met with the Central Province Governor Monty Gopallawa but did not have an appointment with Mahanayake of Malwatte Champster Most Ven. Rambukwella Sri Vipassi Mahanayake Thera. The Diyawadana Nilame showed all photographic evidence pertaining to the LTTE bomb blast to the American Ambassador

● **SLMC suspends Int'l Affairs Director:** 8 Aug - Sri Lanka Muslim Congress International Affairs Director Nazeer Ahamed has been suspended from all his party positions for an alleged fraudulent transfer of party property to a company owned by him, SLMC sources said.

The suspension was made by SLMC leader Rauff Hakeem on the recommendation of the politburo at a meeting held on Tuesday night. The decision was reached after the politburo members presented documents at the meeting to prove that the party's International Affairs Director had registered the land purchased for expanding the party head office Dharrusalam in Colombo 2, in the name of Unity Builders Ltd, a company controlled by Mr. Ahamed.

The property in extent 17 perches adjoining the SLMC head office at Vauxhall Lane, Colombo 2 was purchased in 1999 from M/S Carson Cumberbach & Co. by the then SLMC leader, the late M.H.M. Ashraff.

It is learnt that several other complaints too have been made by party seniors that Mr. Ahamed had misappropriated party money to purchase a leisure centre in a five star hotel in Colombo and similar establishments in Kandy as well. A complaint regarding the fraudulent transfer has already been made to the CID by its Treasurer Hassan Ali.

● **Gang attacks newspaper office:** 9 Aug - The office of Thinakkathir, the

Tamil daily paper published from Batticaloa in eastern Sri Lanka, was ransacked by a gang during the night 8 August. A gang of more than five had forcibly entered the paper's office around 11 p.m. tied up and blindfolded the staff and took away office equipment, according to Thinakkathir editor Mr. Kodeeswaran Rushangan. Previously, two journalists were wounded in an attack on the office in Batticaloa town's high security zone on 26 December 2001.

"The gang removed all our computers, printers and other electronic equipment and set fire to newspapers and documents. A worker from the Thinakkathir press and I were assaulted by the gang," the editor said. "They came in a van. The persons who forced their way in to the office had their faces covered," Mr. Rushangan said. The gang locked up the editor, his wife and members of the staff in the office hall before it made off with the computers, printers, phone recorder etc.

● **453 LTTE suspects freed:** 9 Aug - Since the signing of the memorandum of understanding between the government and the LTTE, 453 suspects who were detained under the Prevention of Terrorism Act have been released, Attorney General's Department sources said.

Some of them were released by High Courts while many others were released on the instructions of the Attorney General. Due to insufficient evidence against some of the suspects, the Attorney General has withdrawn some High Court cases.

The Attorney General has instructed the officers concerned to expedite proceedings against the other 359 suspects who are presently detained in Kalutara, Welikada, Kandy, Badulla, Vavuniya, Trincomalee and Anuradhapura prisons.

● **Demand rises for flights to Jaffna:** 10 Aug - More airlines are set to start flights to Jaffna while present operators intend to expand services to meet increasing demand for seats from passengers travelling between Colombo and Jaffna. Sri Lanka's only domestic airline in operation, Expo Aviation (Pvt) Ltd, servicing the Colombo-Jaffna route is doing brisk business with over 11,000 seats being sold within the last two months, reports from Colombo said.

But aviation sources said that more domestic airlines plan to enter the lucrative Colombo-Jaffna sector. Some of them have already advertised for recruitment of personnel.

"Business is good and with the peace initiative moving forward more and more

people feel good about air travel," a senior official of Expo Aviation (Pvt) told journalists. According to him, the airline which commenced flights in the third week of June this year, had sold 5,000 seats in June, 6,500 seats in July and 1,500 seats during the first week of August alone. "At present we operate nine flights per week except on Sunday but plans are afoot to increase flights to two per day after August 13. We also hope to operate a flight on Sunday mornings," he said. The official said that if Weerawila and Koggala airports come online more flights could be scheduled to meet the growing demand.

Before Expo took to the air, two other private airlines and the Air Force (Helitours) flew to Jaffna but the two private operators terminated flights due to security risks.

● **Murder weapon in journalist case seized:** 11 Aug - The Police have claimed that the weapon allegedly used for killing journalist Mylvaganam Nimalarajan on 19th October 2001 had been recovered from Jaffna EPDP office. The seized weapon is of 9 mm category, the State run Sri Lanka Broadcasting Corporation (SLBC) night reported.

The Jaffna Magistrate R.T. Viknaraja last week issued warrant to search the





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offices of EPDP in Jaffna and Kayts in regard to the killing of journalist Nimalarajan on an application made by the OIC Ranjit de Silva of the special investigation team. The police made this application consequent to a statement made by an EPDP member who was arrested in Trincomalee in connection with the journalist's murder.

The Special Investigation Unit of the CID conducted a search operation in the Jaffna EPDP office and seized a weapon of 9 mm, which had been allegedly used, for killing the journalist, according to police sources. The letter of authority produced by the EPDP officials permitting them to keep the weapon was for a 7.62 mm category and not of 9 mm they said. The CID is to submit a special report regarding the seizure of the weapon to the Jaffna Magistrate in the coming days.

Previously on 7 August the SIU of the Jaffna Police had arrested another member of the Eelam People Democratic Party (EPDP), in connection with the murder of the journalist. The arrest of Karalasingham Sinthuparan alias 'Batchcha' at his Manipay residence had been made consequent to the warrant obtained by the Police from the Jaffna Magistrate to search the offices of the EPDP in Jaffna and Kayts.

The police said the statement by Murali alias David Michael Collin, who had been arrested in Trincomalee few weeks earlier by a team of detectives from Colombo had led to the arrest of 'Batchcha'.

When Murali was produced in Court on 2 August, he complained to Magistrate Mr. R. T. Viknarajah that he had been severely assaulted by the police at the Fourth Floor of the Criminal Investigations Department (CID) in Colombo. The police had obtained his confession when he was in an unconscious state.

● **Varsity official arrested for Internet Porno:** 12 Aug - A senior non-academic official of the Kelaniya University has been arrested by Peliyagoda police for allegedly misusing university computers to provide services of Sri Lankan Children to paedophiles through the internet.

"A senior official has been taken into police custody on Sunday 11 August. The police sought my approval to arrest him and to take his official personal computer into custody. I gave the approval. Police said that he would be produced before courts today," the Vice Chancellor of the university Prof. K. Tillekeratne said.

The suspect is alleged to have used official computers to supply local children through internet for visiting foreign paedophiles, police sources said. "Evidence points out that this official was the

local supplier to an international cartel which is banned in many countries," a police officer said.

Following a tip-off the police had sent a decoy and the official was caught red-handed on Sunday, police claimed. He had operated from the university office on weekends. In his possession, police found blue films filmed in Sri Lanka and lists of names and addresses of boys who, the police suspect were employed by this official. Police are conducting further investigations to determine whether the suspect was involved in abusing university students, police sources added.

● **Protests against Govt economic policy:** 12 Aug - A protest campaign was on August 12 afternoon at Lipton Square, in the heart of Colombo against the increase in the cost of living and the government's programme of privatisation. A procession and rally in commemoration of 1953 'hartal' (general shut down) by left political parties was organised by the main opposition People's Alliance (PA) and its trade unions.

"A similar situation as in 1953 has arisen in the country where prices of essential goods have been increased several fold thus making the poor to suffer more" said Mr. Mahinda Rajapakse, Leader of the Opposition addressing the gathering later. Mr. Rajapakse appealed to all progressive forces to unite to oust the present government, which he said was working against the interests of the working class and ordinary people.

The leader of the Lanka Sama Samaja Party Mr. Batty Weerakone said, the protest campaign was against the conditions laid down by the International Monetary Fund in provide financial aid to Sri Lanka. He also appealed to all political forces in the country to take steps to abolish the executive presidency system once and for all rather than bringing in piecemeal amendments to the present constitution.

The leader of the Mahajana Eksath Peramuna Mr. Dinesh Gunawardene said a new programme was needed as no permanent solutions can be found for the burning problems of the country under the present UNF government.

Mr. Maithripala Sirisena, General Secretary of the Sri Lanka Freedom Party, main constituent of the Peoples' Alliance said that all leftist and progressive forces should unite to prevent the removal of the President by the United National Front government.

Meanwhile the New Left Front and Democratic Left Front organized another rally commemorating the 1953 Hartal in Colombo. Dr. Wickremabahu Karunaratne, leader of the Democratic Left Front said progressive forces in the country should oppose racist policies. He appealed to the leader of the opposition

Mr. Mahinda Rajapakse to abandon racism and to work for the unity. Mr. Vasudeva Nanayakara, leader of the New Left Front said that people should rally round to oust the present government not through instigating racism but through unity.

● **Meditation and prayer for peace:** 13 Aug - A full day meditation and prayer organised by the Sarvodaya leader Dr. A. T. Ariyaratne for peace was observed at Nallur Veeramaukali Amman kovil. People from various parts of Jaffna congregated at the Nallur Atheenam and went in a procession headed by Head of Nallur Atheenam, Sri La Sri Somasunthara Paramachariya Swamygal and Dr. A. T. Ariyaratne, Sarvodaya leader to Nallur Veeramahal Amman temple and sat in prayer and meditation. This congregation comprised clergy and laymen of all religions and a delegation of Japanese Buddhists.

After silent meditation for peace and pooja at the temple, Dr. A. T. Ariyaratne addressed the gathering. He said that prayer and meditation are more powerful than guns. He had experienced the potency of meditation after holding more than forty five meditation rallies in the south. Their prayers had been answered and now there is no more blasting of shells and guns.

He said that the ego and animality in man should be sacrificed at the altar of the Almighty. Alcohol and drugs have metamorphosed man into beast. In the South the usage of drugs has reached the level that leads man to a point of no return.

The tragic fact is that even educated people have become addicted to drugs. The craze for money, property and power has driven some mad. They have derailed from the path of righteousness. There is redemption for us only when we begin to love each other devoid of anger, hatred and jealousy.

Dr. Ariyaratne and his group visited the Jaffna Teaching hospital and presented a TV and medicines for the use of the patients.

● **Repeal of PTA sought:** 13 Aug - A people's movement is to be inaugurated in Jaffna to get the Prevention of Terrorism Act (PTA) repealed from the statute book. This decision was reached at a meeting held by the Centre for Human Rights and Development and Justice and Peace Convention, Catholic Church held at St. John's College Jaffna. Rev. Fr. A.I. Bernard, President of the Justice and Peace Convention presided.

D.W. Abeyakoon PC, Chandrapala Kumarage Attorney-at-Law, V.T. Thamilmaran Lecturer in law, Colombo University and Appathurai Vinayagamorthy

MP addressed the meeting.

It was emphasised at the meeting that the PTA was introduced in Parliament with the verbal guarantee by the late President J.R. Jayewardene that it would be withdrawn after three years. But this Act has been in force for the past twenty three years. No one in parliament had thought it necessary to oppose this Act and get it repealed. It had been the Tamils who were most affected by this Act. It is a law that violates human rights and should be expunged from the statute book asserted every speaker.

They pointed out that so far an unaccounted of people had been arrested under this law and many of them are in prison without trial. It is the people from the Eastern province who have been badly affected.

The speakers said "The ill effects of this Act became pronounced in the North only after 1995. It is this Act that gave unlimited power to the forces to arrest and detain people. It is under this Act people had been arrested arbitrarily and put to death. The fate of six hundred people thus arrested by the army is still a mystery."

The offenders in the Security Forces often escaped punishment when they were charged under the normal law of this country. But those arrested under the PTA were put in remand indefinitely.

At the conclusion of the meeting it was decided to get the cooperation of the Members of the Bar, Members of Parliament, educationists, NGOs, university staff and students all over the island and press the government to withdraw this Act from the statute book.

● **Foreign diplomats visit Jaffna:** 14 Aug - Netherlands and German diplomats visited Jaffna on 14 August on a fact finding mission to assess the ground situation after the signing of the Cease-fire agreement between the government and the LTTE. They met a group of leading representatives of the Jaffna District Humanitarian Agencies Consortium (JDHAC)

The Second Secretaries of Netherlands and German embassies in Sri Lanka were briefed by the representatives of JDHAC of the difficulties undergoing by the displaced families in returning to their houses and lands in the high security zones. The discussion took place at the office of the JDHAC in Jaffna town.

JDHAC representatives told the visiting diplomats that normalcy had not returned in Jaffna district as the displaced have not been allowed by the Sri Lanka Army to resettle in their houses. The displaced families from Valikaamam north, Thenmaradchi, Chavakachcheri, Eluthumadduval and Naakarkovil areas are now

living in welfare camps and with friends, even after the Cease-fire agreement came into force six months ago, diplomats were told.

● **LTTEer indicted:** 14 Aug - Indictment was filed yesterday at Colombo High Court against Arulathamby Chandramohan of the LTTE Intelligence Unit who is alleged to have collected information to assassinate former Minister Mangala Samaraweera.

The case was filed under the Prevention of Terrorism Act that between February 6, and May 12, 2000 jointly with LTTE leaders Illankadir and Kadiravan information was collected in Colombo with the aim of assassinating ex-minister Mangala Samaraweera. The Attorney General annexed a confession made by the suspect to an ASP, CID in the schedule of witnesses and documents. The Attorney General has also filed necessary documents to prove that suspect is a strong LTTE activist who was in-charge of collection of information to assassinate several ministers.

● **740 Ceasefire violations:** 17 Aug - The total number of complaints received by the Sri Lanka Monitoring Mission (SLMM) since the signing of the memorandum of understanding (MOU) between the government and the LTTE has

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risen to seven hundred and forty (740) Five hundred and sixty (560) have been made against the LTTE with the highest number against child conscription. The government is accused of breaching the agreement on 164 occasions.

● **Tyronne f to UN top job:** 14 Aug - Sri Lanka has begun lobbying Asian nations to secure support for its foreign minister who is offering himself as a candidate for the UN secretary general's post, officials said in Colombo. Sri Lankan missions abroad have already begun talks on drumming up support for Foreign Minister Tyronne Fernando as a parliamentary committee here was told that the minister had government backing for the job.

Fernando, 60, offered himself as a candidate to replace United Nations Secretary General Kofi Annan whose term ends in December 2006.

"Consultations with Asian countries have already begun," a foreign ministry source said. Sri Lanka believes it is Asia's turn to elect a Secretary General. The last and only Asian secretary general was U Thant of Burma, now Myanmar, who served from 1961 to 1971.

Fernando, an Oxford-educated barrister, has been a member of the Sri Lankan Parliament since 1977 and held the justice, information and broadcasting and foreign affairs portfolios.

● **PA-JVP agree to work together:** 14 Aug - Talks between the Janatha Vimukthi Peramuna (JVP) and President Chandrika Bandaranaike Kumaratunga was held on 13 August aiming to come out with common program for the ethnic problem and the economic issues of the country.

The talks between the People's Alliance delegation led by the President and JVP delegation led by its General Secretary Tylvyn Silva commenced yesterday around 5.30 pm at the Presidents House. It is learnt that the discussions mainly focused on the formation of an extensive program agreed by both parties elaborating solutions for the main burning issues of the country, the ethnic problem and the economic crisis.

Secretary Maitripala Sirisena and Nimal Siripala de Silva MP from the PA and MPs Wimal Weerawansa and Nandana Gunatilaka from the JVP also participated at these discussions.

● **Doctors threatened:** 15 Aug - Muslim doctors in Kalmunai have been receiving death threats during the last few days from LTTE cadres demanding free medicine and pen torch batteries, a statement issued by the Sri Lanka Muslim Congress Peace Secretariat said. According to the statement, Tiger cadres have visited the houses of five doctors in the city and demanded large quantities of medicine and two hundred pen torch bat-

teries. When the doctors refused to give in, they were threatened.

The SLMC Peace Secretariat warned that following these incidents a tense situation was developing in the Kalmunai area.

● **Jaffna mayor assaulted:** 15 Aug - The Mayor of Jaffna Sellan Kanthaiah has been allegedly assaulted by a Municipal councillor of his own party at the Jaffna Municipal Council office.

An argument between the Municipal councillor and the Mayor is said to have sparked off the attack. The Mayor had sought treatment at a private hospital for his injuries. He was admitted to the hospital by some senior members of TULF.

The Mayor said that his assailant had come with six outsiders and attacked him. When he tried to escape from his room he tripped and fell against a window and was cut on the hand by the glass fitted to the window.

The Mayor was for the last three days personally supervising at Nallur Kandasamy kovil, the allocation of stalls for vendors and the reduced enforcement of fares in private cycle parks. The seizure of stray cattle within the Jaffna Municipal council limits is also said to be another issue that ignited the attack on the Mayor.

● **EPDP cadre complains of police torture:** 18 Aug - A 33-year-old member of the EPDP, Michael Colin David of Trincomalee has complained to the Supreme Court in a Fundamental Rights violation application that at the fourth floor of Police Headquarters in Colombo he was made to lie on a bench, his mouth was closed and water was poured into his nostrils. This occurred in July this year.

He was tortured in this manner when he refused to sign a document, which he could not understand, since it was written in the Sinhala language.

The petitioner had been arrested by the CID, in Trincomalee on July 20, 2002. He was brought to Colombo thereafter. At the Police Headquarters in Colombo the police officers threatened the petitioner that they will inject some lethal matter into his body unless he signed the produced document. Out of fear, he signed it. Subsequently the police officers turned cordial and served him buriyani.

On July 21, 2002, the petitioner was produced before the Fort Magistrate. The petitioner had wanted to tell the Magistrate about the torture inflicted on him by the CID officers. Since there was no Tamil interpreter, the Fort Magistrate had ordered the CID that the petitioner be produced before the Jaffna Magistrate. Consequently the petitioner had been produced before the Jaffna Magistrate in Case No. B/423/2000. This case related to the killing of a journalist in Jaffna on

October 19, 2000.

The petitioner had said in the petition that he had no connection with this murder.

The petitioner was produced before the Jaffna Magistrate on August 2, 2002. The Magistrate remanded him and ordered that the petitioner should be examined by the Judicial Medical Officer.

The petitioner had alleged torture, illegal arrest and illegal detention by the CID officers, who are made respondents in this petition.

Inspector Ranjith Silva, Sub-Inspector Jayaratna and Piyasiri of the CID Colombo are among the respondents.

● **Ranil on Thailand peace talks:** 17 Aug - "We cannot fix a time table for peace talks. We cannot put forward a concrete proposal to start peace talks. First, we must take steps to understand the basic problems of the other side. Thereafter only both sides could continue the peace process. However, the goal is to find a permanent solution to the problem without dividing the country and upholding the democratic ideals," said Prime Minister Mr. Ranil Wickremasinghe when addressing the final day deliberations of the United National Party national executive committee meeting held on 17 August at the Mc Heyzer stadium in Trincomalee.

Mr. Wickremasinghe further said, "Today I have come to Trincomalee without bullet proof jacket. Last year when I came to Trincomalee to address election meeting I was wearing bulletproof jacket. This shows the peace environment now prevails in Trincomalee after the ceasefire agreement."

The Prime Minister said that Thailand peace talks would commence in September this year. The duration of the first phase talks will be three days. No problem will arise during the first phase of talks. Later, problems could be expected such as setting up of interim administration and the difficulties faced by Muslims.

● **Vaiko, Nedumaran arrests internal matter:** 17 Aug - The Sri Lankan Minister for Housing and Plantations, Arumuga Thondaman, today refused to comment on the detention of the MDMK general secretary, Vaiko, on charges of supporting the Liberation Tigers of Tamil Eelam, a banned outfit.

Talking to reporters here, he said the detentions under POTA by the State Government was purely an "internal" issue.

Mr. Thondaman said the situation in the island nation was "very peaceful" and "normal" after peace talks had been initiated. To a query on the reservations and apprehensions expressed by the President, Chandrika Kumaratunga, on the peace process, the Minister said differences were bound to be there between two

leaders with different ideologies.

● **Sea Tiger convoy sails under SLMM aegis:** 18 Aug - The first Sea Tiger convoy sailing from Mullaitivu under a working agreement between the Sri Lankan Navy and the Liberation Tigers brokered by international ceasefire monitors arrived in Vaakarai Sunday 18 Aug. Two patrol boats of the Sri Lanka Navy provided escort to LTTE boats.

The first batch of unarmed LTTE cadres, numbering one hundred and seventy travelled in four Sea Tiger boats from the Mullaitivu coast to the Vaakari, about 64 km north of Batticaloa, disembarked at around 1.30pm.

Sunday's convoy sailed after an agreement was brokered by the Sri Lanka Monitoring Mission (SLMM) which is tasked with overseeing the cease-fire agreement between the Sri Lanka government and the LTTE.

The four boats, each with an SLMM monitor, left Vanni coast Sunday morning around 8.30 carrying LTTE members who are going on leave to their home villages in the east.

The convoy is scheduled to leave Vaakarai for Mullaitivu Monday morning with eighty LTTE members who would be reporting for duty there, SLMM sources said.

● **SLA hands over two schools in Tellipalai:** 19 Aug - The Sri Lanka Army Monday (SLA) officially handed over Tellipalai Union College and 'Thanthai Chelva' Tamil School to the Department of Education in Jaffna district. The SLA allowed only students and teachers to enter buildings of these two schools.

At the request of Jaffna district parliamentarian Mr. Mavai Senathirajah, the SLA officials who were present at the scene later allowed parents and well-wishers to join the teachers and students.

SLA officials said that students and teachers will be allowed to enter these schools after being checked at the sentry point

Meanwhile, the SLA officials have informed the authorities concerned that they would be handing over the Tellipalai hospital and the multi purpose co-operative society (MPCS) building to the respective department next week. The buildings of these two institutions at present have been occupied by the SLA, sources said.

● **Maha Nayake opposed to lifting LTTE ban:** 20 Aug - Malwathu Maha-Nayaka the most venerable Rambukwelle Sri Vipassi theru has expressed his opposition to lifting the ban on the LTTE and said that he would not hesitate to take any suitable action to prevent it. Accord-

ing to a release MahaNayaka Thero had told Gallege Punyawardana the Secretary of the Federation of Buddhist Organizations on Saturday that he would make his stand very clear to the Government through Minister Karu Jayasuriya. Rambukwelle Vipassi has said that this was a matter of great concern and that when Ministers as well as the Prime Minister visits the MahaNayaka Thero, they see that the media would publish only what is good for them. According to Punyawrdane, the MahaNayake has described its an unfortunate situation.

● **President vows to not dissolve parliament:** 20 Aug - In a letter read out by Speaker Joseph Michael Perera in Parliament today, President Chandrika Kumaratunge has said she has no intention of dissolving parliament for the next two years at least unless another party were to form a majority in parliament.

Kumaratunge has reiterated that she will use her powers with responsibility and will not resort to dissolving parliament at this moment in time as it would have a serious repercussion on the peace process. In her letter Kumaratunge also says the country can ill afford a general election at this time and such a move would destabilize the economic and administrative functions of the country and the nation as a whole.

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### ● Peace process back on track

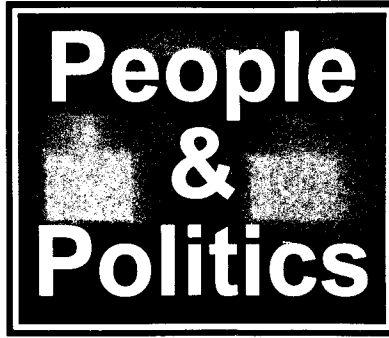
Apprehensions about a premature derailment of the peace process have been set aside with the announcement that direct talks between the government and the LTTE are to take place in Thailand during September this year. The meeting on 14 August in Oslo between the government delegation led by Minister Milinda Moragoda and the LTTE's chief negotiator Anton Balasingham produced the much needed breakthrough by announcing the date for the talks. The peace process is well back on track demonstrating the significant role of Norwegian facilitation.

Because of the stubborn stance the LTTE has been taking in the past months demanding that the ceasefire agreement be implemented to the letter in all respects before it will agree to a date being fixed for talks, it seemed rather unlikely that there would be any significant breakthrough at the Oslo meeting.

The growing international pressure on the LTTE to begin peace talks would appear to have had an impact in forcing it to compromise and set dates for talks. In the past months diplomats of leading western states, including some countries where the LTTE has been banned, have been visiting the northern Wanni jungles for discussions with the head of the LTTE's political wing S.P. Thamichelvan. At most of these meetings, the emphasis reportedly had been on the commencement of peace talks. Prime Minister Ranil Wickremesinghe's much-publicised visits to India, China, UK, Europe and most importantly the US were also meant to put pressure on the LTTE. A clear message was sent out to the LTTE - the Sri Lankan government had the backing of the international community and was recognized as making an admirable effort towards achieving peace.

Until now it was the government that appeared compromising and benevolent in the international eye while the LTTE seemed tough and uncompromising. With the latest declaration of their willingness to talk peace the LTTE has made clear that they are entirely committed to the process and want to begin negotiations.

Though details have not been made available, one presumes that the Oslo meeting would have worked out an agreed agenda for the face-to-face talks between the parties in Bangkok on 12 to 17 September. It had been clear that the government and the LTTE had dif-



ferent stances as far as the agenda for the talks was concerned. Previous statements of the LTTE asserted that the primary topic for talks must be the establishment of an interim administrative set up for the Northeast which no doubt will be dominated by the LTTE.

The government's stance has been that the agenda should be more inclusive covering a wider range of topics, including the issue of the interim administration.

Even on the question of the interim administration, substantial differences are likely to surface. While the government, which is legally constrained and required to operate under the country's Constitution, would want any interim institutional administrative arrangements to be within the constitutional framework, the LTTE would more than likely want the arrangements to be extra-constitutional. The LTTE has its own Eelam police force, judicial, taxation and administrative structures which function in areas under its control, and it is probable that the LTTE would want these structures recognised under any interim arrangements for the entire Northeast.

There are those who entertain the view that, rather than the 'interim administration' being only a transitional phase, such extra-constitutional interim administrative arrangements under LTTE's political and military hegemony will become more and more entrenched and permanently institutionalised. In the absence of a time-frame for negotiations, there is no incentive for seeking and achieving a final constitutional solution.

President Kumaratunga has welcomed the fixing of the dates for the talks, but her media director general Janadasa Peries said on her behalf, "Talks should not give priority for setting up of an interim administration but should be based on the reasons that caused the ethnic conflict, war and is-

sues pertaining to the Tamil community. In a time frame both parties should arrive at a consensus on this matter and only then the interim council be required to implement them."

### ● Self-induced Constitutional Paranoia?

Dominating the news has been the repeated announcements by cabinet ministers that the government was to urgently bring an amendment to the Constitution to remove many of the powers of the executive President, including that of her power to dissolve parliament.

All speculation of a possible compromise between President Chandrika Kumaratunga and the government on the issue was quashed with the Presidential Secretariat issuing a tough statement on 12 August saying piecemeal tinkering with the constitution for party advantage was hypocritical and a mockery of democracy.

The statement signed by Presidential spokesman Harim Peiris and Media Director General Janadasa Peiris scornfully rejected the proposed constitutional amendment whereby the President would not be able to dissolve parliament for three years. Noting with interest the public debate in the media regarding the proposal of a constitutional amendment that would restrict or remove the President's power to dissolve Parliament anytime after a year since its election, the statement said, "It is widely reported that senior members of the government fear dissolution of Parliament after December 5 this year but this is self-induced paranoia on the part of the Government. The President has made it abundantly clear that there is no intention to dissolve parliament as such a move is wholly unnecessary and not in the national interest."

On the issue of the need for political cohabitation resulting from last December's election, the presidential statement said, "The current cohabitation in Government is the concurrent exercise of dual mandates received by President Chandrika Kumaratunga in December 1999 and the UNF Parliamentary Group in December 2001. It is both fallacious and implausible to contend that the results of the general election of December 2001 to elect Members of parliament is a reversal of the mandate given two years earlier to the President, at which the present Prime Minister was the defeated can-

didate. Moreover cohabitation provides important checks and balances on absolute power. The constitution of 1978 and the executive presidency are creations of a previous UNP government. It is an incredible argument that such power in the hands of a UNP president is quite desirable while in the hands of a president from another party it is unacceptable. The UNP must be willing to share power with the President in Colombo even as it is prepared to share power with the LTTE in the North and the East."

On the proposal to amend the Constitution, the statement said, "A country's constitution is not to be tinkered with piecemeal for temporary partisan political advantage. Constitutional reform should be comprehensive and encompass the entirety of national issues including devolution of powers and the abolition of the executive presidency.

Moreover before an 18<sup>th</sup> Amendment to the Constitution is contemplated the 17<sup>th</sup> Amendment, establishing the independent Police and Elections Commissions should be fully implemented. "This panacea for all ills proposed by the UNP when in opposition is now making laboriously slow progress once it is no longer politically expedient. Such hypocritical mockery of democracy must stop."

Reacting the statement from the Presidential Secretariat, Constitutional Affairs Minister and Cabinet spokesman, Mr. G.L.Peiris, told journalists on 15 August that the UNF government had decided to bring in constitutional amendments next month to limit the discretionary powers of the Executive Presidency to dissolve parliament and measures to allow parliamentarians to vote according to their conscience. The latter measure would enable MPs elected from one political party to vote in parliament against the decision of that party without facing disciplinary action resulting in the loss of their seats in parliament.

"The government is confident of two third majority needed to pass these amendments in parliament. Already government has had discussion with parliamentarians of all political parties represented in parliament. These talks had been successful. Several parliamentarians have given clear pledges to extend their support to the proposed constitutional amendments," said Minister Peiris.

Political circles in Colombo very

doubt the Minister's claim that the government can muster the required two-third majority in parliament required to amend the Constitution. However, the presence at the dinner party held in Colombo to celebrate Minister Peiris' 56th birthday on 13 August of prominent former PA ministers Jeyaraj Fernandopulle, Richard Pathirana, A. H. M. Fowzie and Indika Gunawardene fuelled speculation about the prospect of a number of Peoples Alliance MPs ganging up with the governing party to vote for the clipping of president's powers.

In the meantime a constituent party in the governing coalition, the Sri Lanka Muslim Congress, is unlikely to vote in support of the amendment to enable so-called conscience voting by MPs. SLMC leader and Ports Development Minister Rauff Hakeem told a public rally in Kinneya recently that he had told Prime Minister Ranil Wickremesinghe that the SLMC would not support the move for a cross over bill in parliament. He said he had told the Prime Minister to look for alternate legislation to prevent a dissolution of parliament by the President after December 5, 2002. He said that he informed so the Prime Minister when all leaders of political parties in the UNF government met at Temple Trees at Prime Minister's invitation. "I disagreed on the Cross over Bill as I did not wish to deprive the rights of every single Muslim in the country, the pride of being the decision makers behind the central government", Hakeem noted.

Today the Muslims in Sri Lanka face the most challenging time ever in their history when peace negotiations are to take place with the LTTE.

#### ● President's Lament & Threat

At last, after weeks of persistent refusal, the government yielded. President Kumratunga had been asking for slot on TV during prime to put her side of the story to counter what she described as the malicious and false allegations directed at her by government ministers and other critics who had been given all the opportunity to do so on TV and in the print media.

She got the opportunity on 10 August to address the nation on state TV and it was a typical Chandrika performance lasting fifteen minutes.

Accusing the media of misleading the public she said, "In the past eight months, state-owned and private elec-

tronic media have indulged in this exercise 2342 times, at the rate of several times a day. Cabinet Ministers, and media personnel directly connected to the UNP, are employed to hurl these abuses at me. Their statements are almost totally false.

"In addition the daily newspapers have published over 700 false news reports about me or my actions. For instance, a misleading report about me has been telecast or broadcast over 30 times, but the correction sent by my office has only been broadcast once or twice."

However, the President pledging her support to the people said that "despite all the threats and intimidation, insult and abuse and mud-slinging hurled at me, I will not run away from the responsibilities entrusted to me by the people. The people of this country know well that I cannot be subdued by threat and intimidation."

Speaking of the situation in the North warning the government of the threats posed by the LTTE even in times of peace, and claiming she had reliable reports that while the ceasefire agreement was in force the LTTE was engaged in establishing its own law courts and legal systems, police stations, prisons, banks and various other institutions in the North and East, President Kumaratunga said, "They are also involved in arms smuggling and the conscription of children. I am also informed that the LTTE is harassing especially the Muslims, as well as the Sinhala people, living in the Eastern Province. I have drawn the attention of the Prime Minister, the Defence Minister and the Security Council and given advice with regard to these incidents."

President Kumaratunga also said she had no intention of dissolving Parliament at this point of time and accused the media of misleading the public. Alleging that the freedom of the media was being suppressed to a large extent, the President said, "The politics of terror and intimidation that raised its ugly head for the first time between 1977 and 1994 has begun once again to be practised since December 2001. Since 1994 my first government put an end to the regime of state terror perpetrated against Tamil and Sinhala youth in the decade of the 1980s."

The President also voiced her anxiety regarding the negative effects moves made by the government would have on the cohabitation. "Need I ask

you whether cohabitation could be made to function unilaterally under the circumstances I have mentioned? People ask me whether this is another red-herring to divert attention from the burning issues of the day.”

“Despite all these difficulties I have for my part continued to cooperate for the sake of my country, and I am prepared to extend that support even in the future. But for cohabitation to be a success, the other party has to reciprocate,” she said.

Referring to the government’s proposal to clip her powers by bringing an amendment to the Constitution, the President said, “Ad-hoc amendments to one or the other of the clauses of the Constitution, according to the whims and fancies of someone, could prove dangerous to democracy. As I have often stated the Constitution of Sri Lanka needs to be amended. But it should be done in a comprehensive manner together with the abolition of the Executive Presidency, the reform of electoral systems and should contain solutions to the ethnic problem.”

“I wish to make another pledge to my people, who have twice elected me resoundingly to the supreme office of President. I shall not hesitate to adopt every necessary measure in terms of the powers entrusted to me under the constitution, in the event of any threat to the unity of our motherland or the security and safety of its citizens,” the President said.

#### ● Jaffna: ‘yes’ for peace talks

Some 71.2 percent of the people in Jaffna believe that all ethnic communities can live together while 89.3 percent believe that peace could be achieved through talks with 31 percent hopeful that the talks would begin soon, an opinion poll has revealed.

The poll was conducted by the Social Indicator (SI) under the Centre for Policy Alternatives (CPA) using a structured questionnaire, administered through face-to-face interviews amongst a sample of 300 respondents, covering the Jaffna and Nallur divisional secretariats and all the divisional secretariats of Valikamam.

The CPA survey was funded by the Canadian International Development Agency (CIDA) in association with the University of Ottawa.

Most of those interviewed believed that no solution was reached earlier largely due to the corrupt military and political leadership and a lack of political will.

The deproscription of the LTTE to

begin negotiations was supported by 83.3 percent of the people. Third party involvement to solve the ethnic crisis is considered essential by 69.6 percent while another 7 percent said it would create a positive impact. However, 12.7 percent believe it is not essential while 6.4 percent remained unsure in this regard.

Although third party involvement is believed to be essential with widespread support for the Norwegian assistance in particular, a markedly less support and enthusiasm for a potential Indian role was noted. The study indicated that there is overall approval of 81.9 percent amongst the public for assistance from Norway in the peace process while Indian involvement is considered essential by 36.8 percent with only 23.1 percent believing otherwise. India’s involvement is considered by 12 percent as creating a positive impact with 9 percent expressing fears that it could have a negative impact.

Another important finding was that the ceasefire agreement was given unqualified approval by 65.1 percent while 23.8 percent approved it with reservations. However, only 25.1 percent believe in the longevity of the agreement while a majority comprising 59.2 percent expressed uncertainty.

The Sri Lanka Monitoring Mission has also got a massive yes vote with 57.2 percent of the people saying it is doing a good job while a negative response to the SLMM is given only by 11.4 percent.

#### ● Local Election in the East

With the parties representing the Tamils and Mulims taking contradictory positions, the Prime Minister is confronted with the question whether to hold the postponed local government elections in the eastern province. The Tamil parties want the election to be postponed and the Muslim parties want it to held as scheduled on September 25.

An apparent rebellion by some ten eastern MPs of the Sri Lanka Muslim Congress was defused by party leader Rauff Hakeem with the MPs agreeing to withdraw their demand for a referendum in the eastern province.

Earlier in the day on 13 August the ten MPs led by M. Ataullah had met in parliament and decided to send a letter to the President and the Prime Minister demanding that a referendum be held in the eastern province before allowing the LTTE to form an interim administration in the north and east.

Mr. Hakeem later met these MPs

and had intense discussions with them after which they had reportedly agreed to withdraw their demand.

The MPs had earlier also complained to their leader that the government had, against the wishes of the Muslim community, given into the demand of the Tamil parties and postponed local government elections which should have been held. Mr. Hakeem had promised them that his party would press for the postponed local government elections in the east to be held next month.

Local government elections were held in predominantly Sinhala areas in the Digamadulla district last March, while polls in other parts of the province were postponed at the request of the Tamil National Alliance.

Mr. Hakeem said that while the SLMC would press for local elections, he believed it was not the time to lend the party’s support to the Opposition and that the SLMC would stand by the Prime Minister.

In the meantime, Tamil United Liberation Front (TULF) President, V. Anandasangaree, has called for a further postponement of local elections in the North and East and for power to be handed over to a special commission until the conditions for democratic elections exist.

Local elections in the North and East, due to take place on September 25, have already been delayed by six months from the original date set in March in order to ensure a peaceful democratic process.

Sangaree said that the LTTE has expressed a strong desire to have local elections once the initial round of peace talks are completed. Since this is the first opportunity for the LTTE to enter into conventional politics the TULF sees the elections as an unnecessary risk to the peace process.

“The Prime Minister had assured us that the elections will not be held until the people are ready for it, at least as far as the situation in the North is concerned. LTTE political wing leader Thamilchelvan has made it very clear to us that they will in no way be agreeable to having the elections any time soon as they are not ready for it,” TULF Leader V. Anandasangaree told journalists. Mr. Anandasangaree said that they would continue to oppose a September poll as they believed that the LTTE too should enter the democratic process of being elected to the local government bodies.

“Most areas in the North are not completely free and stable enough to

hold elections. Some of the areas are dominated by the EPDP which won the elections fraudulently in these local bodies in areas under its control. You need time to break its domination and ensure there won't be a repeat of what we saw last time," he explained.

All Ceylon Tamil Congress President A. Vinayagamoorthy said his party would push for a postponement. "The LTTE is a force to be reckoned with, the LTTE will strongly protest the move to hold the elections and the Elections Department has only made an announcement that it was legally obliged to make, but this does not mean that they will in fact go ahead with their plans to hold elections," he said.

While the TNA protests against the holding of local polls in the North and East, the Sri Lanka Muslim Congress is pressurizing the government to make sure that elections are held in the East as scheduled.

The local polls in most parts of the country were held in March earlier this year.

Meanwhile Deputy Elections Commissioner M.C. Arunadawachelvam said yesterday arrangements had been finalised to hold elections to 53 local bodies in the North-East on September 25. He said that the polls could be postponed only by an act of Parliament.

#### ● Kadirgamar on cohabitation and peace process

Former Foreign Minister and present advisor on foreign affairs to President Kumaratunga, Mr Lakshman Kadirgamar, has of late emerged as the troubleshooter in the ongoing dispute between the President and Prime Minister Ranil Wickremesinghe who have been forced by circumstances to politically cohabit. In an interview with *The Hindu* (9 August) Mr Kadirgamar has expressed the view that the present momentum should be maintained and not be allowed to be "seriously upset" by the sharply-divided domestic political rivalry as "This point of time is probably the best opportunity we have of making it go forward."

In this role as the one who enjoys the trust and confidence of the President and the Prime Minister, Mr. Kadirgamar, hopes to "try to build within this dialogue on cohabitation, at the domestic level, an island on which the peace efforts could be built and preserved".

Expressing confidence that such an effort "was possible", Kadirgamar said that while all efforts were on to "work out a system of cohabitation" he would

try his "utmost so that none of this is allowed to affect the peace process".

Asked how he viewed the current standoff between the President and the Prime Minister, Kadirgamar was emphatic that "the people's wisdom" should not be questioned. "Every effort must be made to see to it that cohabitation is made to work. It is obviously not pleasant or easy because democratic politics in the Westminster style is confrontational, not consensual.

"The problem is made worse by the tension in the Cabinet. Now everybody is beginning to realise that this is an aimless and fruitless exercise. I feel quite confident that the Prime Minister thinks so. I do not see that the President is going to start provocative debates in Cabinet. On the other hand, it would be totally unreasonable, apart from being unconstitutional, to expect her to be a dummy figure as head of the Cabinet. The best concept of cohabitation is where the parties work together in the national interest".

On the possible scenarios ahead for the resolution of the conflict, Kadirgamar said: "the position is now fairly firmly established that there will be a unit created with a large degree of autonomy. But the relationship with the Centre will have to be maintained." This concept, he said, "was now gaining acceptance" as there was a certain "logical inevitability" about it.

A return to violence, he said, would depend on the LTTE. The Sri Lankan Government had "reached a point" where it would "only resort to war in self-defence".

Emphasising the considerable agreement reached between the two major political parties, the United National Party and the Opposition People's Alliance, on the need for a negotiated settlement to the ethnic conflict, Mr. Kadirgamar was of the view that the draft Constitution could form the starting point for adopting a common stand on the solution to it.

The two major parties, he pointed out, had nearly 95 per cent agreement on the issues, including the most sensitive one of the nature of the state. "I think this is definitely going to be a possible basis for an ultimate solution because that draft constitution deals very extensively with devolution".

Lauding the Norwegians for their current role, Kadirgamar, who as Foreign Affairs Minister between 1994 and 2001, initiated the process, observed: "There is consensus as far as the two major parties are concerned on the desirability of a foreign facilitator. There

could be more than one view with regard to whether the facilitator is doing his job properly or not. I would say without any hesitation that the Norwegians have been very helpful. I do not think that without the Norwegians we could have got as far as we have today, whatever may happen in the end of it."

The importance of getting the core issues on the agenda for the talks with the Tigers was because "the LTTE had established in a good part of the north and east a kind of an administration". He would, however, not call it a de facto state.

During the interregnum between the departure of the Indian Peace Keeping Forces and the Government control over Jaffna, when the Tigers were fully "in occupation" of those areas, the Government writ did not run there, he pointed out. "In the last six to seven years, the Government is in control, certainly of the peninsula and large parts of the eastern province".

However, "there is a fair part still under the LTTE's control and its writ runs in those areas. Therefore, the question of interim administration is important. You cannot have an interim administration created in a way that is unrelated to the final issues".

These include "the structure of the State, the relationship of the interim administration to the Central Government and a host of other problems that impinge on the relationship between a northeast unit, shall we say, to use a neutral term, to the Centre".

The Government, he noted, "had now made it clear that the agenda for talks should contain all the issues - the core issues that both sides want to put on the table and one of them will be interim administration. As far as the south is concerned, the bottom line is 'no separate sovereign State' There is unanimity on that".

In the mainstream politics of the south, he observed, "the position is now fairly firmly established that there will be a unit created with a large degree of autonomy. But the relationships with the Centre will have to be maintained".

The Indian request for the extradition of the LTTE leader, V. Prabhakaran, Mr. Kadirgamar said, was pending before the Sri Lankan Government and India was taking "cognizance of the fact that there are negotiations going on in a friendly country".

Asked if India was not pressing for it, the former Foreign Minister said "at the moment they are not pressing for it. What they intend to do later is a matter for the Indian Government".

# Cohabitation, Destructive Power Struggle and the Peace Process

Dr Jehan Perera

The present crisis between the government and opposition has led to the possibility of a snap general election barely eight months after the previous one. At the root of the crisis is the problem of cohabitation between the President and parliamentary majority. Both sides are legitimately elected and vested with constitutional power. Cohabitation should mean that they should share power in governing the country. But over the past eight months what has been evident is that only one side was governing the country.

Although the President is vested with enormous constitutional power her ability to utilise those powers was limited by the electoral rejection her party suffered in those past eight months. First was the defeat at the general election of December 2001 followed by the even worse defeat at the local government elections of March 2002. Despite these two defeats the President continued to have legal and constitutional power. But due to the resounding nature of the defeats suffered by her party she lost much of her political and moral power.

During the past eight months the government headed by the Prime Minister has governed virtually alone. The ceasefire agreement with the LTTE leader was signed by the Prime Minister. The major economic restructuring that is taking place today is being negotiated by the cabinet with scarcely any input from the President or her party. This unilateral rule by the UNP may seem reasonable going by the most recent electoral verdicts of the people. It may also seem desirable given the mismanagement and inefficiency of the former PA government. But for better or worse, the constitution does not envisage unilateral rule in a period of cohabitation by a President from one party and a parliamentary majority from another party.

The immediate reason for the present crisis was the government's dis-

covery of a document that proposed a strategy for the President to unseat the ruling party from the seats of power. The opposition strategy revolved around utilising the President's constitutional power to arbitrarily sack the Prime Minister and his cabinet and also to dissolve Parliament after it completes a year. The government's response to this threat seems to have been a knee jerk reaction.

By giving wide publicity to the opposition's proposed strategy in the media and attempting to discredit it as a constitutional coup, the ruling party has only succeeded in making itself appear vulnerable in the face of the President's constitutional power. Opposition spokespersons are claiming that they can unseat the government soon. The Prime Minister himself has complained about the President running a parallel administration. Further that he cannot contact her even on the telephone.

## Violent election

The government needs to negotiate the terms of an honorable settlement with the President. The other options do not appear to be viable ones or in the national interest. The Prime Minister's threat to dissolve Parliament and for a fresh general election has not been backed by public opinion. Going for a fresh election as a conflict resolution strategy only makes sense if it will lead to a 2/3 majority in Parliament. But this is likely to be a difficult feat for the ruling party to achieve under the present proportional system of election. Therefore, there will be a temptation for the ruling party to utilise violence and abuse the election machinery in the pursuit of a 2/3 majority. But this will taint the new government and erode its legitimacy in the eyes of the people.

It is difficult to imagine that the country would wish a replay of the referendum of 1982 that extended the term of Parliament without holding the general election. The ethnic conflict and

JVP insurrection gained in strength as a direct consequence of that violent and illegitimate referendum. Therefore it is not surprising that there is hardly any public enthusiasm for another general election being called for the specific purpose of achieving a 2/3 majority. On the contrary, all public opinion surveys show that the people want bipartisanship in the solution of national problems.

However, calling on the government to share power with the President is only part of the solution. The President also needs to conduct herself in a manner that is in keeping with her status. The dispute regarding the contents of the handbag that she brought to a cabinet meeting illustrates the need for trust-building between the President and cabinet. The issue is not only whether she carried a video camera inside it. The issue is that the question arose at all and left a doubt in the minds of her political opponents. The building of trust where none exists and the rebuilding of trust that has been lost is a difficult task and cannot happen overnight. But a solution to the political crisis that has pitted the President against the government in such an acrimonious manner needs to be found. This is especially the case at this time when the country is in the midst of a peace process that can end two decades of war and bring a permanent solution or which can lead the country to a renewed war more dreadful than before.

A mechanism needs to be found that would ensure that the President and government work together at this time. The present peace process between the government and LTTE illustrates that a Memorandum of Understanding can be highly constructive especially when there is a non-partisan third party to facilitate and monitor it. In the past the government and LTTE have tried to outwit and harm each other. They have no reason to trust each other. But where they could not trust each other they have been able to place their trust in a ceasefire agreement that is being facilitated and monitored by the Norwegian government.

## Similar mechanism

A similar mechanism may be useful to the relationship between the



President and government. It is possible for the two parties to draw up a Memorandum of Understanding with the help of a non-partisan third party facilitator. This third party could either be foreign or local and consist of religious dignitaries, for instance. The central issues to be dealt with in the MoU would be the President's arbitrary power to dissolve Parliament on the one hand, and Parliament's power to impeach the President on the other hand. These issues need to be dealt with in a principled manner that gives both parties the assurance that neither will be undermined by the other.

Equally important, the dignity, authority and position of the President and Prime Minister need to be respected by their two parties. This would be in terms of the cohabitation that the voters of the country imposed on the two parties through their vote at two separate elections. There also needs to be acute awareness that the rivalry between the two dominant political parties in the past has been the main reason for the failure of past efforts to resolve the ethnic conflict.

Sri Lanka needs to develop a political culture of consultation, compromise and consensus. The ruling party must remember that it is not simply the present opposition parties that are behaving in a narrow and petty manner. In August 2000 when the UNP was in opposition it too behaved in a petty and irresponsible manner. When the former government presented a draft constitution to Parliament which it hoped would provide a basis for conflict resolution, the UNP burnt copies of the draft constitution in Parliament.

Further the UNP in opposition used various strategies to break up the then government and finally succeeded when it persuaded several Parliamentarians to cross over. Now two years later the tables seem to have turned. In negotiating with the President the government needs to keep its own past lack of cooperation with her party in mind. The vicious cycle must be broken. Bipartisanship regarding the ethnic conflict must not become the Holy Grail of Sri Lankan politics, assiduously sought after and never obtained in this life.

With the passage of 160 days of the

ceasefire agreement the peace process is entering a new phase that has both dangers and great opportunities for a stable and long lasting peace. It is likely that some of the actions that need to be taken, such as lifting the ban on the LTTE and setting up the Interim Administration for the north and east, will require the President's cooperation. They will be difficult to achieve in the face of opposition from the President and her party. There has to be bipartisanship to take the peace process forward. The President and ruling party must put their differences to one side and work together with the maturity and patience that the occasion demands of them.

#### **Peace Process - A big leap forward**

The progress of the peace process has been in big leaps forward. There is no denying that the signing of the ceasefire agreement in February and the immediate dismantling of security and travel barriers that separated government and LTTE-controlled territories came as a major surprise. It took the country from a situation of intense war to one of no-war in a very short period. Now the announcement that direct peace talks will commence in Bangkok from September 12 onwards has come as another surprise. There appeared to be barriers in the path of those direct talks taking place at this time. But as long as the government and LTTE are committed to a peaceful process of resolving their differences it is likely that there will be many more similar, and welcome, surprises along the way. The breakthrough to direct peace talks was not expected to come so soon. In recent months there had been signs of the peace process fraying at the edges. The LTTE was adamant that the government should fulfil all the conditions it agreed to in the ceasefire agreement. In the meantime the LTTE violated its own promises in respect of the human rights of the people by taxing them and recruiting children. The government started a campaign of signing agreements with foreign powers that could not have been to the LTTE's liking. Further the government's own ability to deliver on the peace process came under threat by a reinvigorated opposition led by the President herself. An entirely different scenario to the

present one could easily have presented itself. The LTTE could have reasoned, or made the excuse, that it was of little point to negotiate on substantive political issues with a government that was unstable and even considering the dissolution of Parliament. On the other hand, the government might have felt reluctant to go to the negotiating table where its opponents could make a hue and cry about the further concessions it was making to the LTTE. There was a possibility therefore that both the government and LTTE might have preferred remaining where they were in terms of the ceasefire agreement alone, and not wishing to proceed beyond it at the present time. But instead of keeping away or delaying the start of direct peace talks in Bangkok it is the reverse that occurred. The threat to the government posed by the opposition is what appears to have propelled the government and LTTE to agree to early dates for direct peace talks to commence. Not only did the LTTE agree to fix the dates notwithstanding its publicly voiced dissatisfaction with the government's tardiness in implementing all of the ceasefire agreement. The LTTE also agreed to take on board President Chandrika Kumaratunga's demand that core issues be discussed at the Bangkok talks in addition to the anticipated negotiation on an LTTE-controlled interim administration for the north and east. Ironically the worst enemy of both the government and LTTE has turned out to be the opposition led by the President and which includes the anti-peace process JVP as its junior partner. The LTTE's public agreement to discuss core issues pertaining to the basic structure of the political solution at the Bangkok talks was probably aimed at taking the wind out of the President's demand on that score. Further it seems that when the LTTE saw that the stability of the government was under strong threat from the opposition, it decided to cooperate with the government. Opposition spokespersons were publicly gloating that the government's time was up, and they were ready to take over. By agreeing to an early date, the LTTE has strengthened the government's hand in dealing with the opposition at this time. The opposition will not wish to be seen by the war-weary

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voting population as deliberately scuttling the long-awaited peace talks with the LTTE.

#### A win-win situation

The LTTE has reasons of its own for being willing to cooperate with the government led by Prime Minister Ranil Wickremesinghe and get it out of a tight spot. The worst destruction of the north and east and the biggest casualties suffered by the LTTE occurred during the period of the Kumaratunga government. However, the losses inflicted on the LTTE did not add up to a win-lose situation where the rest of the country or the government gained. Instead everyone, including the previous government lost out. The policy of the previous government led to a lose-lose situation where only the anti-establishment JVP gained. By way of contrast the Wickremesinghe government and LTTE appear to have worked out a win-win strategy where each of them is better off and the country is also better off. The reason for this is that both sides, despite their differences, are prepared to work together without using their weapons. This is the greatest blessing for the country at the present time. It has a leadership who have the capacity to negotiate their admittedly great differences through peaceful means; and it has friends such as Norway who are helping them in this task. The second reason for the LTTE's willingness to speed up the peace process would be to obtain legal sources of funding for both their organisation and for the development of the north-east and relief of the population. The ongoing ceasefire together with the changed international climate have evidently depleted the LTTE's sources of funding. This has made it necessary for the LTTE to en-

gage in unpopular taxation of the civilian population of the north and east. As the LTTE is not a part of a legitimate governing structure, its actions are akin to extortion. The LTTE's need to collect money from the population to sustain itself is increasingly at the cost of its popularity.

#### Interim administration - Concerns

The sooner that the LTTE comes within a framework of legitimate government the better it will be for both itself and the people. Any framework of legitimate government, while conferring authority, also implies responsibilities. In the modern context principles of good governance mean transparency and respecting human rights. International aid donors are reluctant to finance the activities of agencies that do not subscribe to basic norms of transparency and human rights. The LTTE will need to shoulder these responsibilities in the interim administration that is likely to be established as a result of the peace talks in Bangkok. Recent opinion polls carried out in the north and east reveal that virtually all people accept the reality of LTTE power in that part of the country. Most people seem to welcome the interim administration as a forward movement towards democracy in which people are ruled through their consent and not by force of arms.

On the other hand, some people may bitterly resent and be apprehensive about their fate in an LTTE-administered north-east. Those include most Muslims and Sinhalese and many Tamils. It is necessary that the genuine concerns of this large section of the population of the north-east should be addressed.

#### A destructive power struggle

President Kumaratunga has stated that core issues should be discussed at the Bangkok talks in addition to the establishment of an interim administration. The immediate core issue for the people of the north and east would be the protection of their human rights and enhancement of their economic lives. To be more specific, what the people would want is the resettlement of refugees, rehabilitation and reconstruction of the conflict affected areas and the restoration of economic structures. Certainly issues such as the permanent merger of the northern and eastern provinces, the formulation of a federal or confederal constitution and the symbols of the state are also core issues. But from the viewpoint of the people themselves the paramount core issue at this time would be the entrenching of human rights protections and the prospects for economic recovery. However, the heightened tensions between the government and opposition at this time has created the possibility of a dissolution of Parliament and along with it the destabilisation of the polity and economy and the endangering of the peace process. It is appalling that the two main political parties in the country can fight for power without considering the impact on the national interest. In particular this destructive contest for political power can undermine the peace process at a sensitive time when the ceasefire agreement is entering a new phase. It is still not too late for the President and Prime Minister to work out a mutually satisfactory cohabitation agreement. The government and opposition must not permit the peace talks in Bangkok to be endangered as a result of their power struggle.

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# ANGUISH, ANXIETY AND HOPE IN JAFFNA

Paul Caspersz

29 July 2002 - What follows are one team member's reflections on a most memorable visit to Jaffna from 16 to 20 July. They are merely a prelude to a full collective report, planned by the team - rather optimistically - for the middle of September. The team was one of eleven: Rajan Philips, Menaka Philips, Marshal Fernando, Suhadini Wickremasinghe, Kumar David, Lalith Abeysinghe, Mahinda Ratnayake, Ranjith Wijesinghe, Vijaya Kumar, Kogilavardani and the writer of these reflections. The team came together in Kandy on 15 July and left a few minutes after six by van on the 16<sup>th</sup> morning.

## The Purpose of the Visit

Several members of the team had been directly concerned about events in Jaffna since those two fateful days, July 14-15, 1979. At 1 am on 14 July Inpam's small house in Jaffna was visited by some men clad in khaki, fully armed with revolvers and sten guns; his bewildered family watched helplessly as Inpam and his brother-in-law, Selvaratnam, were marched away into the night, never to be heard of again. On 15 July the papers carried plans of President Jayawardena's determination rapidly to eliminate terrorism in all its forms. Terrorism, as we all know, or what goes by that name, has not been wiped out. Instead, until December 2001 what we have witnessed is a number, increasing with the years in frequency as well as in intensity, of violations of the human rights of the Tamil people and a system of reactive violence of Tamil organizations against the State. The great change came at the end of 2001 with the unilateral declaration of a ceasefire by the LTTE which paved the way for the later MoU.

Hence we decided that we would go to Jaffna to obtain as much firsthand information as we could gather and, above all else, to see if we could be in mutual solidarity with the Tamil people in our common quest for peace-founded-upon-justice.

## The Importance of the Visit

The importance of our visit came home to us with the clarity of lightning at Omanthai, a few kilometres north of Vavuniya.

On the southern side was the Sri Lankan Government checkpoint where we produced originals and photocopies

of vehicle documents and the full list of the team members. The originals were returned almost immediately, while the photocopies were retained. We had our identity cards or our passports ready both in originals and in photocopy but they were not needed, except in the case of one team member (born in Colombo of parents from Jaffna) who had a Canadian passport. Her presence in the team together with her father was quickly explained. The whole clearance operation was over in 20 minutes.

On the northern side, less than a mile away, was the LTTE checkpoint. Here the clearance process was more meticulously conducted by LTTE cadres, less experienced in the ways of the bureaucracy than their counterparts on the other side. While everyone on either side was polite and cordial, the LTTE asked more questions and so got longer answers. This second clearance operation took 40 minutes.

When we boarded our van and began to proceed towards Kilinochchi, the dominant topic was the sharp division between the two administrations or bureaucracies. Does the division between the two bureaucratic administrations already signify that the division between two states is a *fait accompli*, a thing over and done with, crying for recognition, even for unwilling and most painful recognition. And how had such a deep and clear division taken place within the space of hardly twenty years? In 1948 we were together. At the 1970 Elections the main Tamil Party had expressed its opposition to separation as the solution of the problem of the Tamil-speaking people. Only in 1976 at Vadukkodai was the claim of separation made: it was the desperate cry of a desperate people. In 1979 we were still together, and, despite the terrible all-island communal riots of 1977, still hoped that 1977 was only an aberration and believed that we were still one nation and one nation-state. By 2002 we had become divided. Is our task then not to prevent separation but to bring back into the former unity the two separated parts?

Our visit to Jaffna convinced us that this new task, though difficult, is not only not impossible, but that its success is really and truly still attainable. The visit has highlighted to the team the sacred duty of both sides of the Di-

vide honestly to maintain the ceasefire, to refrain from conspiratorial preparations to restart the war and to work with all earnestness to arrive at a just settlement.

## Anguish

From Omanthai which we left at about 12 noon to Jaffna which we reached at about 6 in the evening, the devastation we saw on both sides of the road was such that it left the team members stunned and speechless. There was hardly a single good building left standing, even though some showed signs of having been very recently repaired somewhat in order to make life and business go on again. Some walls still standing, though badly battered, had gaping bullet holes. At one point the writer saw a man sitting in the rubble of what must have been his house with his head in his hands contemplating the dismal scene. "How ever did this have to happen?" At a teashop on the way where we stopped for a cup of tea, we were informed that the shop had, because of the war, changed site four times over the past two years. Now, with the ceasefire, there is hope that the present location will be the final one.

In Jaffna, one had to have eyes made of glass not to be visibly moved by the destruction: the Town Hall reduced to a few boulders, the Courts a shambles, the old Rest House no longer identifiable, St James' Church badly damaged but now rebuilt at great cost, stoutly built houses razed to the ground with only one or two Dutch pillars standing as a testimony to history and a summons to the future.

In Kayts the eyes of one of our members, known for strength of character, welled up with tears as he saw his former home razed almost to the ground. "I suspected that the house would have been damaged," he explained to me, "but not that nothing would be left of it." Here and there pieces of broken glass and of water pipes, bits of broken beams and rafters, with no trace of the walls of what was once a beautiful house which the writer had himself visited in 1979. Everything of any value - even chairs, mattresses, pillows - had of course been spirited away long ago. What our colleague lamented was not the physical destruction of the house, but the moral violation of family roots. Only memory remained to intensify the sense of loss and pain.

There is a further, less visible, but most compelling reason for the anguish. Moreover, this anguish is not confined to the Northern and Eastern provinces but, assails the whole island - if only people pause a little to think about it. It is the growing brutalization of all sec-

tions of the people and the general weakening of law and order in the country. In fact, these may be the most enduring effects of the violence that has gripped the country in recent years – the Sinhala youth violence of 1971 and 1988-9 and the violence of the three Eelam wars. Referring to the case of the torture of two school children in a police station on July 9-10 this year on a suspicion of a theft in the canteen of a southern school, the Asian Human Rights Commission has already commented that this type of situation in which even children can be detained and tortured can only occur because of the serious breakdown of law and order in the country. The writer merely submits that such breakdown is only the result of the growing brutalization of the people. Not only Jaffna, once considered even in the south to be the island's showpiece of law and order, will have to address this question but every Sri Lankan everywhere will have to reflect on it with the utmost seriousness and urgency.

#### Anxieties

These anxieties of the people we met in Jaffna – and we met them at all levels: civil, political and religious – were often expressed to us, often explicitly but sometimes implicitly, in the form of questions. These questions may be formulated as follows:

1. As someone in Jaffna told us epigrammatically, What Jaffna now has is a situation of No Peace, No War. How long can such an uneasy situation continue until it tilts to either definite peace with honour or to a resumption of open hostilities?
2. The MoU is by no means a peace agreement but only the "Agreement on a Ceasefire between the Government of the Democratic Socialist Republic of Sri Lanka and the Liberation Tigers of Tamil Eelam". The Agreement has already at times run into turgid waters (though these difficulties, in themselves, are even to be expected according to the experience of similar ceasefire agreements elsewhere). While, on the one hand, playwright Thomas Shadwell

has told us that "The haste of the fool is the slowest thing in the world", on the other, we have to bear in mind the warning of yet another playwright, Edward Young, that "Procrastination is the thief of time".

3. If peace does come, will there be a restoration of pluralist politics in Jaffna and in other places in the North and East where the LTTE is the chief Tamil group? Democracy does mean much more than pluralist party politics but pluralist party politics has today come to be accepted as one of the essential ingredients of a parliamentary democracy. Furthermore, in the context of an impending interim administration, everything possible must be done to ensure that the people's freedom of speech, assembly and movement are protected. While an interim administration seems necessary to coordinate, expedite and oversee all infrastructure and economic reconstruction, such an administration, while being effective and decisive, should also be democratic and non-authoritarian.

4. How long will the present loosening up of internal trade continue? Notwithstanding certain levies made by the LTTE, the people are happy that all essential goods seem to be available at prices at roughly the same level as in Kandy or Colombo, or, for some goods, at a somewhat higher level. With easier transportation services and downward revision of internal taxation, the situation will hopefully keep on improving.

5. Will not the rapid growth of economic activity (e.g., the carpet surfacing of the Vavuniya-Jaffna road, the reconstruction of the railroad, the rebuilding of government offices and houses, the export of agricultural produce to the south) be the most convincing argument for a peaceful and fair settlement of all issues? The economic, after all, is the base of the social fabric.

6. And, finally, when will the peace negotiations be held? "We don't care where they will be held, some-

one said, in Timbuctoo or in Alaska (a good place to keep the tempers cool!), but will they be successful?" The last is the trickiest question, but the odds seem now to be that they will be, if only that the alternative is altogether too terrible for either side to consider.

#### Hope

The poem, *The State of Siege*, compared in Arabic by Mahmoud Darwish, the Palestinian poet, in Ramallah in January 2002, opens with the lines:

*There on the hillside, gazing into  
the dusk and the canon of time,  
Near the shadow-crossed gardens,  
We do what prisoners  
And the powerless always do,  
We try to conjure up hope.*

Everyone – with not one exception – we met in Jaffna hoped for peace. The two young students we met in a teashop not far from Omanthai were asked by one of our group almost too pointedly, Eelam without Peace? or Peace without Eelam?, replied very quickly, Peace with Justice and Peace with Equality for ourselves with people like you. Every trader we met, every restaurant where we paused for refreshment, every mango-seller welcomed the ceasefire and wanted peace. The last of the pet deer in a domestic garden we saw in Jaffna had, just as the other three of the family had done earlier, at the sound of a bomb falling (this time it was a bomb and a barrel of excreta) had tried to jump over the wall and broken its neck. What would the deer have wanted most of all? Not the leaves of the mango tree, but Peace. This is our hope for the future.

Still more significant is that no one we met expressed recriminations about the horrible past. We believe that this was not because they had no recriminations, but because their eyes were looking at the future, their hopes were that Peace with Honour would come. Until it comes in full regalia, let the present situation continue and continue to improve. Then peace will come *de facto* or in fact, if not yet *de iure* or legally.



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## ● A UNP-PA Ceasfire

As the political rift between the President and the UNF government is intensifying and turning uglier and uglier day by day, Former Foreign minister and PA Parliamentarian Lakshman Kadirgamar is reportedly drafting a Memorandum of Understanding aimed at defusing the crisis

Mr. Kadirgamar is said to be drafting the MoU having had lengthy discussions with President Chandrika Kumaratunga and Prime Minister Ranil Wickremesinghe and it is likely to be presented shortly for their consideration.

Though press reports predicted an early meeting between the President and the Prime Minister, it is now learnt that the meeting will take place only after Mr Kadirgamar had finalised the drafting of the MoU to the satisfaction of both parties.

While there are many in his Cabinet who are determined to undermine President's position by mounting constant personal attacks on her, Ranil is said to be prepared to adopt a less confrontational approach to the President with a view to allowing political cohabitation to work.

## ● Taking a Tough Stand

One topic that dominated media attention throughout the month has been the alleged impropriety in the purchase of a fleet of motor vehicles for the Presidential Security Division during the previous government. Wide publicity was given in the electronic and print media to an investigation initiated by the government into the affair. A cabinet sub-committee chaired by the Finance Minister had reportedly found that the correct tender procedures had not been followed in the purchase of these vehicles.

President Chandrika Kumaratunge hit back by alleging that the investigation into the affair was politically motivated and malicious and that under the Constitution neither the cabinet nor a cabinet sub-committee had powers to inquire into the affairs of the President.

Stating that these vehicles were purchased on her orders and she accepted the full responsibility, in her 10-paged response to the cabinet, the President said "Having regard to the high degree of insecurity prevailing at the

# Talking Points

time of the bomb attack on me, I was advised that an adequate number of high security vehicles should be imported as quickly as possible. The calling of tenders was considered inappropriate in the circumstances. These purchases were made under special conditions in a climate of grave security concern. The expenditure was well within the overall budget of the government."

## ● What a Friendly Bunch!

At the cabinet meeting on 14 August, President Chandrika Kumaratunga announced her decision to make an interim payment of compensation to all victims of elections violence in the year 2001.

According to news report in the *Daily Mirror*, when the President made this announcement, her one time SLMP colleague and now a cabinet minister, Dr. Rajitha Senaratne, inquired whether it was only for PA victims. 'No, its for all' said the President. Dr Senaratne asked why only the 2001 victims were to get compensation. How about the victims of the previous year he asked. He said that his party office was damaged and destroyed in the 2000 election.

At this stage the President said in that case she had lost one eye, her children were not allowed to go to school that she wished, her father lost his lands, her mother was deprived of her civic rights, and husband was killed by the JVP.

Minister Ravi Karunanayake then interjected to say: "It's you who is trying to tie up with the JVP," to which the President retorted, "I have nothing to do with you."

Compared to the other Cabinet meetings which had cross talks and heated arguments between the President and especially her one time SLMP ally, this was a friendly meeting and there was cordial talk between President Chandrika Kumaratunga and Dr. Rajitha Senaratne., where most of the Cabinet papers were passed, without much arguments, the paper reported.

There isn't much love lost between

the President and Trade Minister Ravi Karunanayake, who is reported to have accused the President with carrying a bomb in her handbag

to cabinet meetings to kill the PM and other Ministers. No wonder the Minister was not invited to banquet hosted by President Chandrika Kumaratunga in honour of visiting Pakistani President Pervez Musharraf. Karunanayake was omitted from the guest list even though his Pakistani counterpart Abdul Razak Dawood is part of President Pervez Musharraf's delegation.

## ● Complaint against complainants

Former Minister Mangala Samaraweera, who was discharged of all blame relating to complaints made by two Ministers, has now requested the Bribery and Corruption Commission to take serious action against Ministers Rajitha Senaratne and John Amaratunga for allegedly committing the offence of contempt of the Commission through newspaper articles and politically motivated threats and intimidation.

In a written complaint to the Commission on 2 August, Mr. Samaraweera who himself had to appear before the commission to answer allegations of corruption over the Telecom Credit Card affair, charged that Ministers Senaratne and Amaratunga had made threats to interfere illegally with the exercise of the lawful functions and powers of the commission through the CID.

Taking a swipe at a section of the private print media which had carried on a sustained campaign against him when he was Minister alleging corruption on his part, Mr Samaraweera said, "What is most shocking is that the attempts to scuttle and threaten the independence of the commission is being spearheaded by a section of the politically biased media."

Among the documents Mr. Samaraweera presented the Commission with his complaint were copies of articles which appeared in the Sunday Leader (7 July 2002) under the headings: "Rajitha calls for CID probe on Bribery Commission", "Cover up Games at the Bribery Commission", "Rienzie Arseculeratne's Report", "Rajitha's letter to the DG" and "Investigating of ficer's report".



Mr Samaraweera added, "The articles taken individually as well as in their totality amount to Rajitha Senaratne and others committing the offence of contempt of the Commission. In addition Mr. Senaratne, and Mr. John Amaratunga, together with others have committed the offence of contempt of the Commission by an express and public threat to interfere illegally, wrongfully and unlawfully with the exercise of the constitutional and lawful functions and powers of the Commission through the CID. My complaint is that the Commission must take serious action on wrongful interferences in the discharge of its constitutional and legal functions. Taken as a whole, the contents of the articles are a serious intimidation on the Commission with threats of illegal interference in the discharge of its functions. I wish to state that the Commission is an independent body, comprising of three members, two of whom are former judges of the highest Courts of the country. The workings of the Commission cannot be interfered with, by any other organ of the executive. The state is obliged to ensure that the Commission is permitted to function without any threats, emanating particularly from Ministers of the Government."

#### ● When cabinet colleagues fall out

The Court of Appeal 31 July issued notice on Constitutional Affairs Minister G. L. Peiris as a sequel to a writ application filed by former Minister and PA parliamentarian Mangala Samaraweera challenging his right to sit in Parliament.

Prof Peiris and Mangala Samaraweera have been Ministers in President

Kumratunga's cabinet from 1994 until the professor decided to defect to the UNP last year.

In his application, Mr. Samaraweera said Prof Peiris was disqualified from sitting and voting in Parliament as he had entered into a contract with a public corporation and was getting interest and benefits from it.

He said the Lands Reform Commission (LRC) had alienated 27 Acres of land called 'Mattegoda Estate' to Mr. Peiris through his wife Mrs. Savitri Nelum Peiris on May 1984 for Rs. 164,500. The petitioner stated LRC alienated the said land in the name Mr. Peiris' wife but for the benefit of Mr. Peiris solely for agricultural development or animal husbandry under the Land Reform Law.

Mr. Samaraweera said Prof Peiris being the sole beneficiary and Mrs. Peiris as the trustee had sold 5 Acres 1 rood and 38.7 perches out of the 27 acres for Rs. 3,867,500 to The Finance Company Ltd., in November 1990.

He said that Mr. Peiris was disqualified under the Constitution either to sit and vote in Parliament or function in the office of a Member of Parliament and he had the prior knowledge that he was a disqualified person and had no legal right to become a member of the Parliament throughout the period of 1994 up to date.

The petitioner asked the court to declare that Mr. Peiris's office as a Member of Parliament is ceased and has no right to function as a MP or to sit and vote in Parliament and asked court to issue a writ on Secretary General of Parliament, Dammika Kitulegoda compelling him to prevent Mr. Peiris from functioning, sitting and voting as a MP in Parliament. Court issued notice on respondents returnable on September 4.

#### ● Executive Prime Minister?

The weekly *The Sunday Leader* recently reported quoting Prime Minister Ranil Wickremesinghe that was ready for the immediate abolition of the

executive presidency and the introduction of the executive prime ministership directly elected by the people akin to the Israeli system. Let us say Mr Wickremesinghe is elected by the people as Prime Minister, and as happened in the case of President Kumaratunga, his party loses the majority in parliament. As the directly elected Prime Minister, will he continue in office exercising his executive powers as President Kumaratunga is seeking to do without the support of majority in parliament? Is this not the constitutional pickle Sri Lankans are in today?

#### ● They make the law, not obey

Though politicians cannot unite in the national interest, they know how to unite in their personal interest. Though by law all MPs are required to declare their assets, none of the 225 parliamentarians done so. Because they know that there is no provision in the law to initiate action against non-declaration of assets. A news report from the Attorney-General's Department said "No one can be prosecuted for non-declaration of assets according to the law. It would come to light only if there is an allegation against one of the MPs when an inquiry becomes necessary. No one has ever been prosecuted for non-declaration of assets and it is not an offence. It was neither practical nor realistic to think of prosecuting the 225 MPs."

A former Supreme Court Judge, K. M. M. B. Kulatunga, is quoted as saying though the Bribery Commissioner might have no power to begin an inquiry into the issue, any member of the public could do so. "Anyone of us can lodge a complaint, provided we have the facts right making it obligatory for the Commissioner to hold an inquiry. It is only under these circumstances that non-declaration of assets can become an offence if the complainant can prove non-declaration," he said.

The Elections Commissioner was recently reported to have said none of the MPs had declared their assets, in breach of an election law. However, he had said he was not legally obliged to take any action against the non-declaration of assets. The Bribery Commissioner was also reported as having said that he could not conduct an inquiry into the matter unless there was an of-

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ficial complaint.

Amidst so much of corruption and bribery alleged against politicians in newspapers, one wonders how the lawmakers have been allowed to get away so long from complying with the law.

#### ● Cameras to monitor conduct of MPs

Lawmakers in the Sri Lanka parliament have to behave themselves, at least they cannot brawl inside the parliament as they did not so long ago. The warning came from the Speaker Joseph Michael Perera who recently made a special announcement that all cameras within the chambers were fully operational and functioning. It is understood that four cameras have been installed to monitor MPs conduct.

Recently there has been wide publicity in the media in respect of undisciplined rowdy, and sometimes violent behaviour leading to fisticuffs among the country's lawmakers. Sometimes parliamentary sittings had to be suspended because of such conduct.

The Speaker answered in the negative when PA parliamentarian Jeyaraj Fernandopulle asked whether this meant that parliamentary proceedings were being telecast live. The opposition MP complained that during the chaotic situation in parliament on July 22, it had only been the behaviour of opposition MPs that had been recorded and subsequently telecast and asked whether henceforth the bad conduct of government party MPs would also be telecast to which there was no answer from the Speaker. He should have known that all MPs are equal, but MPs belonging to the governing party are more equal than the rest, commented a veteran parliamentary reporter.

#### ● LTTE's Naval Base ?

Is it true that, in what is seen as a possible first step by the LTTE to build a sea base of its own in the East, the Tigers have launched a massive construction project at Vakara in eastern Sri Lanka.

According to reports published in Colombo, the project under the supervision of Tiger leader 'Jeyam' is supposed to be the biggest construction project undertaken by the LTTE so far. Following the completion of the work on the sea base, Jeyam is widely expected to be appointed as the commander of the base. He was earlier attached to the military wing of the LTTE

# The ethnic tangle and the dilemma of Lankan Muslims

Dr H M Mauroof  
(President, National Muslim Movement)

The ethnic imbroglio which was mainly a two-community affair has now been transformed into a three-way tangle; it involves all three communities, the Sinhalese, the Tamils and the Muslims, equally and intimately. Therefore, the success of a peace initiative has to depend on a satisfactory resolution of the problems and concerns, actual and perceived, of the three communities.

and was later assigned the duties at the LTTE construction sites during the recent reshuffle of LTTE top rungers. Up to now the LTTE did not have a permanent Sea Tiger base. This will be the first such base, between Vakara and Kadjuwatta, which is part of the Tiger controlled area. Vakara was a strategic point, from which the LTTE launched several attacks on security forces in the eastern province during the war.

#### ● One million rupees consultant

It is learnt that President Kumaratunga has objected to the payment of a staggering salary of more than one million rupees a month to Prof. Rohan Samarajiva for his new job as consultant to the Ministry of Economic Reform, Science and Technology.

In her note to the cabinet, over which she has little or no control, the President is reported to have expressed the opinion that "whatever the qualifications of Prof. Samarajiva may be and however important the function to be entrusted to him are, this is a salary which is far above the capability of this country". It is worth noting that Prof. Samarajiva had earlier been employed in the Sri Lanka Telecommunication Authority for a salary of less than Rs. 100,000/- per month, and therefore, it would be highly incorrect to employ him now at such a high salary, the President said asking the cabinet to reconsider the matter.

The Sinhalese live concentrated in the seven Southern Provinces. Similarly the Sri Lankan Tamil community in the Northern Province, with the Tamil community of Indian origin living in heavy concentrations in the central regions.

In contrast, the vast body of the Muslim community lives scattered throughout the island. The Eastern Province is an exception; unlike in any other, the Sinhalese, the Tamils and the Muslims live there in almost equal proportions.

It is evident that peace is the common platform of both the President and the Premier; the departure between the two is only in the methodology employed and the question of sequences.

Their objects and their commitment to peace are as solid as rock. Many observers are convinced that it is those who have encircled the two leaders who have so far successfully scuttled the emergence of a common stand by both.

The core positions of the UNP and the SLFP are not too far apart as to remain unbridgeable. Both parties remain wedded to the central position that devolution to the North and East are pre-requisites for the establishment of ethnic peace. What is therefore the prime need of the hour is for Premier Wickremesinghe to convince his colleagues to accept the reality that no one party can rightfully gain sole credit for the successful winning of ethnic peace to the exclusion of the other. President Kumaratunga has publicly extended her hand of co-operation, and, it would appear that Premier Wickremesinghe should grab it with both hands; then the hand of a statesman would have met the hand of a stateswoman.

There is no need for the two parties to coalesce, compromise or even cooperate on their respective stands on economic, political, social or other issues. But on the question of solving the

ethnic problem the two have to work out a common stand; left to the two leaders, with their experiences, backgrounds and depth, they will be quite capable of producing the magic.

### The Muslims

Now the Muslims. It is the Muslims who are, so to say, finding themselves in a soup. The primary reason for their precarious position today is because of their dispersed distribution. The vast majority of the Muslims live in the seven provinces among the Sinhalese. The relationship between these two communities, except for occasional hiccups, has been excellent though they speak different languages. Except for a few larger concentrations as in Akurana, Puttalam and Beruwela, Muslims live widely distributed among the Sinhalese.

In the prevailing environment of friendship and with the goodwill of the political leadership, Muslim concerns regarding the following could be easily ironed out:

1. Ensure provisions for the adequate representation in Parliament for the Muslims. This becomes really relevant when the new election systems is spelt out soon.
2. Ensure constitutional safeguards for the Muslims by restoring the positions that were available under Section 29 of the Soulbury Constitution.
3. Constitutionally ensure equality of treatment in all respects vis-a-vis other communities.

Minimum yet genuine effort could bring consensus in these. It is noteworthy that direct Muslim participation at the highest levels especially with the UNP, and also with the SLFP had been of a high degree in the past.

### The East

The real problem for the Muslims is regarding their future in the Eastern Province and also in the Northern Province. It is in the East that Muslims live in large concentrations. Although only 25% of the Muslims live in the East it is only from the East that the Muslims have been able to obtain authentic representation in Parliament. It is only from the East that the respective Demarcation Commissions were able to carve out electorates with a Muslim majority. Demographic facts were such that nowhere else were they able to mark out electorates with a Muslim majority; the Commissioners have re-

peatedly expressed their frustrations about the failure in this respect in their reports.

On account of the manner in which events have started to take place the Muslims of the East are suddenly finding themselves stranded and are in a state of helplessness; the reason is the threat the Eastern Muslims are facing due to their comparative post-Ashraff eminence in the East, a threat of being reduced to slaves. The provisions provided for in the ceasefire agreement have taken no account of them although they account for a third of the Eastern Province, and, together with the Sinhalese constitute two thirds of the population.

It has to be understood and recognized that the era beginning from the 1978 Constitution had been distinctly disadvantageous to the Muslims. During this period, President J.R. Jayewardene chose to wash his hands of the problems that had been created for the Muslims; the beleaguered Muslims were asked then to negotiate their future with the LTTE and seek the solution themselves; for the Muslims it was a position in many ways similar to the position they are in today.

The situation then resulted in a cross-party Muslim conglomerate led by Dr. Badi-ud-din Mahmud to travel to Madras, run from pillar to post, and conduct talks with the LTTE and others to extract some accommodation. But today unfortunately neither is there an outstanding personality like Dr. Mahmud nor an Eastern leader with the commitment and capacity of M.H.M. Ashraff.

After 1994 Mr. Ashraf was able to convince President Kumaratunga the need to offer adequate recognition and protection to the Eastern Muslims by appropriate constitutional provisions. These were contained in the draft proposals presented to parliament last year before the present Government assumed power.

For not so easily explicable reasons and despite the fact that they speak the same language the relations between the Tamils and the Muslims have not been satisfactory.

The LTTE had resorted to perform ethnic cleansing of Muslims in the North in the early 1990s and continued to murder and pillage the Northern and Eastern Muslims - a treatment in many ways comparable to the treatment of Muslims in Bosnia and Kosovo, and the

Jewish treatment of Muslims in Palestine.

The ceasefire agreement, if continued in the form it is today, leaves the Muslims stranded in the North-East at the mercy of the very Tigers who have up until now done everything to decimate the Muslims in numbers, disturb their demographic status, damage their economic standing and try to demolish their day-to-day living modes.

It is the bounden duty of the UNF Government to provide for the safety of the Muslims for many reasons, the least of which is that more than 80 per cent of the Muslims cast their votes to the formation called the UNF; the Government cannot get away from its responsibility by inveigling one of its appendages in Government to understate the task and later make the appendage a scapegoat. It was Premier Wickremesinghe who as the sole leader, signed the agreement with the Tigers and it is he who should take the responsibility to make unequivocal provision in it to ensure safeguarding the rights of the Muslims.

The Premier should not lend credibility to suspicions that he is endeavoring to pass the responsibility to negotiate the safety of the Muslim community to the SLMC or the UNP Muslim members of Parliament. The Government should officially take over the primary responsibility on itself and then seek that solution with the assistance of the above groupings. This assumes urgent importance because if the ceasefire agreement, as it is today, reaches fruition in Bangkok there will be in place in the North-East an "Interim Administration" under the LTTE.

It must be understood that if an "Interim Administration" is set up, there will be two administrations in the country - one in the seven southern provinces under the government and another in the North-East under the LTTE.

It is claimed that the LTTE is metamorphosing from a military outfit into a political one. There is no reason to reject this idea and disbelieve it totally. Anything is possible. But could the future of a most important and historic sector of the Muslim population in the East be consigned to great and permanent risk.

The Tigers have grown up deeply imbued with a terrorist mindset. It is not going to be easy for the Tigers to effect a smooth change into a democratic organization overnight. They are

likely to face many internal problems with the Tamil public whose culture in Sri Lanka is deeply rooted in liberal and democratic traditions. However, it is a choice the Tamils in the North-East are making knowing full well the risks they will be facing.

But for the Muslims, taking into account the way things have been going on in the area a choice similar to that of the Tamils is absolutely unthinkable. Anyway, eventually the Muslims in the area have to live peacefully with the Tamils but with due dignity. Time will certainly help to heal the wounds but only in an atmosphere of mutual respect and not from a master-slave relationship. Also usage of a common language will help catalyse the process of reconciliation.

The Tamils have come out as a united body ready to negotiate because of the three Sri Lankan communities it is the Tamils who have suffered the most. As for the Sinhalese, both the SLFP and the UNP have accepted that devolution to the North and East is central to the solution of the ethnic question. All patriotic leaders should help the UNP and the SLFP to resolve the superficial differences they now have on the ethnic issue.

The Muslims should take the following two courses to help the country and themselves:

(i) Action should be taken for a cross-party Muslim formation to meet the President and the Premier for the purpose of:-

(a) calling upon the two to work out a common stand to resolve the ethnic question, and,

(b) seek the assistance of both to ensure the position of the Muslims in the country.

(ii) Accept the idea themselves and then to cause the LTTE to admit the need for a set of devolution proposals for the North and another set for the East thereby recognizing the differences between the two; the composition of the population in the two Provinces the North and the East is absolutely different.

As a result of provisions spelt out in the ceasefire agreement, it is the Muslims of the East and the North who will be at the receiving end. It is paramount for their immediate future that they help the emergence of a cross-party Muslim formation with the North/East Muslim MPs as the core.

This authentic body should, on the

## Time to end the bastardized game of power politics

Gaston de Rosayro

It is a widely accepted fact that the most sensitive bits of a governing administration's anatomy are those delicate antennae that twitch at the faintest changes in the political atmosphere and order its brain to take evasive action.

So it was recently, when Prime Minister Ranil Wickremesinghe addressing the nation, took his woes to a suffering populace and pleaded for time to put the country's snarled economy back on track. He laid the blame for the infirmities plaguing the nation on the usually repetitive and predictable malaise. They included years of a debilitating civil war and economic mismanagement that had left the nation suffocating in debt.

one hand establish relations and rapport with the LTTE and the TNA, and on the other, establish and maintain rapport with the Government in Colombo by themselves and in combination with the Muslims in the southern provinces. Such an arrangement will ensure that the issues and problems faced by them in the North and the East will be their utmost priority as was when Mr. Ashraf was alive.

To the North-East Muslims, loyalty to this party or the other is barely of any relevance today. Their local leaders should get galvanized and push their parliamentary representatives to take cognizance of the dangers right at their doorstep and take appropriate action immediately. Time is not on their side; they should act with a deep sense of urgency.

Asymmetry in Devolution is the key approach of the new proposals by the Premier. The demographic composition of the Eastern Province is completely different from that of the South and of the North. The facts and the ground situation in the East demands that asymmetric in devolution be extended appropriately to the East as distinct from the North. (The Sunday Times)

Mr. Wickremesinghe, spelled out his Government's frightful economic debt burden, explaining that it owed 327 billion rupees in loan payments and interest, while revenues were forecast around 278 billion rupees. He also alluded to the responsibilities of the people reminding them that it was a matter for national concern to share the debt burden.

"If we are to judge how serious the problem of debt is, each one of you is about 77,500 rupees in debt."

All administrations have been entreating the people to practice austerity in times of crisis, while foisting more economic burdens on them. But hardly any of the politicians have made any concessions on their own towards such an exercise. Instead, they have been behaving much like bloody-minded and unrepentant despots with a voracious appetite for power and wealth.

Mr. Wickremesinghe's overriding assertion is that his administration portrays a new phase in the country's troubled politics and is free from the restraints and prejudices of the past. Several political observers agree that Mr. Wickremesinghe is a respected politician in terms of integrity and statesmanship. Many of his party heavyweights and indeed some of his political foes give him credit for his courage and agreeable standards of political behaviour. Many have no doubts about his intentions to extricate the nation from the disordered political and economic cesspit it has become mired in.

But his assignment will not be easy. The hardest task for Mr. Wickremesinghe will be to restore faith in democratic politics. This is partly because the people have for decades been assailed with an abundance of unrealistic promises. It is partly, too, because they have been accustomed to being hugely disappointed by their leaders.

Both our feudal principal political parties have alternately always been given a chance to change history, but

all they have done is to merely repeat it. They all know what and whether they did wrong although years of vociferous denial may have muddled even their own memories. What they have basically been able to achieve largely is to promise progressive reforms.

But cynical Sri Lankans allege that this has been only bombastic balderdash for buying time and creating the illusion of progress while producing inefficiency, confusion, corruption and demoralization. And it will be unfair to blame them. Every administration has ended up repeating its predecessor's scandal-tainted rule. This culture of graft, waste and mismanagement is widely seen as one of the worst legacies we have been saddled with, and has been triggering a chain reaction down the line.

Many analysts have expressed an opinion that if the previous People's Alliance leaders had taken the bold step of sacking some of the more blatantly corrupt, inept and thuggish elements from within their administration, they would have still been in control and not banished into the purgatory of the Opposition. With hindsight, President Chandrika Kumaratunga and her party leaders must have realized that that would have been the sensible thing to do to ensure their political survival.

Instead, several of the more respected members of that corrupt Cabinet either played an apologist role or remained mute in the face of such obvious corruption and growing political excesses. It was a course which led to diminished public confidence in the regime, damaged its image and eventually proved downright suicidal to boot.

In the eyes of the perceptive public, even some of those politicians who are considered clean, are actually not. Because they too have been guilty of sleaze by association, which means they are somewhere in the middle range of the integrity meter. There are few choices and little time left for our major parties to stave off political destruction. Sri Lanka's drama is that it has

run out of room for both economic and political manoeuvring and has reached only a noisy standoff.

Not only have Cabinet ministers and senior Opposition members been trading barbs but they have been doing it at the highest level, which makes matters far more difficult to resolve. They are turning their hate-affair into an all-consuming obsession that leaves them little time for anything else. It is also a continuing quarrel which has poisoned our internal politics for decades. (Daily Mirror, 5 August 2002)

Yet, voters are becoming tired of the irascibility and the allegations and the puerile, political name-calling that is going on among the Executive, the Government and the Opposition. Several of them, instead of confining their attacks to public issues, have been displaying a disposition to keep raising a personal tone.

What they fail to realise is that this is tantamount to the politics of personal destruction. Because essentially, attacking character or personal blemishes seems to not only affect their credibility but makes them seem ugly, narrow-minded, inferior and mean in the process. And it does not serve to conceal their own shortcomings.

The country is in the throes of perhaps the greatest crisis in its history.

Many observers believe that the new United National Front Cabinet is composed of some of the most eminent legal and professional brains that would be suitable for picking as an effective crisis management team by most standards. But it also comprises some who are perceived as numbskulls, possessed more with offensive swagger than any real intelligence. Despite the fact that many of them have been distinguished as electoral liabilities they have been kept on for reasons of political expediency.

With the myriad problems facing the country the new Cabinet will have to take off a gallop alright and more importantly keep their perspective, with the blinkers on if need be. Amid this sea of chaos the ministers are expected

to become a whirlwind of progressive activity, and not transform themselves into a holy hurricane of activist fixations such as prompting witch-hunts which smack of a rigged circus atmosphere.

From a spectator's point of view it all makes for great entertainment. No doubt, some of the more serious allegations and criticisms certainly have to be parried. But the problem is, by spending too much time responding to salvos and returning fire, focusing on the job of resolving the more serious issues at hand are bound to be side-tracked. In a mixture of self-interest and high-mindedness many politicians while in power imagine they are above the law. When that happens and governing parties stubbornly hold onto their resolve to mother the corrupt or suffer fools, they risk sending their administration down in flames.

Take for instance the case of a large number of parliamentarians, including Cabinet ministers, non-Cabinet ministers, deputy ministers and MPs who have failed to declare their assets to either the Secretary General of Parliament or to the President. Ministers, non-Cabinet ministers and deputy ministers are required to disclose their holdings, including property, possessions and liquid assets to the President, while other MPs have to make a similar assertion to the Secretary General of Parliament.

Now consider this. Despite the deadline for such disclosure lapsing more than a month ago, only 38 of 58 government ministers and deputy ministers have so far complied with the requirement. Which means that a good portion of them have suddenly become inventory-shy. But why, is the megabuck question?

The growing new affluence of many local politicians would appear to be striking enough evidence that all this is so obvious. But hardly surprising.

Because in the bastardized game of Sri Lankan power and money politics, there appears to be no rules and obviously no referees.

(Daily Mirror)

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# The many faces of Eelam

Michael Roberts  
Daily Mirror 5 August 2002

The title of this article suggests that we are entering the realm of etymology. According to Orientalist authorities such as Peter Schalk, the term *ilam* appears in Tamil inscriptions about the first century CE and refers to the whole island, that is, to a land that was also called *lank*, *s\_hala* and *s\_imhala* in proto-Sinhala as well as other scripts and languages.<sup>2</sup> From this word, then, Tamil derivatives emerged, such as the term “*Ilavan*” used from the ninth century CE to refer to persons from *Ilam*.

The latter term, clearly, was not a reference to Tamil-speakers, but to the inhabitants of the island in general. When the version “*Eelam*” was thrust into the front reaches of Tamil politics in Ceylon (as it was then known) in the mid-twentieth century as a result of Suntharalingam’s agitation and the emergence of the Federal Party, it seems to have retained its earlier connotation. Tracing the various inflections attached to the word in both Tamil-speak and English-speak during the third quarter of the twentieth century will demand careful research work by a number of scholars. Such researches will therefore supplement the ongoing work on the etymology of the word in ancient, medieval and modern times.

I am not skilled in Tamil or in philology. Therefore the title of this essay is misleading. But I insist that the title is pertinent. Why? Because this article is an open letter to all those who consider themselves Tamil in its island-meanings and who reside in those areas that will not fall within the territorial unit destined to be the realm of an LTTE-dominated polity in the immediate future. These Tamils include those formerly designated “*Indian Tamils*,” people who are now (incorrectly in some ways) called “*Plantation Tamils*,” but who apparently prefer to describe themselves as “*Malaiyaha Tamils*.”<sup>3</sup> Some categorical distinction is re-

quired. All the terms available are unsatisfactory in one way or another. So I will make do with the distinction between “*Older Tamils*” and “*Malaiyaha Tamils*.”

My article is addressed to the Older Tamils living to the south and west of the present North and Eastern Provinces. It asks them whether they have ever considered what their life-world would be like if a separate state of *Eelam*, as envisaged by the battle cry of their leaders since the Vaddukoddai resolution of May 1976, eventuates? If they have not confronted this question before, it asks them to seriously work out the ramifications of such an event NOW, immediately. “*The Meaning of Eelam*” is meant to highlight this issue for their situation today.

However, what is central to their existence must necessarily be of significance to the LTTE leadership and the diasporic Tamils as well because of the emotional links that exist between the three bodies of Tamils from Lanka. It goes beyond that, that is, it goes beyond the Tamils who dwell in Lanka. The meanings that are attributed to “*Eelam*” today necessarily impinge upon the lifeways of Sinhalese, Muslims, Colombo Chetties, Malays, Burghers and other people who live within Sri Lanka or identify with its interests.

In brief, then, I am not speaking about the history of the term *Eelam* or its adoption in the twentieth century by Tamils who had begun to conceive of themselves as a “*nationality*” (or “*nation*”) and wanted to secure “*self-determination*” for themselves. My focus is on the situation NOW in 2002 after two decades of war within the framework of the MoU and what the Daily News has called the “*Peace Quest*.”

## “*Eelam*”: Recent History

Within this framework, nevertheless, a brief historical review is re-

quired. In the modern world, following Seton Watson, a “*nation*” can be said to exist as a force whenever “*an active and fairly numerous section of its members are convinced that it exists.*”<sup>4</sup> Among the Older Tamils of Ceylon that moment dawned in their English-speak around 1949 with the formation of the Federal Party. The FP may not have been the principal Tamil association then, but it was not insignificant in its resource base and became central to Tamil interests from 1956 onwards. So, its proclamation in 1949-51 that the “*Tamil-speaking people in Ceylon constitute a nation distinct from that of the Sinhalese by every fundamental test of nationhood*” was a landmark in Tamil political history.<sup>5</sup>

Ironically, as I have shown elsewhere, facets of this vocabulary seem to have been made available to the Tamil leaders by the Communist Party of Ceylon (CCP). It was the CCP that, in October 1944, first defined the Older Tamils of Ceylon as a “*nation*” alongside the Sinhalese nation. In defining the nation concept, moreover, they faithfully reproduced Stalin’s original formulation and, with it, associated each and every nation with a “*traditional homeland*.”<sup>6</sup>

This summary history, of course, is incomplete. For one thing, it is restricted to Tamil outpourings in the English medium. Fuller understandings must not only scour the English sources comprehensively, but must also delve deeply into Tamilian representations in their mother tongue from the 1900s onwards. Such research must also transcend and go beyond the overwhelming tendency among scholars who have surveyed this field to provide legitimations of “*defensive Tamil nationalism*.”

Within the limits of this restricted foundation of knowledge, I believe that the Federal Party worked initially within the framework of the existing nation state known as Ceylon. *Eelam* to Tamils of the 1950s and 1960s, therefore, did not carry the meaning that it now bears so powerfully and triumphantly. The nationalism of the Tamils supporting the FP was a “*sectional nationalism*,” not a separatist phenomenon.<sup>7</sup> Its sectionalism had some affinities with the forms of Sinhalese sectionalist nationalism embodied in

the SLFP and Philip Gunawardena's MEP. Except that Sinhalese nationalism had captured the state machinery in 1956 and instituted a majoritarian hegemony in ways that enabled its activists to equate "Sinhalese" with "Ceylonese," thereby subsuming the latter.

This configuration, as we know, nurtured the further transformation of Tamil collective consciousness. Tamil Sri Lankans were turned, initially in small numbers, but later in a flood, into Tamil Eelamists or Ilavans. Tragedy begot more tragedy. Victimisation, lies, atrocities, and manipulative re-writings of history on both sides of the divide became (and remain) so many threads within the broader tale of a tragic and seemingly intractable conflict.

To militant Tamils from the 1970s, if not earlier, "Eelam" spelt a separatist state. Or so it seems looking at the situation from outside without access to Tamil literature and in the light of the limited literature available. The sought-after state of Eelam has generally been conceived as an entity that encompasses the provinces known today as the Northern and Eastern Provinces, though some LTTE maps make more extensive claims and the idea of "traditional homelands" is clarified sometimes in quite manipulative and dishonest ways.

Thus, over the last three decades "Eelam" has signified a separate state set up within Sri Lanka with all the juridical capacities of a sovereign nation. Such rights would, of course, include not only full accredited international status as a "nation," but also the capacity to defend its territorial space and thus to sustain its army, navy and air force. Yes, air force.

However, does "Eelam" necessarily mean that? Have the Tamil leaders of the recent past, and the LTTE specifically, thought of "Eelam" only in this form? I cannot answer this critical question. I do not have sufficient information in Tamil or in English to answer this question. What I can say is that the Sinhalese and others in Sri Lanka believe that Eelam has this connotation, and this meaning only, for the LTTE, its followers and most Older Tamils.

My article is an attempt to move away from these convictions and to suggest that the LTTE may be prag-

matic enough to conceive of other understandings of Eelam. Can "Eelam" mean something else, something less than a separate state? Or alternatively, can both sides, we, all parties to the conflict, begin to refashion the concept of "Eelam" to mean something other than a separate state? Can the Older Tamils, as the main engine of Eelam, rework the idea into what I shall call "Adequate Eelam" as distinct from "Wholesale Eelam"? That is to say, from the Tamil viewpoint can't Adequate Eelam sustain their dignity and status as a nation? And thus cater to self-determination in an adequate manner? Indeed, won't Adequate Eelam enable the Older Tamils living and working in the south to have their cake and eat it in ways that Wholesale Eelam would not merely threaten, but make impossible? In short I suggest that in the present context, both within Sri Lanka and in the regional firmament, Adequate Eelam will be a more stable and sensible proposition than Wholesale Eelam.

#### "Eelam" Today

Let me reiterate my main question, a suggestion really, and one that is especially aimed at the Older Tamils living to the south and west of the north-eastern regions of the island. What would a new juridical unit vested with sovereignty, the nation state of Eelam, mean for their lives in the immediate future? Would they become citizens of Eelam or would they assume citizenship within Rump Lanka if they are not, as so likely, allowed rights to dual citizenship, that is, if they cannot use a flag of convenience in Rump Lanka while their hearts are with the new state of Eelam?

To this difficulty one can add the problems faced by the government and populace of Eelam. From where would the people of the northern Vanni, Trincomalee district and some Eastern regions get their agricultural water? How much would they be ready to pay for such water supplies from their neighbouring state, Rump Lanka? And where would the state of Eelam draw its supplies of electricity and at what price?

To raise such issues is to mark some, and by no means all, of the knotty problems that confront the present on-

going process of peacemaking. But they also highlight the many flashpoints if Wholesale Eelam does eventuate. In other words, I am saying that Wholesale Eelam would carry the burden of highly flammable points of dispute, not least the "proper" borders between Eelam and Rump Lanka.

Such flashpoints make it likely that a new war would break out between two sovereign states. This will be a repetition of the tale of India and Pakistan, but with a greater intensity generated by the restricted territorial space within which the fighting and killing will occur. This war will be at a level of intensity that would make the recent past seem like kindergarten stuff. Many towns in the centre and south of the island will begin to resemble Chavakachcheri. In short, I raise these questions to spell out a possible doomsday scenario. The Older Tamils in the south-and-west will be the hardest hit, but, of course, people from all the ethnic groupings will suffer severely.

#### Adequate Eelam

As distinct from Wholesale Eelam, Adequate Eelam will be a semi-autonomous polity that nestles within the state of Sri Lanka. The constitutional modalities of such a political system will necessarily be complex, but our ingenuity in this regard should not be underestimated. Pragmatics should be the mother of invention. That is, sheer necessity should encourage the Older Tamils living in the south-and-west besides all parties to help engineer such a framework.

If such a polity arises then, these Older Tamils of the south-and-west would be able to have their cake and eat it. Even S L Gunasekera would be able to travel to the north or east of the island without requiring a visa. Out there he might wishfully see that faint traces of the writ exercised by the government located in Colombo.

What is more, the Older Tamils living in the south-and-west can exercise several options when they reach for a collective label to identify their collective sentiment. They could follow their brethren in the north and east and call themselves Eelam Lankans (or Ilavan Lankans). But they would also have the option of simply describing themselves as Lankans.

There are many precedents for this type of self-labelling that then creates a framework for the naming of Others. Italian migrants to Australia who are two or three generations deep sometimes opt for the label "Australian," but yet others choose to describe themselves as "Italian Australians." In short, if the world can recognise German Swiss, Italian Australian, Jamaican Brit and French Canadian, then there is space, too, for Ilavan Lankan as well as Sinhala Lankan, Muslim Lankan and Burgher Lankan (besides simple "Lankan").

The central question, therefore, is this: are the forces and key players influencing the Sri Lankan firmament realistic enough - and skilful enough - to seize the moment? A workable deal ensuring Adequate Eelam is what we want. Otherwise these forces will be committing their children, and their children's children, to a spiralling cycle of war.

1 Schaik, "Ilavar and Lankans, emerging identities in a fragmented island," Asian Ethnicity, vol. 3, p.49. The label *ilankai* was also used in subsequent centuries.

2 G C Mendis, 1965, 'The Vijaya legend', in Senarat Paranavitana Felicitation Volume, ed. by N. A. Jayawickrema, Colombo: M D Gunasena and Co., pp. 265-67. For instance, the Samudragupta Allahabad inscription in India of the fourth century CE refers to *s\_ imhala* (communication from A. Liyanagamage).

3 Daniel Bass, "Landscapes of Malayaha identity," Colombo; Marga monograph series, no. 8, 2001.

4 Hugh Seton Watson, Nationalism old and new, Sydney University Press, p. 3.

5 Quotation from an FP pamphlet in Robert Kearney's article in Asian Survey, Sept. 1985, vol. 25, p. 904. See A. J. Wilson, S J V Chelvanayakam and the crisis of Sri Lankan Tamil nationalism, 1947-1977, London: Hurst & Co., 1994, chap. 3 for the context.

6 See Roberts, Documents of the Ceylon National Congress and nationalist politics in Ceylon, 1929-1950, Colombo; Dept of National Archives, 1977, Vol. III, Item 124, pp. 2574-90. Also see Roberts, "Self-determinations(s)" article in website, www.ozlanka.com.

7 See Roberts, "Meanderings ...," in Roberts (ed.) Collective identities, nationalisms and protest in modern Sri Lanka, Colombo: Marga, pp.38-39.]

## Ancient Temple Music & Dance of India

*Entertaining the Gods with dance and music was an integral part of temple ritual and worship. Most important temples of India had a large number of dancers and musicians attached to the shrine to entertain the deities daily. Even though today dancing does not form part of a temple ritual, all classical dance is still dedicated to a deity. Temples of any significance had attached to them a group of dancers whose role was the service and veneration of the deity. These women are known as devadasi, servants of God, who like the priests, had dedicated their lives to the service of their Lord. Dance was the principal act of worship undertaken by the devadasis before an image of a deity. The institution of the temple has been and remains at the centre of community life in India. Temples served as suitable venues for performances. Hindu temples have pillared halls dedicated to dance and drama performances. Spectacular oil lamps were placed in the dance halls to provide magical illumination for night performances of the Hindu epics. Royal patronage also ensured that the standard of temple dances in the Chola period reached new heights by creating opportunities to standardise the techniques and choreography of the temple dance genre. It is to this period that the origins of South Indian classical dance form of Bharatanatyam is attributed. There is evidence that in South India the institution of devadasi continued without interruption until early this century, following the standardisations of dance styles instituted in the eleventh century. The dances which devadasis traditionally performed in the temple, and their other duties attending to the deities, represent an early form of institutionalised bhakti or devotional worship. Temple dance is best explained as a mystical level of devotion - it is the uncompromising act of a devotee celebrating her love of God. For the dancer it can lead to the state of spiritual intoxication associated with bhakti. Its passionate performance would have helped to evoke the atmosphere of the temple as a place removed from the mundane world, the temple as celestial abode of the deity. Dance, in this context, can be seen as a form of ritual worship in which the emotive and passionate aspects of the devotee's personality are activated. The fact that the devadasi are supported by the temple in no way diminishes the conviction or authority of their worship.*

*The bhakti movement brought structural expansion of the temple followed by a corresponding expansion of temple rituals. The institution of reciting, singing the sacred hymns composed by the samaya-charyas came into existence in the ninth century A.D. as endeavours of religious fervour they grew in intensity during the successive 4 centuries. Hymn service both Thevarams and Divyaprabandam at temples were popular with not only the royal*

*household, but with all sections of society. Music, chronologically is earlier than the temple, and the latter made effective use of music and musicians to promote its own grandeur. The nadaswaram with its sanctity attached, popular with the temples commands a place in temple service and auspicious functions in Hindu households. Music of nadaswaram is audible even at a distance of a kilometre or two without aids of amplification. A popular nadaswaram party always attracts vast crowds to temple festivals. Tavil had traditionally been acknowledged as the most suitable for nadaswaram accompaniment.*

*Referring to the place of Tavil in south Indian temple and art music, tavil play in Mallari and for raga elaboration, it is the only percussive instrument, which was sounded first before the main performer started. Originally only associated with temple rituals, including procession of deities, tavil play developed to encompass intricate rhythmic complexities of Indian music. Rhythmic syllables are played by a tavil vidvan in nadaswaram melam accompanying a deity taken around in procession. Nadaswaram service in temples is conditioned by irrevocable use of appropriate tunes or ragas that fits in with the scheduled services for the deity. Temple towns of south India have well defined layouts. During festivals, the deity is taken around in a grand procession. Nadaswaram players accompany the pageantry. Protocols are scheduled in accordance with tradition. The nadaswaram player should play the appropriate tunes at scheduled halts and other spots on the main route. Wedding of the divine Couple is a festival of religious significance. The nadaswaram player on such occasions provides a variety of compositions like mallari, lali, oonjal, nalangu. The 'ottu' provides the drone and the percussive instrument tavil helps to keep the rhythm, metallic cymbals provide control. A 'Periya Melam' troupe consists of the main artiste assisted by a junior artiste in nadaswaram, two Tavil players, Ottu and the Cymbal boy.*

*Even today, the tradition of worship in temples through nadaswaram music continues all over the world among the Hindus as in India, Jaffna (Sri Lanka), Malaysia, Singapore, Canada, USA and U.K. While the system of Devadasis is discontinued in all temples, the dance form of Bharata Natyam has evolved into a concert style. But Indian classical dance still owes its lineage to the ancient dance rituals of the devadasis in the temples of India.*

**Siva Sivanathan**

Note: The article captioned "Mallari" which appeared in the July 2002 issue was also presented by Mr. Siva Sivanathan. No reference was made to it at the end of the article. The omission is regretted.

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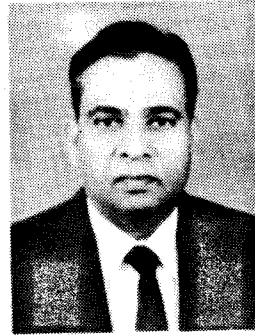
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**About People and Events****OBITUARIES****Mr. M. Kugathasan**

Born: 20.08.1928  
Died: 17.07.2002

**Mr. M. Kugathasan**, formerly of C.G.R., Ratmalana son-in-law of the late Seevaratnam and Leelavathy of 27 Wyman Road, Nallore, Jaffna; dearly loving husband of Visalache (Betty) passed away on Wednesday, 17<sup>th</sup> July 2002 and funeral took place on 18<sup>th</sup> July in Jaffna. The members of the family are sincerely grateful to relatives and friends who attended the funeral, sent floral tributes, messages of sympathy and assisted in numerous ways during the period of great sorrow. The late Mr. Kugathasan (Kuga) will be remembered as a very religious, kind hearted and loving person, who will be missed by his family members, relatives and friends not only in Sri Lanka but also across the seas. - 'Ratna Villa', 65 Wyman Road, Nallore, Jaffna, Sri Lanka.

**Mr. Sathiamoorthy**

Born: 5<sup>th</sup> January, 1941.  
Died: 10<sup>th</sup> July, 2002

**Sathiamoorthy**, Chartered Accountant, Dubai, beloved husband of Lalitha; loving father of Shankar and Sakthi Dhevi; eldest son of late Eliathamby Arumugam and late Sivalogavalli of Atchuvely; son-in-law of late K.P.Chelliah and Annapillai of Kokuvil; brother of Suntharamoorthy, Sathiabama, Punniamoorthy, Sambanthamoorthy, Suntharaleela, Punniadevi, Sambantharani and Arulmany; brother-in-law of Puvanarane, Vignarajah, Kamalam, Ranjitham, Leelawathy, Shanthadevi, Selvaratnam, Pathmini, Ketheeswaran and Jegatheeswaran passed away on 10<sup>th</sup> July 2002. Cremation took place in Dubai on 14<sup>th</sup> July 2002. - P.O.Box 2525, Dubai, United Arab Emirates.

**In Memoriams****In loving memory of Mrs Rajeswary Sambanthan,**

on the third anniversary of her passing away on the 30<sup>th</sup> of August 1999.



Sadly missed and fondly remembered by her beloved husband Sambanthan; loving children Chandragupthan, Pragasini, Raveendran (Ragu), Thevarajan and Shankaran; son-in-law Varathan; daugh-

ters-in-law Reeta, Kamala, Suhanthini and Sureka; grand-children Priyanka, Vignirthan; Aarabhi, Branavan; Gawthaman; Sharanka, Sharuka; Vithuran, Methulla. - 78 Regis Drive, Winnipeg, Manitoba R2N 1K3, Canada.

**In Ever Loving Memory of Mrs Ruby Amirtharan Ratnasingham**

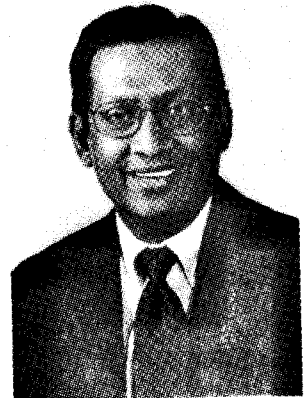
On the second anniversary of her passing away on the 21<sup>st</sup> of August 2000.

Fondly remembered and deeply missed by her son Kumaran, sister Thevaranee and other members of the family. - Miss J. T. Rasiah, 64 Jessup Close, London SE18 7HB.

**First Year Remembrance Dr Chelvadurai Manogaran**

(1935 - 2001)

Emeritus Professor of Geography University of Wisconsin-Parkside (USA)



Sadly missed and fondly remembered by his beloved wife Santhana Thevi (Kili); daughters Anita and Shakila; son-in-law Douglas Shimp; grandson Nathaniel Arjun Shimp, family and friends.

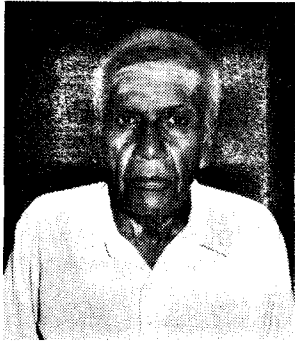
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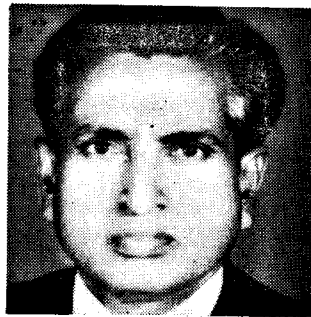
### Mr. Saravanamuttu Appathurai



In loving memory of **Mr. Saravanamuttu Appathurai** on the second anniversary of his passing away on 4<sup>th</sup> July 2000.

Sadly missed and fondly remembered by sons Ganeshamoorthy and Suntharamoorthy; daughters-in-law Irasamalar and Sarathadevi; grandchildren Dinesh, Kokularaj, Kesavan, Divakari, Kokulan and Suthakar. - A. Suntharamoorthy, 95 Holyroad Avenue, South Harrow, Middx HA2 8UD. Tel: 020 8423 1629.

### Death Anniversary Remembrance Mr. Mayilvaganam Velummayilum



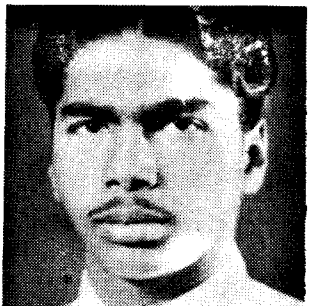
anniversary of his demise falls on 31.08.2002.

Sadly missed and lovingly remembered by his loving wife; children Thayanandarajah (UK), Nithianandarajah (New Zealand), Mayilvaganarajah (UK), Chitra (Colombo), Anandarajah, Krishnarajah and Jayanthi (all of Madras); grandsons Cameron, Ewan and Atharsan; son-in-law Kamaleswaran (Colombo); daughters-in-law Sumitra (UK), Devi (New Zealand), relatives, friends and a host of grateful constituents - 'Hillcroft', 14 Howards Wood Drive, Gerrards Cross, Bucks SL9 7HN.

Mr. Mayilvaganam Velummayilum J.P., U.M., Attorney-at-law and former Chairman, Urban Council, Point Pedro, Sri Lanka passed away on 31.08. 1989 and the thirteenth

### Twelfth Death Anniversary

#### Mr. Apputhurai Gunaratnam



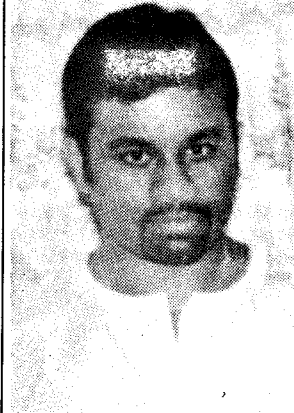
In loving memory of **Mr. Apputhurai Gunaratnam**, formerly Divisional Superintendent of Post Offices, Sri

Lanka of Point Pedro on the twelfth anniversary of his passing away on 28<sup>th</sup> August 1990.

Sadly missed and fondly remembered by his loving wife Rani, children Thirukumar (Australia), Vasuki (Sri Lanka), Devaki (Australia), Sutharsan (UK), Saratha Devi (Australia); sons-in-law Ravindran, Radhakrishnan and Sashikanth; daughter-in-law Vasanthi; grandchildren Ashvini, Yathurshini, Prushoth, Mayurikka and Mayuran. - 67 B St. Ann's Road, London N15 6NJ. Tel. 020 8802 5601.

### Sixth Death Anniversary Mr. Selvarajah Kiritharan

**Mr. Selvarajah Kiritharan**, Engineer. London; also of "Notary Walawu", Thunnalai North, Karaveddy, Sri Lanka passed away suddenly on 22<sup>nd</sup> August 1996 and the sixth anniversary of his passing away falls on 22<sup>nd</sup> August 2002.



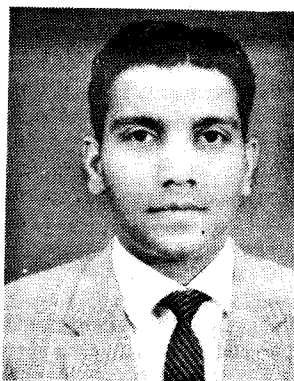
Affectionately remembered by his loving parents; Mr. Naganathar Selvarajah and Mrs Kamalakumari Selvarajah

(Wembley, Middx); loving brother Mr. Muraleedaran and sister-in-law Dr. (Mrs.) Sukaniya Muraleedaran (Australia); loving sisters and brothers-in-law Dr.(Mrs) Subathine Ramesh and Mr. K.Ramesh (University of Jaffna); Mrs Shantini Shanmuganathan and Mr. S. Shanmuganathan (Greenford, Middx); loving sister Miss Shamini Selvarajah (Attorney-at-law, Colombo), uncles and aunts Mr.V & Mrs Indraneel Balakumaran (Sri Lanka), Mr.V. & Mrs Saratha Sivakumaran (Germany), nephews, nieces, other relatives and friends - 28 Bridgewater Road, Alperton, Wembley, Middx HA0 1AJ. Tel: 020 8442.4627.

**"We missed you for six years,  
But your memories are always in our thoughts"**

### Dr. T. Harichandran First Anniversary Remembrance (10.02.1930 - 31. 07. 2001)

**"Precious Memories how they linger,  
how they ever flood my soul"**



Fondly remembered, greatly loved and sadly missed by his ever loving wife Sugi

(NZ); children - Dilo (Aust), Ronny (USA), Dr. Susie Betty (NZ); daughters-in-law - Deanna & Binder; son-in-law - Dr. Brian Betty; grand children - Deion, Vikram, Nishan, Krishan, Arun & Imani; brothers Balan (Zambia), Dr. Mano (Cyprus), Mahen (NZ); sisters - Saji (NZ), Saku (S.L), Mithy (UK); sister-in-law, brothers-in-law, nephews, nieces, their families and whole host of relatives and friends - Dr.(Mrs.) M. Niranjanan, 5 Barrie Pavement, Wickford, Essex SS12 9DR. Tel: 01268 472 113

### Forthcoming Events

Sep 3 Krishna Eekathasi;  
Feast of St. Gregory, the Great  
Sep 4 Pirathosam  
Sep 6 Amavasai  
Sep 7 South London Tamil Welfare Group (SLTWG) Shopping Trip. Tel: 020 8542 3285  
Sep 8 Feast of the Birthday of the Blessed

Virgin Mary  
Sep 10 Vinayaga Sathurthi  
Sep 11 Shashti  
Sep 14 Feast of the Exaltation of the Holy Cross  
Sep 15 Feast of our Lady of Sorrows  
Sep 16 Feast of St. Cornelius  
Sep 17 Sukkla Eekathasi  
Sep 18 Pirathosam  
Sep 20 Fullmoon  
Sep 21 Puradasi Sani (First); SLTWG Drop

In Tel: 020 8542 3285  
Sep 25 Sankadakara Sathurthi  
Sep 26 Karthigai  
Sep 28 Puradasi Sani (Second)  
Sep 30 Feast of St. Jerome

At the Bhavan Centre, 4A Cas-tletown Road London W14 9HG. Tel: 020 7381 3086/4608  
Sep 10 7 p.m. Sri Ganesa Pujā - Traditional puja, bhajans, and prasad



## Dr. Kulanayagam Ganshanayagam An Appreciation



**Dr. Ganeshanayagam (Ganesh)**, former General Practitioner, Eheliyagoda, Sri Lanka, died from cancer on 6<sup>th</sup> June 2002. Born in Colombo on 28<sup>th</sup> December 1936 he was the son of the late Mr. V. Kulanayagam, Deputy Government Analyst, Colombo and the late Mrs Nagammah Kulanayagam. Ganesh was educated at Royal College and later qualified as a Doctor from the Faculty of Medicine, Colombo.

My friendship with Ganesh began in 1958 when we studied together preparing for the University Entrance Examination. Ganesh was an inspirational teacher who had the wonderful gift of imparting information in a lucid and simple manner, which greatly benefited me and many other contemporaries, who frequented his abode in Wellawatte.

After his House Officer posts and a brief stint in Government service, he chose to practise in Eheliyagoda – a small rural town in the Sabaragamuwa Province in Sri Lanka. Ganesh's dedication and devotion to the care of his patients was matched by his deep commitment for the betterment of society in general and in particular the underprivileged people in and around Eheliyagoda. In the mid 1990s Ganesh taught himself electronics and proceeded to convert part of his clinic into an "Academy of Electronic Studies" (as he called it). He then handpicked six talented boys from poor families, with scholastic ability who met his uncompromising standards of honesty, integrity and good character, and engaged a private tutor to teach them English whilst Ganesh himself taught them Electronics, Mathematics and Physics. One of his proudest moments was when ALL SIX students passed the Diploma Examination and one of them was placed first in an island wide examination. In June 1998 he had the added satisfaction of seeing his students succeed in the London City and Guilds Examination. All costs including entry fees for various examinations were borne by Ganesh. He had reasoned rightly that there would be plenty of scope for gainful employment in the field of electronic engineering and related fields such as television and telecommunication services where some of his former pupils are now employed.

One of his oft stated beliefs was that one can reach God through man and that

God had given each and every one of us different talents and it was up to us to find out what those talents were, develop them and use them for the benefit of mankind. Ganesh was living proof of this. He was a deeply religious person and believed strongly in the power of prayer. He was widely read and in particular enjoyed Philosophy and Poetry. His letters and cards to me always contained many quotations either from major literary works or religious scriptures. He was a thoroughly unostentatious man who eschewed publicity and was contented with his simple life-style. Ganesh was extremely proud of the achievements of his son Shantanam, who qualified as a Doctor in Australia, a few years ago. He was fiercely loyal to family and friends and was revered by his patients and staff.

When I last saw him in Sri Lanka in January this year, it was apparent that he was not in the best of health despite his assurances to the contrary. Sensing my concern he quoted from the Bhagavad Gita – "Indeed certain is death for the born and certain is birth for the dead. Therefore, over the inevitable you should not grieve". I am told that a gathering approaching ten thousand people turned up in Eheliyagoda to bid farewell. The Buddhist Monk who delivered the sermon had told the assembled that Ganesh would return to Eheliyagoda in his next birth, as he had done in the present one.

It was my great good fortune and privilege to have known this truly remarkable man. May he attain peace.

**Dr. Disampathy Subesinghe,**  
Leeds, UK.

## Establishing a Library and Information Science Section at Jaffna Public Library

After the destruction of the Jaffna Public Library in 1981, branch libraries were established in different parts of the city to continue the service to the public. The rebuilding of the original library is in progress. Besides these branch libraries, there are several in house libraries which are administered by institutions like the University, Technical Institute, National College of Education, Teacher Training College. There is a need to establish a Library Science Section to cater to the needs of these institutions and accommodation has been planned in the rebuilt library. The services of these institutions were affected by the mass displacement that occurred in 1995, when the collection of books were destroyed and since then it has not been possible to collect the books required during this short period of time and due lack of funds.

The Sri Lanka Library Association, which promotes Library Education in Sri Lanka has agreed to resume the conducting of courses on Library Science leading to the

Diploma in Library Information Science Levels I to III. The National College of Education of Jaffna is also conducting a Course on Library Science and the Advanced Technical Institute is proposing to start a course on Library and Information Science. The above institutions do not possess sufficient Reference Materials and expect the Jaffna Public Library to provide the Materials as they were lost in 1981 and subsequently in 1995.

The Jaffna Municipal Commissioner finds it difficult to collect the materials required in Sri Lanka and seeks the assistance of well wishers and those engaged in Library Education and living outside Sri Lanka to help the Municipal Council to meet the urgent needs of the people of Jaffna. Mr. N. Selvarajah who had been associated with the Jaffna Public Library and resident in the UK at present at 48 Hallwicks Road, Stopsley, Luton; Tel: 01582 703786 is keen to help in this project and may be contacted for further information and assistance.

## Sangeetham 2002

**Sangeetham 2002** presents at Sadler's Wells, Rosebery Avenue, Islington, London EC1R 4TN, a unique festival of music and dance from 16<sup>th</sup> to 20<sup>th</sup> September at 7.30 p.m. & on 21<sup>st</sup> September at 5 p.m. The details are as follows :-

**Monday, 16<sup>th</sup> Sept.** – Auspicious Nadeswaram, Bharatanatyam by Alarmel Valli, Karnatic Vocal by Anoorada & Srivam

**Tuesday, 17<sup>th</sup> Sept.** – Alai Osai by Mandolin U Srinivas, Shankar Mahadevan, Loy Mendonsa & Sivamani

**Wednesday, 18<sup>th</sup> Sept.** – Mohan Veena – Chitra Veena by Pandit Vishwa Mohan Bhatt & N Ravikiran, Karnatic Vocal by Nithyasree

**Thursday, 19<sup>th</sup> Sept.** – Violin – Venu Duo Prof. T.N. Krishnan and Pandit Hari Prasad Chaurasia, Karnatic Vocal by Dr. Balamuralikrishna

**Friday, 20<sup>th</sup> Sept.** – Santoor Duet by

Shiv Kumar Sharma & Rahul Sharma, Bharatanatyam by Malavika Sarukkai  
**Saturday, 21<sup>st</sup> Sept.** – Percussion Recital by Tala Vadyam ensemble, Mohini Attam by Bharati Shivaji, Bharatanatyam by Leela Samson & Kuchipudi by Shoba Natarajan.

### Special Ticket Arrangements

In response to popular demand in prime locations within the stalls/first circle special season tickets have been announced as follows: Individual Season tickets for all six days - £120 per head.; Family Season (2 or more) for all six days - £100 per head. For reservations please contact **Chitra Venugopal** 0208 688 9556; **Vino Srirathan** 01491 837507; **Renuka Badhe** 01223 354 188 & **Sangarapillai Ganeson** 0208 845 7900.

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