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North East Secretariat on Human Rights - NESoHR

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### International Human Rights Day – 10 December 2007

The International Human Rights Day, December Tenth rekindles over again the Tamil psyche whether the International Human Rights bodies and their human rights watch body, the North East Secretariat on Human Rights (NESoHR) have been effective in driving home the Tamil cry for restoration of human rights. This is so because each and every human right violation that involves forced eviction, arbitrary arrests, torture while in detention, extra-judicial killings, enforced disappearances and aerial bombings that kill civilians that are preventable have been on an ascending pattern in spite of credible reporting by NESoHR and other human rights bodies.

The question that looms large in the Tamil mind is whether they are being perceived as a non-entity against their legitimate claim for a distinct nationality of people with a heritage in the context of the contested identity due to political machinations. It is not NESoHR's intention to enter into a process of political post-mortem on the colonial might with which the then Tamil Nation with its own sovereignty was captured and subsequent annexation of such Tamil territories into the new dispensation of amalgamated Ceylon between 1505 and 1948 even though that is the rudimentary cause of today's conflict. This has been done hitherto by academics and historians ad nauseam and hasn't helped to bring about political circumspection and statesmanship to look into the problem with an eye on the root cause.

Though the present state of unabated violence and denial of basic human rights selectively for the Tamil people is being attributed to Tamil militancy which, for political expediency, has been dubbed as 'terrorism', the fact remains that this is a political problem and needs urgent resolution. Unless this is attended to immediately, the Tamil people would continue to suffer under the whimsical military rule, their legitimately elected Members of Parliament being sidelined for some reason or other.

While insisting on a political remedy, we do emphasise that the human rights violations the Tamil people face just because they happen to be Tamils, cannot go on unchecked until a political resolution is arrived at which is a time consuming process. Time consuming we say because the Tamil people have experienced such processes dragging endlessly without producing anything tangible. The numerous colonial commissions that sat until 1948 to bring about political reforms sadly failed to recognise the Tamil political grievances. Nor did any other political discussions and resultant pacts with governments in Colombo after British granted independence bring about justice and fair play to the Tamils. The present All Party Conference which was said to deliver a reasonable political package at the time of its inauguration, more than one year ago is still searching for a southern consensus, reminding the Tamil people of the proverbial blind man looking for the non-existing black cat in the dark room.

Listed below are some of the HR violations the Tamil people are subject to that calls for immediate action:

- Jaffna peninsula continues to remain as an open 'concentration camp' with no free access to the outside world though the Cease Fire Agreement (CFA) of 2002 provided for unfettered and unimpeded flow of people and goods through the A-9 thoroughfare, the only land access to the peninsula. On this International Human Rights Day, the Tamil people expect an answer to the question as to why Jaffna peninsula is being kept closed, cutting off social and economic interactions between people and why a night curfew continues for more than one year.

- Forced eviction of people from their natural habitats continue unabated not because of any natural calamity but because of the government's over ambitious plan of capturing new territory and bringing 'new' Tamil population under military subjugation. Direct implications are de-housing and making people destitute overnight. But historical experience dictates that these have a political implication in that, changing of Tamil demography in the Tamil heartland has always been prioritised in 'Colombo's long term political agenda.
- It is appropriate here to analyse the recent forced evictions in the Eastern province and Mannar: Tamil civilian habitats are shelled under the pretext of a fight against terrorism, hundreds of thousands who flee for life are herded into refugee centres for months together and the very same government that caused this human tragedy, appeals to the international community for assistance to resettle and rehabilitate. Why forcibly evict a people and then capitalise on the good will of people in the civilised world contributing to humanitarian disasters? While this process is on, the original inhabitants languish in squalid conditions and the government subtly 'plants' new Sinhala settlements. This is one of the reasons that festers inter-community rivalry.
- Aerial bombardments of Tamil habitats have become a routine affair said to be targeting terrorists. When NESoHR and other human rights bodies submit the count of civilians killed including school children and pregnant mothers, it is very unfortunate to find that this count is not highlighted in the human rights violation reports that appear all over. NESoHR strongly protests against killings of innocent civilians in aerial bombardments, claymore mine attacks and explosions. These will only aggravate the problem rather than helping to find a solution.
- Mass round ups and forcible removal of Tamil persons to different detention locations, most of them unknown to anybody, is being 'legitimately' done by the government with impunity. Busses are stopped by the security forces at random and specifically Tamil people are asked to get down and removed to detention camps for no offence committed. Midnight arrests too are selective targeting Tamil people only. Any acts of crime in any part of this country do not call for mass arrests and Tamils are not only persecuted but indecently harassed and humiliated in this process. The basic human right to live in any part of the country without being harassed, has been seriously threatened for the Tamil people since the communal race riots against Tamils in 1958.

On this International Human Rights Day, NESoHR, as the human rights body of the Tamil people who are caught up in a civil war situation for over three decades, wishes to make an urgent appeal to the civilised world in earnest for advocacy of justice, fair play and a guarantee of their basic human rights. We urge the international community in general and the human rights bodies in particular to drive home to the parties concerned in the political process to make proper use of the instrument CFA and strictly adhere to a policy of engagement rather than confrontation and thereby ensure peace and amity in this resplendent island.

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NESoHR