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## CONTENTS

Editorials .....	2
Foreign journalists thrown out of Trinco .....	3
Death fast by Tamil detainees.....	3
Proposed Provincial Councils for North & East.....	4
What happend in Vavuniya .....	5
Two TULF former MPs killed .....	6
Colombo set to use force.....	6
Fallacies & Myths in ethnic conflict.....	8
When Isaac slays Jacob .....	9
Tamil demands at Thimpu .....	10
Disband home guards - trade unions.....	11
The London Hilton Jamboree.....	12
For a realistic approach .....	13
It is terrorism naked and unvarnished.....	14
Devolution - the urgent need .....	15
Framework for devolution .....	15
What others say.....	16
Letters to the Editor.....	17
Book review.....	18
Classified advertisements.....	22

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## Trinco, a ghost town

Hundreds of Tamils have been slaughtered and their homes and shops put to the torch since August 16 in the eastern port city of Trincomalee. Over 50,000 Tamils have evacuated the town and adjoining villages and have gone northwards or to Batticaloa or are living in makeshift refugee camps.

A series of fire-bombings, abductions and murders has reduced this once bustling coastal resort of Sri Lanka to a burnt and gutted war zone, a report from the Agence France Presse said. Trincomalee resembles a ghost town. Almost all shops are closed, many bearing the scars of fires and explosions, the report added.

According to a military source, armed Sinhalese civilians went into the town, burning Tamil-owned shops

### WHERE ARE THEY?

Approximately 300 Tamil children, boys and girls, who have lost their parents or could not find them in Nilaveli in Trincomalee, were taken in trucks by Sri Lankan security forces. Although they were to have been handed over to the Red Cross, the children's whereabouts are still not known.

and houses. Groups of armed men, some in civilian clothes and others in military uniform systematically worked their way through Trincomalee shooting at Tamils and burning their property.

### Grenades thrown

In one incident, troops and the so-called home guards came through the village of Thuvavarankadu shooting wildly and tossing about 10 grenades. Twelve Tamils were killed on the spot. At another nearby village, a post office was set on fire and cattle shot dead by security forces following a land mine explosion.

Many of the Tamil victims in the outskirts of Trincomalee were mainly Tamils from the plantation areas displaced in previous communal violence and rehabilitated in Trincomalee. Many shopkeepers were those who had

come to Trincomalee to recoup their fortunes after having their shops destroyed in the anti-Tamil riots in Colombo in July 1983.

Most of the attackers were the so-called Home Guards, a euphemism for indiscriminately selected Sinhalese criminal elements supplied with weapons — guns, grenades and petrol bombs — by the security forces. None of whom having any training, they have used these lethal weapons to go on a spree of shooting, looting and burning Tamil shops and houses. Much of the loot was transported openly in the lorries and vehicles of local Sinhalese contractors and transporters.

Many of the Sinhalese armed attackers came from the newly created village of Sirimapura, a few miles from the Trincomalee town.

### Role of Nelson

The District Minister and MP for Polonnaruwa, Mr Nelson, a right-hand man of Cyril Matthew before his dismissal from the Cabinet, and the MP for Seruvila, a newly created Sinhala constituency in the Trincomalee District, have played a lead role in the events in this area. It is reliably reported that nearly 12,000 Sinhalese provided with arms were transported from Anuradhapura and Trincomalee during mid-September.

As for the armed forces, either they 'held the ring', sometimes giving air cover from helicopters, while the so-called Home Guards and arsonists wreaked havoc and destruction, or they themselves actively participated in the 'operations'.

The violence directed at the Tamils and their property led, in turn, to armed attacks by some Tamil militant groups on Sinhalese settlers, especially on those at Sirimapura, which the militants identified as the centre from which the so-called home guards operated. These attacks resulted in hundreds of Sinhalese fleeing their homes. The security forces created more panic by asking the Sinhalese resi-

PLEASE TURN TO PAGE 18

## LALITH AND HIS LIES

The star performer at the London Hilton Hotel jamboree of the World Federation of Sri Lankan Associations held on 18 August was no doubt Mr Lalith Athulathmudali, the Minister of National Security. He made up for the lack of truth or substance in his speech by his undoubted capacity for rhetoric.

As Minister of National Security from March 1984, he has presided over some of the worst violations of human rights in Sri Lanka. Civilian women and children included, have been indiscriminately killed in their hundreds. Thousands of Tamil homes have been destroyed. Arbitrary mass arrests, sometimes running to hundreds at a time, have been carried out. Deaths and torture in custody and prolonged incommunicado detention have become the norm. The former Prime Minister, Mrs Bandaranaike, even today stands stripped of her civic and political rights. The day before his speech, on August 17, officials of the Ceylon Bank Employees Union were taken into custody and detained under Emergency Regulations for distributing leaflets concerning their conditions of work. Yet Athulathmudali had the effrontery to declare: Sri Lankans should have no reason to be ashamed of the human rights record of our country! Those rich, 'patriotic', but gullible Sinhalese who had gathered at the Hilton, indulged in prolonged applause except for one man in the audience. He was Mr Roger Sims, British MP (Conservative), who visited Sri Lanka in February this year along with Mr Kilroy Silk, MP (Labour), on behalf of the British Parliamentary Human Rights Group. In their report both had recorded a catalogue of gross violations of human rights. The several reports of the Amnesty International, International Commission of Jurists, Law Asia and of other independent visitors, including Mr Paul Sieghart, who was a guest of

President Jayewardene, document a dismal record of human rights violations in Sri Lanka. Yet Lalith wants us not to be ashamed of this record.

Lalith went on, 'We are more concerned about the human rights of citizens than any foreigner can ever be!' Amin, Obote, Marcos, Galtieri, Pinochet, Suharto, Botha et al do make similar statements. But the world has not believed them. Nor will it believe Athulathmudali. Foreigners are good enough to borrow money from. Foreign mercenaries are acceptable to train the murder squads of Lalith's Special Task Force. Foreigners are invited to work in and advise on Mahaveli, Victoria and other major projects. Foreign tourists are welcome to spend their hard currency. But as far as human rights go, no foreigner is good enough.

Referring to the worldwide sympathy for the Tamils of Sri Lanka, Athulathmudali said that the Tamils had hitherto "preyed on the natural susceptibilities of the world's liberal belt", and that when Tamils speak about their "traditional homeland", they were using the terminology of apartheid and exhorted the gathering to unite in exposing this 'racism'.

A government which obtains its weapons, intelligence advice and training, etc, from such disreputable regimes as those of Israel, South Africa, Pakistan, Taiwan, South Korea and Bangladesh, should not be shocked if the world's liberal belt is on the side of the oppressed Tamils. The Welsh regard Wales, the Scots regard Scotland as their homeland. Only a political ignoramus will accuse them of "using the language of apartheid". The Tamils have lived for centuries in the northern and eastern provinces and there is nothing racist about them considering these areas as their traditional homeland.

There is in fact a kind of apartheid which had been prac-

tised in Sri Lanka since 1948, when a million Tamils working in the plantations were deprived of their nationality, citizenship and franchise and totally excluded from the political life of the country, just as the blacks have been in South Africa.

## MURDERS MOST FOUL

The brutal murder of two former Members of Parliament, V. Dharmalingam and M. Alalamsundaram, deserves the severest condemnation. No one has claimed responsibility for these senseless killings but it has been alleged that they were carried out by a Tamil militant group as a warning to the Tamil United Liberation Front, of which the victims were members. If this is true, we make bold to publicly say that such killings have nothing to do with Tamil liberation or freedom. On the contrary, they are nothing short of naked terrorism.

The Tamil people have shown their revulsion by staging a 'hartal' in Jaffna bringing normal life to a grinding halt in protest at the killings. They have demonstrated in no uncertain terms that they condemn and denounce those who carry out such cowardly acts of murder by participating in their thousands at the funerals of the victims.

We fully endorse the sentiments expressed by Dr David Selbourne (see page 9).

## LORRIES SET ABLAZE — 18 TAMILS KILLED

Rameshwaram, September 15 — Tamils fleeing from Sri Lanka have left their homes and possessions behind. They have only brought horrifying tales of harassment at the hands of Sri Lankan armed forces.

Vickremasingham who found refuge here said nine lorries transporting food to starving Tamils in violence-ravaged areas and refugee camps in the east of the island, were waylaid and set ablaze along with 18 Tamils in them by the army and some Sinhalese

## FOREIGN JOURNALISTS THROWN OUT OF TRINCO

Two British tourists and two foreign journalists travelling in a taxi, said to be the only taxi operating in Trincomalee — were, on Friday 13 September, taking pictures of a Hindu temple burnt earlier by Sinhalese 'home guards'.

The car was quickly surrounded by angry Sinhalese men, many carrying shot guns who shouted, "No pictures, no pictures". They forced the occupants out from the vehicle, checked the papers of the foreigners and slapped and punched the Tamil driver. Ten minutes later, a police jeep arrived and escorted the taxi to the police station.

The tourists and the reporters — Allon Nachermann of Agence France Presse and Shekhar Gupta of 'India Today' — were placed in an office where, from a window, they saw policemen beating up the Tamil driver, a man of about 60, and thrusting rifle butts into his abdomen.

### Interrogation of foreigners

The Police Officer in charge, who refused to give his name, questioned the foreign tourists and reporters. Several of the armed Sinhalese civilians who had also come to the police station conferred with the police chief during the interrogation of the foreigners. All films were confiscated. The Police Chief told the foreigners, 'You have no right to take pictures here; you have no right to be here. No outsiders are allowed here. This is a combat zone.'

The two British tourists and the journalists were driven to their hotel to pick up their luggage, then to the railway station and put on a Colombo bound train.

The fate of the Tamil driver is unknown.

goondas.

Vickremasingham among the 97 refugees who arrived on Friday, 13 September, said that the Tamils were subjected to unimaginable atrocities in Trincomalee and Batticaloa. He was accosted by the army thrice and tortured for information about Tamil militants. "They tore my ears with cutting pliers," he said, showing the scars.

The young man recalled with tears the day his friend Jesudas was shot dead by the army. Vickremasingham and Jesudas were walking together in Batticaloa when the incident occurred.

## DEATH FAST BY TAMIL DETAINEES

It is believed that one or more of the six Tamil political detainees who began a fast on August 8 had already died, but the authorities and the Sri Lankan media have conspired to keep complete silence on the issue.

The political detainees who were transferred from the Southern Tangalle prison to the Welikade prison in Colombo began their death fast in protest against their continued detention without trial for more than 18 months since they were first taken into custody. All of them are reported to be unconscious.

### Science undergraduate

The fasting detainees are Sellathurai Ganesharatnam, a science undergraduate of the Peradeniya University, Karunakaran of Vavuniya, Don Cyril Antony, Poopalapillai Yogen-drarajah and Manoharan. The sixth detainee who joined the fast, Thavarajah of Araiampathi, has since been released.

A letter written by a detainee at Welikade on 9 August read as follows:

'I am writing this letter under critical circumstances. Apart from enforcing the brutal laws, the authorities impose on us brand new 'laws' and acts', according to their whims and fancies.

'Besides all these, many of us here are being detained for well over 18 months, which is contrary to the Prevention of Terrorism Act. So far, we have not been produced in courts, no inquiries have been held and no action has been taken at all.

'We informed the Prison administration and the authorities concerned about this but nothing happened.

'At last we informed the Ministry of Defence that we would start a fast unto death campaign from 8th August until our reasonable demands are met.

'Our demands are that those in custody for 18 months should either be released or produced in the courts. As there was no reply, we started our struggle on 8th August.

'In the first phase of our struggle, a science student from the Peradeniya University, Sellathurai Ganesharatnam (Suresh) and Karunakaran from Vavuniya started their fast on 8th August. Myself and other political prisoners will follow in turn.'

### Relay fast

Twenty undergraduates, including four girls, of the Jaffna University began a sympathy fast on 27 August to

express solidarity with those detainees engaged in a fast unto death in Welikade. The undergraduates have demanded either the Tamil detainees be released or be brought to trial.

The students said that they would fast for three days and then another set of students would take over their places and the process would be repeated till their demands were met. On 30 August, a second batch of undergraduates took over from those who began the fast on 27 August.

The undergraduates have sent the following telegram to President Jayewardene. *Jaffna University students began sympathy fast 27th August in support Tamil political detenus in custody over 18 months who began death fast on 8th August demanding release or trial. Undergraduates will fast in batches for three days. Relay fast will continue until detenus' demands met. Sympathy fast campaign extended to villages.*

Cables have been sent to Indian Prime Minister Rajiv Gandhi and others urging them to use their good offices to persuade the Sri Lankan Government to grant the just demands of the Tamil political detenus.

The Jaffna branch of the *Movement for Inter-Racial Justice and Equality (MIRJE)* has sent the following telegram to President Jayewardene: *'MIRJE Jaffna appeals to Your Excellency to grant just demands of Tamil political detenus on death fast in Welikade. Detenus in custody over 18 months without trial, contrary provisions Terrorism Act. Urge immediate intervention to prevent deaths.'*

Excerpts from the press statement of the University of Jaffna Teachers' Association on the death fast of Welikade:

The government has chosen to ignore the fast launched on Gandhian lines at Welikade jail by Tamil youths who have been detained for over 18 months, without being indicted. This goes against all the values of the civilised world. These youths have been compelled to launch a fast unto death as a last resort, since they are being kept in detention contrary to even the provisions of the Prevention of Terrorism Act under which they were taken into custody.

Though fundamental human rights have been guaranteed under the constitution, in practice they are being violated, as this fast and the recent killings and military excesses in Vavuniya, Trincomalee and Batticaloa prove.

# THE PROPOSED PROVINCIAL COUNCILS FOR THE NORTHERN AND EASTERN PROVINCES

A new peace initiative, according to reports, provides for two provincial councils, one for the Northern Province and the other for the Eastern Province. Each province will have a chief minister and an executive or cabinet or council of ministers comprising members of the group or groups commanding a majority in the provincial council. The powers to be devolved have still to be carefully defined. But these must supposedly include matters on which the Tamil Resistance has been applying pressure since the formation of the Tamil Federal Party in 1949. The initiative is a far cry from the document, Annexure 'C', based on the Indira Gandhi-Jayewardene understanding of 1983. Annexure 'C' provided for one consolidated Tamil regional homeland comprising Tamil majority areas in the north and east of Sri Lanka. This does not however mean that the current initiative should be rejected out of hand.

In political quarters, it has been asked as to whether a restructuring of the governmental system must have the approval of the people in a referendum. The question arises as to who are the people to be consulted? We can find answers by looking at recent historical precedents in other parts of the world.

## Plebiscite

When a plebiscite was held in the Saar Territory in 1935 on whether it should become part of Germany or remain, as provided for, under the rule of an International Commission set up by the League of Nations after World War I (the coal miners of the Saar were made the exclusive property of France), it was the people of the Saar who voted on it, not the French electorate nor the German electorate. Coming to more recent times, on the problem of Kashmir, the government of India promised to consult *the people of Kashmir* (emphasis ours) on 'the restoration of law and order', (note, there was no question of consulting the people of India) and on whether the Kashmiris would opt for the right of self-determination. In 1954, the Indian government agreed to a vote by the constituent assembly of Kashmir for Kashmir to accede to India, instead of as had earlier been agreed to, having the question put to the people of Kashmir at a referendum or plebiscite. This was a decision of the Kashmiri constituent assembly, not of the parliament of India. In 1955, a referendum was

## By Prof. A. Jeyaratnam Wilson

held in the Saar to determine whether its people wished to become a part of the European Community (the Saar, after World War I enjoyed separate self-government and became part of the Federal Republic of West Germany in 1957). The question was not put to the electorate of the Federal Republic of West Germany, although the matter of the Saar becoming part of West Germany had been under discussion with France which had wanted the Saar to be an independent territory since the late 1940s. The question therefore addressed here is whether the people of the national homelands of the Tamils should decide their future or whether their future must be decided by the entire electorate of Sri Lanka.

In fact, the constitutionality or otherwise of whether a referendum should be held at all is laid out in the Constitution. The Northern and Eastern Provinces have since British times been demarcated as such. They have been recognised by every Sinhalese government since independence, and even before, as the national homeland of the Tamils. The problem to be resolved, however, is not of 'Tamil homelands' but the extent of power that can be devolved to the units concerned.

## Sovereignty of the people

The extent of power that is to be devolved on the people in a unitary state is not a question of an alienation of sovereignty from the people. Article 4 (a) of the Sri Lanka constitution states that the 'Sovereignty of the People' shall be exercised and enjoyed in the following manner (among other things):

the legislative power of the people shall be exercised by Parliament, consisting of elected representatives of the People and by the People at a Referendum.

Chapter XIII of the Constitution specifies questions that may be submitted to the 'People' in a Referendum. The business of devolving powers to a provincial, regional or zonal council, are not matters that need be submitted for approval in a referendum just as, for instance, powers to be devolved to local government authorities are not matters to be approved or disapproved by 'the people'. Besides the Constitution does not state whether 'the People' means the entire people of Sri Lanka or the people of a particular

area who will be affected by a change in their local governmental set-up. For example, if the region inhabited by the Kandyan Sinhalese were to be granted a regional council for their governance, one cannot state that the framers of the Constitution intended the entire electorate of Sri Lanka to pronounce on the subject! It will surely be a matter for the people of the Kandyan areas to decide, not for the Tamils of the north and the east and for the lowland Sinhalese in the rest of the island.

Thus, it can be interpreted that 'Section 4(a) of the Constitution leaves the subject of devolution of powers to a local council to be determined by the elected representatives of Parliament. And it is left to the Cabinet of Ministers under Section 85 (1) of the Constitution to refer a bill to 'the People' in a referendum if it so desires. Further, Section 86 gives the President of the Republic powers in regard to seeking the views of 'the people' in a referendum subject to any limitations contained in Section 85 (1). However, Section 85 (1) excludes the necessity for the Supreme Court to pronounce on whether a bill to delegate powers to a local council be referred to 'the People' if the number of votes cast in favour of such a Bill in Parliament amounts to not less than two-thirds of the whole number of Members (including those not present)'. Since the present government enjoys a five-sixths' majority in Parliament, approval in a Referendum does not arise.

The agitation for a general election is spurious. Opposition parties all the world over are known to demand the holding of a general election on issues which they deem to be politically advantageous to them. In the end it is the government in office that must decide. The 'People' will judge the record of a government at the appropriate time when a government must face the electors in accordance with the provisions of the Constitution.

## Devolving of powers

The devolving of powers is one that needs to be negotiated upon. How much of power will Colombo alienate, devolve and decentralise could be the starting point of negotiations once the unit of demarcation (province or region) has been agreed upon. It is not merely 'how much'; it is also 'in what ways' will powers be handed over and which sources will provide revenues for the exercise and administration of such powers. A Finance Commission is

# WHAT HAPPENED IN VAVUNIYA

The Sri Lankan government, as usual, denied the massacre of nearly 200 Tamil civilians in Vavuniya on 16 August by the security forces. The following is an account of the incident which appeared in the 'Saturday Review' of 24 August 1985:

What happened in Vavuniya and Trincomalee in the third week of August? The government would like the world to believe that nothing much happened. Just a few deaths here and there as, according to official spokesmen, the Security Forces took on 'ter-

rorists' in a number of encounters. Nothing very unusual in the Northern and Eastern provinces, where human life is dirt cheap!

But the reports we continue to receive from Vavuniya and Trincomalee are very disturbing. These tend to support the news flashed abroad by the British Broadcasting Corporation and other sources about 'massacres' in both places. Belatedly, the government appears to have realised that something untoward happened at least in Vavuniya; hence the decision to

appoint a 'military commission' to carry out an investigation.

But this would be like asking the thief's mother about what actually happened! Nothing less than an independent commission, in which the Security Forces will have no hand, can satisfy the discerning public. In the meantime, we are publishing some of the reports we have received from a variety of sources.

According to an eyewitness, on the morning of 15th August, the Sinhalese people who are residing close to Thonikkal, in Vavuniya, shifted to Navagama which is close to Eratperiyakulam Army Camp. On the 16th morning, about 5 o'clock, a truck-load of Security Forces came up to a spot near a culvert close to the Sri Lanka Air Field Unit and planted something which exploded a little later causing only minor damage to the culvert.

## Forces advanced, shooting

That an almost empty bus from the CIB Depot was allowed to pass over the culvert round about 7 a.m., that day shows that the damage to the culvert was minimal. Immediately after the explosion the forces advanced, shooting. The security forces were at the scene from 5 a.m., till about 8.30 a.m., killing innocent civilians and burning down houses. Houses in the vicinity were completely damaged.

In order to prevent the injured people from getting treatment, the forces surrounded the Vavuniya Hospital and opened fire. They were reportedly there till 1.30 p.m. Doctors were threatened and the staff quarters also burnt. As a result, many doctors, nurses and other staff fled the hospital. According to another eyewitness: 'There was an explosion like a landmine followed by gunshots. About 50 of us ran in panic and took refuge in a big house close to my farm, which was owned by the late Mr C. Suntharalingam. When we were in that house, soldiers rushed into the house and ordered us all out. We were all lined up under a tamarind tree. Some soldiers stood guard over us, while others rushed into the house, ransacked it and damaged the furniture.

'When those who had gone into the house came out, others who stood guard over us suddenly opened fire. Raising cries, we ran helter skelter. Many fell, mown down by bullet fire. I fell down pretending to be dead. There were two women at my feet, groaning with bullet wounds. Among the dead I could identify Nadarajah, Balachan-

PLEASE TURN TO PAGE 19

obviously necessary in this instance. The terrain here is mined with difficulties. The extent of devolution and the absoluteness of such devolution have to be negotiated. As well there must be agreement on whether the demarcation has to be written into legislation or enshrined as part of the Constitution. The unitary character of the Constitution can be preserved because the devolving Authority (that is, Parliament) can withdraw the devolution. The courts need not, as in a federal constitution, determine on a disputed question on whether the extent of devolution has been reduced by the central authority or enhanced by the provincial authority. The withdrawal, modification or enhancement of devolved powers can only be effected by specific legislation or by amendment of the Constitution. Whether delegation and devolution is to be by ordinary legislation or through a basic law of the Constitution is a matter which the parties involved in the negotiating process will have to agree on. One or two examples of devolution can illustrate the case.

The Minister of Agriculture in Colombo will be responsible for inter-provincial or inter-regional regulation and development of rivers and river valleys to the extent to which such regulation and development under the control of the central government is declared by Parliament by law to be expedient in the public interest. The Minister of Agriculture in a province or region will be responsible for water supplies, irrigation and canals, drainage and embankments, water storage, water power, land including the transfer and alienation of agricultural land, colonisation, forestry and inland fisheries.

The Minister of Industries in Colombo will be in charge of those industries whose control is declared by Parliament by law to be expedient in the public interest. His counterpart will control all other aspects relating to industrial development. Likewise in

education. Matters relating to the co-ordination of standards in institutions of higher education and scientific or technical institutions, national libraries and national museums will be the responsibility of the central government. All other matters relating to higher, secondary and primary education is in the control of the provincial or regional minister of education. There has therefore to be lines of demarcation on subjects of concern between the central and provincial/regional authorities. There will therefore have to be agreement on (a) the areas where the two authorities will co-operate (b) where the power of the central authority is paramount as in defence, foreign policy, communications and (c) where the two authorities are in complete control in each of their spheres of activity.

## Accountability

There is finally the problem of accountability to Parliament. Since Sri Lanka is declared a unitary state, the provincial authority or authorities to whom powers are devolved must in the end be answerable to parliament. The way out of the problem is for the members of the provincial executive or cabinet to be appointed as members of a second chamber. They will then be answerable to one of the chambers of government. In this way the sovereignty of Parliament is ensured. Answerability to Parliament does not imply parliamentary approval for actions taken on subjects Parliament has devolved to the provinces.

Should the parties to the negotiating process agree on (a) the unit of demarcation (b) the powers to be devolved (c) the procedure for any future modification of such devolved powers and (d) the institutions for accountability and the provision of the necessary finances, there is a way in which the present breakdown of relationship between the two principal communities can be set on the rails again.

## TWO TULF FORMER MPs KILLED — THOUSANDS PROTEST

Several thousands of Tamils attended the funerals of two former Members of Parliament, V. Dharmalingam and M. Alalanderam, held on September 5 in Jaffna in northern Sri Lanka. All civilian life came to a grinding halt when shops, government offices, schools and universities were shut and public transport came to a dead stop. People put up black flags in public and private buildings and shouted angry slogans protesting against the wanton and senseless killing of the two former MPs who belonged to the Tamil United Liberation Front. The only vehicles on the streets were those flying black flags which mainly provided transport for those attending the funerals.

The bullet-ridden body of Visvanathar Dharmalingam, former MP for Manipay, was found abandoned at the Manipay cemetery, and that of Murugesar Alalanderam, former MP for Kopay and Administrative Secretary of the TULF, was found with bullet wounds in a scrub jungle at Kalliyankadu about 100 yards from his

Nallur residence, on September 3.

No one has claimed responsibility for the assassinations which no doubt had been politically motivated. The Eelam National Liberation Front comprising four Tamil militant groups, EROS, EPRLF, TELO and LTTE, and PLOTE have disclaimed responsibility and condemned the killings. However, sources close to the ENLF allege that one of the militant groups might have carried out the murders as a warning to the TULF.

### Message of condolence

The Indian Prime Minister Rajiv Gandhi, has sent a personal message of condolence to the families of the victims. He also sent a message to Mr A. Amirthalingam, the Secretary-General of the TULF, conveying his grief.

Whatever the motives of the gunmen, these senseless killings evoked an angry response from the Tamil

people, particularly those in the northern Jaffna district among whom the two former MPs continued to remain and look after their interests. Eric Silver of the London-based 'Guardian' (4.9.85) reporting on the murders, wrote:

Yesterday's victims were among the few TULF spokesmen still on the island. Most of their colleagues had gone to Madras, either to protect their lives or take part in the peace politicking. I visited Mr Alalanderam three times in his two-storey house on the edge of Jaffna, the last time only 10 days ago. He was a lawyer who, during Sri Lanka's two years of escalating ethnic violence, had made it his business to collate the details of Tamil casualties. He was constantly on the telephone, checking names, locations, incidents. Although this commitment to the Tamil cause was not in doubt, he never struck me as a propagandist. Like a good lawyer, he gave the impression of being fastidious with the evidence. His figures were credible.

## COLOMBO SET TO USE FORCE NEUTRALISING INDIA KEY TO STRATEGY

New Delhi's snafu over the deportation of two Tamil militant leaders (a third left the country before the order could be served on him), reinforces the gloom engulfing not merely the reconciliation talks at Thimpu between the guerrillas and the Sri Lanka government, but also the overall situation in Sri Lanka where the ethnic conflict is fast taking on the dimensions of a full-scale civil war. Although New Delhi is trying hard to put the talks on an even keel, the chances of its succeeding are daily becoming more and more remote. If Thimpu is in danger of becoming little more than an innocuous sideshow to the unstanched bloodletting in Sri Lanka, for which the brutal rabble that passes for Sri Lanka soldiery is mainly responsible, then it is because both antagonists, the guerrillas as well as Colombo, are busy preparing to settle the issue through the force of arms.

Again, however, the evidence, as provided by independent accounts by foreign correspondents and international humanitarian bodies like Amnesty International, suggests that Colombo is chiefly to blame, The June 18 ceasefire, which India helped to bring about, was violated by Sri Lanka soldiers when the ink on the agreement had scarcely dried, as our Colombo

### By A.S.Abraham

correspondent has reported (August 19). While the guerrillas have responded in kind, their commitment to the search via Thimpu for a political solution envisaging autonomy but short of 'Ealam' has been genuine.

Along with Tamil United Liberation Front leaders, they have been seeking a measure of self-governance for the Tamil-dominated northern and eastern provinces and for, if not the merger of, then at least a structural link between them. Initially, it is true, they set four principles as a framework for any settlement, and these appeared to emphasise Tamil political and cultural separateness. But apart from being generalised formulations, there was nothing in them that could not be reconciled with the degree of autonomy the Tamils could in practice be persuaded to settle for and which would have been wholly in line with Sri Lanka's unity.

Unfortunately — and this New Delhi either cannot or will not see — the Sri Lanka government has given every indication of being interested in palavering at Thimpu only in order to buy time while it readies itself for a military solution. Its strategy includes pressuring New Delhi to crack down

on guerrilla operations from bases in Tamil Nadu and to twist the militants' arms to induce them to climb down more and more in negotiations, trying to set the insurgents against New Delhi, putting India on the defensive by constantly raising the bogey of 'intervention', and counting on its western aid donors, who have been enamoured of the post-1977 Jayewardene government and its pro-western policies as they were previously hostile to Mrs Bandaranaike's anti-western set-up, to deter India from succumbing to mounting domestic pressure from Tamil Nadu, buttressed by growing international humanitarian concern over the persecution of the minority Tamils, to intervene militarily and enforce a Cyprus-type solution.

Vital to this approach is the show of apparent reasonableness by publicly agreeing with New Delhi's view that a political solution is the only way out and by going on participating in the dialogue with Tamil representatives that New Delhi has arranged. In reality, however, the policy is to use the ceasefire (theoretically in force until September 18) to build up the Sri Lanka security forces and, even while spinning out the pow-wow at Thimpu endlessly without giving away anything of substance, to resume military

operations against the guerrillas when their own hands are tied because of their commitment to Thimpu and, more important, because they are subject to the control of New Delhi, which has needlessly put its prestige on the line in working for a settlement at Thimpu.

So it is that while Mr Hector Jayewardene — Colombo has not seen fit to send to Thimpu anyone of greater political weight than a legal-constitutional expert, albeit one who happens to be the Sri Lanka President's brother — regurgitates the same old proposals that were long ago found inadequate by the Tamil delegates, the Sri Lanka army gets to work on Tamil guerrillas and civilians in Trincomalee, Vavuniya and elsewhere in an intensified offensive aimed at bringing the rebellion once and for all to heel.

And when, incensed at Colombo's duplicity and at the butchery of hundreds of fellow Tamils, the Tamil representatives storm out of Thimpu, New Delhi rounds, not on those who are in fact sabotaging the talks while going through the motions of taking part in them, but on those who have shown a genuine willingness to look for a political solution at New Delhi's bidding. What puts New Delhi in an even poorer light is that its irritation at the sudden rupture of the Thimpu declarations makes it so edgy as to construe the return to Madras of the guerrilla delegates, instead of going directly to New Delhi for discussions at the Prime Minister's invitation, as defiance of the Indian government, thereby warranting some deportations, as exemplary punishment. Its belated revocation of its expulsion of one of the militant leaders, Mr Chandrasaran, after he had journeyed to the US and back and after he had been detained in Bombay for over 24 hours only underwrites its initial blunder. Should it revoke the marching orders of the other two leaders as well (as it properly should), its clumsiness would be fully exposed.

Such erratic behaviour is not only unbecoming of a mature government running a major country, it is also downright bad policy. It plays straight into Colombo's hands, confirming in its eyes the wisdom of its strategy of pitting the guerrillas against New Delhi and of getting the latter to pressure the militants into making more and more concessions. It ensures that Colombo will have even less reason to take Thimpu seriously — except as a forum of procrastination while it prepares for a military solution. It diverts attention, to Colombo's relief and delight, from the excesses of its soldiers in northern and eastern Sri Lanka.

Above all, it infuriates 50 million Tamils in Tamil Nadu who are helpless with rage as reports come in of the brutalities against their fellow Tamils across the Palk Strait and who, expecting that New Delhi will use its clout to stay Colombo's hand, find instead that it is turning the screws on those who represent the victims.

Paradoxically, while this unfortunate turn of events serves Colombo's purpose for now, it may jeopardise its interests later. For if the reaction in Tamil Nadu to New Delhi's harsh and capricious handling of the guerrilla leaders snowballs into an avalanche of popular protest — with schools and colleges closed indefinitely, and with 'rail rokos' and public rallies planned throughout the state, it could easily do so —, New Delhi will no longer be able to ignore this sentiment in the cavalier way it has done and will have no option but to assuage it by taking privately as much as publicly, a much tougher line with Colombo.

### Arming its soldiers

It is imperative that New Delhi be hardheaded. The Sri Lanka government has never taken Thimpu seriously. What it has set about doing feverishly is arming its soldiers. The 'Financial Times' (London), in an editorial on August 22, says that '... the western aid group, which has watched with alarm as government arms purchases over the past six months have increased sevenfold, has, in effect, given President Jayewardene an ultimatum. 'Reach a political solution or aid will eventually dry up.' Whether such pressure comes to be applied is not the point. What is relevant is that even Colombo's western benefactors are getting alarmed at the

armament it is piling up. Further evidence of its militaristic intent comes from reports that it is refurbishing airfields long fallen into disuse and from the Sri Lanka national security minister Mr Lalith Athulathmudali's exhortation to India to crack down further on Tamil guerrilla bases and training camps in Tamil Nadu — if the insurrection 'were confined to Sri Lanka, we could deal with them' — while defending the butchery perpetrated by Sri Lanka soldiers — 'I give a lot of leeway to things done in the heat of the moment!'

It is often said that the Sri Lanka government cannot act decisively because it is split between rival caucuses. Even if President Jayewardene wants a political solution, he is powerless to get one. Hardliners in the government will not let him have his way. Nor will the Buddhist clergy, no less hardline. Nor will Mrs Bandaranaike, now allied with the clerics, and with them demanding that any settlement arrived at be approved in a national referendum or a general election. By deliberately trying to reduce President Jayewardene's room for manoeuvre, she is seeking to discomfort him and eventually to bring him down to avenge his stripping her of her civic rights. Internal political rivalry is the name of the game in Sri Lanka, not finding a just and humane solution to the ethnic conflict. These difficulties, however, only make it plainer than ever that Colombo has no stake in Thimpu. It is trying to impose a military solution which it knows cannot be accomplished without neutralising India through seeming acquiescence in New Delhi's wishes. It is time New Delhi started to see Colombo's motives for what they really are. (Courtesy of Times of India, 30.8.85)

## S.D. BANDA SEES LIGHT

S.D. Bandaranaike (SLFP MP for Gampaha) said in Parliament recently that the Westminster system of party politics had caused the present crisis in Sri Lanka, and that as a result, the Tamil-speaking people had to resort to violence to win their human rights. The Tamil representatives at Thimpu in Bhutan had based their solution to the National problems of Sri Lanka on four cardinal principles:

- (1) the recognition of Tamils of Sri Lanka as a distinct 'nationality';
- (2) the recognition and guarantee of the territorial integrity of the Tamil homelands;
- (3) the recognition of the inalienable right of self-determination of the Tamil nation, and

(4) the recognition of the right of citizenship and other fundamental rights of all Tamils to look upon the island as their home.

He added that in the formation of the Bandaranaike-Chelvanayakam Pact (1957) these four cardinal principles were the basis of agreement with the Tamil minority, because that was the inalienable right of every citizen of the country. Mr Bandaranaike pointed out that it was unfortunate that the present unitary constitution and the Westminster form of party politics were the obstacles to finding a solution to the present impasse, and the Tamil representatives at Thimpu quite rightly had pointed that out. He now called for all parties to unite and destroy the present constitution.

## FALLACIES AND MYTHS IN ETHNIC CONFLICT

The Indo-Sri Lanka talks in Delhi have been an exasperating exercise in futility with the Sri Lankan negotiators, about a dozen of them headed by the jurist, Mr Hector Jayewardene, making a fine art of procrastination. They were unbeatable in their doggedness, stone-walling anything that did not fit neatly into their grand design of equivocation, yielding no ground on any point of substance that did not suit their objective of evasion.

At the social level, they were amiable, urbane, cultivated and reassuring, appearing to be eminently reasonable, revelling in their platitudes and full of remorse for the cruel fate that has befallen the victims of Sri Lanka's ethnic conflict. But when it came to discussing a viable basis for settlement, they were rigid and unyielding, abrasive and argumentative, in a calculated bid to wear down the Indian side by simply prolonging the agonies of suspense, going round and round the same mulberry bush with astonishing persistence.

### Frustrating exercise

The Indian negotiators, led by the Foreign Secretary, Mr Romesh Bhandari, who were quite new to this diabolical game of dissimulation, were often at their wits' end during these tortuous discussions, wondering whether the Sri Lankan government was really keen on a lasting political settlement or was merely playing for time by going through the motions of this frustrating exercise.

In their impatience for quick results, the Indian officials went to the farthest limits possible to accommodate the Sri Lankan point of view on many aspects of the proposed devolution but were dismayed when Mr Hector Jayewardene and his colleagues kept on arguing like petty lawyers as though they were engaged in litigation in a district court, not in serious political negotiations of great consequence to the very survival of their island nation.

The Tamil leaders too have been victims of their own myths which tended to exaggerate the Indian role, expecting the Prime Minister, Mr Rajiv Gandhi, to exert enough pressures on the Sri Lankan President, Mr J.R. Jayewardene, to pull their chestnuts out of the fire. The moderates have been fervently hoping against hope that sooner or later, perhaps sooner than later, India would be able to secure a reasonable measure of autonomy for the Tamil linguistic region that would enable the three million Tamils to live with dignity as part of a united Sri Lankan State. The militants,

By G.K. Reddy

on the other hand, have been deluding themselves with the thought that, if they step up their insurgency to the level of an insurrection, public opinion in Tamil Nadu will compel India to intervene to save the civil population from savage reprisals by the Sri Lankan armed forces.

It is the inherent fallacies of this hypothesis that has made the Tamil militants imagine that they were being badly let down, if not betrayed, by the new policy-makers in Delhi, on the assumption that Mr Rajiv Gandhi was not as sensitive to their plight as his mother, nor in their view was much more solicitous about their welfare. The moderates do not share this grave apprehension about India's fading interest in their fate, but they are also unhappy that the present government in Delhi is not doing all that it could to compel Mr Jayewardene to concede their demand for fuller autonomy without quibbling over the procedures for devolution.

What the Sri Lankan Tamils and their supporters in Tamil Nadu do not realise is that the Centre is not anti-Tamil, but amidst its numerous other preoccupations it does not have the same degree of emotional involvement in their struggle. The problems with other neighbouring countries like China and Pakistan, Bangladesh and Nepal, attract greater attention than Sri Lanka in more normal circumstances. It is not a question of indifference but one of priority since no government can take the same degree of interest in all problems all the time. Whenever there is a flare-up in Sri Lanka, India gets drawn into it because of the fallout on Tamil Nadu, no matter which party is in power in Delhi.

### Sri Lankan government mistaken

The big mistake the Sri Lankan government has been making is to base its current approach to the ethnic problem on the assumption that there has been a marked change in India's attitude towards the Tamils, especially the militants fighting for separation. The hard-liners in Colombo seem to imagine that they would be able to placate and persuade Mr Rajiv Gandhi to deny these militants sanctuary in Tamil Nadu and turn the heat on them to agree to a watered-down version of regional autonomy by forsaking their demand for Eelam.

The Jayewardene government missed a golden opportunity to utilise

India's good offices to the fullest extent with its pettyfogging tactics at Thimpu, where its delegation acted with an amazing lack of imagination. It could not have expected the militants to stop talking in terms of fundamental principles in the absence of meaningful proposals to open the way for a negotiated settlement. It kept harping on devolution only through the discredited district councils and infuriated even moderate Tamil leaders with its obduracy much to India's discomfort.

The Sri Lankan President has been no less guilty than his brother at Thimpu in talking of both war and peace, not in Tolstoian terms but with the pretensions of a Clausewitz to whom peace was only a continuation of war in a different form. The phantom figures around Mr Jayewardene, like his National Security Minister, Mr Athulathmudali, have been no less foolish in exuding an air of firmness to cover up their own clay feet, by behaving flamboyantly as though the choice between war and peace rested with the Tamils, and that the Sri Lankan government was prepared to face both the alternatives with confidence.

The government of India, on its part, tripped badly in attempting to step up the pace of conciliation by renewing its mediatory efforts, as part of a wider diplomatic initiative to improve its relations with all neighbouring countries in the region. It sent the wrong signals indirectly encouraging countries like Sri Lanka to imagine that they could extract better concessions from the new government in Delhi as a quid pro quo for their co-operation, while this was not the real intention.

The new policy was not aimed at appeasing Sri Lanka by sacrificing the Tamil interest, but only at creating a better awareness of the opportunities still open for arriving at an amicable settlement. But unfortunately it lacked proper focus because too many people were involved in its articulation and implementation, leading to a loss of direction. Though there was no basis for it, the diplomatic community in Delhi started jumping to the conclusion that India was no longer upholding the Tamil cause with the same fervour as it did in Indira Gandhi's time.

The ill-timed and ill-advised deportation drama was staged in the midst of the discussions in Delhi with an amazing lack of imagination, giving the totally wrong impression to the Sri Lankan delegation that the crack-down was intended to assure them India was not going to put up with Tamil



# WHEN ISAAC SLAYS JACOB

To add fratricide (as in the killing of TULF politicians) to genocide is, for the Tamils, merely to deepen every agony they suffer. Each Tamil and woman, by his or her own lights and according to his or her personal beliefs and conscience, just seeks relief from the endless misery of violence and disenfranchisement, from rape and discrimination, from siege and displacement. Some have found hope in flight, others in Eelam; some are for Marx and others for the market; some have stood heroically and fought, others have carped and cavilled on the sidelines; some have had the courage of their convictions, others have been no more than idle armchair critics, absent and otherwise-engaged in every crisis. In a national movement, it has always been so; and always been so, too, that honest (and dishonest) men and women should differ about

By DAVID SELBOURNE

means and ends, about violence and non-violence, and even about what is truth and what falsehood.

## Unfolding tragedy

Over the years, in the stress of the unfolding tragedy which has engulfed, and continues to engulf, the Tamil people, individuals have changed their political and moral positions, as well as their addresses; have climbed on, and jumped off, this or that bandwagon; have trimmed their sails or bent to the wind as tactics or strategy have dictated, whether in the desire to save their skins or earn a living; have both seized the main chance of self-advancement in the midst of holocaust, and fled their posts when their

abilities and energies were needed. It is all as must be expected.

## Deep & festering wound

But it is a different matter that Tamil should 'punish' Tamil for differences of opinion, for errors of judgement, for frailties of spirit; should kill for this political 'line' or against another; should, in the general crucifixion of a people, crucify his own brother. A 'unity' or 'correctness' thus achieved is no more than a thin scab over a deep and festering wound, bringing comfort only to the vulture who stands in the tree, waiting for his pickings when Cain kills Abel, or Isaac slays Jacob; a 'victory' thus gained, no more than pyrrhic. It is true, of course, that nothing of real substance will, in the event, come from the Bhutan talks; for the simple reason that a genuine devolution of power sufficient to guarantee the *physical security* — let alone the political rights — of the Tamils depends upon what the majority and the majority's politicians, cannot and will not give: a sovereign self-determination which frees the Tamils, for good, from fear of their neighbours, fear of their murderous 'security' forces, and fear of the Pharaohs who rule them — and intend to go on ruling them, until Kingdom come — from Colombo.

## Crime against Tamil people

Yet the fact that Bhutan is an elaborate artifice, a piece of third-rate political theatre in which the actors are all speaking at cross purposes (while believing otherwise) does not make criminal, or CIA, or KGB agents — any of the Tamil participants and their advisers; nor the political groups which have ventured into the negotiating chamber, legitimately searching for political relief from physical torture. For in the end, and the end is far off, Tamil aspiration can only be ratified in a political contract; the desire to jump the gun, so to speak, a worthy — not unworthy — motive. But differences between and among the Tamils, when their existence as a people is *increasingly* threatened, cannot themselves be settled on a Tamil battlefield. The blood of enough innocents — yes, Sinhalese included — has been shed already. To have added TULF representatives to the thousands of Tamil martyrs this civil war has already created, is a crime; a crime against the Tamil people.

## FROM PAGE 8

militancy that had already reached the limits of its tolerance. This unfortunate event could have been avoided if some more preparatory work had gone into the Thimpu talks to make certain that the Sri Lankan government would come forward with some fresh proposals and not try to present the old ideas in the shape of a new package.

But what was disquieting was how the government of India could have acted in this high-handed manner, even assuming that Mr A.S. Balasingam, Mr S.C. Chandrasaran and Mr S. Satyendra, were responsible for the breakdown of the Thimpu dialogue. It has come out of this controversy with a tarnished image, damaging its own liberal traditions. The way the first two were bundled out of the country smacked of not merely churlishness, but utter disregard for human rights.

## Lack of sensitivity

During the eight-day discussions in Delhi, Mr Hector Jayewardene and his colleagues continued to play the ostrich displaying an amazing lack of sensitivity, imagining that they could get away with their obduracy through sheer persistence. As a result, the idea of a draft agreement had to be abandoned and only a working paper was produced containing just a broad approach to devolution without spelling out the extent of delegation of powers to the provincial executives.

The details had been left to be worked out during the resumed dialogue,

creating a grey zone of uncertainty that could further complicate the prospects of a fair settlement.

So it took a lot of effort on the part of the government of India to restore the missing perspective and nudge Sri Lanka to adopt a more responsive attitude. The broad framework that has emerged from the talks is not a bad package but much would depend on the Sri Lankan Government's good faith and the negotiating skills of the Tamil leaders whether this could be transformed into a lasting political settlement. It will be in the interests of the Sri Lankan Tamils to make India a party to this accord so that it has the responsibility to ensure its smooth implementation.

There are still many gaps in the proposals that are open to differing interpretations and the Sri Lankan government will not easily give in on essential details, unless it is left with no other choice. This is where Indian diplomacy will come again with a role to play in evolving agreed procedures for implementation. It will certainly be a feather in Mr Rajiv Gandhi's cap if this ethnic conflict which has taken a heavy toll of innocent lives and imposed terrible suffering and humiliation on the Tamil minority is settled without further bloodshed and bitterness in a spirit of mutual accommodation. And it will augur well for India's good neighbourly diplomacy, demonstrating eloquently to all other neighbouring countries that with a measure of good will and confidence all such problems could be resolved through negotiations.

## TAMIL DEMANDS AT THIMPU

Mr H.W. Jayewardene, QC, Government's chief delegate in the Thimpu Conference, has, according to press reports, reported to the Cabinet that the Tamil representatives at Thimpu had stated that any solution to the ethnic problem should be based on four cardinal principles, namely:

1. The recognition of the Tamils of Sri Lanka as a distinct 'nationality'.
2. The recognition and guarantee of the 'territorial integrity' of the identified Tamil homelands.
3. The recognition of the inalienable rights of self-determination of the 'Tamil Nation'.
4. The recognition of the rights of citizenship and other fundamental rights of all Tamils to look upon the Island as their home.

Mr Jayewardene has also reported that 'a political settlement of the Tamil question cannot be made either on the basis of the claim to be a separate nation or nationality distinct from other racial groups that are citizens of Sri Lanka or on the basis of a claim to be heirs to a territorially demarcated area 'the traditional homelands of the Tamils' transcending the provincial boundaries of the Northern and Eastern provinces, since both such claims are inconsistent with and contradictory to a 'United Nation'.

### Political settlement

He has further reported that 'if the demand that the proposal for a political settlement would recognise the right of the Tamils for self-determination extends to the point of an absolute right it can only mean the totally unacceptable claim for a separate state by whatever name it is called. If it means the granting of a reasonable degree of autonomy under the existing Constitution, according to Sri Lanka's concept of participatory democracy, the Government is prepared to grant such autonomy and has founded its proposals on those basic principles.'

The nationhood of the Tamils and the consequential right of the Tamils for self-determination are indisputable and are fundamental to the issues that the Thimpu parley will face. It is very unfortunate that Mr Jayewardene has cautioned the government against the recognition of Tamils as a nation with the right of self-determination, contrary to historical facts and well-known political concepts.

The universally accepted definition of a nation is that it is 'a historically evolved stable community of people formed on the basis of common language, territory, economic life and

As a mark of respect for the late Mr V. Dharmalingam, ex-MP for Manipay, who was killed in a cowardly attack by a yet unidentified group, we reproduce his latest article which appeared in the Saturday Review.

psychological make-up, manifested in a common culture'. That the Sri Lankan Tamils possess all these common characteristics and constitute a nation in the present Sri Lankan state is beyond dispute.

History records that Tamils are a distinct nationality from ancient times. Mr Seneka Bandaranaike, lecturer in archeology at the Peradeniya University, in his book 'Sri Lanka - Island Civilisation', at page 75 says: 'The other ancient people who form a distinct nationality are the indigenous Tamils, also inhabitants of the Island from prehistoric times.'

It is a fact of history that the Jaffna Kingdom with a preponderant Tamil population ruled (except perhaps for a very brief period) by Tamil kings was consolidated between the 12th and 14th centuries AD and existed till it was overthrown in battle by the Portuguese.

The common territory of the Tamil people, from very ancient times, has been the northern and eastern regions of the island, irrespective of the fact as to who ruled. The first ever population census of 1827 revealed that the Northern and Eastern provinces were the main homelands of the Tamil people and that only a few hundred Buddhists lived in the Trincomalee and Vavuniya districts at that time.

For a nation, particularly when it is a minority, to preserve its identity, a homeland is a sine qua non. The fate that overtook the ancestors of a section of the people in the Western coast, which section now claims to be Sinhalese, is still vivid in Tamil memory. Only 150 years ago they proudly claimed that they were Tamils. But living in the midst of an overwhelming Sinhalese population they could not preserve their identity and these descendants are all Sinhalese today. If the Tamil character of the Northern and Eastern Provinces is destroyed then the Tamil nation will not survive in Sri Lanka. The identity and nationhood of the Tamils are being preserved in Sri Lanka today because Tamils have a homeland in these two provinces to preserve them. The emphasis on a Tamil homeland is for the preservation of the identity of the Tamils. In this connection it may be

remembered that the Federal Party, in the model constitution for a Federal Republic of Ceylon it submitted to the Constituent Assembly in 1971, recommended that the Amparai District should be a Muslim majority state.

To treat the Tamils as a mere racial and political minority is an insult to them. The Tamils, who are a nation, have rights of their own, whereas a minority has no rights except those given willingly or unwillingly by the majority as favours. A minority secures, as Mujibur Rahman said, 'every bit of its reasonable demand from the majority at tremendous cost and after bitter struggle as if snatched from an unwilling ruler as reluctant concessions'.

### Inherent right

Social democracies in all countries have recognised and proclaimed the inherent right of nations to self-determination. Sri Lanka is styled a 'Democratic Socialist Republic' in its Constitution. The basis of socialism in the socialist countries of the world is the recognition of the right of self-determination of the smaller nations. If this recognition is not given, socialism will degenerate into the national socialism of the Nazi pattern.

The demand for the recognition of the right of the Tamil nation for self-determination need not be identified with the demand for a separate state. Self-determination is not another name for separate state. The right of divorce is inherent in every marriage. This does not mean that every married couple sought divorce once the marriage took place. On the contrary, freedom to divorce helps to keep both parties together without infringing on each other's rights. No nation in a multinational state, where two or more nations with the right to secede have joined together, will ever think of seceding unless the ruler constantly infringes on the rights of the smaller nation.

The right of self-determination means that only the nation itself has the right to determine its destiny. The establishment of a state of its own is not necessarily the destiny of every nation. There are innumerable examples of nations who, of their own choice, live unitedly with other nations in one state to their own benefit and to the benefit of the union. The success or failure of the union depends on the success or failure of the ruler to keep the Nation together. But the act of keeping a minority nation by force is in itself an action of national oppression

SEPTEMBER 1985

and is bound to bring national antagonism and friction.

Minority nations know from their own everyday experience the advantages of a united state and would not risk secession unless national oppression and friction made their existence in a common state intolerable. When placed under intolerable circumstances the urge of a minority nation will be to safeguard its own existence even at the cost of a union state.

In Sri Lanka, history will show the Tamils were driven to make the demand for the 'restoration and reconstruction of Tamil Eelam' because no government was willing to find a solution to their problem, the existence of which is generally accepted.

If a viable alternative where the Tamil nation will have the legal sanction 'to arrange its life in the way it wishes' is worked out, the question of a separate State will not arise even when the Right of Self-Determination is recognised. This alternative may be found under a federal set-up or on the basis of autonomy.

The talks of 'One Nation-One Country' is pedalled by people who think that Sri Lanka is the homeland of one race belonging to one religion and speaking one language and that others must be assimilated or remain forever second-class citizens. Responsible Sinhalese leaders and the mass media repeatedly talk of a Sri Lankan Nation, which unified nation never existed during the 2,500 years of Sri Lanka's history. It is this talk of a unicultural Sri Lankan state which frightens the Tamils into demanding a separate state for themselves. The Tamils fear that in the creation of unicultural Sri Lanka their identity and nationhood will be mortgaged without any chance of redemption. The identity of the Sinhalese, who are a preponderant majority, will always be preserved even when Sri Lanka becomes a unicultural state.

For true democracy to survive in Sri Lanka the Tamils should not only be recognised as a nation but the equality (not quantitative but qualitative) of the Sinhalese and Tamil nations has also to be accepted. It must not merely be that all persons are equal it must also be that the Sinhalese and the Tamil Nations are equal.

The mistrust that has been growing between the Sinhalese and Tamil peoples must be eliminated and the socio-political unity of the two peoples must be developed. In a multinational state like Sri Lanka, this unity can be achieved only by retaining the peculiar characteristics of each nation and not by the majority nation devouring the minority nation.

## ALL THEY BROUGHT ARE MEMORIES

The renewed state violence against Tamils in Sri Lanka has sent scores of refugees fleeing across the sea to India. This fresh influx has brought with it poignant tales of parents who would send their children out on boats rather than have them live in constant fear of marauding security forces.

Among the refugees who arrived at the Mandam camp on August 22 were five children whose parents stayed behind, putting the safety of their dear ones before their own. Three children said their parents could not come because they did not have the money to pay for the journey, but they had promised to join them shortly.

Mary Cruz (13) and her brother Regie Cruz (11), said their father was away fishing and that he would be returning home only three days later. Their mother had sent them along with her neighbours as she did not have the heart to leave her husband.

In the case of Sadish (13), Soundararajan (11) and Annakili (nine) their parents did not have the money to pay for the journey. However, the children's sister and her husband and their elder brother are already in the refugee camp.

Officials said they would trace them and help the children join their relatives. The officials also said that the children and teenaged girls who arrived unaccompanied by adults in

their families would be put in the care of reasonable middle-aged couples in the camp.

Enquiries reveal that though the refugee influx had recommenced following the recent violence in Vavuniya district in Sri Lanka, the Tamils who are arriving here are from places far away from Vavuniya. They have only heard of the killing and harassment in Vavuniya over the BBC.

Among the refugees was Yogamuthu, a fisherman who was detained for 77 days by the Sri Lankan Army at a camp in Boossa in Galle district of south Sri Lanka. He said he and 800 others in the camp were tied and beaten up by the soldiers to get information about Tamil militants. 'We were buried nose-deep for hours together though we had no information to give,' Yogamuthu said he was released only a few days ago. His aged parents had stayed back saying they would come to India along with his elder brother.

The refugees also include a blind girl, Inbachelvi, who had arrived with her uncle. Another man, Natarajan, had made his trip to India after selling his land, two pumpsets and a small house which fetched him only Rs.4,000. Nearly 400 refugees have arrived in the past three days and according to them, more were on the way. (The Hindu, 31.8.85)

## 'DISBAND HOME GUARDS' - TRADE UNIONS

Twenty-one major trade unions in Sri Lanka have called upon the government to disband the Home Guards Unit set up recently.

There have been many reports of the killing of several persons by 'home guards'. Following these reports, the Inspector-General of Police has called for reports from the Superintendents of Police on the activities of the 'home guards' in their areas.



Home guards in readiness to terrorise Tamil civilians

The trade unions aver that although the government claimed that the 'home guards' were set up to fight 'terrorism', they are acting as the real terrorists. Rejecting the explanation given by the Minister of National Security, Mr L. Athulathmudali, that the reported incidents in which the 'home guards' were involved were mere 'lapses' or 'accidents', the unions said that there was proof beyond reasonable doubt that the 'home guards' had killed innocent civilians.

In the meantime, the fiasco over 'home guards' reached a new pitch of tragi-comedy with a report appearing in the 'Sun' of 25.7.85. In this particular episode, a home guard had gone hunting wild boar with a gun. Having fired at the boar and finding the animal only wounded, the home guard is said to have taken the gun and tried to kill the boar with the butt-end of it. At this stage, the gun which was loaded went off, killing the home guard on the spot. Referring to this incident, the MP for Kalawana, Sarath Muttetuwegama, asked the government when it proposed to cry halt to this utter charade of home guards.

# THE LONDON HILTON JAMBOREE

'Whatever the dangers threatening their homeland, overseas Sri Lankans (read Sinhalese) enjoyed their Hilton jamboree and, over coffee with watered milk, renewed their faith in the future before jetting back to their expensive practices and residences round the globe,' said the London-based 'New Life', (23.8.85), an Asian weekly, commenting on the second delegates Conference of the World Federation of Sri Lankan Associations.

In the company of the high and mighty, both spiritual and temporal, of the Sri Lankan political scene, nearly 300 overseas Sri Lankans, mainly Sinhalese, gathered at the luxury London Hilton Hotel on 18 August. The participants included the Minister of National Security Mr Lalith Athulathmudali, the Leader of the Opposition, Mr Anura Bandaranaike and the ideologue of Sinhala-Buddhist chauvinism, Rev Pangnaseeha Mahanaika Thero.

The whole exercise was a propaganda stunt staged to bolster up support for the Sri Lankan government whose dismal record on human rights and the continuing atrocities committed against the Tamil people by the security forces had adversely affected Sri Lanka's reputation and image abroad. The spectre of 'terrorism' was thrust to the foreground as a convenient vehicle to drum up much needed foreign support and to mobilise overseas Sinhalese opinion behind the government.

## Fake 'Tamil Times'

Most of the literature circulated at the meeting was purported to have been 'printed and published' by the so-called Society for Ethnic Amity, P.O. Box 1566, Colombo. They included fake copies of 'Tamil Times' and some booklets authored by Prof. C.C. Weeramantry, presently residing in Australia. It is common knowledge that the so-called Society for Ethnic Amity is nothing but a front financed and organised by the government of Sri Lanka to carry out anti-Tamil propaganda. The despicable levels to which this organisation has descended is demonstrated by its continued publication of the fake 'Tamil Times' and passing it off as the genuine copy.

The fake 'Tamil Times' is circulated by the Sri Lankan missions abroad along with their Embassy News Letters and booklets authored by Prof. Weeramantry, who obviously cannot be unaware of the activities of the frauds and cheats behind the 'Society for Ethnic Amity'. One must concede that, as far as its contents go, the fake

'Tamil Times' (June 1985) circulated at the Conference is distinctly different from the fake ones circulated earlier. The similarity of language and ideas particularly in the article entitled 'Let us Win with Peace' and that of Prof. Weeramantry's 'A New Human Rights Dispensation for Sri Lanka' is intriguingly revealing. The question that arises is this: What is the connection between Prof. Weeramantry and the so-called Society for Ethnic Amity which prints and publishes his literature and also the fake 'Tamil Times'?

The Sinhala Association in the UKM hosted the Hilton jamboree and its leader, Mr Douglas Wickremaratne, was elected the President of the World Federation of Sri Lankan Associations. What is this Sinhala Association and who is Mr Wickremaratne? The Association, until July 1983 consisted of a motley crowd of about 20 Sinhala racists. Its views were so rabidly anti-Tamil that the average Sinhalese man in London did not want to be seen associated with it. Douglas Wikremaratne to the Sinhala Association was like Martin Webster or John Tyndel to the British National Front. The two main preoccupations of this association were to bring to Britain popular Sinhala Singing artistes from Sri Lanka, arrange concerts and make money, and to carry on anti-Tamil propaganda.

## Theme song

As spokesman for the Association, Mr Wickremaratne carried on a relentless campaign for the removal of all Tamil Sri Lankan Ambassadors in western capitals. Specially his tirade and campaign against Mr Moorthy, the Sri Lankan Ambassador in the UK was ruthless. He went about collecting signatures from Sinhala residents for petitions for his removal and his replacement by a Sinhala-Buddhist. His theme song which has been replayed ad nauseam is as follows: Sri Lanka is a Sinhala Buddhist country; Sinhalese have no place other than Sri Lanka; the Tamils are a privileged minority in Sri Lanka like the whites of South Africa; the Sinhalese majority are oppressed by the minorities in Sri Lanka; and the Tamil plantation workers who have been in Sri Lanka for 150 years are foreigners who should not be entitled to citizenship or voting rights and they should repatriated compulsorily.

The anti-Tamil bloodbath of July 1983, the screaming headlines in the international media about the atrocities, and the subsequent polarisation

between the expatriate Sinhala and Tamil communities provided the opportunity that he and his Association were waiting for. Mr Wickremaratne was always available to put the 'Sinhala side' of the case. He also had the blessings and assistance of the Sri Lanka High Commission in the UK and over a period of time he in fact became almost its spokesman. If the High Commissioner was asked to provide a speaker for a seminar or discussion on the ethnic conflict or violence in Sri Lanka. Mr Wickremaratne would be sent with all assistance, men and material. In short, he was there to perform the hatchet jobs for the High Commissioner.

## The message

At the time the All Party Conference was in session in Colombo in February 1984, Mr Wickremaratne wrote in the Association's journal as follows: 'The myth of the traditional homeland of the Tamils must be destroyed. Every inch of Sri Lanka is the traditional homeland of the Sinhalese . . . Thesavalamai law, whereby Sinhalese cannot buy property in Jaffna must be abolished . . . it is also necessary to do away with the law allowing Muslims to marry four times . . . the request to repeal the out-of-date marriage laws which are not consistent with our way of life and civilisation, must come from the Muslim leaders . . . Just as Sri Lankans who live in UK had to learn English or in France, French, in Italy Italian, etc., the language of the country should be Sinhalese. Let us do away with the mockery of publishing every document in three languages. It is only natural that a minority living in any country should learn the language of the majority . . . We hope and trust that there will be no betrayal of the Sinhala nation.'

So the message of Mr Wickremaratne is very clear: there is a Sinhala Nation but not a Tamil Nation in Sri Lanka; every inch of Sri Lanka is Sinhala homeland, but there is no inch there for the Tamils to call it their homeland; land and marriage laws which have existed for centuries applicable to the Tamils and Muslims should be abolished to conform to Sinhala way of life and civilisation; the 'mockery' of using any language other than Sinhala should be done away with and all Tamils should learn Sinhala. And this is the Wickremaratne who has been elected President of the World Federation of Sri Lankan Associations. This single act sums up the jamboree at the London Hilton.

## POINT OF VIEW

## FOR A REALISTIC APPROACH

The deportation of three Sri Lankan Tamils, S.C. Chandrasaran, A.S. Balasingham and N. Satiyendra, by the Indian authorities following the breakdown of the August Thimpu talks was ill-advised, unfortunate and high-handed. This is the consensus view of Indian political opinion.

Firstly, the deportations confirmed the suspicions of the Tamil delegations attending the Thimpu talks that certain Indian officials were not only hasty in trying to push the pace of the talks, but were also attempting an arm-twisting exercise, to continue the talking even though the Sri Lankan security forces were engaged in a ruthless slaughter of Tamil civilians.

Secondly, they gave the impression to the Sri Lankan government that India would assist Sri Lanka in forcing the Tamil militants to accept the old discarded proposals dressed up in new packaging.

Thirdly, rather than enabling the talks to proceed, the deportations only served to delay resumption of negotiations as the Tamil groups were reluctant to renew talks while three top Tamil spokesmen remained expelled from India.

Predictably, the reaction in Tamil Nadu to the deportations was swift, leading to popular protests and marches. New Delhi's action was severely criticised in both houses of the Indian Parliament.

## Unfortunate episode

It is hoped that lessons have been learnt by all parties concerned from the events leading to and following this unfortunate episode. The Tamil groups have since met the Indian Prime Minister and explained their position. While the order against Chandrasaran has been revoked and he is already back in India, we hope the orders against the other two will also be lifted to enable their participation in any future talks.

That India has a crucial role to play in the resolution of the ethnic conflict in Sri Lanka is indisputable. The government of Sri Lanka, after indulging in months of anti-Indian hysteria, has at last realised the decisive role of New Delhi. The leaders of the central government of India have repeatedly set out the parameters of their interest in Sri Lankan affairs. Firstly, India is acutely concerned about the spill-over effects of the violence directed against the Tamils of Sri Lanka in Tamil Nadu where 50 million Tamils live and who understandably react against the treatment meted out to their 'kith and

kin' in Sri Lanka. Secondly, India regards the inevitable destabilisation resulting from the continuing conflict and the induction of foreign elements into Sri Lanka as matters having a direct bearing on Indian national security interests. That the Tamils of Sri Lanka, when subjected to merciless violence, and the Tamil militants, when hounded by the Sri Lankan security forces, had a place in South India to seek refuge should not be taken to mean the interests and aspirations of Sri Lankan Tamils, the perceptions they have of their own problems and the formulas they think best and just for the solution of these problems, are synonymous with those of India or the Indian government. Nor should the acute concern and depth of feeling demonstrated in Tamil Nadu to the plight of the Tamil people in Sri Lanka be equated with those of the Indian government at the centre.

The demand for a totally independent state of Tamil Eelam has to be evaluated and considered in the context of what India perceives as its national interest in the South Asian region. Whatever may be the views of Tamil Nadu politicians, whether such a demand can be reconciled to the maintenance of the territorial union of India as a whole would be a matter of paramount consideration for New Delhi.

While India may well be interested in assisting Sri Lanka to reach a political solution to the ethnic conflict, how and in what form it is to be achieved is essentially a matter for the Tamils of Sri Lanka. Colombo has its own problems. Ronnie de Mel, the Sri Lankan

Minister of Finance, recently stated, 'The aid donors have told us in no uncertain terms that we should find a political solution to our problem as soon as possible (Financial Times, 3.9.85), and therefore Colombo's desire for a political solution may not necessarily be that it accepts the justice and legitimacy of Tamil aspirations and demands. The Tamils also want a solution, but not any solution. It should be a lasting solution which guarantees them the right to retain their national identity as a people administering their own affairs in the areas in which they mainly live with sufficient constitutionally entrenched powers to go about their cultural, social, linguistic, economic and political pursuits without having to depend on the good will of the ethnic majority.'

## Critical juncture

As far as those who lead the Tamil nation at this critical juncture are concerned, it is absolutely crucial that they approach the problems facing the Tamil-speaking people with a full and realistic appreciation of all the forces that are at work, both nationally and internationally. What they perceive as the best and just solution has to be viewed in the light of objective and subjective factors which predominate at a given politico-historical conjuncture, with the understanding that these factors do have a habit of determining the course of events not necessarily leading to the best and just solution as perceived or wished for by the people or the leaders concerned.

## PLOT CONDEMNS CIVILIAN KILLINGS

The Peoples Liberation Organisation of Tamil Eelam (PLOT), in a statement, has condemned the reported killing of Sinhala civilians by groups involved in Tamil liberation in Sri Lanka. PLOT was one of the militant Tamil groups to participate in the recently held talks at Thimpu. The statement issued by PLOT spokesman, A.S. Skantha, said:

## Sense of deep grief

'The Central Committee of the People's Liberation Organisation of Thamil-eelam learnt with a sense of deep grief the massacre of innocent Sinhalese civilians by groups involved in the liberation of Thamil-eelam. The action should be condemned by all civilised people in the severest terms and lowers the glorious struggle of the

people of Thamil-eelam to the level of the fascists ruling our country.

The action is carried out by misguided groups who are misled by the paid agents of USA imperialism and who influence them with the large financial resources at their disposal. These reactionaries recognise that the coming together of the oppressed masses among the Sinhalese and Tamils signifies the actions death knell of the bourgeoisie hold on power and their actions are designed to sabotage this coming together of our people. The People's Liberation Organisation of Thamil-eelam together with the broad masses of our country condemns these acts of terror and call on the progressive section among the Sinhalese to explain this to their people.'

## 'AUTONOMY FOR MUSLIMS' — EPRLF

The Eelam People's Revolutionary Liberation Front (EPRLF) has put forward the following proposals to allay the fears — due to misunderstandings among sections of the Muslim people regarding the Eelam Liberation struggle:

- Demarcation of the areas where there is a concentration of Muslims.
- Recognition of these areas as Muslim areas.
- Setting up of a Muslim People's Council consisting of representatives who will reflect the interests of the Muslims living in these areas.
- Recognition of this Council as the political forum of the Muslim people and guaranteeing implementation of local autonomy in the Muslim areas through it.
- Making provision through this Council for Muslim representation at the political leadership level of Eelam.
- With the consent and advice of this Council, taking all measures to protect and foster the Islamic Religion, Art, Culture, tradition, the Arabic language, Education, employment opportunities, local development and to meet other basic needs.
- The Eelam Government shall seek the advice of the Muslim People's Council in respect of each and every measure, however small, connected with the Muslim people.

The EPRLF concludes its press release with the declaration that the guarantee of a secure and prosperous future for the Muslim people lies in an independent Eelam and calls upon them to link themselves with the Eelam Liberation struggle.

## BATTICALOA AIRPORT AREA — NOW A SECURITY ZONE

The Batticaloa airport and its environs have been declared a security zone by Government with immediate effect. Notice have already been given to residents under the Emergency Regulations to quit all possessions and residences within 500 metres on all sides of the runway for this purpose. Two villages, Pudukur and Valai Iravu along with 230 houses, 3 temples and 2 schools will be affected by this takeover.

Government Agent Batticaloa M. Anthonimuthu has already been directed to seek alternative accommodation for the displaced people, the temples and schools. A survey of the lands to be taken over for the security zone is to be conducted shortly.

## NO UNILATERAL ACCEPTANCE

Mr A. Amirthalingam, Secretary General of the TULF has said that there is no question of the TULF endorsing or accepting the blueprint for a settlement which is still under consideration among the various parties.

A discussion paper prepared by Sri Lankan and Indian officials is reported to have provided for two separate provincial councils for the northern and eastern provinces of Sri Lanka where the Tamils predominantly live.

### Single council

Mr Amirthalingam said that he still hoped that there would be a single council to cover both the north and east. In any event, the proposals in the discussion paper have to be considered

along with the Eelam National Liberation Front (ENLF) and there was no question of the TULF unilaterally accepting any proposal, he said.

### No intention

A.S. Skantha of Peoples Liberation of Tamil Eelam (PLOT), rejecting press speculation, stated that his organisation had no intention of accepting the proposals without the agreement of all other parties. The six groups which participated in the Thimpu talks had decided that acceptance or rejection of the proposals would be a joint decision. The PLOT would stand by this commitment, he said.

## 'IT'S TERRORISM NAKED & UNVARNISHED' — Pieter Keuneman

The following statement was issued by Pieter Keuneman, Chairman, Communist Party of Sri Lanka:

'I condemn unequivocally the brutal, calculated and revolting murders of messrs V. Dharmalingam and A. Alalasundaram. Whoever is responsible for this dastardly crime cannot seek shelter behind the plea that it was done in pursuance of the fight of the Sri Lanka Tamils for their national rights. It is terrorism, naked and unvarnished.

'It is clearly intended to convey to the Tamil leaders that a similar date awaits anyone who seeks a negotiated political solution of the present ethnic crisis — at Thimpu or elsewhere. Its additional aim is to set the Tamil organisations on a collision course with the efforts of India's Prime Minister to make such a negotiated settlement possible. 'In this connection, it is clear that even greater vigilance is required against the efforts of reactionary western agencies to misuse sections of the militant Tamil movement for their own sinister purposes.

### Cruel & wanton

I am especially grieved at the cruel and wanton murder of Mr V. Dharmalingam, who I have known personally for many years, whom I am proud to have called a friend, and whom I have always held in high regard as a man of principle, devoted to social progress, and sincerely desirous to see all nationalities in Sri Lanka live together in equality, self-respect and friendship. His death is a grievous

blow to all the peoples of Sri Lanka and, not least, to the Sri Lanka Tamils themselves. I convey to the families of the two murdered leaders, the profound condolences of and respect of the Communist Party of Sri Lanka and myself.'

## REFUGEES SHOT DEAD

An unidentified gun-toting gang shot dead eight Tamil refugees at the Thiriyai Refugee Camp on Saturday, 10th August. The dead persons are:

Mahadeva, School Principal, Ehambaram, A. Thurainayagam, Narayanapillai, former Grama Sevaka, M.S. Sanmugam, A. Sivanayagam, Yoganathan and Tharmarajah.

They were shot dead while playing cards in front of the Thiriyai Tamil Maha Vidyalayam which has been converted into a Refugee Camp.

## GIFT TO M.P. IRKS WORKERS

65,000 plantation workers in Badulla, Passara, Madulsima, Welimada and Bandarawela districts staged a strike in early August, protesting against the transfer of Ambragalla Estate to an MP. As a result of this transfer, 750 workers were not only thrown out of employment, but also ejected from the Estate by gangs of thugs.

Some of the workers were being fed and sheltered by other workers on neighbouring Estates, but about 250 had fled into the jungles of Koslande. The trade unions had made a strong protest against the high-handed and irregular transfer of the Estate and the harassment of the workers.

## DEVOLUTION – THE URGENT NEED

The Civil Rights Movement has, over the past three years, continually drawn the attention of the government to numerous infringements of the fundamental and civil rights of the people by way of arbitrary arrests and detentions 'disappearances', inhuman treatment and torture of those held in custody, extra-judicial killings and ex-

cesses by the security forces of the state that have resulted in enormous and grievous loss of life and property. CRM has also placed these infringements in the context of the continuing situation of ethnic conflict in which members of the security forces and, more recently, civilians, have been attacked and killed by armed separat-

ists. In CRM's view this situation has arisen through the neglect of successive governments to give attention to a problem which could have been solved before violence escalated and positions become more hardened. CRM has continued to urge the search for a political solution as a more appropriate means for the government to fulfil its duty to all citizens than the pursuit of the military option.

In this context, CRM welcomes the ceasefire between the government and the separatists and the negotiations now proceeding at Thimpu in Bhutan. CRM also welcomes the government's release, before the next round of talks, of the 643 persons held without charge at the Boosa detention camp.

An acceptable political solution will have to provide for a meaningful devolution of power. Such a devolution has been resorted to in many countries as a practicable, suitable, fair and democratic means of governing. This is particularly so when within the country there are various ethnic groups. Devolution in no way contradicts the concept of the unitary state nor does it undermine it. On the contrary, its tendency is to strengthen unity accommodating the legitimate interests of minority groups, and thereby strengthening nation building.

### Better participation

But this is not the only reason for devolution, nor the only context in which it is known to take place. Devolution facilitates better participation by the people in the process of government, and is therefore more democratic. When certain state powers are exercised at the local level people can share in the formulation of policy and its implementation. Such democratic structures at the local level will also provide for greater participation at the national level. The central government will thus be kept aware of and made more responsive to local needs.

CRM does not as an organisation suggest any particular model of devolution. It wishes at this juncture only to stress the need to pursue this search with determination and to seek a model which will not only satisfy the legitimate needs and aspirations of the Tamil people of our country, which will also result in the enjoyment by all Sri Lankans of a greater degree of civil liberty and freedom than they now have.

Working Committee,  
Civil Rights Movement,  
9 August 1985

## MIRJE FRAMEWORK FOR DEVOLUTION

The Movement for Inter-Racial Justice and Equality (MIRJE) held a Conference for Peace on August 17.

Here is the text of the MIRJE proposals circularised among mass organisations in the country:

We welcome the decision of the Sri Lankan government and the representative organisations of the Tamil people to agree to a ceasefire and to begin negotiations for a political solution to the conflict between the two major ethnic communities inhabiting Sri Lanka.

We believe that the vast majority of all communities hope that these talks would succeed in arriving at a political solution that would remove the causes of armed conflict and bring about peace and reconciliation, while ensuring the rights of self-determination.

We also believe that such a political solution could be implemented with greater success if the people and their organisations, particularly among the Sinhalese and Tamils were involved in the peace process. Based on an understanding of the basis of ethnic hostility, the ways in which it has been used by vested interests and of the necessity of overcoming chauvinism, people should be discussing alternative patterns of devolution of power, which alone should be the basis of an acceptable political solution. It is only by such an involvement on the part of the people at large that any efforts to subvert the present negotiations by chauvinist elements could be overcome.

### Assembly of delegates

We propose, therefore, that an assembly of delegates from all major people's organisations be convened in order to adopt a series of proposals that could form the basis of a political solution and would help to end violence, restore peace and promote inter-ethnic justice.

In order to facilitate such a discussion, we are putting forward for consideration the following basic framework which we believe will en-

sure a true devolution of power and guarantee equality of status to all members of all communities:

(a) The state shall consist of a central government and a number of territorial governments. Each territory shall be comprised of a number of districts which are geographically contiguous with each district having the power to decide which territory to join.

(b) Each territory shall have a territorial legislature and shall be responsible for all functions of legislation and of executive and judicial administration, within its area of jurisdiction; in particular, education, finance, health, land settlement and policing of the region shall fall within the jurisdiction of the territorial government.

(c) The central government shall have control over defence, foreign affairs, and national finance. It shall also be responsible for the execution and maintenance of countrywide services such as railways, post and telecommunications, harbours etc., which it will not be feasible to bring within territorial administration as well as of development projects which spread over a number of territories. In the latter instance, it will act in full consultation with the territories concerned.

(d) All inhabitants of this country, and in particular the plantation workers of 'recent Indian origin', who opt to become citizens of this country would have the right to obtain full citizenship rights. There should be no discrimination between citizens by descent and citizens by registration.

(e) Constitutional provisions will be made to ensure the implementation of the above proposals and protect the rights of the minorities in each territory; all acts which seek to impose special disabilities or confer special privileges on any ethnic group will be constitutionally barred.

(f) Any legislation purporting to amend or alter these provisions of the Constitution must have the consent of all the territorial governments.

## WHAT THE OTHERS SAY . . .

### LANKAN PERFIDY

'Nobody in his right senses will maintain that the current bout of genocidal killings in the island is taking place in spite of President Jayewardene. Evidently the Sri Lankan President, while talking to the Tamil groups with one face, is encouraging his troops, with his Sinhalese natural face, to kill innocent Tamils to create a climate of terror so that he could push ahead with his own brand of 'final solution' in the footsteps of its original practitioner Herr Hitler. If this is not the case, the only other possible inference would be more damaging to the Lankan President. Probably senile and determined not to fade away, like the old warrior of the ballad, he is unable to resist being dictated to by his army, navy and airforce commanders. These hawkish generals act and tragically the Lankan President is not in a position to react even. Either way, the Colombo government is squarely responsible for the current spate of cowardly killing of Tamils, women and children in particular. In the face of this nightmarish terror, launched by the State of Sri Lanka itself, it is too much to expect the Tamil groups, the moderates included, to keep talking with the very perpetrators of the crimes .

### Political barter deals

'And what is happening in the northern and eastern regions of Lanka is a repetition, in a much cruder form, of what happened in June, July 1983. The Lankan troops and commandos have been given a virtual licence to kill. Taking full advantage of the breather provided by the truce, observed honourably by the major militant groups but only in its breach by the troops, Lanka has prepared itself, not for a mere kill but overkill. It has entered into political barter deals with Pakistan and there are reports in the international media of Pakistani army brass even supervising the current troop operations against innocent Tamils, apart from training the Lankan intelligence in the art of psychological warfare and disinformation. The kept press in the island is not free to report on the actual killings taking place in Jaffna and Trincomalee. The BBC has, however, reported that at least 250 Tamils, many of them children, have been killed in the last couple of days. According to Tamil groups, more than 400 have perished in the troop assault on the homes of civilians. India cannot and should not keep mum over these brutalities. It

### PRECIPITATE STEP

The Indian government has acted precipitately in deporting two leaders of the Tamil militants, Dr A.S. Balasingham and Mr S.C. Chandrahasan. Guerrilla sources believe that they were deported because their delay in responding to an official invitation to meet Mr Rajiv Gandhi after the Tamil delegates had walked out of the second round of the Thimpu talks and returned to Madras, was taken to be not hesitation but defiance. Not only have they denied any such reluctance, much less defiance, on their part — 'We had always wanted to see him. We still want to do so' — but, what is more, for the government to have rushed to this conclusion and, no less impetuously, to

should lodge its protest with Colombo without further loss of time and take up the issue at all fora.

'India has already given more than enough proof of its earnestness in helping Sri Lanka to find a political solution to the ethnic problem. But Sri Lanka is not interested in any reasonable political solution, whatever the reason. May be, President Jayewardene is a prisoner in the hands of the troops which are dangerously becoming political. May be, he is a prisoner in the hands of the Buddhist clergy. May be, he is afraid of taking a bold initiative for fear of conceding political advantage to his arch rival, Mrs Bandaranaike.

### Internal problem

'Whatever the case, this is the internal problem of Sri Lanka. It is also the internal problem of Sri Lanka to handle those who are determined to resist its naked, state-sponsored terrorism. But nothing prevents this country from emotionally and more effectively identifying itself with the cause of the Tamil patriots who are fighting against gross injustice and glaring violations of human rights. The heroic battle of the African majority against the white apartheid rule in South Africa and the Tamil resistance to reactionary, chauvinistic oppression in Sri Lanka are two sides of the same coin. Supporting the African struggle and not supporting the equally justified Tamil struggle don't go together, they should not. We do hope that our Prime Minister will respond to the cries of agony from across the narrow Palk Straits.'

News Today' (India), 20.8.85

have acted so harshly on that basis betrays an unwarranted hyper-sensitivity. The deportations cannot but give comfort to the Sri Lankan government which really ought to be the recipient of the arm-twisting to which New Delhi imprudently prefers to subject the Tamils. For it is quite evident that the talks at Thimpu have yielded nothing because Colombo has been stalling by serving up long-rejected proposals even while its undisciplined soldiery has been committing fresh excesses against Tamils in northern and eastern Sri Lanka. New Delhi had earlier directed its efforts at bringing both sides to the negotiating table in the belief that there could not be a solution without talks. Equally, it should now realise that there can be no talks so long as Sri Lanka soldiers go on savaging the Tamil minority in blatant violation of the June 18, three-month long ceasefire which the militants have, in comparison, observed much more scrupulously.

### Provoking resentment

Not surprisingly, the deportations are provoking resentment at Tamil Nadu at the clearly less than even-handed manner in which New Delhi is dealing with Colombo on one side and the guerrilla leaders on the other. As yet, that resentment is low key with the DMK president Mr M. Karunanidhi, accusing New Delhi as well as the local MGR government, the latter being anathema to him, of taking an "anti-Tamil stance". But regional political expediency apart, there can be no doubt that popular feeling in Tamil Nadu runs strongly in favour of fellow Tamils across the waters and that, should New Delhi fall foul of this sentiment by persistently pressuring the militants while treating Colombo with kid gloves even as Tamils are being gunned down in Sri Lanka, the outcome would be massive and turbulent protest. New Delhi might then find it has less room for domestic manoeuvre than now. It is vital for the Indian government to make it plain to Colombo that the indiscriminate killing of Tamils must stop at once, that it must come up with autonomy proposals that are a marked advance over those it has so far made, and that New Delhi cannot ignore public feeling in Tamil Nadu which is what gives India a direct interest in helping to resolve Sri Lanka's ethnic conflict.

Editorial, Times of India, 3.9.85



## WHERE HAVE ALL THE DETAINEES GONE?

The table at Thimpu would not have seen a funnier summit. On one side are the reluctant Tamil militant groups, held there by the compelling force of India, along with the top leadership of the TULF, now a spent force striving to stage a comeback from the political wilderness. On the other side sits a legal luminary, but a political non-entity, qualified to attend because he is a brother of the President.

The proposal placed by the Sri Lankan government at the summit is none other than the 'District Council system' which had failed dismally and been thrown into the bin by the Tamils at the All-Party Conference. If anything tangible comes out of this summit, it will be a world wonder.

The Sri Lankan government announced as soon as the summit began that six hundred Tamils held in custody would be released. I would like to ask a question? Why were they held in custody? The government also says that there are only around 1,000 Tamil detainees arrested under the Prevention of Terrorism Act. What happened to the others? Since July 1983, more than 14,000 arrests were made by the security forces in the north and the east. After August 1984, the security forces adopted the 'Israeli' method of mass arrests and hundreds of thousands were arrested and transported to the South.

Many parents have alleged that their sons who had been arrested by the security forces had simply 'disappeared'. On several occasions the youths arrested in the presence of their parents have not returned and their arrests have been denied by the security forces. In several other instances the dead bodies of those arrested have been returned by the security forces to the hospitals or to the parents themselves.

In December 1984, 70 Tamils held in custody at the Vavuniya Army Camp were slaughtered by army personnel, who alleged that they had been shot while attempting to escape from prison. In May this year about 40 Tamil youths who had been arrested by the police commandos were massacred at Thambiluvil in Batticaloa. The method of the massacre was reminiscent of Nazi days. The detainees were forced to dig their own graves before being shot. This was a known incident. We do not know the number of untold murders committed within the walls of the prison. The Tamils the world over ask the question again and again — what happened to the others? 'Dharmishta' Junius Jayewardene must answer.

S. Saba, Toronto

## LETTERS TO THE EDITOR

Dear Editor,

I write to commend Mr Jehan Perera on his humane and well-intentioned article on the Tamil problem in Sri Lanka, but disagree with his Federal solution. Since 1956, Federal solutions have been sought, only to be met by protests and marches of opposition parties every time a concession was offered by a ruling party. The present President and former leader of the opposition are equally guilty of this. Where is there a glimmer of hope of a Federal solution today? The government's district council suggestion is like granting to the Tamils a physically larger village committee.

Mr Perera must remember that the present generation of Tamils is sepa-

rated by language and physical contact from their Sinhalese counterparts. He argues that each group will be dependent on the other for exports of their produce. If the present violent opposition to each other continues neither side will have anything to export. If separation is conceded, all sides could concentrate on production and export instead of bombs and missiles.

It is true that a large economic entity may have a better chance of success than a smaller one, but each side has agricultural and other possibilities that can be developed with foreign investment.

TURN TO PAGE 22

## WHO KIDNAPPED DAVID?

On August 2, 1985 around 10.00 p.m. I was returning home at Anna Nager. I was coming out of the back entrance of West Anna Nagar Bus Stand and came through upstairs houses to come to the road. I observed a Standard van parked across the street. I saw two people standing in the dark. I stopped for a while and thought to myself. Having seen the two going behind the van, I advanced ahead. Four people jumped on me and dragged me into the van. They held me tight. I was shouting 'Jesus, Jesus' as I did at Panagoda and Welikade. One held my mouth and nostrils. Another squeezed my throat, I was struggling for breath. The van started moving. I thought of my lying prostrate in an army van from Welikade to Katunayake. After some time they dragged me out of the van and pushed me into a car. One seated in the front seat said, 'Don't close the nostrils and don't squeeze the throat'. He ordered them to tie my mouth, hands and legs with cloth. As my hands and mouth were tightened they were numbed because of the blood circulation being prevented. When the car passed the residences, the driver asked them: 'Whom have you brought?' Those who held me tight said: 'David aiya.' 'Ado, the matter has gone worse. The order was to catch only Vasanthan,' he said. Those who held me tight replied: 'Vasanthan didn't come. We caught him.' After going a little more they stopped at a deserted place and said that the leader was coming. 'Let's ask him.' They waited. It appeared a car was standing behind. Somebody got out of the car. They went a little further and pushed me out of the car and dropped me on the road where there was no movement of people around.

They took away my clothes, bag with bank pass book, diary, several manuscripts and umbrella.

I lay on the road tired. A person named Peter took me on his push-cycle and dropped me at Anna Nagar. He told me that the place where I lay was deserted area on the road to Vade Palani.

On April, 7, 1973, Sri Lanka CID men arrested me at the Colombo YMCA and took away all my belongings. I went to the Sinhala prison with only the clothes I wore. Now I lay on the road, losing all to the Tamil Eelam fighters. In the many tests on the path of freedom fighting signs of success lie in going forward instead of going back. It is not nice for heroes to get four youths to tie the hands, legs, eyes, mouth of a person who is over 60 years, hold him tight in a vehicle, and push him on a road and leave. I don't know who did this to me. My eyes were closed. But it is true that one of you has done this. You must look for the fellow and expose him. It is your duty to safeguard your name.

You people can go about in vehicles with armed guards. I walk alone on the streets of Madras. You can always capture me. I will never live in hiding. I will always live with the people. These are my ideals.

I plead that at least after what you did to me do not engage in such depraved acts and cause pain to the Tamil nation. Oh, the Tamil nation at least today awaken yourself, think and act. Will you choose a leadership invested with humanitarian attitudes and grow and enrich yourself or die like cowards?

Greetings.

S.A. David

Leader: 'Gandhyam', Madras

# Book Review

## A GRAVE CHALLENGE

'THE UNDESIRABLES' by Yvonne and Thomas Bibin, K.P. Bagchi & Co., pp252, Rs100. Reviewed by PRATAP C. DUTTA

Two Swedish journalists have collaborated to present this first hand study of the problem of Tamils in Sri Lanka who are resisting, backs to the wall, the pogrom mounted against them by those at the helm in Colombo. Day after day headlines scream about the bloodshed by the army and armed Sinhala in that country. Both the enterprising writers visited Sri Lanka, stayed in plantations and the rehabilitation centres closely chasing the expatriate trail and the resettlement schemes. Yvonne Fries is associated with 'Swallows', a welfare organisation in Sweden and she freelances for the press. Thomas Bibin is associated with the Swedish Broadcasting Corporation. This survey of the overall scene has authentic observations which the authorities in Sri Lanka and rehabilitation organisers in India should find doubly useful.

### Abject slavery

A century ago, British colonialists imported Tamils from India to work in the tea plantations in Ceylon now (Sri Lanka). Local recruitment was not possible because the Sinhala peasants — the only source of labour — were not at all inclined to take up such work in the upper regions in the north. These Tamils worked in conditions of abject slavery. They were not allowed to step out of plantations whose owners kept them fenced against contacts with the Ceylonese. Their rapport with the local population was also barred by the language barrier. They had no civic rights then. At last Sir Edward Jackson was deputed to report on the immigrant labour. In his report in 1936, he held that over 60 per cent of eight lakh Tamils constituted a permanent part of Sri Lanka's population, having contributed to economic advance which would have been impossible without them. Sinhalese raised the cry that they would be swamped by the Tamils, opposed the grant of full citizenship to the Tamils. The colonialists responded to that outcry by tightening up the State Council (Elections) Order so that the eight-lakh electorate under the Donoughmore Constitution of 1931 came down to 1,68,000 in 1943. The immigrants being debarred from village committee elections even though Burghers and Europeans had these rights.

In the 1947-48 elections after independence, the Ceylon Indian Congress

got seven seats out of 95. The Indian vote, regarded as left-wing, influenced 14 other constituencies too. The winning UNP leader, Dr Senanayeka who formed the first Conservative government, raised the old scare and had the Ceylon Citizenship Act (1848) and the Indian/Pakistani Residents' Citizenship Act (1949) passed with new residence and registration conditions which were discriminatory and obstructive. Claims under these were not cleared till 1963 and then only 1,34,000 got citizenship while over 900,000 were rendered stateless. By an amendment, an appeal was allowed to the Minister concerned but his rejection of a citizenship claim could not be appealed to a court of law. This dictatorial rule left the situation as bad as before. Then followed the Nehru-Kotlewala Pact in 1954 and Shastri-Srimavo agreement in 1964. Under the second pact, India was to take over 525,000 and Ceylon 300,000 immigrants, the balance 150,000 to be equally divided between the two countries with the natural increase therein.

The authors deplore the fact that a purely human problem was reduced to mere numbers, the situation getting no better. Here's their sound analysis: 'Ethnic conflict and communalism have become a major problem in Sri Lanka. Misguided sections of Sinhala Buddhist majority population have committed atrocities against the major Hindu minority — the Tamils. These pogroms have sparked resistance through the semi-terrorist movement called Tamil Tigers. We argue that the Indian Tamils of Sri Lanka had the right to remain there. They still have the moral, legal and the humanitarian right to remain in a country to which they have rendered their services.' The appeal of July 1981 to President Jayewardene from the Sri Lanka Co-ordinating Centre in Kassel, Federal Republic of Germany, reproduced in the book, pinpoints the unreasonableness of the stand taken by Colombo.

### Authors warn

Interviews with a number of individuals and institutions and rehabilitation bosses and their stay in refugee camps have led the authors to warn: 'Rehabilitation has become a flourishing business for deceivers, officials and "helpers" posing as welfare people.' Putting the records straight,

Fries and Bibin argue quite logically that it is unfair to call them repatriates. Voluntary departure is a myth. They are being forced out of their Fatherland to India, a country they have not known for generations. The authors call them 'ex-patriates' and rightly so. Latest events and the orgies of bloodshed accentuated by Sri Lanka leaders' statements openly countenancing extermination, clearly call for an early action by India which has already been loaded with 40,000 additional Sri Lankan expatriates. The stream continues, Colombo is playing foul. Instead of holding talks, the authorities there are hob-nobbing abroad for arms supplies to further arm the Sinhala population to complete the pogrom. It will be inhuman to let matters drift! For India, the situation is too risky to put up with. For the UN and the world at large these violations of human rights are a grave challenge!

(By courtesy of 'LINK')

## TRINCO, A GHOST TOWN FROM PAGE 1

dents to leave the area so as to have a clear field for their massive bombing of the area.

Following a land mine explosion allegedly caused by Tamil militants, in which three soldiers died on September 4, the security forces accompanied by armed 'home guards' let loose a campaign of murder and arson.

### Temples & mosques attacked

Supar Navaratnam, a Tamil grocer, said: 'At 9.10 that morning about 20 Sinhalese men came to my shop with shot guns. They threw a grenade against the wall, then a petrol bomb. They shouted, "Para Demala". The shop is a burnt-out shell. Fifty other Tamil-owned shops were burnt out that day.'

As a day and night curfew was imposed on 5 September, thousands of Tamils abandoned their homes in fear. Their homes were set ablaze. Fleeing Tamils were sprayed with bullets from helicopters. The attacks continued in the following days. Hindu temples and mosques were also destroyed. Nilaveli, a coastal village in Trincomalee was subjected to intense shelling from land and sea and many people were killed and hundreds of properties destroyed. Boats and nets belonging to fishermen at Veeranagar

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were also set on fire. Wards 2 and 3 at Nilaveli were surrounded by several armoured cars; people were forced out of their homes, shot or beaten up. On 16 September over 15 Tamils were killed. Dozens of people taken to the camp are believed to have been shot dead. Those who fled into the jungle were shot at from helicopters.

In Colombo, addressing the Executive Committee of the ruling United National Party on 15 September declared that the security forces were engaged in a massive war in Trincomalee.

**Abducted**

According to the Agence France Presse report datelined 15 September, of approximately 50 hotels that once operated in Trincomalee, only one — the Tamil-owned Rainbow Beach Hotel — was still open late last week. 'I am afraid they will throw a bomb in here any day now,' said the Manager, N. Thinakaran. 'It gets worse every day. Tamil civilians are abducted on the streets in broad daylight, taken to the jungle and murdered. I am planning closing very soon. I will take my family to India,' he said.

Commodore Justin Jayasuriya, Commander of the Sri Lanka navy in the east and Co-ordinating Officer of

all military forces in the region, freely acknowledged supplying weapons to Sinhalese 'home guards'. Shotguns had been given to young Sinhalese to protect their country, he said.

Tamil leaders here claimed that the Sinhalese use their government-issued

weapons and crude gasoline firebombs to systematically burn and loot Tamil homes and shops. 'They have given these weapons to the worst criminal elements of society,' said Mr K. Sivapalan, chairman of the Trincomalee Citizens' Committee.

**FROM PAGE 5**

diran, Kathiraimalai, Letchumi, Sutharayanan (6) and Jeganathan (4).'

An official spokesman for Eelam National Liberation Front (ENLF) has told Reuters in New Delhi that none of the guerrilla groups was responsible for the blast. He accused the Sri Lankan security forces of having planted and detonated the mines, and later massacred some 200 Tamils. Here's a list of the names, received so far, of those killed in Vavuniya:

Thambimuthu, Murugesu Krishnarajah, Thirumani Kathiramalai (25), P. Balachandran (64), Sellamma Balachandran (55), A.Ponniah (35), A. Thevasagayam, N. Nadarajah, P. Pushpakanthan (10), M. Samiluxmy (60), Sutharsan (8), Jeganatha (7), Singaravelu Sivalingam (14), Ranjan (8), G. Singaravelu (60), K. Sandrasegaran (27), C. Sellathurai (38), S. Nagalingam (33), Muniyandy (34), S. Nadarasapillai (42), S. Ramaraj (45), V. Govindaraj (40), P. Vilvarajah (22), V. Thevathas (20), Mahalingam Pathmini (30), Maha-

lingam Stella (12), Mahalingam Thanaluxmy (8), Mahalingam Mahaluxmy (5), Mahalingam Sasikala (2).

**At Trinco**

At Trincomalee, on Saturday 17th August, security forces both in civils and in uniform had allegedly entered houses and fired at men, women and small children. Among those killed are reported to be — Thiruchelvam (35), Manickam (60), Kangathevi (32), Manickam (65), Nageswari (40), Sasikala (1 year and 2 months) Jeyanthi (12), Inpam (6), Sankar (10) and Ravindran (1 year).

The following were reportedly injured — Nalini (12), Amutha (18), Sasikala (28), Vanitha (3), Lalitha (7), Sasikala (2 years), Isakimuthu (74) and Pasupathi (50). While on their way after this massacre, the forces were reported to have shot people on the road. Many were killed or wounded at Anpuvalipuram and Kanniya and some houses were set on fire.

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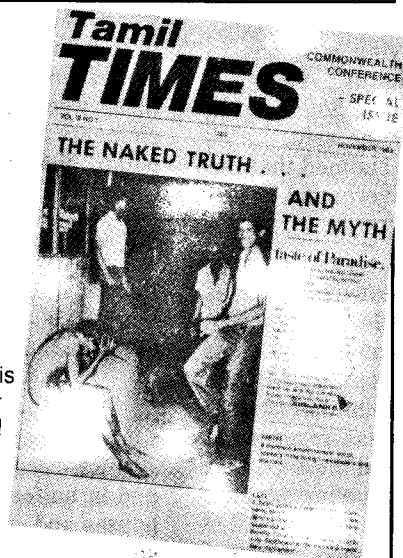
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**FROM PAGE 17**

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plight of the minorities. I cannot see them changing these commitments today.

In 1957 the late S.J.V. Chelvanayakam warned the late Mr Bandaranaike: 'It is Federalism today, but if not granted, it will be separation tomorrow.' Wakely Paul, USA.

In loving memory of my dear husband, Dr. K. Arusothy, who fell asleep on September 23rd 1985.

I saw you suffer, I heard you sigh. All I could do was just sit by. Then came the day I suffered too. But my dear, you never deserved what you went through. To think we did not say goodbye will always bring regret, but you know, my dear, I loved you too much to ever forget.

Until we meet again, God Bless You. Rest in Peace,

Your loving wife, Indra

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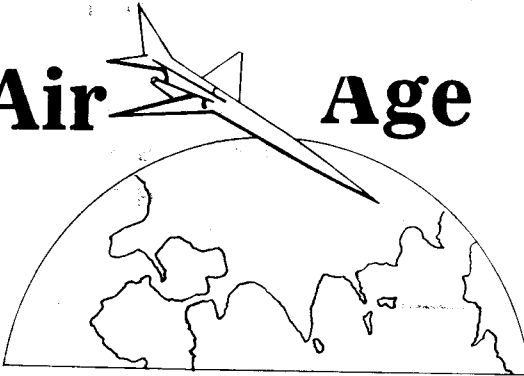
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