

Making Statements of No Use Actions have to be taken

(Those who had the opportunity of reading our first pamphlet titled “Sri Lanka & the Tamils” will understand why the national conflict turned into war. If you need a copy, please contact the Illankai Tamil Sangam.)

The conflict in Sri Lanka has existed for at least 60 years, from the time of independence, if not earlier when there was a separate Tamil kingdom in the north, along with two Sinhalese kingdoms in the south before the arrival of Colonial powers. There has been a war for liberation and against State terror for over 25 years, except when there were short Ceasefires.

There were many periodical communal pogroms by the Sinhalese on Tamils, **merely because they were Tamils, from 1956 onwards, till a pogrom of genocidal proportions** took place in 1983, when more than 6,000 Tamils were killed, **571** disappeared, 1,425, arrested and tortured, 750 raped, 3,383 injured and 250,000 displaced, many of whom are still displaced (figures from TCHR). A great amount of property, residences, places of worship and infrastructure were also destroyed. The first war started then, and there have been no such pogroms since. However, the army, air force and navy attacked and Tamils were driven out from their agricultural property and residences under the guise of creating high security zones. Most of the population of those areas are still displaced despite the courts deciding that owners should be allowed to return to their residences and property.

The Tamils initially tried redress against discrimination, oppression, and lack of development using Parliamentary and non-violent Gandhian type of Satyagraha. They were beaten up by the armed forces and police and imprisoned. Selected Tamil areas were subject to frequent curfews, and search and destroy missions. Parts of the Tamil homelands were under army occupation. Atrocities were committed with impunity and sometimes even rewarded! Most of the time after independence, the country was under Emergency Rule, as well as the Prevention of Terrorism Act, described by an International Juror as the worst of its kind in the World, including South Africa. The UN Working Group on Disappearances ranked Sri Lanka as the country with the second largest disappearances in the world. It was the only country in the world to have imposed an embargo on medicine and food and bombed its own citizens, the Tamils.

The Tamils formed the Federal Party (F P) in 1949 following the withdrawal of citizenship from Tamils of recent Indian origin brought by the British from the early 1830s to work on the plantations... Tamil representation in Parliament was reduced by 40 %. The F.P. wanted a federal type of solution and had several talks with Sinhalese leaders of both major Sinhalese parties, but the pacts entered into were unilaterally abrogated by the Sinhalese. In 1974 an International Research Conference held in Jaffna, the cultural capital of the Tamils, was disrupted by the army and police. 9 Tamils were killed brutally.

In 1976 all Tamil political parties joined together and formed the Tamil United Liberation Front (TULF). The TULF had a mammoth Convention at which one of the resolutions was that Tamils should ask for a separate state. The TULF won almost every seat in Parliament they contested on

that mandate. Young students, not sure that the elderly will deliver on that mandate, formed small armed groups to fight for the liberation of Tamils from Sinhala majority rule and hegemony. India under Indra Gandhi armed and trained these groups. In fact Chairman of one of the groups which formed the Provincial Council and unilaterally declared independence ran away to India and is still living there at Indian government expense with his family and close associates. Now India tries to shed tears sending their top officials to Colombo for “discussions” with no sign of any changes in the situation. Prime Minister Man Mohan Singh who cannot say boo to a goose now says LTTE are terrorists and Pirabakaran is a terrorist. Rumours are afloat that India has supplied arms and even fighting men to the GoSL. India says they are not offensive weapons! Pictorial evidence shows otherwise.

All of the above was not unknown to the International community, with most countries having Embassies or High Commissions in Colombo. The media and other organizations also gave information. The international community and the groups such as UN,EU, Commonwealth, did nothing other than issue statements such as “the problem cannot be solved militarily and should be solved politically, taking into account the aspiration of all communities” They neither knew of the aspirations of other communities, nor did they come out with a proposed solution.

Other than making statements and periodical visits to Colombo where they were bluffed and scolded in strong words they were not able to anything. The current GoSL has banned Journalists and NGOs other than ICRC from areas of the conflict. During the current regime more than ten journalists have been killed and hundreds of people abducted for ransom and killing by white vans with no or false number plates. This is done with impunity and near check points. Almost none of these cases were solved and there are suspicions that armed forces or police are involved.

Can the international community, the UN and other international organization cross their hearts and answer whether the LTTE are Terrorists or Liberation Fighters against State terrorism, the same way as George Washington, Mahatma Gandhi, Nelson Mandela, and Ben Gurion who were also called terrorists in their earlier years, and later called Their Excellencies? Terrorists are not born. Circumstances make them fight against State terrorism.

Do those who try to bring democracy to others at the expense of hundreds of thousands of lives and billions of dollars, think there is democracy in Sri Lanka or are these exceptions? The international community, Co-chairs, UN, Commonwealth and others who can do so much an apply sanctions, suspension from membership, cut off aid and loans to make the GoSL comply as they have done in other cases.

The 9/11 attack in USA was considered as a terrorist act, **and it was**. But it gave an excuse to brand those who fought, for whatever reason as terrorists. The Sri Lanka government went to town on this, and sent emissaries around the world to asking them to name the LTTE terrorists and spared no expense to engage professional lobbyists to lobby their cause with false propaganda. The GoSL not only called members of the LTTE as terrorists, but called every Tamil and those who support their cause as terrorists; to make a distinction white coloured people are called white tigers!

The GoSL members speak with both sides of the mouth and say one thing and do another... They cannot be accused of telling the truth.

Long before the arrival of colonial powers, Sinhalese and Tamil Kings ruled over the Entire Island, or parts of it. At the time of arrival of the colonialists, there were two Tamil Kings and one Sinhalese King ruling over the three Kingdoms in the island. The first kingdom to fall to the Portuguese was the maritime Kingdom. **The second, over 105 years later, was the Tamil Kingdom and the last one was the Kandy an Kingdom another 206 years later. They were administrated separately till 1833 when the British for administrative convenience, brought them under one administration**

Following the 7/11 attack on New York, ‘terrorism’ became a much misused ‘sexy’ word. Anyone fighting for any cause was called a terrorist by most countries of the World. This suited the Government of Sri Lanka (GoSL) fine. They capitalised on this and started their false propaganda. The Liberation Tigers of Tamil Eelam (LTTE) were called terrorists, when they were really fighting state terrorism, and for liberation from majority hegemonic rule. All Tamils were considered Terrorist and the GoSL succeeded in propaganda naming them terrorist in many countries.

The GoSL leaders speak from different parts of the mouth and are past masters of hypocrisy. They say one thing and do another. They said they were liberating the Tamils from the clutches of the LTTE, **as if Tamils ever wanted themselves liberated.** Having “liberated” the Tamils of the East, with the help of the paramilitary forces who were bribed heavily by the previous GoSL to leave the original LTTE. In order to confuse the people they even called themselves Tamil Makkal Viduthalai Puligal (Liberation Tigers of Tamil People) aka TMVP. After liberation of the East, they find that there is neither democracy nor peace in the East. The government split the Leader and deputy of the TMVP, giving the job of Chairman of the Provincial Council to the Deputy and a Ministry in the Central government to the Leader, who was made to resign from the TMVP and was made Vice-President of the main party (the President’s SLFP) in the coalition government! The president has cleverly split the TMVP, and is bound to reap unexpected results at the next general elections!.

Having successfully ‘liberated’ the East ,the president set out to liberate the North. He had the newly added paramilitary, the head of which had been a senior Commander of the LTTE and had fought in the North and was familiar with the terrain. During the last few battles in the North, the government set out a no fire zone, where Tamils in the Vanni area which was under the control of the LTTE, could go for safety. Though named no-fire zone, the army and air-force repeatedly attacked the zone and used weapons which had been banned because of their type of casualty creation. They used napalm bombs, cluster bombs, and Phosphorous bombs (chemical bombs). Photographs of their use, the chemical formulas and the effect on the people are available.

The GoSL wanted people still in the LTTE controlled to come through to the Army controlled area. No one asked the displaced people whether they want to cross over. The armed forces wanted to drive them into submission There are any one of many reasons why they may have been reluctant to come over. They may have heard what happened to the Tamils of the East. They may not have wanted to leave the ancestral property and their personal belongings behind.

They may have heard that they will never find them. They may have heard that the government wants to interrogate them and may even imprison them. They may have heard what most of us heard and read, that men, women and children were to be kept in separate camps and could only communicate with each other through barbed wire similar to concentration type camps. Stating the presence of uncleared mines in the area, the army said that they will kept in such camps for a period of three years! They may have heard what happens to young Tamil women in the **temporary camps. DID ANY ONE ASK THE PEOPLE WHAT THEY WANTED TO DO?** This should have been done by a **neutral International body. Where does democracy come in? Those who spend billions of dollars trying to spread democracy by way of arms and wars should know if there is true Democracy in Sri Lanka.** We know that that the media and NGOS and other human rights organizations other than ICRC were prohibited from areas under LTTE control or even no fire zones. This is like closing the doors and doing whatever they want behind closed doors! The UN or other acceptable neutral organizations should have been asked to find out rather than assume that those who came through wanted to be liberated and the others were LTTE supporters! The attitude taken was either you are with me or against me. Sometimes truth comes through or made to come through. Some times government statements the IDPs are referred to as those who wanted to be “liberated” (my foot!) .Other times they are called those who escaped from the clutches of the LTTE, on rare occasions they are referred to as people we captured, or as captives.

Please think of what emancipated and bones showing through skin, no medicines to cure diseases or wounds becoming gangrene and limbs amputated, traumatized, particularly the old and the very young. We have heard of families who have had to make soups from leaves of jungle trees and falling sick and dying. Dying of starvation (the first time in the country), of snake bites or rabid dogs. Many are disoriented.

We know that a family dictatorship is in charge like no other country of the world. There are 105 ministers. They do what they want not answerable to any body. They lie through their teeth and the international community and governments accept that as holy truth, knowing they are total lies. He pays lip service to a political solution, but does not mean it. He established an All Party Representative Committee (APRC) to come up with a potential solution . The surprise was that he did not invite the 22 parliamentarians of the Tamil National Alliance to the Committee , but invited parties not even represented in Parliament including his new paramilitary friends the two sides of the TMVP. An Experts Committee was also appointed to suggest a solution. The Experts Committee gave their report within a few months. The APRC has still not given a final report. Various dates were given for its submission, but these were continuously extended. Finally the president virtually forced the Chairman of the APRC to present an interim Report, which was the President’s own report, signed by the Chairman. The final report is being awaited for years now.

He got the Supreme Court to demerge the merger of the Northern Province with the Eastern Province implemented in accordance with the 13th amendment to the Constitution following the Indo-Sri Lankan Accord signed by the Prime Minister of India Rajiv Gandhi and the president of Sri Lanka J.R. Jayawardena. The President talks of his wanting to implement the 13th Amendment plus plus!! What poppy cock? He also got the Supreme court nullify the PToms

agreement arrived at after months of negotiations including international players and dealt with the methodology for the distribution of Tsunami aid jointly by the government and the LTTE.

His Ministers and cronies including the Army Commander have been making several racial remarks, without correction by the President.

The Government of Sri Lanka (GoSL) has been asked to do many things by the UN, USA, Co-chairs, the European Union and the Commonwealth. It has not listened to any one. It snubs its nose at them and asks them to mind their own business, and say that it is an internal business of the country. At what point in this genocide does it become other people's business? They also refused UN Secretary General Kofi Annan to visit the LTTE head quarters, and refused to accept some visitors, however high their position is. One time they called John Holmes of the UN a white tiger. Next time he went, they sent a Sinhalese and a Muslim minister to interpret what the Tamil IDPs were saying. How naïve can Mr Holmes be? This time he gave a report favourable to the government and was praised.

Leaders of both major Sinhalese parties (UNP and SLFP) have made statements which arouse the communal feelings of both Sinhalese and Tamils.

1. Mr. J.R. Jeyawardena, President, UNP interview with Daily Telegraph 11 July 1983 said "I am not worried of the opinion of the Tamil People. Now we cannot think of them, not about their lives or their opinion. The more you put pressure in the north, the happier the Sinhalese people will be here. Really, if I starve the Tamils out the Sinhala people will be happy."
2. Mr. D.B. Wijetunga, President, UNP said "the minorities are like creepers to the Sinhala tree."
3. Mrs. Chandrika Kumaratunga, President, SLFP told South African Television recently that the Tamils were not the "original" people of Sri Lanka. They are wanting a separate state, a minority community which is not the original people of the country.
4. Commander of the Army Lieutenant Generically Sarath Fonseka said to the National Post, Canada, in September 2008 "I strongly believe that the country belongs to the Sinhalese but there are minorities and we treat them as our people. We being the majority of the country, 75% we will never give in and we have the right to protect the country. We are also a strong nation.. they can live in this country with us. But they must not try to under the pretext of being a minority demand undue things."
5. To his credit (?) the President has made the following remarks:-1. At the May 2007 Leadership Summit held by the Hindustan Times in New Delhi he had said "We are equally committed to seeking a negotiated and sustainable solution to the conflict in Sri Lanka" Famous words that not a single Tamil believes in. 2. At the Los Angeles World Affairs Council held on 28th 2007, he said "There is no Ethnic Conflict in Sri Lanka as some media mistakenly highlight (that is probably why has banned the media from the conflict zone!) 3. At the Oxford Union speech of May 14th 2008 the President had said "We are ready for talks". famous last words.

The Indian government sent two of their senior ministers to meet the President of Sri Lanka and return with facts. There was no report presented by them, but the Prime Minister of India Mr.

Man Mohan Sing had said what he wanted to say which was that the LTTE was a terrorist organization and the Leader Pirabakaran was a terrorist!

If just words do not have any effect, only a brute and oppressive answer, the UN, Commonwealth, EU, SEAN, Co-Chairs and other groupings should decide what action they should be taking such as aid, sanctions, loans, dismissal from the organization. Why should any one continue to be a member of an organization whose decisions they are not acceptable to the member. If there is going to be a negotiation, without a basis or road plan, we will take another sixty years to find a solution. It was only at the Oslo talks between the GoSL and the Liberation fighters that the two parties found an agreement

Road map

It was agreed that the two parties would explore a federal solution with internal self determination. It was also decided that pending a final agreement an Interim agreement will be entered into. While the UNP which was the party in power, was dilly dallying, the liberation fighters made a proposal for an Interim Self-government Governing administration. Again the government of the time was dilly dallying with the proposal and the President of the day dismissed the Parliament. It was surprising that she did so, since she seemed appreciative of the problems faced by the Tamils. During her presidential election speech she had said “the Tamils faced so much of deprivation that 800,000 of them left the country as external refugees and about a million became internal refugees, displaced a multiple number of times! Many Sinhalese felt that this was the first step to separation. However, since that was the proposal made by the Freedom fighters it could be the starting point for discussion.

Land

The ISGA states “ Since land is vital to the exercise of the powers set out in clause 9, the ISGA shall have the power to alienate and determine the appropriate use of all land in the Northeast that is not privately owned. The concept of Tamil homelands was accepted in the Indo-Sri Lanka accord and described the Northern and Eastern provinces of Sri Lanka as “the historical homelands of the Tamil speaking persons of Sri Lanka.”

The August 1995 proposals of the government stated that land will be a devolved subject. This is so in similar conditions in other conflict areas of the World.

Taxes and Levies

The imposition of taxes and levies sought by the LTTE was another issue that upset the government. The preamble to the proposals explicitly recognizes the need for raising revenue to meet the urgent needs for the Resettlement, Rehabilitation and Development of the Northeast region, which had been devastated by war, and for the carrying out the normal functions of government. It is not prudent to rely entirely on foreign aid, and worse, to do so on the central Government. The level of revenue raised through levies and taxes depends on the amount of business activity, carried on within the jurisdiction of the authority.

In a Federal set up as in USA or Canada, state governments have legal powers to levy such taxes. In the Government proposals of 1995 it is stated that “Regional councils will have the powers of taxation in specified areas, and the Constitution will require other revenue sharing

arrangements.” Such arrangements are practised in countries with federal set ups and the Sri Lankan government was prepared to delegate those in the past.

The ISGA proposals said “The ISGA shall have the powers to borrow internally and externally, provide guarantees and indemnities, receive aid directly, and engage in or regulate internal and external trade” This again is nothing new. In the USA, India and Australia, these happen.

The 1995 devolution proposals had similar proposals. The LTTE had got their proposals endorsed by the Tamil masses at an election. Since the 1955 proposals are similar, the ISGA could be the starting point of a negotiation. If the government is not pushed to accept it as a starting point, there will be no point in having any negotiation. There may be negotiations for another 60 years! The alternative is the imposition of some proposals. If the imposition is by the victorious Sri Lankan government on the vanquished Tamil nation after all that has happened in the last 60 years in terms of life and destruction. Some media still refer to 70, 000 deaths. That was the figure used before the ceasefire of 2002, when it was thought to be over 100,000. Now it should be closer to at least 150,000, most of whom were Tamils.

Knowing the expressed mindset of the Sinhalese, any proposals imposed by the Sinhalese will never be by the Tamils. Having committed genocide against the Tamils, the government has not made any attempt to win the hearts and minds of the Tamil.

If it is imposed by the UN or some other grouping which hopefully will be acceptable to the Tamils, and guaranteed by the group, it may be acceptable. If not, the answer is “Never the twain shall meet.

The International Community knows how they are snubbed by the government of Sri Lanka at every step. They think that they are a law unto themselves.

The latest in this saga is the question of IDPs where despite no-fire zones marked out by the government, they are bombed with banned bombs such as cluster bombs, napalm bombs and chemical bombs. After agreeing not to use heavy weapons the army and the air force are continuing to do so. We see no solution till every Tamil in the island is wiped out.

Why is not the International Community doing something other than speaking about it?

Surely there are things such as sanctions, denied loans, expulsions etc, rather than listen to insults. After the amount of destructions and deaths that have taken place, the matter is no longer an internal issue. With the **government and all those who support them, there will be no solution by negotiation.**

The Interim Self-Government Administration (ISGA) put forward by the Liberation fighters for the first time.

After the Oslo Accord when it was agreed that both parties will explore a political solution founded on the principle of internal self-determination in areas of historical habitation of the Tamil speaking peoples, based on a federal structure within a united Sri Lanka. This was accepted by the Tami Nation and its elected representatives. Both parties were asked to put forward proposals for an interim administration pending a final settlement. The proposals were turned down without discussion.

The proposals by the LTTE contained some of the proposals put up by the Sinhalese nation. Such interim arrangements had been made in Iraq ,Afghanistan, East Timor and the Bougainville conflict. The proposals were drafted by the best legal experts of the Tamil Nation. Interim Administration was some thing that both major Sinhalese parties had proposed. The SLFP had even suggested one for ten years.

Matters that most concerned the Sinhalese nation were the areas of Security, Land, Revenue raising, and Foreign Aid. Some felt that the suggestions were the first step for separation.

Security

The LTTE had an excellent, corruption free police force that spoke politely, in the peoples own Language for over 10 years. Tamils preferred their own force. Palestine, Papua New Guinea /Bougainville and other similar conflicts had their own local police forces and courts.

Besides, the devolution proposals prepared by Minister Prof. Peiris and Tamil Lawyer Thiruchelvem, published in 1995, also contained provisions for a separate police force for the Northeast Region.

Land

Substantial state aided colonization had changed the demography of both provinces. People have been chased away from their homes and lands, and Sinhalese settled there. It has been a tool for Sinhalese hegemony. As in the abrogated Bandaranaike- Chelvanayagam pact, and the Indo-Sri Lanka Accord, land was to be a regional subject. Lands Minister Rajitha had said that powers over land should be devolved to the provinces.

Revenue Raising

The preamble to the proposals explicitly recognizes the need for raising revenue to meet the urgent needs for the Resettlement, Rehabilitation, Reconstruction and Development of the Northeast regions, which has been devastated by the war, and for the carrying out of the functions of the government. It is imprudent for any governing authority to rely entirely on foreign aid or even worse a central government. In a Federal setup such as USA, Australia, India, local governments have the power to levy such taxes.

Foreign Aid and investment

These are State subjects in many countries such as the US, Australia and India.

1. The proposal that Muslims and Sinhalese (in addition to Tamils) will have representation in the ISGA.
2. Elections shall be conducted by an independent Election Commission, shall be free and fair, and under International observation.
3. Establishment of an independent Human Rights Commission.
4. No religion shall be given the foremost place.
5. Determination not to permit bribery and corruption.
6. No discrimination on grounds of religion, race, caste, national or regional origin.
7. Representation of all ethnic communities in District Committees.
8. Accounting and auditing will be in accordance with internationally accepted accounting and auditing standards. Donors permitted to appoint their own auditors to audit the expenditure of loans and grants.
9. President of the International Court of Justice to appoint chairman of the Arbitration tribunal if there is disagreement.

It should be understood that the original demand was for a separate state and that the ISGA proposals are a long way from that. Yet they are for discussions only.

What has been left unsaid is that the Tamils would want to be treated in total equality, justice and dignity through provisions in the constitution and in view of past experience these have to be implemented.

Sangam!

Association of Sri Lankan Tamils in the USA

www.sangam.org

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