

# Our Holocaust

## and the Impossibility of Peace in Sri Lanka

*“It is self-evident that the close scrutiny of the International Community, the pleas and pointed warnings by powerful states and the disgust of the world has not impressed a Sinhala state, polity and people drunk with racism. It is inescapable that whatever the International Community may put forth, the Sinhala state will continue to pose an existential threat to the Tamil people, unless the Tamils are protected by their own borders and security forces. Meanwhile, contrary to Sinhala expectations, Tamil militancy will remain central to Sri Lanka’s future. As for the LTTE, it has transformed itself – yet again – for a new kind of war, bluntly put it last month: as long as the Tamils are oppressed, ‘Sri Lanka will never be able to live in peace’.” says the Tamil Guardian.*

The text of the *Tamil Guardian*’s editorial, titled ‘Our Holocaust’, follows:

The relentless massacres of Tamil civilians by the Sri Lanka state over the past few months had resulted in almost 7,000 deaths and twice that many seriously wounded by May 1. But the slaughter over last weekend is unparalleled in the brutality unleashed by the Sinhalese since independence; over two thousand Tamil lives were snuffed out in a hail of artillery shells. The makeshift hospital – blood-splattered room in a shattered house in the Mullaitivu enclave – has been blasted time and again, the accuracy of the Sri Lankan shells guaranteed by the GPS coordinates passed on by the ICRC.

All this in plain sight of the international community. Even the Western states which have – along with China, Russia and India - stood solidly behind the Sinhala state for the past three years were shaken. As the edition goes to print, US President Barack Obama has also stated the oft-repeated urging of the Sinhala state to cease its “indiscriminate” shelling. We doubt Sri Lanka, secure that China and Russia will thwart any repercussions at the UN Security Council, will pay any heed this time either.

What the Western states, operating with theories of ‘internal conflict’ and ‘terrorism’, can’t comprehend is why the Sinhala state insists on using heavy weapons on the civilians packed into a sliver of land. They also don’t understand why Sri Lanka is blocking international assistance from reaching the 190,000 recently displaced people concentrated in militarized camps. The Tamil people, of course, understand: this is genocide.

For several years the Tamils have been appealing to the international community that there is a ‘slow’ genocide underway in Sri Lanka since independence. These arguments were dismissed – laughed off, actually – as hysteria or propaganda. Yet, quite apart from the pogroms against Tamils up to 1983, in the period since, a hundred thousand Tamils have died in massacres, indiscriminate shelling and bombing, and by starvation due to government embargoes on the Tamil homelands. However, since January ‘genocide’ has not been some abstract concept. The

world has witnessed it every single day since as first dozens, then scores, then hundreds of Tamils were killed and wounded. Even by Sri Lanka's horrific standards, the rate at which our people have been slaughtered is stunning.

What has also become clear is that the international community has knowingly and deliberately allowed this slaughter to proceed. The ideological fixation with 'fighting terrorism' and 'ending armed conflict' has meant that in the interests of destroying the Liberation Tigers, any number of Tamil civilians are expendable. Notice that even though it is the Sinhala state that is pounding the civilians, blocking food and medicine and repeatedly blasting the hospital, it is the LTTE that has drawn the focus of the UN's condemnation?

Notice that even though the Sinhala state launched major offensive operations in April 2006 (displacing over 40,000 Tamil civilians in three days), ordered international NGOs and UN agencies out of Vanni in mid-2007, tore up the Norwegian-brokered Ceasefire Agreement in January 2008, and, even before this year's slaughter began, had killed several thousand people in LTTE-controlled areas while abducting, murdering or disappearing over 5,000 Tamils in its own controlled areas, it is the LTTE that international actors in all this time have cursed and blamed?

Notice that even though the LTTE called for ceasefire and peace talks in 2006, 2007 and 2008 and that all these calls were dismissed out of hand by Colombo, the international community continued to look to the Sinhala state for a solution? The paradox of asking a state starving, bombing and disappearing a people to put forward political solution to meet the political aspirations of that people has completely escaped the international community.

There is only one solution for us now: the independent, sovereign state of Tamil Eelam. The rationale for that is etched out in the bloody sands of Mullaitivu. If the Tamils accept any thing short of independence, if we allow ourselves to be placed under Sinhala dominion as part of a 'solution', they will simply wipe us out at some point in the future. It is self-evident that the close scrutiny of the international community, the pleas and pointed warnings by powerful states and the disgust of the world has not impressed a Sinhala state, polity and people drunk with racism. Not one Sinhala political actor – not even the UNP, the darling of the liberal West – has condemned the slaughter. It is inescapable that whatever the international community does, the Sinhala state will continue to pose an existential threat to the Tamil people unless we are protected by our own borders and security forces.

The sixty-year old struggle for Tamil liberation is entering a new phase. On the one hand the Tamil nation, going through a Holocaust of its own, is no longer under any illusions about the Sinhala state and people. The international community will never be able to reason with or restrain them. On the other hand, contrary to Sinhala expectations, Tamil militancy will remain central to Sri Lanka's future. As the LTTE, which has transformed itself – yet again – for a new kind of war, bluntly put it last month: as long as the Tamils are oppressed, "Sri Lanka will never be able to live in peace". *[end editorial]*

More than 20,000 Tamil civilians were killed in the final throes of the Sri Lankan civil war, most as a result of Government shelling; the number of casualties is three times the official figure.

The Sri Lankan authorities have insisted that their forces stopped using heavy weapons on April 27 and observed the no-fire zone where 100,000 Tamil men, women and children were sheltering. They have blamed all civilian casualties on Tamil Tiger rebels concealed among the civilians. Aerial photographs, official documents, witness accounts and expert testimony tell a different story. With the world's media and aid organizations kept well away from the fighting, the army launched a fierce barrage that began at the end of April and lasted about three weeks. The offensive ended Sri Lanka's 26-year civil war with the Tamil Tigers, but innocent civilians paid the price.

Confidential United Nations documents record nearly 7,000 civilian deaths in the no-fire zone up to the end of April. UN sources said that the toll then surged, with an average of 1,000 civilians killed each day until May 19, the day after Velupillai Prabhakaran, the leader of the Tamil Tigers, was killed. That figure concurs with the estimate made by Father Amalraj, a Roman Catholic priest who fled the no-fire zone on May 16 and is now interned with 200,000 other survivors in Manik Farm refugee camp. It would take the final toll above 20,000 a UN source told.

But the slaughter over last weekend is unparalleled in the brutality unleashed by the Sinhalese since independence. Over two thousand Tamil lives were snuffed out in a hail of multi-barrel artillery barrage, shells, cluster bombs, Chemical bombs and Bunker busters. The makeshift hospital – blood-splattered room in a shattered house in the Mullaitivu enclave – has been blasted time and again, the accuracy of the Sri Lankan shells guaranteed by the GPS coordinates passed on to them in concurrence to International norms by the ICRC.

All this has been in plain sight of the International Community. Even the Western states which have – along with China, Russia and India - stood solidly behind the Sinhala state for the past three years were shaken. The US President Barack Obama broke his silence after the first 100 days in office, stated the oft-repeated urging of the Sinhala state to cease its “indiscriminate” shelling. Sri Lanka, while secure that China and Russia will thwart repercussions at the UN Security Council, paid no heed this time either.

What the Western states, operating with theories of ‘internal conflict’ and ‘terrorism’, can't comprehend is why the Sinhala state insists on using heavy weapons on the civilians packed into a sliver of land. They also don't understand why Sri Lanka is blocking international assistance from reaching the 190,000 recently displaced people concentrated in militarized camps. The Tamil people, of course, understand:- this is genocide.

For several years the Tamils have been appealing to the international community that there is a ‘slow’ genocide underway in Sri Lanka since independence. These arguments were dismissed – laughed off, actually – as hysteria or propaganda. Yet, quite apart from the frequent pogroms against Tamils up to 1983, in the period since, a hundred thousand Tamils have died in massacres, indiscriminate shelling and bombing, and by starvation due to government embargoes on the Tamil homeland. However, since January ‘genocide’ has not been some abstract concept. The world has witnessed it every single day since as first dozens, and then scores, and then hundreds of Tamils were killed and wounded. Even by Sri Lanka's horrific standards, the rate at which the Tamil people have been slaughtered is stunning.

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allowed this slaughter to proceed. The ideological fixation with ‘fighting terrorism’ and ‘ending armed conflict’ has meant that in the interests of destroying the Liberation Tigers, any number of Tamil civilians is expendable. Although it is the Sinhala state that is pounding the civilians, blocking food and medicine and repeatedly blasting the hospital, it is the LTTE that has drawn the focus of the UN’s condemnation.

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There is only one solution left for the Tamils now: it is the independent, sovereign state of Tamil Eelam. The rationale for that is etched out in the bloody sands of Mullaitivu. If the Tamils accept anything short of independence, if the Tamils are allowed to be placed under Sinhala dominion as part of a ‘solution’, they will simply be wiped out at some point in the future. It is self-evident that the close scrutiny of the International Community, the pleas and pointed warnings by powerful states and the disgust of the world has not impressed a Sinhala state, polity and people drunk with racism. Not one Sinhala political actor – not even the UNP, the darling of the liberal West – has condemned the slaughter. It is inescapable that despite whatever the International Community does, the Sinhala state will continue to pose an existential threat to the Tamil people unless they are protected by their own borders and security forces.

The sixty-year old struggle for Tamil liberation is entering a new phase. On the one hand the Tamil nation, going through the formidable Holocaust is no longer under any illusions about the Sinhala state and people. The International Community will never be able to reason with or restrain them. On the other hand, contrary to Sinhala expectations, Tamil militancy will remain central to Sri Lanka’s future. As the LTTE, which has transformed itself – yet again – for a new kind of war, bluntly put it that as long as the Tamils are oppressed, “Sri Lanka will never be able to live in peace” (Tamil Guardian 13 May 2009).

## Some suggestions for solution to the ethnic conflict

The ethnic problem, which has plagued the country for more than six decades, has to be solved once and for all. Unless this is done, it will crop up time after time, with the attendant death, destruction, and devastation. The island will be driven to an extent of poverty and lack of development similar to some countries of Africa. This problem can be solved only on the basis of total equality, justice and dignity for all people living in the island. No amount of legislation is

going to do this. The mindset of the majority of people should change. Whatever is agreed should be in a new Constitution which has to be drawn up and implemented. Most parties have agreed at one time or other that the all powerful position of Executive President must be abolished. However, nothing has been done about it. There should be a proactive campaign amongst the Sinhalese to implement the new Constitution. All the people in the Island have to accept that it is a multinational, multiethnic, multicultural, multi religious island. We are sure that if the choice is between War and Federalism, the Sinhalese people without the interference of politicians, would chose Federalism with internal self-determination.

The United National party, the other major Sinhalese party agreed in Oslo, with the freedom fighters, that they would explore a Federal State with internal Self-determination. The move from separation to federalism by the Liberation Fighters is a major concession. Now it is up to the Sinhalese to decide whether they want peace. They cannot think that just because they defeated the Liberation Fighters they could rule over the Tamils as the colonial rulers did. Nearly every country which commented on the conflict has said that aspirations of all communities should be met. A solution similar to what was offered to the Tamil leader by the Prime Ministers of both major parties and abrogated by them will not solve the problem now, after the death of over hundred thousand Tamils including over 20,000 freedom fighters, and an almost equivalent number of government forces and the destruction and devastation that has taken place in the last several decades. It would be too little too late.

After democratic means and Satyagraha failed, Tamils overwhelmingly gave a mandate to their Representatives at the 1977 elections seeking separation. At the Thimbu talks of 1985 all Tamil Representatives including militant groups, unanimously said that they would give up separation if their aspirations were met. They are:-

- (1) Recognition of Tamils as a nation –this is a fact.
- (2) Agreeing to the concept of The Tamil Homelands. This has been accepted conceptually in the two pacts signed between the Tamil leader and the leaders of the two major Sinhalese parties but later abrogated unilaterally by the Sinhalese parties. The Indo-Sri Lanka Accord of 1987 explicitly mentioned this.
- (3) The Tamils have the right of self-determination. There are still some Sinhalese politicians who ask what the Tamil Aspirations were. How naïve can people be? Which of these do the Sinhalese want to deny to Tamils. We suppose it is the Right to self-determination. We have already sent pamphlets where two distinguished non-Tamils have argued that Tamils have that right based on International Covenants. The UNP government agreed to explore this.

There are countless valid reasons for Tamils mistrusting Sinhalese politicians. The rational for signing of the Cease Fire Agreement (CFA), apart from stopping the death and destruction caused by war, was to bring normalcy to the life of the Tamils. The CFA was signed on the basis of parity between the two protagonists. The balance of power between the two parties should have been maintained. The government had committed several ‘mala fide’ acts since the signing the agreement. It had not complied with several clauses of the agreement; it had not carried out agreements reached during talks, particularly those relating to bringing normalcy to the life of Tamils; the armed services continued all types of harassment of the

people and restricted their movements with impunity; the 13<sup>th</sup> Amendment to the Constitution based on the Indo-Sri Lanka Accord had not been implemented in full.

The importation of additional modern weaponry, ships and aircraft; accepting gifts of ships; the signing of treaties with the US (rights of flight and docking facilities) ; India (leasing of Trincomalee oil tanks farm, and rights over gasoline distribution); and China (fishing rights in Northern waters); the visits of high ranking foreign military personnel to the country; and sending of armed forces overseas for training; foreign visits by chiefs of Sri Lankan military forces; inviting retired Senior Indian Army and Navy officials to advice on High Security Zones, and sea boundaries; all since the signing of the CFA, are certainly not friendly acts, and obviously would cause more mistrust in the minds of Tamils. To cap it all, running to India after each round of talks to keep India advised, and then boasting that the government had a safety net of three countries, indicate that they were deliberate and calculated acts, and emboldened to say that the defense of Sri Lanka was important to the defense of India!. India sent 80 persons from the three arms of the military to look into the defense arrangements of Sri Lanka. Not to be outdone, USA which had already trained nearly 10,000 Sri Lankan armed forces was going to send 10 high ranking military officials to do the same.

Ex-Prime Minister Wickramasinghe , having denied all along with the Indian Prime minister that there was any military help from India, stealthily got military assistance from India when he was Prime Minister, has now confessed sheepishly that India had helped his country by giving arms and training to his armed forces. He did speak openly about the international safety net. He also said that he had the help of foreign countries in carrying out surveillance in the seas around Sri Lanka. He further boasted that he was the person who arranged for the break up of the Freedom Fighters and brought about regionalism between Tamils of the East and the North. This helped in the victory of the current government forces in both the East and the North. At one point of time he promised Tamils that he will introduce the Indian type of Federalism. The Peace talks between the previous government and the Liberation Fighters got stuck over Interim Administration .The concept of an Interim administration is not new. President Chandrika herself had said she would offer an Interim Administration to the LTTE for ten years. Prime minister Wickramasinghe got a mandate on the basis of giving an Interim Administration, which was mentioned in his election manifesto, and repeated several times since the elections. This procedure has been followed elsewhere in the world under similar circumstances. The Late President Premadasa had said that he would give Ellam (Tamil word for everything) , but not Eelam (the name of the Tamil State.) It should therefore not be difficult for both major parties to agree on this matter. When these promises were made, everyone knew that the Constitution did not provide them. Besides, the only legal Constitution is the 1948 one. The Constitutions of 1972 and 1978 were drafted and adopted without Tamil participation. There is no point in saying that the Constitution does not permit it.

The then government and the Freedom Fighters had accepted at the Oslo talks to explore the concept of federalism with internal self-determination. President Chandrika

introduced a draft constitution with an indissoluble union of regions, and said, “it was federal in all but name”. The Prime Minister had said, “Everything other than separation is on the table”.

There are several types of federalisms. The system in India is quasi- federalism. The governor is appointed by the Center and the elected Chief Minister can be dismissed at will by the Center. No one would want that type of federalism. Australia, Canada, USA, Switzerland have federal governments. Belgium, Netherlands and Luxemburg have joined together and formed The BENELUX countries, a loose type of federalism with each country having its own legislature. Size does not matter a large country like the USA, and a small one like Switzerland have federal governments. The United Kingdom, which has no written constitution, has also a type of federalism, though it is not called by that name. England, Scotland, Wales, and Northern Ireland have demarcated borders. Scotland even has a Central Bank, which issues its own currency on par with the pound sterling. It has a full-fledged Parliament and can vote to opt out of the union. Wales also has its Parliament but with less authority. Northern Ireland has its Parliament. All these countries have their own flags, and separate sports teams.

One must not forget the fact that according to the Department of Census and Statistics, the Sinhalese population in the Eastern Province was only a little over 4 percent in 1924, and by colonization increased to around a little over 9 percent in 1947, an year before independence. Subsequently, by vigorous colonization using tax payers money, and settling Sinhalese after driving Tamils and Muslims away from their lands, the Sinhalese population now is almost 32 percent The LTTE has said that all citizens of the Northeast will have equal rights.

Now with the help of the Supreme Court, the merger has been demerged, though it is still a part of the 13<sup>th</sup> Amendment to the Constitution. One of the main reasons why the LTTE asked for an Interim Administration to be in place till a permanent body is elected, apart from exercising some political power and deciding on the priority of projects to be implemented, is the dismal record of successive governments’ performance in the utilization of foreign aid. Ex-governor of the Central Bank Dr. Karunatileke mentioned in a recent article that in one year only 4% of the aid was used up! The average usage over several years is about 15%. At one time Ex- President Chandrika had offered the LTTE an Interim Administration for a period of ten years.

## Solution

The Sri Lankan Government has never been sincere in solving the conflict through negotiation over the past six decades. Suggesting that a solution could be arrived by negotiations is totally impossible That leaves the only option of a solution being imposed on the parties The Tamils will never accept a solution imposed by the Sinhalese upon them. An alternative will be for the UN or the Commonwealth or any other International Body to work out a solution acceptable to both parties. They could appoint individuals like George Mitchell or Kofi Annan, or Desmond Tutu or Bill Clinton or the person who resolved the Kosovo problem Mr. Arthasathy to discuss the matter and come up with a solution. The 13<sup>th</sup> amendment accepted by the Government, and the Interim Administration proposal put up by the Liberation Fighters may be used as reference documents.

If the two parties refuse to accept the solution, then the International Community must come to the conclusion that it will never be solved, and the island should be divided into two. There are any number of instances, too many to mention, where this has been done. The appointment of a Commission to arrive at a solution is not a good idea. The more number of persons involved, the longer will it take to come up with a solution. There has to be a road map and a time frame within which a solution should be proposed. The proposals should not be subject to alterations. The party which refuses to accept the proposals should know that the alternative is separation. The mandate given to the mediator should not be open ended or un-conditional. The following should be basic rules that should be understood.

- 1. There should be an interim arrangement that should be in force till the final proposals are implemented.**
- 2. The 1948 Constitution is the only valid one. The 1972 and 1978 constitutions are morally illegal and unacceptable because of the reasons mentioned earlier, and by the fact that certain safeguards provided for minorities and the second chamber in the original Constitution have been abolished. Minorities should be protected by provisions in the Constitution.**
- 3. It should be accepted that the island is multi-racial, multi lingual, multi-cultural and multi-religious.**
- 4. All citizens should be absolutely equal in all respects, with no discrimination of any kind and all citizens be treated with justice and dignity.**
- 5. The concept of Tamil Homelands and the merger of the Northern and Eastern provinces as mentioned in the Indo-Sri Lanka Accord and signed by Prime Minister of India and the President of Sri Lanka should be accepted.**
- 6. Sinhalese and Tamil languages should have equality in every respect throughout the country.**
- 7. Each province should be similar to a state with the right of states to merge.**
- 8. The chief executive of each such State should be elected by the people of the State.**
- 9. All churches, mosques and temples destroyed during the war should be restored and each religion should have equality, with no religion given preference over another.**
- 10. There should be a list of subjects devolved to the State and the Center with no ambiguity in interpretation.**
- 11. The all power full presidency should be abolished.**
- 12. Consideration should be given to having a second Chamber, if it has some advantage to minorities.**
- 13. All army camps in the Tamil Homelands should be disbanded.**
- 14. A peace-keeping force should be stationed for a specified length of time.**

*Sangam!*

[www.sangam.org](http://www.sangam.org)

**Association of Sri Lankan Tamils in the USA**

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