

# TAMIL GUARDIAN

P.O. BOX. 16226, LONDON SE1 4FE, UNITED KINGDOM

E-mail: editor@tamilguardian.com Website: www.tamilguardian.com  
Tel / Fax: +44 20 7357 8731

WEDNESDAY JANUARY 02, 2002 EDITION 142

## Dividing Line

### Sri Lanka's embargo embodies ethnic discrimination

As the New Year begins, expectations are high amongst the peoples of Sri Lanka. The unilateral truces being observed separately by the Liberation Tigers and the Sri Lankan military ensure that - by and large - calm prevails across the front line. However, the possibility of an inadvertent and serious breach should not be discounted. Cordons and search operations by the Sri Lanka Army (SLA) are continuing. The SLA has shot dead a civilian accused of being sympathetic to the LTTE. The uproar caused by a visit to SLA-held Batticaloa by a group of unarmed LTTE cadres was successfully defused by rapid intervention by Tamil and Sinhala leaderships. And amid the tranquillity, it should not be forgotten that both truces expire in three weeks. The need for a stable and longer term ceasefire to continue the de-escalation of the conflict is compelling. News this week that the Liberation Tigers are to work out modalities and mechanisms with the new Sri Lanka government to bring the unilaterally declared cessation of hostilities to a stable cease-fire should therefore be welcomed by all parties concerned.

The dismantling of barricades and checkpoints in Colombo will no doubt instil confidence in the government's desire to end the war. However, the bellicose comments last weekend by Defence Minister Tilak Marapana have rankled Tamil sentiments. At a point when both sides are talking about peaceful resolution of the ethnic conflict, hawkish rhetoric of wiping out the LTTE and "defending the [Sinhala] motherland" have inflamed passions and decidedly undermined the hitherto prevailing sense of goodwill amongst the Tamil community. The Liberation Tigers are said to have expressed - through the Norwegian government - their strong displeasure to the government of Prime Minister Ranil Wickremesinghe. He probably recognises the damage rather narrow-mindedly inflicted on his government's dovish image. Minister Marapana no doubt sought to impress his uniformed audience with his Sinhala nationalist thunder and thereby establish a rapport. But in doing so, he has certainly made an unhelpful impression amongst the Tamil community, if not the Sinhalese given the peace dividend being enjoyed in the south.

Assuming - not unreasonably - that the goodwill for a stable ceasefire exists on both sides of the ethnic divide, the next thorny issue is the lifting of the government's draconian economic embargo on the Tamil areas not controlled by the Sri Lanka Army and the ending of restrictions of movement on large sections of the Tamil community. People living in the 'uncleared areas' - and there's a term that sets Tamil teeth on edge - have been denied most of the essentials for life that is readily available to the Sinhala south. Even SLA-controlled regions like

Jaffna are subjected to rationing - sometimes with a logic that beggars belief - and blockades. All hospitals in the north and east are desperately short of medicine, equipment and supplies. Many aspects of ordinary life have ground to a halt for lack of fuel. Along with the blockade on food, the lack of fuel has prevented local agriculture. The ban on fishing has left an enormous number of Tamils destitute. The infrastructure of the north and east is a shambles. The reconstruction of roads, houses, schools and hospitals is a desperate need. Over four hundred thousand people are homeless, housed in ramshackle refugee camps or living rough. Furthermore, the people of the north and east have endured these hardships for decades - the embargo itself being a legacy of a former United National Party (UNP) government. The alleviation of this suffering will go a considerable way towards instilling confidence in the new government. The steps announced last week by Minister of Rehabilitation, Resettlement and Refugees, Dr. Jayalath Jayawardena to allocate funds to repair the road network in the Vanni are warmly welcomed, particularly in the wake of the devastating floods this week which have made life miserable in parts of the Mullaitivu district.

Indeed, we have often argued before that the government's readiness to end its embargo is a barometer of the level of reconciliatory sentiment in Colombo. In short, if the government genuinely believes its citizens are all equal regardless of ethnicity, then just as there are no restrictions on the Sinhala people, there should be none on the Tamil people. In an interview to The Hindu newspaper within days of assuming power, Mr. Wickremesinghe declared his government had "already decided to ensure that adequate supply of food and essential items are available in the uncleared areas." This has raised hopes in the Tamil areas that relief is imminent. The foot dragging that seems to have followed has been disappointing and is hopefully illusory: optimism abounds amid reports that a gazette notification is expected from the government on Wednesday - to be implemented by mid-January.

The Sinhala right wing will no doubt raise shrill protests about "feeding terrorists." Mr. Wickremesinghe must ignore these. The Liberation Tigers accept the commonsense truism that military materials are not part of the equation and with Mr. Wickremesinghe declaring that his government's blockade "will only be restricted to military items, arms and ammunition," confidence that matters will progress should only be dampened by President Chandrika Kumaratunga's potential for disruption. Mr. Wickremesinghe's government enjoys unparalleled goodwill, latent mistrusts aside. He should not sacrifice it through undue hesitation or errant action.

## Self Help

### International NGOs continue to fail the Tamils

The Liberation Tigers announced in the Vanni this week that in demining efforts over the past twenty months, they have removed over 132,000 mines and pieces of unexploded ordnance. These littered the ground during and after the Sri Lanka Army's operation in 1997 and 1998 that drove hundreds of thousands of people from their homes - some for the second or even third time. Even after the LTTE swept the SLA from these areas in November 1999, many of the towns and villages have been hitherto remained unusable due to the enormous quantity of mines and explosives scattered in them. That large tracts of territory are again livable in will come as a welcome relief to the former residents.

However, the difficulties faced by the people in the Vanni, whilst originating from the Sri Lankan government's war against them, have been compounded by the lack of support from the international non-governmental organisation (INGO) community. With one or two notable exceptions like Medecins Sans Frontiers, most INGOs have essentially gone along with the Sri Lankan government's strategy, and limited the effort they put into alleviating suffering in the Tamil areas. That demining in the Vanni has not been aided by the world's erstwhile anti-landmine crusaders speaks volumes. The high profile - an ultimately ineffective - demining efforts in Jaffna undertaken by one UN-affiliated NGO is an example. Whilst the government's political need to show Jaffna was returning to normal required the mine

experts' presence, once the charade became redundant, the matter was dropped. People are still triggering mines in the northern town, often left by passing Sri Lanka Army patrols according to civil servants there.

Last week a workshop in Trincomalee titled the 'Childhood Development Project' discussed the difficulties of young children's education in the embattled areas. Most of the children under the age of ten living in welfare centres, slum areas and remote villages in the north and east have been deprived of their pre-school and primary education. A number of INGOs, including the United Nations' Children's fund, UNICEF, whilst maintaining a token - budget-authorising - presence in the Vanni, do not undertake any practical measures. Whilst stoically refusing to visit or support orphanages run by the LTTE or other charities in the region, UNICEF, for example, focuses on the political project of trying to mire the LTTE in the global child soldiers issue - a matter in which UNICEF refuses to be transparent restricting itself to sweeping generalisations.

INGOs raise funding from international government and individual donors with the deliberately crafted perception is often that of selfless effort and sacrifice for the betterment of unfortunate peoples in the third world. The reality, as far as the Tamils are concerned, for the organisations with presence in the Vanni is that the money goes to plush offices and luxury four wheel drives while the victims are left to fend for themselves.



Heavy Lifting

## The ties that bind?

In seeking closer economic ties with Sri Lanka, the government is opening up many opportunities, but what of the costs asks **Bavani Suntharam**.

SRI LANKA'S Prime Minister Ranil Wickremesinghe last week revealed his radical economic vision for his country, the main thrust of which, as expressed to date, seems to consist of closer economic integration with India, the manifestation of which includes the listing of companies on both the Bombay and Colombo bourses and the (potential) purchase of major Sri Lankan utilities by Indian companies. It is also seen in the Indian aid to Sri Lanka - wheat at concessional price and advantageous credit terms being the latest - and the opening of Sri Lanka's skies to Indian airlines. Another indication of the move to closer ties with India is in the plan to unilaterally open the doors to Indian tourists, issuing visas on arrival.

This move to place Sri Lanka further within India's sphere of influence clearly has long term implications. Notably, this is a distinct move away from the policy practiced by the former Peoples' Alliance (PA) government of President Chandrika Bandaranaike Kumaratunga. During the PA's term, Mrs. Kumaratunga diversified her government's benefactors, increasing the role countries such as China, Pakistan, the United Kingdom and especially the United States played in the island, often to the perceived detriment of India. While maintaining amicable - at least on the surface - links with her neighbour, the President turned to other countries for (primarily economic and military) aid in times of trouble. Mr. Wickremesinghe on the other hand is reverting (on the face of things) to the policy of the President's mother, Srimao Bandaranaike, who during her time at the helm in the early seventies took the country to a close alliance with India.

The questions raised by Wickremesinghe's move are numerous. The initial query remains as to whether this is a voluntary move by Sri Lanka or an acceptance of the power wielded in the region by India and a surrender to

these perceived objective conditions. In choosing to be as closely allied with India as the United National Front government has stated - "We almost see ourselves as a Hong Kong to China... Sri Lanka to India," according to the Minister for Economic Reforms - Sri Lanka is effectively surrendering some of its independence, in practice if not in principle.

The immediate economic benefits are absolutely vital - particularly at this juncture - from Sri Lanka's point of view. The offer of wheat at concessional prices and other assistance with agriculture, state disinvestments, energy, etc have already been discussed in the press, and other benefits are sure to follow. In the future, the Indian population and infrastructure offer Sri Lanka firms a huge increase in the markets available to them. From a strategic point of view, having the patronage and protection of the regional power is not a small gain for Sri Lanka. When it looked as if Jaffna was about to change hands last year, India was the only nation close enough to evacuate Sri Lanka's troops, for example.

From India's point of view, the benefits are also not insignificant. For example, the wheat offered by India last month represents not only a breakthrough into a market formerly supplied by the US and Australia, but also an opportunity to disburse some of the huge stockpile held by the Food Corporation of India. Further, the offer represents about a third of Sri Lanka's annual wheat requirements, which will allow Sri Lanka greater freedom vis-à-vis the United States, which currently supplies around half Sri Lanka's required wheat under the terms of the PL480 agreement - making Colombo particularly mindful of Washington's opinions. This cannot be a disadvantage from India's strategic point of view. Sri Lanka coming under India's blanket also provides a measure of security to the south for the south Asian giant, allowing it to focus on

matters to its west and north.

However, there are also costs to Sri Lanka that cannot be dismissed. The Indo-Lanka accord and the fallout of the induction of the Indian Peace Keeping Force (IPKF) in the late 1980s affected how the communities in Sri Lanka view their giant neighbour. While the Tamils have bitter memories of the years under the IPKF, the Sinhalese also still remember the massive JVP uprising and the crackdown across the south that cost thousands of lives. Notably, the Marxist People's Liberation Front was able to gather the momentum it did primarily because of the Sinhala opposition to the Indian Army being on the island, and the strong antipathy to Indian involvement in Sri Lankan affairs has persisted in the south ever since.

Also, it will not be possible for Sri Lanka to become another Singapore if the aim is to be a Hong Kong - the independence and autonomy enjoyed by the former are not available to the latter. Similarly, the cost to Sri Lanka of surrendered autonomy of action cannot be quantified now, but may prove significant in the long term. Unless Sri Lanka sees it as inevitable anyway, the country is voluntarily placing itself further in India's sphere of influence. Extracting itself may prove harder for Colombo than entry.

Under these circumstances, the lack of opposition to the move from the Sinhala nationalists and powerful Buddhist clergy in the south points to one of two scenarios. Either the Sinhalese see the immediate gains as being worth the price of Sri Lanka's reduced freedom of action - an unlikely case - or, more probably, they view the future scenario where Sri Lanka continues to benefit from a close economic relationship but in fact remains in a position to step away if this proximity proves uncomfortable. Another possibility is that since India has sworn to do all it can to preserve the territorial integrity of Sri Lanka, to the staunch Sinhala Buddhist nationalists, such a promise may be worth any sacrifice - even Sri Lanka's notional independence.

## Abolishing the presidency

The *Island* newspaper in its editorial column suggests that abolishing the President's office might avoid a constitutional crisis

ALTHOUGH it is not yet one month since the election was concluded and a new government was elected, it is time that the country begins to think seriously of whether the institution of executive president should remain or not. There will be no problem of mustering the required two thirds majority for this purpose if the UNP-led United National Front decides that the superpower office created by J. R. Jayawardene in the heady flush of his 1977 landslide victory is not for us.

President Kumaratunga obtained a mandate to abolish the office to which she has been twice elected. Indeed she pledged to do so by July 1995 and secured the withdrawal of the JVP candidate at her first presidential election. That promise was never kept. It was resurrected in the Memorandum of Understanding (MoU) between the PA and the JVP that enabled the administration, roundly defeated on December 5, to totter along until the one-year deadline barring the president from dissolving parliament passed. The rest of that story is recent history.

Given the JVP's commitment to do away with what it has called a monstrosity and the PA's pledge to return to the Westminster system, a two thirds majority is assured if the UNP intends to play the game that way. But the green party has been somewhat ambivalent about the abolition of the powerful presidency and no clear statement has been made about whether it plans to traverse that road. Given the two-term limit imposed under the 1978 constitution, if the presidency as it is now is allowed to continue, then Chandrika Kumaratunga cannot run for that office after 2005 when her present tenure expires. While there has been speculation that the lady favoured the abolition of her present office some time before that date so that her hat can remain in the political ring as a prime ministerial aspirant under a new order, she has not clearly stated her position on that score.

The initial hiccups over the conflict between the power of the presidency and that of the legislature and the government was fortunately not allowed to blow-up into dangerous proportions following the PA's recent defeat. The stand-off between the president and the prime minister over the defence ministry saw Kumaratunga backing down, although she stood her ground about refusing to swear S. B. Dissanayake as Samurdi minister. There has been no word about the progress of the inquiry into the running of that ministry under Dissanayake's previous avatar. He is on record saying he will once more preside over his old empire once the investigation is over. No matter. The country can wait and see.

With the president abroad and with no acting appointment made, Wickremesinghe is not having any visible problem running the country although Kumaratunga is both head of state and head of government. There were reports of a breeze between the president and Minister S. B. Dissanayake at the last cabinet meeting over which Kumaratunga presided with both the president and the

minister telling the prime minister that they have nothing to do with each other. That provoked some press speculation that Kumaratunga will keep away from future cabinet meetings. Undoubtedly she is in a difficultly given that she is hopelessly outnumbered there. But it is her good fortune that the prime minister is made of stuff that would stand in the way of savage Chandrika bashing that some ministers would gleefully rush into.

But Wickremesinghe and his government cannot afford to forget the constitutional reality that the president is empowered to dissolve parliament after an year had passed since the last election. She didn't wait a day longer than that year to dissolve the 11th Parliament in October and brother Anura went on record during the campaign saying that the constitution empowers the president to prorogue parliament at her discretion and dissolve it an year after the election. We do not know whether private conversation at Horagolla or elsewhere on this score was given a public airing by mallo. Be that as it may, what he expressed was not wishful thinking but constitutional fact.

Given its parliamentary majority, it is open to the government to tie the president's hands regarding a premature dissolution by submitting an impeachment motion against her. If such a motion is "entertained" by the speaker, as Speaker M. H. Mohamed entertained the motion against President Premadasa, then the president cannot dissolve parliament until the impeachment matter is disposed. If such a motion is backed by more than half the number of MPs, the speaker has the discretion of entertaining it. If it commands over two thirds, he has no discretion on this matter: the constitution requires that he accepts it. If Anura Bandaranaike was on the speaker's chair, the ball game would have been different. But that is not the case today.

Even before the last parliament was dissolved, the UNP was getting ready for an impeachment of the president. New evidence that can support such a move has been piling up since then. However with very sensitive peace negotiations with the LTTE in the pipeline, ideally the presidency and the government must work harmoniously towards the objective of ending the war on honourable terms for all. An impeachment is the last thing the country needs in this context and the Wickremesinghe government, given the good sense and cool head of its leader, is hardly likely to rush into it.

But it needs to protect itself from a dissolution and cannot discount the possibility of a president who allowed herself to keep out loyalists of the calibre of Alavi Moulana, not to mention the LSSP from the PA national list, being bulldozed by immature and impetuous elements in her party into hasty and ill-advised action. An abolition of the presidency in the first year of the government can be the answer to what could otherwise be a tricky problem.

But will it happen?

## Why the government won't disarm the EPDP

Ravi Thurairajah argues that Sri Lanka has future need for Tamil paramilitaries

Within a month of its election the new United National Front (UNF) government, an alliance of political parties, is facing the age old political quandary of keeping its election promises. The first issue in question is disarming the previous Peoples' Alliance (PA) government's political and military ally the Eelam People's Democratic Party (EPDP). Despite its violence against members of the public, the Tamil media and Tamil politicians allied to the current government, the UNF continues to resist disarming the EPDP. Apparently, the paramilitary group, which found a purpose under the previous United National Party government of President Premadasa, has proved to be too useful political tool to disband, regardless of election promises.

As a part of its initial incorporation into Premadasa's government the EPDP developed a mutually beneficial relationship with the Sri Lanka Army (SLA), where the SLA provided it with protection whilst the group carries out the military actions that either the SLA are incapable of due to personnel limitations or for fear of political repercussions.

The military advantages of having an armed paramilitary organisation have been made very obvious in the theatres of conflict around the world. During East Timor's bloody referendum, it was the pro-Jakarta paramilitary organisations not the Indonesian army that carried out the wide scale atrocities in an effort to undermine the East Timorese independence struggle. In a climate where international opinion was hostile to Indonesia, its use of the official army would have been unacceptable. Instead it used a group that was funded and armed by the Indonesian government, and yet had no official status or ties. In Colombia, the gov-

ernment funded AUC has a similar role against in the Colombian government's fight against FARC. Despite the fact that the AUC is on the US list of terrorist organisations, it continues to enjoy the support of the Colombian government.

The EPDP has been accused of wide scale intimidation of the Tamil press and Tamil political parties that promote political views that go against the interests of Colombo. Their use gives the government a degree of plausible deniability when confronted by international pressure groups or other governments. Their military role also includes assassinations. Due to the ethnic nature of the conflict infiltration of Tamil areas by the Sinhala speaking soldiers, who comprise the SLA, is hazardous. EPDP cadres are able to infiltrate undetected and are also more familiar with the territory than Sinhala soldiers.

The EPDP's language skills have also come in useful in the field of 'information extraction'. Where as SLA

soldiers lack the language skills to debrief a prisoner, a void the EPDP is able to fill.

Under Chandrika Kumaratunga's PA government, the EPDP found a new dimension. During the previous elections after wide scale election tampering, the EPDP leader Douglas Devananda gained a parliamentary seat. The PA government took steps to enhance his position within the government creating a role for him as minister in charge of the rehabilitation of the North and East. As part of this office came the responsibility of disbursing funds for such rehabilitation works from supranational agencies such as the World Bank and the Asian Development Bank.

Kumaratunga's government took steps to ensure that Devananda rose in the political echelons of Colombo, introducing him to the entire circuit of foreign embassies. Despite the wide scale atrocities carried out by his forces, Devananda was projected as a respectable Tamil political leader to the international

community.

Assuming that the SLA could defeat the LTTE militarily, to avoid future uprisings the government need to present the Tamil people with an alternative. Hence Kumaratunga took steps to groom her paramilitary group into a political force, which could be presented as an alternative to the LTTE, though entirely loyal to the government, but was none-the-less Tamil.

The UNF find itself in possession of having a useful political and military weapon. To those within the Tamil community who are less optimistic over Colombo's intentions, the maintenance of a politico-military tool that was central to the previous government's military strategy of overcoming the Tamil struggle, reeks of suspicious motives. The new government continues to project an image of peace, but the actions underlying its peaceful overtures have been consistently lacking in substance, a pattern the Tamil community should be wary of.