

NEWS

Elders call for protection of rights of civilians

THE Elders - a group of eminent global leaders brought together by Nelson Mandela - have made a direct appeal to the President of Sri Lanka to protect the rights of civilians displaced after the government's defeat of the Liberation Tigers of Tamil Eelam (LTTE) in May.

Six months since the end of the war, the Elders have written to President Rajapaksa to say they are "deeply worried" about the humanitarian situation faced by the largely Tamil civilian population who fled fighting in the north of the country, and warn that this could squander hopes for national reconciliation.

Chair of The Elders, Archbishop Desmond Tutu, signed the letter on behalf of his fellow Elders, Martti Ahtisaari, Kofi Annan, Ela Bhatt, Lakhdar Brahimi, Gro Brundtland, Fernando Henrique Cardoso, Jimmy Carter, Graca Machel and Mary Robinson.

The Elders say in their letter to the President that the continued confinement of approximately 135,000 internally displaced people is a "clear violation of international law" and that these people are being denied basic human rights, including the right to liberty and freedom of movement.

The Elders welcome the government's announcement that those still confined in closed camps will now be given the freedom to move in and out of the camps until they are able to return to their homes. The Elders also call for humanitarian agencies to be granted the unimpeded access to the camps required to conduct critical humanitarian and human rights work such as providing health care, legal aid, and helping to reunite families.

While the number of people released from government-run camps has increased in recent weeks, and the government has pledged to release the remaining 135,000 by the end of January, the Elders also relayed their serious concerns about the way in which the Sri Lankan government is attempting to meet its resettlement objectives.

They are particularly concerned that the UNHCR, the International Committee of the Red Cross and national and international NGOs have had too limited a role in monitoring the movement of people, and have not had access to all the areas where people have been returned.

Equally worrying are reports that some of those released have been placed in new, closed camps in their district of origin by local authorities. Some are reported to be facing further screening to determine whether they have any links to the LTTE.

The Elders have also written

to Sri Lanka's major donors, regional governments, international financial institutions, the UN Secretary-General and heads of relevant UN agencies, asking them to use their influence with the Sri Lankan government to ensure that basic conditions for equitable, inclusive and "conflict sensitive" development are put in place in the northern and eastern regions of the country.

The international community could also contribute towards the long-term stability of Sri Lanka by encouraging a credible war crimes investigation process; the disbanding of pro-government militias; a reduced role in decision-making by (and spending on) the military; the opening of space for minority parties and opposition parties; allowing the media and NGOs to operate freely; and meaningful consultation with affected populations in the north and east.

With presidential elections expected in January, donors should also use their influence to encourage the government of Sri Lanka to commit to basic democratic governance and prudent economic policy.

Elders' chair, Archbishop Desmond Tutu said: "No sustainable peace is possible without trust. Having won a military victory, the Sri Lankan government must not squander its gains. It has an obligation to serve all Sri Lanka's citizens - including the Tamil and other minority communities."

"Sri Lanka needs wise, far-sighted and determined leadership to help end the divisions of the past and achieve genuine reconciliation, peace and dignity, to the benefit of all of Sri Lanka's people."

Former UN envoy and member of The Elders, Lakhdar Brahimi, said: "While we welcome the government's recent efforts to accelerate the return of displaced people after the end of this brutal war, the returns must be conducted in a way that does not undermine prospects for a durable peace. Donors have a vital role to play in pressing the Sri Lankan government to not only get people out of the camps, but to do so in a way that will enhance, not undermine, stability."

Their fellow Elder and former UN High Commissioner for Human Rights Mary Robinson said: "The basic human right to move freely must be respected. Innocent people should not be detained indefinitely in closed camps. To do so is a violation of international law. The opportunity must not be lost to establish a lasting framework that protects and enhances the human rights of all Sri Lankans."

Kissinger's fantasy ...

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Martin alone hopes to cut deals worth \$15bn over the next five years.

Of course, as China increasingly underwrites the American economy, notions of "containing" the Middle Kingdom through pro-America allies now look like some idle cold-war game-playing in Condoleezza Rice's state department. But the Bush administration's decision to legitimise India's nuclear status, and to help project the country as a rising superpower, has stoked an old paranoia in Pakistan (and indeed in China, which, breaking from its policy of befriending previously hostile neighbours like Vietnam and Mongolia, has

recently assumed its harshest stance towards India in decades).

American officials often complain that Pakistan's security establishment is "obsessed" with India. Seen through the perspective of American national interests, the obsession seems purely irrational, a frustrating diversion from the urgent task of combating anti-American extremists. But Pakistan sees India as gaining "strategic depth" in its own backyard, using Afghanistan - where India has poured over a billion dollars in aid since 2001 and has four consulates in addition to its embassy in Kabul - to support secessionists in the troubled - Pakistani province of Baluchistan.

Pakistan's leaders - who are

convinced that America will abandon Islamabad just as it did Afghanistan after the Soviet withdrawal in 1989 - will play the same charade with Obama that General Musharraf's foreign minister once frankly described as, "First say yes, and later say but". They may well launch a few token crackdowns on militants but are unlikely to abandon the possibility of allowing some to remain in order to unleash them, at a later date, on India-ruled Kashmir. As always, the road to stability in Pakistan and Afghanistan runs through the valley of Kashmir; and in making south Asia's primary conflict disappear, Obama now seems yet another exponent of that exhausted genre of magical realism.

US Senate report ...

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spokesperson for Tamils for Obama, a US based Tamil advocacy group, said "The committee staffers who wrote the report seemed to focus on Sri Lanka's strategic location in the Indian Ocean and bury the inconvenient details of the Sri Lankan government's brutality to its Tamil population. They recommended that the U.S. take measures to make friends with the Colombo government and they ignore that government's role in causing the recent conflict there. Apparently, they just don't want to say anything that will make the Sri Lankan government look bad."

The Norwegian Council of Eelam Tamils (NCET) in state-

ment released to coincide with U.S. President Barack Obama's visit to Oslo to accept his Nobel Prize expressed its deep concern about Senate committee's recommendations seeking to strengthen Colombo and sidelining political solution to Tamils.

"USA has always been upholding a political solution to the crisis in the island than a military one. However, despite the wishes of Your Excellency, Eelam Tamils had the misfortune of experiencing the tragedy and trauma of a military solution. They are now puzzled how nullification or postponement of the long-due political solution appropriate for their national question would fetch durable geo-strategic objectives to anyone," said the

letter signed by Dr. Panchakulasingham Kandiah, president of the NCET.

Meanwhile, the U.S. State Department declined to comment on the report, noting that officials there had not yet had a chance to review it. A spokesperson, who declined to be identified, said U.S. policy remained unchanged.

"We continue to stress to the government of Sri Lanka the importance of ending human-rights abuses, including media intimidation; investigating and holding accountable those responsible for past abuses, and pursuing meaningful dialogue and co-operation with Tamil and other minority communities to ensure that there is no return to violence," she said.

Army chief details ...

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He would take full responsibility for any human rights violations during the final stages of the war, Fonseka further added.

Fonseka said he never said that defence secretary Gotabhaya Rajapaksa had ordered Silva to eliminate surrendered LTTE leaders.

Despite disavowing his earlier remarks, Fonseka's claims about the circumstances surrounding the three men's deaths resemble contemporaneous reports in regional and western media that were denied by the Sri Lankan government, reported Britain's The Guardian newspaper.

There is little doubt that the three LTTE leaders were negotiating to surrender. Diplomatic sources had confirmed that S Pathmanathan - then LTTE's

international relations chief - called up top UN officials on the intervening night between May 15 and 16, telling them the LTTE was ready to lay down arms, reported the Hindustan Times.

Tamil news reports two days later said that Nadesan and Pulidevan were shot by the army dead while surrendering. "We were instructed to make contact with the 58th Division of the Sri Lankan forces in the war zone, un-armed and carrying white flags...They...were called on by the officers of the 58th Division to come forward for discussions. When they complied they were shot and killed," KP said in a statement.

At the time, the Sri Lankan government vehemently denied this, saying they were killed by their own angry cadres.

Former foreign secretary,

Palitha Kohona told AFP: "I told them to...take a white flag and walk slowly towards the army lines in an unthreatening manner. What I learnt subsequently is that the two of them were shot from behind as they tried to come out. They had been killed by the LTTE."

Meanwhile, Tamil circles commenting on Fonseka's 'revelations', said both the SLA Commander Fonseka and Commander-in-Chief Mahinda Rajapaksa cannot explain away their involvement in war crimes and the crimes against humanity, reported TamilNet.

"The International Community has a responsibility to at least conduct an investigation on the last-minute facilitation to which it should have necessary evidences," the Tamil sources further told the news site.