

# Tamil TIMES

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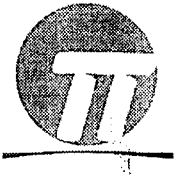
We wish our readers a Merry Christmas and a Happy New Year

VOL XXIII No.12 ISSN 0266-4488 DECEMBER 2004 90p



LTTE leader V Pirapaharan making his annual Heroes Day speech (top left); the weeping widow of the slain High Court Judge Sarath Ambepitiya (top right); Jailed ex-Minister Dissanayake being taken to prison (bottom right); Grenade attack on musical event in Colombo - injured being taken away (bottom left)





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*"I do not agree with a word  
of what you say, but I'll  
defend to the death your  
right to say it"*

- Voltaire

**Tamil  
TIMES**

ISSN 0266 - 44 88  
Vol. XXIII No. 12  
DECEMBER 2004

Published by:

TAMIL TIMES LTD  
PO Box 121, Sutton,  
Surrey SM1 3TD  
United Kingdom

Phone: 020 - 8644 0972  
Fax: 020 - 8241 4557

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Website: http://www.tamiltimes.org

#### ANNUAL SUBSCRIPTION

UK/India/Sri Lanka.....£15/US\$25  
Australia.....Aus\$45  
(Australian Bank cheques only)  
USA.....US\$35  
Canada.....Can\$40  
All other countries.....£20.US\$35

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## War is not an inevitable option

THERE are those who glibly say that nothing has been achieved during the 34-month-old ceasefire. Worse still, there are still others who assert that the peace talks between the Government and the LTTE over a period of six months was a waste of time. Only congenital war-mongers cannot see the enormous benefit that the people, more so those of the war-torn Northeast, have experienced during these 34 months. There has never been such a long period of respite for the people from the horrors war since 1983. If past experience is to go by, if there had been no ceasefire and the war had continued, literally thousands more would have been killed, tens of thousands of more people would have been displaced and the Northeast would have seen more devastation and destruction. This factor alone - the saving of thousands of lives, the avoidance of the displacement of tens of thousands of people and the destruction of properties - demonstrates that the ceasefire has been positively beneficial and therefore completely justified.

It should be noted that when the talks were ongoing, neither party nor anyone from their delegations ever said that the six rounds of talks, or any one of them, was a waste of time. The parties subscribed their signatures to the joint statements issued at the end each round of talks. In fact the participants on both sides appeared to be happy and enjoying the experience of going from one capital to another each month.

Though the ceasefire had lasted over 34 months from February 2002, the peace talks took place only during 7 months - September 2002 to March 2003 - until April 2003 when the LTTE pulled out. And that means the ceasefire has continued for 21 more months when the parties were not formally engaged in peace talks.

Besides the temptation to speculate as to what progress the peace talks would have reached had they continued up to now without their suspension in April 2003, one is also tempted to raise the question as to why the parties or either of them did not break the ceasefire and resume armed hostilities once the talks were interrupted. The reason must be that they considered that the continuation of the ceasefire was more beneficial to their interests than to engage in a destructive war. If that was the reason, it remains still valid and eminently sensible. The fact the there is disagreement between the Government and the LTTE on the agenda for the resumption of peace talks would not make resumption of war any less destructive or any less inimical to the interest of the ordinary people who will be compelled to bear the brunt of the horrors of war. Neither the Government nor the LTTE can claim the moral right to plunge the country and people into another bout of destructive bloodletting.

Both parties profess commitment to maintain the ceasefire. Both parties profess to be eager for peace talks to resume. The bone of contention is only on the agenda. The LTTE wants that any resumed peace talks should be only on the basis of the ISGA. That is to say that the only document on the table for discussion should be its ISGA proposal. The LTTE leader says that if some elements of their proposals are deemed problematic or controversial, these issues can be resolved through discussions at the negotiating table. The Government has recognised and accepted the need for the setting up of an interim authority for the Northeast and first insisted that talks on the ISGA must be linked to negotiations for a permanent settlement. When the LTTE rejected this condition the President signalled her willingness to begin talks on the LTTE's ISGA proposal alone, adding only the phrase "within a united Sri Lanka", a phrase borrowed from what the parties had agreed to in Oslo in December 2002.

The gap in the positions of the two parties is recognised, but it cannot be said that it is so wide as to be unnameable to a compromise through a process of give and take. Nor can it justify a return to war with all the terrible consequences it entails. Returning to war is not an inevitable option in the present circumstances.

# 'Freedom struggle if talks are further delayed'

- LTTE leader

The leader of the Liberation Tigers of Tamil Eelam, Mr Velupillai Pirapaharan, in his annual statement marking Heroes' Day, cautioned the Sri Lanka government that his organisation would be compelled to launch the freedom struggle of the Tamil nation if peace talks were further delayed and the suffering of his people continued.

In an urgent appeal the LTTE leader called upon the Government of Sri Lanka to resume the peace talks, without conditions, on the basis of the Interim Self-Governing Authority as proposed by his organisation. "If the government rejects our urgent appeal, adopts delaying tactics perpetuating the suffering of our people, we have no alternative other than to advance the freedom struggle of our nation," Mr Pirapaharan declared.

"If the government rejects our urgent appeal, adopts delaying tactics perpetuating the suffering of our people, we have no alternative other than to advance the freedom struggle of our nation," Mr Pirapaharan declared.

The following is the full text of Mr Pirapaharan's speech which he delivered in Tamil on 27 November 2004:

"Today is a sacred day. This is the day on which we salute and honour our Great Heroes who believed that the liberation of their country is supremely more precious than their own precious lives and who embraced death for achieving that lofty ideal. I invite your attention to one important matter on this great day when we in our heart of hearts remember the heroic fighting lives of our great heroes, their incomparable sacrifices and dedication. During our three-decade long heroic liberation struggle, we established our incomparable military successes due to the great sacrifices made by our Great Heroes. To the amazement of the world, we achieved our battlefield victories by driving out enemy forces. We redeemed the greater part of our homeland which had been under Sinhala military aggressive occupation and established our own administrative and governmental authority in those areas.

We established a military equilibrium

with the Sri Lanka government's armed forces which had been strengthened with the help of many countries in the world. By internationalising the national liberation struggle of the Tamil people, we turned world attention to our struggle. However, the ideal dreamt by of our Great Heroes is yet to be fulfilled. Our homeland is not yet completely free. Our people have not yet achieved complete independence.

The ancient historic town and cities of Thamil Eelam and our people living in those areas have still not been freed from the Sinhala military aggression and occupation. They are living in an open prison oppressed and trampled. Uprooted from their own land, displaced in their thousands, unable to return to the land of their birth, they are suffering in refugee camps. Our people's tale of woes and suffering still continues. We are yet to fulfil our ideal of freedom for our country and the true ideal dreamt by our Great Heroes.

Today we are faced with a critical and complex situation, unprecedented in the history of our liberation struggle. We are living in a political void, without war, without a stable peace, without the conditions of normalcy, without an interim or permanent solution to the ethnic conflict. Our liberation struggle will be seriously undermined if this political vacuum continues indefinitely.

Three years have lapsed since we entered into a ceasefire agreement with the Government of Sri Lanka, after three decades of protracted armed struggle. You are fully aware that during this period of ceasefire we have been making every endeavour, with sincerity and commitment, to seek a negotiated settlement to the Tamil national question through peaceful means. In various capitals of foreign nations, with Norway as facilitators, we engaged in peace talks with the government. The six sessions of negotiations held over the duration of six months, turned out to be futile and meaningless. Sub-committees that were set up for the de-escalation of the conflict, for the restoration of normalcy, for the rehabilitation and resettlement of the displaced and for the reconstruction of the war damaged infra-

structure, became non-functional. In the meantime, the Sri Lanka government, having excluded our liberation organization, participated in the donor conference held in Washington, thereby undermining our status as equal partners in the peace process. It was in these objective conditions that our organization decided to express our displeasure and disappointment by temporarily suspending the talks. Our intention was not to terminate the talks and put an end to the peace process. During the period of suspension we urged the government of Mr Ranil Wickremesinghe to formulate and submit a draft proposal for an interim administrative structure. We emphasized that the envisaged interim administrative mechanism should be invested with adequate authority to deal with the rehabilitation of the war affected people and to reconstruct the war devastated Tamil nation.

We were not satisfied with the three successive draft proposals on an interim set-up submitted by Ranil's government. The draft frameworks lacked adequate administrative authority and they were unacceptable to us. Ultimately, we decided to formulate our own set of proposals. We discussed with our people at different levels and consulted political experts, legal specialists and constitutional scholars in the Tamil Diapora and finalized our proposals for an Interim Self-Governing Authority. This is an original and pragmatic framework embodying necessary structures and mechanisms to address the urgent existential problems of our people. The proposed framework is invested with substantial authority to effectively and expeditiously undertake all tasks of resettlement, rehabilitation, reconstruction and development in the Tamil homeland. We submitted this proposal to establish an Interim Self-Governing Authority to Ranil Wickremesinghe's government on the 1 November last year and also released it to the media for public debate.

Some international governments welcomed our proposal, because it was the first time the Liberation Tigers had clearly and explicitly spelt out their political ideas in writing. Ranil Wickremesinghe's government did not reject our proposal for an Interim Self-Governing Authority to deal with the rehabilitation of the war affected people and to reconstruct the war devastated Tamil nation. His government viewed our proposals as different from their drafts, yet it agreed to resume peace talks on that basis, whereas the Sri Lankan Freedom Party outrightly condemned our

interim administrative framework as the foundation for a separate Tamil state. As the leader of the Sri Lanka Freedom Party and as the President, Chandrika Kumaratunga went a step further by taking punitive action that plunged the southern polity into a crisis. Ranil Wickremesinghe's regime was suddenly and seriously destabilised when President Kumaratunga took over three key Ministries, including Defence. Eventually, following the dissolution of Parliament by the President, Ranil's government collapsed.

The ethnic contradiction between the Sinhala and Tamil nations became acute as a consequence of the general elections held at the beginning of the year. The elections paved the way for the hegemonic dominance of Sinhala-Buddhist chauvinistic forces in the southern political arena. The Janatha Vimukthi Peramuna (JVP), an anti-Tamil political party steeped in a muddled ideology of racism, religious fanaticism and orthodox communism, won a substantial number of seats and became the third largest Sinhala political organisation. President Chandrika has embraced this racist political party as the most important ally and partner in her coalition government. This government is constituted by an unholy alliance of incompatible parties articulating antagonistic and mutually contradictory views and policies on the Tamil national question.

While the verdict of the general election helped to reinforce Sinhala-Buddhist hegemonism in the Sinhala south, Tamil nationalism arose as a unified collective force in the northeastern Tamil homeland. The political ideals of our liberation organisation received the overwhelming support of the Tamil people. Our organisation received the popular endorsement as the sole representative of our people. Our proposals to establish an Interim Self-Governing Authority received a mandate from our people. The Tamil National Alliance gained a sweeping victory by winning twenty-two seats, thereby becoming the political voice and the democratic force representing our liberation organisation. As never before, this general election has polarized the Sinhala and Tamil ethnic formations into two distinct nations, as two separate peoples with divergent and mutually incompatible ideologies, consciousness and political goals.

Though there was a change of government in southern Sri Lanka and chauvinistic forces were able to gain political power, we continued to observe ceasefire and wanted to promote the peace proc-

ess. We informed the Freedom Alliance government of Chandrika Kumaratunga, through the Norwegian facilitators, that we were prepared to resume peace talks based on our proposal to set-up an Interim Self-Governing Authority. It was at that time confusion and policy differences emerged within the ruling coalition.

Politically, the most powerful partner in the Alliance, the JVP, vehemently opposed granting political rights or devolution of power to the Tamil people. It has severely criticised the Norwegian government, which plays the role of facilitator. It has also outrightly rejected our proposal for an Interim Self-Governing Authority. The JVP has warned that it would break away from the ruling coalition if peace talks resumed on the basis of our proposal. The extremist, hard-line attitude of the JVP towards peace and ethnic reconciliation has become a major challenge to Chandrika Kumaratunga.

The government of Kumaratunga is facing a multi-dimensional crisis. On one side, the international community is exerting pressure on the government to resolve the ethnic conflict through peaceful means. On the other, the donor countries continue to insist that granting of the pledged aid package is conditional upon progress in the peace talks. Furthermore, the economy of the country is sliding into an abyss. With these multiple problems, the government is compelled to engage the LTTE in peace negotiations. But the internal contradictions and the fundamental policy differences in the ruling alliance have become a stumbling block to the resumption of peace negotiations. There is no clear, coherent policy orientation, or a consensus approach within the political parties of the coalition government. Since she has aligned herself with political parties drenched in anti-Tamil racism, militarism and Sinhala-Buddhist hegemonism, the President cannot advance the peace process based on a coherent, consistent strategy and policy. This is the authentic political reality prevailing in southern Sri Lanka. This political reality of the lack of consensus is skilfully covered up and concealed to the international community.

We submitted our proposals for an interim administration at the final stage of our negotiations with Ranil Wickremesinghe's government. The leadership of the United National Party continues to insist that peace talks can be resumed based on our set of proposals, but the Kumaratunga government is imposing a condition for the resumption of talks. The

government says that any form of interim administration should be an integral part of a permanent settlement. While we are demanding an interim administrative set-up, the Kumaratunga government is insisting on talks for a permanent settlement to the ethnic conflict.

There are important reasons as to why we are insisting on the formation of an interim administrative set-up as early as possible. As a consequence of a brutal and protracted war our people are facing urgent existential needs and immense humanitarian problems. Hundreds of thousands of displaced Tamils continue to languish in refugee camps in appalling conditions. In the meantime, the donor governments have pledged a massive aid package for the relief and rehabilitation of the war affected people. Therefore, it is of critical necessity that an interim administrative mechanism should be instituted with adequate powers to undertake the task of providing relief and rehabilitation to the suffering Tamil population and to reconstruct the war devastated Tamil homeland.

Though we have entered into a ceasefire agreement and observed peace for three years and participated in the peace talks for six months, our people have not yet received any peace dividends. The intolerable burden of the day-to-day life problems is suffocating our people. Our people are desperately anticipating relief and resolutions to their urgent existential problems. For these reasons we want the immediate resumption of peace talks, based on our proposal, so that an interim administrative authority can be established as early as possible to address the grievances of our people. If some elements of our proposals are deemed problematic or controversial, these issues can be resolved through discussions at the negotiating table. Once the interim administrative authority is institutionalised and becomes functional we are prepared to engage in negotiations for a permanent settlement to the ethnic problem. That is our position. Our position is reasonable. We are advocating this position in relation to the actuality of the concrete conditions prevailing in the Tamil homeland. Nevertheless, President Kumaratunga is inviting us for talks on a permanent solution, advancing a position that even an interim administrative set-up should be worked out within the contours of a final settlement. We can point out different reasons as to why she gives primacy to talks on a permanent solution. One reason could be her

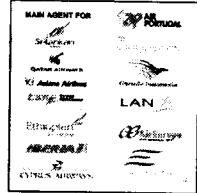
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strategy to satisfy extremist racist elements, particularly to placate the JVP, who are deadly opposed to our proposal for an interim administration. The second reason could be to impress upon the international community that she is genuinely committed to resolving the Tamil national question. The third reason could be to prolong the peace negotiations indefinitely by opting to talk on a most intractable and complex issue. We can come up with several other reasons. Whatever the real reason, we can clearly and confidently say one thing; it is apparent from the inconsistent and contradictory statements made by President Kumaratunga that her government is not going to offer the Tamil people either an interim administration or a permanent solution.

I do not wish to elaborate here the bitter historical experience of political negotiations we have engaged in with the Sinhala political leadership for more than fifty years to resolve the ethnic problem of the Tamil people. This is a political truth deeply buried in the collective psyche of the Tamil nation. Over a long period of time, we had talks on linguistic rights, on equal rights, on regional autonomy, on federal self-rule and entered

into pacts and agreements, which were later torn apart and abrogated. Our liberation organisation is not prepared to walk the path of treachery and deception once again.

The Sinhala political organizations and their leadership, which are deeply buried in the mud of Sinhala-Buddhist chauvinism, will never be able to comprehend the political aspirations of the people of Tamil Eelam. None of the major Sinhala political parties are prepared to recognize the fundamentals underlying the Tamil national question. None of the Sinhala political organizations is prepared to accept the northeastern region as the historical homeland of the Tamil-speaking people, that the Tamils constitute themselves as a distinct nationality and that they are entitled to the right to self-determination, including the right to secede.

The southern political movements do not have the maturity and magnanimity or the political sagacity to understand and accept the fundamentals of the Tamil national question, nor do they possess a consensus or a collective vision on the Tamil issue. What we can observe in the southern political spectrum is division,

disunity and mutually divergent, contradictory notions and policies. We are surprised to note that President Kumaratunga is showing concern and interest in resolving the ethnic conflict when political parties aligned to her coalition government are advocating incoherent and irrational policies and articulating brazen forms of racism. We wish to make an open request to all the political parties constituting the governing Freedom Alliance, as well as to the opposition United National Party, to declare publicly their official policy on the fundamentals of the Tamil national question, particularly on the core demands of the Tamil's concerning homeland, nationality and the right to self-determination.

It will be meaningful to talk about a permanent settlement if the Sinhala political organisations have a clear, coherent policy, a proper insight and a consensus approach towards the Tamil national question. If not, there is no meaning in engaging in talks about a permanent solution. There is division, discord, confusion and contradiction within the Sinhala political leadership on the Tamil issue. Having realized the truth that the Sinhala political leadership will not be able to offer a rea-

sonable permanent solution to our people, we submitted an interim solution. We expressed our desire to resume negotiations, based on our proposals for an interim mechanism, to provide relief to our people's urgent existential needs. But the government of Kumaratunga is deliberately impeding the peace efforts by insisting that talks should be about a permanent settlement. Having covered up the serious policy differences and internal contradictions behind the curtain of a loose political alliance, President Kumaratunga is accusing the Tamil Tigers of intransigence. We are confident that the international community will soon be able to see the real face of Chandrika, who is acting with a deceptive mask of peace.

We cannot continue to be entrapped in a political vacuum without an interim solution or a permanent settlement, without a stable peace and without peace of mind. The Sinhala nation neither assimilates and integrates our people to live in co-existence nor does it allow our people to secede and lead a separate existence. We cannot continue to live in the darkness of political uncertainty, without freedom, without emancipation, without any prospects for the future. There are borderlines to patience and expectations. We have now reached the borderline. At this critical moment we wish to make an urgent appeal to the Sri Lanka government. We urge the government to resume the peace negotiations without conditions,

based on our proposal for an Interim Self-Governing Authority. If the Government of Sri Lanka rejects our urgent appeal and adopts delaying tactics, perpetuating the suffering of our people, we have no alternative other than to advance the freedom struggle of our nation. We call upon the concerned international governments to understand our predicament and prevail upon the Sri Lanka government to resume peace talks based on our fair and reasonable stand. On this sacred day when we remember our Great Heroes who fell in battle fighting to liberate our land and for the liberation of our people, despite all obstacles and challenges we may face, let us dedicate ourselves to fulfil their dream, the ideal of liberation of our country." □

### ● LTTE leader on Heroes Day

The leader of the Liberation Tigers of Tamil Eelam, Mr Velupillai Pirapaharan, in his much awaited annual speech on 27 November, cautioned the Sri Lanka government that his organisation would be compelled to launch the freedom struggle of the Tamil nation if peace talks were further delayed and the suffering of his people continued.

In an urgent appeal the LTTE leader called upon the Government of Sri Lanka to resume the peace talks, without conditions, on the basis of the Interim Self-Governing Authority as proposed by his organisation. "If the government rejects our urgent appeal, adopts delaying tactics perpetuating the suffering of our people, we have no alternative other than to advance the freedom struggle of our nation," Mr Pirapaharan declared.

"We wish to make an open request to all the political parties constituting the governing Freedom Alliance, as well as to the opposition United National Party, to declare publicly their official policy on the fundamentals of the Tamil national question, particularly on the core demands of the Tamil's concerning homeland, nationality and the right to self-determination," the LTTE leader said.

"We cannot continue to be entrapped in a political vacuum without an interim solution or a permanent settlement, without a stable peace and without peace of mind ... We cannot continue to live in the darkness of political uncertainty, without freedom, without emancipation, without any prospects for the future. There are borderlines to patience and expectations. We have now reached the borderline," he said.

Calling upon his followers to dedicate themselves to the cause of national liberation, the LTTE leader concluded by saying, "On this sacred day when we remember our Great Heroes who fell in battle fighting to liberate our land and for the liberation of our people, despite all obstacles and challenges we may face, let us dedicate ourselves to fulfil their dream, the ideal of liberation of our country." (See page 4 for full text of LTTE leader's speech)

### ● Govt response

Sri Lanka Government in response to the recent statement by Velupillai Prabhakaran, LTTE has stated that it was "engaged in a careful study of the statement of the leader of the Liberation Tigers of Tamil Eelam made on November 27."

## News Review

On 27 November, in an urgent appeal the LTTE leader called upon the Government of Sri Lanka to resume the peace talks, without conditions, on the basis of its proposal for a Interim

Self-Governing Authority failing which the leader said that the organisation would launch a freedom struggle.

The Government said in its statement, "A call, couched in threatening language, from the LTTE now for a resumption of negotiations without conditions, while setting conditions itself by insisting unilaterally on a single agenda item is scarcely conducive to good faith negotiations."

The Government's statement said, "The absence of direct negotiations since April 2003 is of no benefit to anyone and is unsustainable," adding that "The Government of Sri Lanka is in communication with the Royal Norwegian Government on future steps to be taken in the peace process."

The statement pointed out that the Government of Sri Lanka has conveyed publicly, and through the kind facilitation of the Royal Norwegian Government, its readiness to discuss the establishment of an interim authority to meet the urgent humanitarian and development needs of the people of the North and East as a priority, while exploring a permanent settlement along the lines of the document signed and accepted by the Government and the LTTE in Oslo on December 5, 2002.

The statement further adds: Following its election to office in April this year, the UPFA Government has, therefore, made serious, sincere and consistent efforts to reopen talks with the LTTE. These efforts are well known to the people of Sri Lanka and to the international community.

The statement emphasized the Government's "firm resolve that It also continues to remain firmly committed to the strict maintenance of the Ceasefire Agreement and condemns all violations and actions jeopardizing the prevailing ceasefire and which caused fear and thereby tensions among the civil population, leading to the undue rupture of the sensitive balance of ethnic groups presently maintained by the Government with the objective of safeguarding the ceasefire and taking the peace process forward."

### ● Govt-LTTE committed to ceasefire

The Government and the LTTE reiterated their fullest commitment to the ceasefire and their support to the work of the SLMM, at a meeting in Vavuniya last Friday (26), chaired by the

SLMM Head Major General Trond Furuhoide.

The SLMM Media spokesman Jon Oscar told the press that at the meeting which was headed by Major General P. Kulathunge for the GOSL and Vavuniya Political Wing Head Gnanavel of the LTTE, they had discussed and agreed on how to curb and prevent violence and increase cooperation between the parties. They had agreed on various practical steps to be taken to ensure the return to normalcy in Vavuniya.

The parties agreed to strengthen their dialogue with the intent of averting future incidents and to facilitate confidence-building measures. They had also agreed to consolidate the cooperation between the parties pertaining to law and order issues and the implementation of the CFA sans violations, in order to strengthen the safety and security of the general public.

The GOSL and the Tigers had also agreed to hold daily meetings which would be chaired by the SLMM, during the 'Heroes Day' week, with agreement for the parties to coordinate and share information pertinent to the commemoration events. The confiscated amplifier equipment, banners and LTTE flags would be returned to the LTTE via the SLMM. "The LTTE agrees that they will adhere fully to the laws of Sri Lanka while being in GOSL controlled areas and will cooperate fully with the Armed Forces, to ensure compliance. The parties also re-state they will respect and display understanding for each other's commemorative days and religious celebrations", the SLMM spokesman added.

The joint statement issued following the meeting said, "The agenda was how to avoid violence and increase co-operation between the parties. The meeting focussed on how to curb violence in Vavuniya and the Parties agreed on various practical steps to ensure the return to normalcy in Vavuniya. The Parties agreed to strengthen the dialogue with the intent to prevent future incidents and to facilitate confidence-building measures between the Parties. It was further agreed to strengthen the co-operation between the Parties regarding law and order issues and to implement measures and not to violate the Ceasefire agreement in order to strengthen safety and security for the general population.

The Parties agreed to hold daily meetings, chaired by the SLMM, for the continuation of Heroes Day Week. The Parties will coordinate events and share information pertinent to events held during the commemorations."

### ● Halt to drift towards war urged

"The danger in the present situation is the possibility of escalation that suddenly goes out of control of both sides and plunges the country into inadvertent war...We also call upon the two parties to make a concerted effort to ensure that the safeguards in the Ceasefire Agreement are functional," said the National Peace Council of Sri Lanka, in a press release issued in Colombo on 9 December.

Full Text of the press release is as follows:

"In recent weeks there were increased clashes and tensions involving government forces, the LTTE and the general population. For the first time since the signing of the Ceasefire Agreement in February 2002 the highway connecting Jaffna to the rest of the country was closed to traffic due to the inability of the international monitors to take up their positions at the checkpoints. There were confrontations between rival Tamil and Sinhalese nationalist groups over the hoisting of different flags. In addition there has been negative speech making that has also contributed to the rise in ethnic tensions.

"The danger in the present situation is the possibility of escalation that suddenly goes out of control of both sides and plunges the country into inadvertent war. There is always the possibility that events in a particular location could take a turn for the worse, and lead to large scale violence. Some of the statements being made

by spokespersons of the LTTE and the government, particularly its JVP component, have not been helpful. They have been saying that the LTTE is prepared for war, that it has already achieved its separate state and that the south too could erupt with a people's uprising. There appears to be a belief that the threat of war and violence may move the one side to deal more favourably with the other side. However, this is likely to be a mistaken assumption. Instead a mental climate is being created in which the people on both sides are being conditioned to a resumption of war.

The National Peace Council calls upon the government and LTTE to halt the drift in the peace process and to resume peace talks which they publicly profess they are committed to doing. A special responsibility is placed upon President Chandrika Kumaratunga who dissolved the previous government on the grounds that it was not dealing satisfactorily with the peace process.

"We note that the Norwegian facilitator Erik Solheim is to visit Sri Lanka next week and we urge both sides to make use of his presence to further the peace process. It is clear that the LTTE's proposals for an ISGA will have to be the major component of such talks, as they are the most concrete proposal that has been made since the signing of the Ceasefire Agreement. It is also clear that negotiating on the ISGA does not mean accepting them in full, as indeed the LTTE leadership has publicly said.

### ● Two shot dead while playing football

Two youth were killed and one wounded when gunmen riding a motorbike fired at random into a group of men playing football in Valvettithurai on 19 November, Friday around 6.10 pm, according to the Police. The gunmen had used a T-56 type assault rifle. The young men were playing football in front of Sithambara College. The dead youth are Mr. Sathasivam Kumaran, and Mr. Rasenthiram Sureshkumar, both aged 21. The wounded man, 32, is Mr. Ponnthurai Theiventhiram.

Though the LTTE attributed the killings to the army and organised a hartal, local sources said the two youth were killed when alleged LTTE gunmen opened fire at an EPDP member who was watching the young men playing football in the grounds of the College. According to people in the area, the intended target was 32 year old Ponnuthurai Theivendran, a resident of Valvettithurai (VVT). Theivendran is a member of the EPDP. Three days before the killings, LTTE men went to Mr. Theivendran's house located at Aathikovilady in VVT and searched for him, and warned those at the house that he would be killed if he returned to VVT. A complaint was filed with the SLMM in Jaffna, but they did not take any action. On the 19th, two gunmen had come on a red motorcycle and fired at Mr. Theivendran. But he escaped with injuries, while two other bystanders were killed. Residents in the area identified the two gunmen as Poopalan, a member of LTTE's intelligence wing and Yarl Eelavan, a sea tiger.

Shops were closed and roads were mostly deserted in Jaffna on 20 November in protest against the killing of the two youth. Protestors burnt tires and blocked roads in several parts of the peninsula. Transport on the Kandy Road A9, the main artery of the peninsula, was completely blocked by protestors in Meesalai, sources said. Mr.C. Ilamparithi, LTTE Jaffna district political head in a statement said that the Sri Lanka Army should be held responsible for the brutal killing of two innocent Tamil youths in Valvettithurai as this dastardly crime had taken place in an area which is surrounded by several sentries and mini-camps of the Sri Lanka Army (SLA).

In the meantime, the Jaffna district SLA commander, Major General Sunil Tennekoon, has informed the parents of the dead youths in writing that SLA was not involved in the killings of their



sons but some parties with vested interests are putting the blame on the SLA for the crime.

EPDP leader Minister Douglas Devananda told Norwegian Ambassador Hans Brakkstar that the LTTE was responsible for killing two youth playing football at VVT recently. He has said that the LTTE fired at an EPDP member watching the match. The LTTE fire had injured him while inflicting fatal injuries on two players.

Devananda has pointed out that the LTTE was trying to blame the army. The LTTE knew that the people would protest and dishonour them for their brutality, and in an effort to divert the public attention they organized the hartal and forced the shop owners to close the shops.

The meeting with the Norwegian Ambassador took place on Monday (22) at Devananda's residence. The EPDP has stressed that the international community should pressure the LTTE to return to the negotiating table to find a permanent solution to the long standing conflict. The EPDP has also urged the Norwegian envoy to pressure the LTTE to end the ongoing wave of indiscriminate attacks on opponents.

### ● TNA faults SLA for violent incidents

"Unwarranted interference by the armed forces in the lives of the Tamil civilian population in the North-East must be brought to an end," said Mr.R.Sampanthan, leader of the Tamil National Alliance (TNA) parliamentary group in a statement of national public importance tabled in Parliament on Saturday, 27 November, in regard to several violent incidents that had taken place in the districts of Jaffna, Mannar, Vavuniya and in Trincomalee during Heroes Day week.

Mr Sampanthan demanded the Government of Sri Lanka (GOSL) to take steps for a proper and impartial investigation into these incidents and to take appropriate action against the offenders. The Deputy Defence Minister Mr.Ratnasiri Wickremanayake in reply promised to hold impartial inquiries into all incidents that had taken place.

"The security forces without justification have carried out attacks against the Tamil people in Mannar and Vavuniya on 25th November. I herewith attach a statement reflecting the names, age, and the nature of injuries sustained by 17 such Tamil persons who were admitted to the District General Hospital, Mannar after these attacks," Mr Sampanthan said.

Mr.Ratnasiri Wickremanayake, Deputy Defence Minister said: "In response to Mr.Sampanthan, I wish to say this. I also speak with a sense of responsibility. Regarding the allegations made, there are various reports, which have reached me. He telephoned me last night and did indicate to me that he was going to make a statement. Because of that I deliberately kept away from reading the reports, which have been submitted by the police and the army because I want to come to this House with an open mind. Now I have heard him. I will go into the matter in depth. I want to see that law and order is maintained. I do not want to hide anything. This is my position. I will see that an impartial inquiry is held regarding all the incidents. He has reported about five or six incidents. I will see that an impartial inquiry is held. I say so with a sense of responsibility."

### ● Violent incidents in Trinco

Sri Lanka Police clamped a curfew for eighteen-hours in Trincomalee town and its suburbs from Monday (29) noon till Tuesday(30) morning 6 a.m. following sporadic violent incidents reported from various parts of the town during the general shut down called by the Tamil Peoples Forum of the Trincomalee district in protest to the killings and assault on Tamil civilians in the Tamil districts of the northeast by members of the State armed

forces. Security sources alleged that the LTTE was behind the call for the general shutdown.

Trincomalee town was completely paralysed Monday as public servants, teachers, students and traders observed a general shut down following the appeal by the Tamil Peoples Forum of the Trincomalee district against killings and assaults on civilians in the Tamil districts of the northeast province by members of the State armed forces during the Heroes Day week celebrations which concluded last Saturday.

Government and provincial council offices, state and private banks, local and international non-governmental organizations, schools of all mediums, cinema halls, and private educational centres were closed down. Traders of all the three communities closed down their business establishments and eating-houses except in Sinhala areas. State and private sector transport services also came to a standstill except few places where Sinhalese live in majority.

Two violent incidents were reported Monday morning- one from Tampalakamam where a passenger bus had knocked down a Tamil youth. Police sources said this incident had taken place when a group of persons blocked the road. The driver and conductor of the bus were taken into custody, police said.

In the second incident that took place at Andanakulam area about two km off Trincomalee town some unidentified person had thrown a hand grenade on a bus which was on its way to Trincomalee. Three, all from the major community were injured in the incident. Injured were admitted in the Trincomalee general hospital, police said.

Trincomalee Police dispersed a group of Sinhalese that was attempting to pull down the large Tamil Eelam cutout erected in front of the Paththirakali Ambal Temple, during the general shut down in the eastern port town on the morning of 29 November. The cutout was erected in the heart of Trincomalee to mark the LTTE's Heroes Day celebrations week. The cut-out is still standing, police said.

The Sinhala mob armed with poles and other weapons rushed to the temple area during the hartal with the intention of destroying the cutout. Tension prevailed in the area when a group of Tamils also rushed to the spot. A contingent of Police was immediately deployed and prevented the mob from destroying the cut-out.

No major damage was caused to the cut-out, police sources said. In the meantime, the driver of the bus that was attacked with a grenade in Andankulam near Trincomalee had died, Police said. Two others in the bus at that time Mr.Upali Chandana and Mr. Chamintha were injured. About five persons of both communities were injured in clashes that took place in other parts of the town, police said.

Rear Admiral Daya Sandagiri, Commander of the Sri Lanka Navy and the Chief of Armed Forces and Major General Shantha Kottegoda, Commander of the Sri Lanka Army (SLA) arrived in Trincomalee Monday(29) evening to assess the security situation in the east port town on the instruction of the Sri Lanka's President Ms Chandrika Kumaratunge following violent incidents that have taken place.

Meanwhile, more violent incidents are reported to have taken place in Abeyapura, Anpuvullipuram and other areas. Following an incident where a grenade was hurled near Abeyapura, a Sinhala settlement where Sri Lanka Navy has been placed in charge of security, the Security forces had opened fire in air. In the meantime, a private passenger bus belonging to a Tamil person was burnt down at Fifth Mile post by a mob. A Tamil youth, a resident of Thirukadaloor was injured in a grenade attack. In another development, the Police through loudhailers announced in the town and its suburbs Monday night that the curfew imposed in the day would continue until further notice, sources said.

Although there were no violent incidents on Tuesday (30), the Police re-imposed curfew in Trincomalee and Uppuveli police divisions from 5 p.m. till 6 a.m. Wednesday (Dec 1) as a preventive measure, police sources said. Meanwhile, Trincomalee Senior Superintendent of Police (SSP) Mr. Upali Hewage said Tuesday that in the outbreak of violence Monday one died in a grenade attack and a tourist guide from Kandy has gone missing. In the grenade attack three passengers in a private passenger bus were injured. He added some houses of belonging to both Tamils and Sinhalese were burnt down Monday night.

In the meantime, the body of the tourist guide reported missing was recovered Tuesday evening from Puliankulam area, about three km north of Trincomalee town. The body was identified as of Sumith of Kandy, police said. The security of Trincomalee town and its suburbs has been further strengthened by deployment of additional policemen from outstations, sources said.

### ● Lanka drifting towards war

"The United Peoples Freedom Alliance (UPFA) Government has not taken any forward looking steps towards peace talks or to finding a solution to our pressing national question. Sri Lanka is inexorably drifting towards war with the continued stalemate in peace talks," said Mr Ranil Wickremesinghe, former Prime Minister and leader of the opposition United National Party (UNP) at the 50th year annual convention of UNP held at the Colombo Municipal grounds on 5 December.

Wickremesinghe further said: "It was the UNP government that initiated negotiations with the Liberation Tigers. Responding to the Government, the LTTE submitted their set of proposals for an interim self governing Authority (ISGA). Then Ms Kurmartunge's political conspiracy resulted in a change of Government.

"Negotiations remain stalled to this day. And the country is drifting towards war, political contradictions and rivalries are plaguing the ruling alliance. The number of Ministers has rocked to 88. The presidential election should be held in December 2005, and if the ruling alliance or the President moves to delay this people will rise against it. We are ready to mobilise the people and launch a concerted campaign against the government," said the UNP leader who holds ambitions to vie for the post. Convention also resolved that Mr Wickremesinghe will be the UNP's presidential candidate.

### ● ENDLF Secretary kidnapped

The Secretary of the Eelam National Democratic Liberation Front, Pakiyathan Rajaratnam, also known as Mano Master, is alleged to have been kidnapped by the Tamil Tigers. The Front's President, G Gnanasekaran, in a letter dated 1 December addressed to the head of the Sri Lanka Monitoring Mission has said that Mr. Rajaratnam left his residence on the 25th of November 2004 at Malgawatta in Colombo with a friend to find a suitable place for his party office and did not return since then. Having failed in all efforts to trace him, Mr Gunasekaran has appealed to the SLMM to take up this matter with the LTTE to seek the immediate release of Mr Rajaratnam.

The letter added that on 30th October 2004 three LTTE cadres visited the house of Mr Rajaratnam's mother who stays in Jaffna, to threaten and know the whereabouts of him in Colombo. After this incident Mr Rajaratnam had written a letter to the SLMM seeking action regarding the matter. "We are positively sure that it is the LTTE that had kidnapped Mr Rajaratnam and nobody else, as twisted by the Tamil media, most of which are under the control of the LTTE. His family is terribly upset over this incident. It was only at the request of the LTTE that all rival groups were disarmed. The LTTE must in accordance with the Cease Fire Agreement, release Mr Rajaratnam and honour the terms and conditions of the CFA," the letter said.

It is reported that the LTTE might have abducted Rajaratnam to find out the whereabouts of its breakaway Eastern Commander, Col Karuna. Karuna's new party, the Tamileela Makka Viduthalai Puligal (TMVP), had linked up with the ENDLF to form the Eelam

National Democratic Front (ENDF). The ENDLF is an anti-LTTE Sri Lankan Tamil party in exile, partly based in South India and partly in London. Karuna linked up with the ENDLF after rejecting an offer of alliance from the Eelam Peoples' Democratic Party (EPDP), led by the Sri Lankan Hindu Affairs Minister, Douglas Devananda. Devananda had told Karuna that the two of them should form a political alliance and fight the LTTE politically rather than militarily. But according to Devananda, Karuna showed no interest in this idea. According to EPDP sources, Karuna wanted the EPDP to use its influence to secure arms to fight the LTTE militarily. But the EPDP rejected the idea.

Sources in the EPDP say that Rajaratnam may have been abducted by the LTTE mainly to find out the whereabouts of Karuna. It is believed that it may not be difficult to get Rajaratnam to squeal, as he is a close relation of the LTTE's political wing leader, S P Tamilselvan.

The Secretary of the ENDLF, Rangappah, who was shot and killed on 25 November lived in the same house with 'Mano master' at Malgawatte, and therefore EPDP sources saw a connection between the killing of Rangappah and the abduction of Mano Master, the two leading figures in the LTTE.

### ● SLMM vexed over 'flag issue'

The SLMM has expressed its "disappointment" to the LTTE over its action in hoisting the LTTE flag in government-controlled areas during the LTTE Heroes' Day violating its previous agreement in this regard, SLMM chief Trond Furuhoide said on 1 December.

The Scandinavian monitoring mission said the incidents in Trincomalee have the "potential" to create unrest among the separate factions and bring the Ceasefire Agreement under "tremendous pressure." SLMM chief Maj. Gen. Trond Furuhoide told the press that although the situation in Trincomalee appeared calm by yesterday morning it has the potential to become restive again because "many factions" who are trying to make use of the situation to create problems, are involved. He observed that while the ceasefire was "not hanging on a string", it was "fundamental" for the peace talks. Calling for an immediate or quick resumption of the peace talks, the SLMM chief said that the peace talks "is imperative to our work."

Meanwhile, he noted that the SLMM was doing whatever it could on a local basis in organising a meeting between the two parties in a bid to establish technical arrangements to defuse the tension in Trincomalee.

Mr. Furuhoide said this would give the parties particularly the police and the armed forces the possibility to control the situation. It is up to the authorities to be informed of what is happening in all districts including those in the East as well, Mr. Furuhoide said. He said the SLMM would also be taking preventive measures, especially in the East, in view of the unpredictable developments.

### ● LTTE provoking south - JVP

JVP leader Wimal Weerawansa said it was clear that the LTTE had adopted a policy of provocation and they were now attempting in various ways to provoke the people of the south as they were now losing the sympathy of the Tamil people. Speaking at a press conference held at the Parliamentary complex 1 December, Weerawansa said during the past few weeks the LTTE, through its proxies, the ITAK members in Parliament, had tried to provoke the people of the south by making inflammatory speeches in Parliament. In these speeches the ITAK had tried to give the impression that the JVP were behind the Trincomalee incidents.

He said the heroes day speech by LTTE leader Prabhakaran, calling for the resumption of peace talks based on the ISGA and the speech made by LTTE spokesman Anton Balasingham contradicted each other. Balasingham, the speech writer of the LTTE, had said in London that the ISGA was only a stepping stone to a separate state and the LTTE had put in place all the organizational structures for it. If the ISGA is conceded it would help the LTTE to

gain international recognition for a separate state, Wimal Weerawansa said.

Weerawansa said the LTTE was losing the sympathy of the European nations and as it was now necessary for them to regain that sympathy and that was their reason for attempting to provoke the people of the south to act in a violent manner against the Tamil people. He said the recent LTTE act of putting up posters bearing Prabhakaran's portrait at the Hilda Obeyesekere Hall at the Peradeniya University was an attempt to provoke the students, but the effort failed.

### ● Dhanapala for UN Secretary General

Sri Lanka has named Dr Jayantha Dhanapala, who once headed the UN Sub-Committee on Disarmament, as its candidate for the post of the United Nation's Secretary General. Making an announcement in Parliament, Foreign Minister, Lakshman Kadirgamar said as the next member to the UN top post was to be nominated from Asia, Dr Dhanapala stood a better chance to be elected as the next UN Secretary General. He said that the government has also decided to lobby for him among the Asian and other member countries of the UN to ensure his election.

Confirming the Sri Lankan government's decision to consult other governments on putting up Jayantha Dhanapala for the post, Kadirgamar said that it was indeed the turn of the Asian region to occupy that post. But he pointed out that Asia had sub-regions, some of which had not been represented before. While South East Asia had occupied that post before, South Asia had not, he pointed out. U Thant, the last Asian Secretary General, was from Burma (now known as Myanmar), which was a South East Asian country. This time too, there is a South East Asian candidate supported by the South East Asian association, ASEAN. And the candidate is the Foreign Minister of Thailand.

"The government of Sri Lanka is of the view that the principle of geographical rotation should apply both among regions and within regions. Thus, the sub-region of South Asia should have the opportunity of providing a candidate, as the last Asian Secretary General U Thant was a national of Burma in South East Asia. The acceptability of a Sri Lankan and Mr Dhanapala's credentials for the post are self-evident," Kadirgamar said.

Jayantha Dhanapala, one of the most experienced Sri Lankan diplomats, is currently Secretary General of the Secretariat for Coordinating the Peace Process (SCOPP) and Senior Advisor to the President of Sri Lanka, Chandrika Kumaratunga.

"Although Mr Dhanapala's name was mentioned in speculation for the post in 1996, the government at that time was aware that the African Group, having had only one term in the post since Mr Boutros Boutros Ghali was denied re-election to the customary second term, wanted another term for an African national. It was in our national interest not to challenge that widely-held view and Mr Dhanapala agreed with that position," Kadirgamar said.

### ● Military 'unprepared and ill-equipped'

Sri Lanka's armed forces substantially expanded their offensive capability after the ceasefire agreement with the Liberation Tigers was signed in February 2002, a book published by a senior United States military analyst says. The Sri Lanka Air Force (SLAF) has doubled its manpower and acquired twenty new aircraft, while the Army (SLA) has tripled its tanks and doubled its artillery firepower.

In a book titled "Sri Lanka's military: The Search For A Mission" published this year, Brian Blodgett, a career United States Army intelligence officer and an adjunct professor with the American Military, examines the historical evolution of Colombo's armed forces. "While peace negotiations were occurring, the SLA increased its armour, APCs (armoured personnel carriers) and artillery," Blodgett says.

"The SLAF bought 10 Mi-35s [export versions of the Mi-24

helicopter gunship] and 10 transports," he says. The SLAF has thereby "increased its attack helicopters to 24."

"The army nearly doubled its artillery, from 97 in 2001 to 187 in 2002," Blodgett writes. "The army increased its APCs by approximately 70 percent, from 158 to 204."

Furthermore, in 2001, shortly before signing the present ceasefire agreement with the LTTE in February, the Sri Lanka Army (SLA) purchased 40 new battle tanks in addition to the 25 (of which at least 18 were then operational) that it possessed.

"The air force remained at 10,000 airmen until 2002 when it nearly doubled its size to 19,300 airmen," Blodgett says. "The air force continues to have high recruitment since the majority of airmen never face combat." "In 2002, the SLA's [official] strength increased dramatically ... from 95,000] to approximately 118,000 soldiers," Blodgett says.

However, "it was impossible to determine the [SLA's] exact strength due to the large number of desertions," he adds. "Recruitment to the SLA is extremely difficult [and retention] is poor," Blodgett says, adding that some of the increased strength was due to returning deserters.

Sri Lanka's Navy, which began a major expansion shortly before the ceasefire, continued after negotiations began. "In 2001, the SLN increased its manpower by 80 percent to 18,000 sailors. By 2003, the navy had approximately 20,600 sailors," Blodgett says. Unlike the Army, the Navy "did not have any problems recruiting or retaining sailors" in this period, he adds. The naval expansion came because in 2000, the Sri Lanka government "decided the Navy needed to be the first line of defence against the LTTE."

The government believes "if the navy could stop the flow of weapons and ammunition to the LTTE, the army could defeat them," Blodgett says.

Meanwhile, "after losing Elephant Pass to the LTTE [in 2000] and having its subsequent [Agnie Khiela] offensive [in 2001] stopped after only 72 hours, the SLA decided that it needed additional firepower to defeat the LTTE," Blodgett says.

Perhaps in response to SLA officers' arguments that "jets are unnecessary because they are too fast and come from too far," the SLAF may be shifting its doctrine in favour of rotary wing instead of fixed wing close support, he says.

But "due to a dearth of pilots and limited training establishments [in Sri Lanka], most of the trainees are undergoing advanced flight training in India, Pakistan and Bangladesh."

As a consequence of the purchase of new equipment, "the SLA appears to be prepared to carry on the war against the LTTE," he feels.

But despite the military's expansions, Blodgett feels Sri Lanka is underprepared to engage the LTTE. The current ceasefire has "forced troops back to their barracks where they are losing their edge. Deserting is rampant throughout infantry units [which form] the largest percentage of SLA troops," he feels.

"The emergence of a more heavily armed LTTE at the start of this decade caught the SLA by surprise (once again) and it is likely that the LTTE is continuing with its training and equipping," he adds.

"[The present military] remains incapable of protecting the island from internal threat and is unprepared and ill-equipped for an external threat," he says. "The emergence of a more heavily armed LTTE with dedicated soldiers fighting for a clear objective proved that the military forces had met their match," Blodgett argues.

"[The army's] forces are incapable of defeating the LTTE with either conventional or unconventional tactics," he says further.

By contrast, "the military of the 1980s proved it could fight an unconventional war, and by wantonly killing anyone it perceived a threat, it could win a war," Blodgett says, in reference to the crushing of the Janatha Vimukthi Perumana insurgency.

### ● Madras HC rules in favour of Sethu. Canal

The Madras High Court last week ruled the proposed Sethusamudram Ship Canal should not be stalled for the sake of the environment. The Tamil Nadu judges had dismissed a public interest litigation that argued the project would result in environmental degradation and unemployment of fishermen, sources based in Chennai said.

The Indian government is to go ahead with the project, which envisages the deepening of the sea to connect the Gulf of Mannar to the Bay of Bengal through the Palk Straits to provide a continuous navigable sea route between the Indian east and west coasts within Indian territorial waters. The project is estimated to cost Rs. 20Bn (\$454M).

A detailed project report is expected to be submitted by the National Environment and

Engineering institute in the next few days and the environment ministry has already cleared the project. A special purpose outfit, called Sethusamudram Canal Corp, will be formed to raise finance and undertake the execution of the project.

The court decision came in the back ground of the Indian Government's promise of support to solve the issue in Sri Lanka's favor, sources pointed out.

During President Chandrika Kumaratunga's the most recent visit last month to India, she held extensive talks about the controversial project with the Indian Prime Minister Man Mohan Singh, who according to reports, said: "Any issue that may have adverse effects for Sri Lanka will be resolved in Sri Lanka's favour."

The Indian Prime Minister was quoted making his government's promise to keep Sri Lankan specialists fully informed of all aspects of the canal project, and assuring the Lankan delegation that "India would be willing to discuss any matter at any time."

Meanwhile, the environmental organization sources said that

Sri Lanka would soon be enlisted for the support of international environmental groups on a campaign against the Sethusamudram canal project. The International environmental watch dog, Greenpeace, which has fought many battles successfully against environmental degradation, has pledged join with those who oppose the project. The Rainbow Warrior, the flagship campaign vessel of Greenpeace has vowed to create public awareness on the destruction of marine biosphere, especially devastation likely to be caused in Gulf Mannar biosphere by the project, sources said.

### ● Indo-Lanka naval exercises

Two Indian advanced Offshore Patrol Vessels (OPVs) and maritime surveillance aircraft and an Indian built Chetak helicopter will join the Sri Lanka Navy to conduct a three-day joint naval exercise off the western coast early next week.

The Indian Coast Guard and the Sri Lanka Navy recently worked out the modalities for the joint exercise scheduled to get underway on December 14. Senior security officials did not rule out the possibility of the forthcoming exercise being a prelude to joint exercises between the Indian and Sri Lankan navies. Indian Coast Guard General Vice Admiral A. K. Singh is scheduled to visit Colombo during the exercises.

Navy headquarters said that Sri Lanka's largest warship Sayura, OPV Jayasagara, one Gunboat and two Fast Attack Craft (FACs) will take part in the exercises, the first of its kind involving Indo-Lanka naval units. The focus will be on anti-piracy, search and rescue and anti-pollution. The exercises get underway amidst intense opposition to the proposed Indo-Lanka Defence Agreement that would further strengthen existing military to military relations.

It is learnt that Pakistan too recently offered to conduct joint exercises with the Sri Lankan Navy. This was when two Pakistani warships, Tariq and Nasr were in Colombo on a four-day visit. □

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# Halting the drift to war

Jehan Perera

The danger in the present situation is the possibility of escalation that suddenly goes out of control of both sides and plunges the country into inadvertent war.

There is always the possibility that events in a particular location could take a turn for the worse, and lead to large scale violence. Such incidents were seen about two years ago in the east, when Muslims and Tamils clashed with large scale destruction of property and the creation of temporarily displaced populations.

On the other hand, there is also the possibility that a large number of small incidents that continuously take place in different parts of the country could lead to a pressure-cooker type of environment. This too could pave the way for a major eruption of violence.

Last week for the first time since the signing of the Ceasefire Agreement in February 2002 the highway connecting Jaffna to the rest of the country was closed to traffic. Taken together with incidents of violence that included the throwing of a grenade at a bus and civilian clashes with the Sri Lankan military and between rival ethnic communities, this suggested a serious situation of crisis. However, the closure was only for a day and it was not due to any clash between the Sri Lankan military or LTTE. Rather it was the deterioration in the general conditions on the ground in the north east that coincided with the LTTE's celebration of Heroes Day.

It appears that the LTTE has decided to mobilise the civilian population to put pressure on the status quo that continues to leave the government in control of almost all the population centres in the north east. It might be recalled that a few months after the signing of the Ceasefire Agreement in February 2002 the LTTE organised "Tamil Uprising" or Pongu Thamil celebrations that were severely critical of the Sri Lankan government, and in particular of the military. This created a confrontational situation and probably fizzled out because of lack of public enthusiasm. On this occasion there was a confrontational mood throughout the north east that focused around LTTE flag hoisting ceremonies. The Ceasefire Agreement

precludes such actions. But the LTTE and its supporters persisted with them resulting in confrontations with Sinhalese nationalists and, in some places, with the Sri Lankan military.

An LTTE organised hartal in Vavuniya stopped normal life in the area. This was to protest against the Sri Lankan military's alleged harassment of civilians and obstruction of some of the Heroes Day celebrations. The hartal in turn prevented the international monitors of the Sri Lanka Monitoring Mission from taking up their regular positions at the checkpoints on no-man's land. As the Ceasefire Agreement required the presence of international monitors, their absence led the Sri Lankan military to close their checkpoints to public traffic. The importance of the SLMM to safeguarding the benefits of the Ceasefire Agreement was highlighted by this incident. An important message that comes through is that what remains of the peace process hinges a great deal on the presence and commitment of the international monitors without whom even the A9 Highway will be closed.

Another message that should come through the deterioration of the ground situation in the danger of escalation. The rival flag hoisting ceremonies by the LTTE and Sinhalese nationalist groups constituted a tussle for symbolic dominance in the north east. During the years of war, LTTE and government forces battled each other for control of territory by military means. Ideally the peace process should have resolved the dispute peaceably through negotiations. But with peace talks suspended for nearly two years, there is increasing pressure on both sides to assert their dominance. The rival flag hoisting ceremonies could be seen as a proxy war, albeit without the violent use of military force.

The clashes pertaining to the flag hoisting received considerable attention due to their public nature. However, there is also another more deadly proxy war taking place. This pertains to the LTTE's targeted killings of military intelligence officers of the government in the north east and even outside. These killings and the killings of their political opponents

have been a recurring feature during the course of the war, and they did not stop with the ceasefire. They do considerable damage to the LTTE's international credibility and severely tarnish the idealism that the international community would prefer to identify with freedom struggles. Members of the international community, whether diplomats or journalists, who journey to the north east feel and report a climate of fear that revolves around the LTTE.

In a recent speech made in London on LTTE Heroes Day LTTE ideologue Dr Anton Balasingham complained that "We suspended the war and maintained peace because of pressure from the international community. They said they are prepared to give any amount of money to rebuild areas devastated by war. They told us to continue to have talks, restore normalcy and help the suffering people. So we agreed to it." But the international assistance has not been forthcoming on the scale envisaged.

If the LTTE is distressed as to why the international community has ceased to profess much sympathy for the Tamil cause and failing to fund the reconstruction of the LTTE-controlled areas, they have to look self critically at their own conduct.

However, in recent times the LTTE's killings are being matched to some extent by the killings of LTTE members by the breakaway Karuna group in the east. The LTTE has accused the Sri Lankan military of complicity in these attacks, a charge which the military has steadfastly denied. While conclusively proving complicity is a difficult matter, the breakdown of trust between the two sides is proving fatal to the peace process. Clearly the government should do everything to stop killings by whichever party. But there is a tit-for-tat element in the ongoing killings that would require mutual commitment if they are to end.

The danger in the present situation is the possibility of escalation that suddenly goes out of control of both sides and plunges the country into inadvertent war. There is always the possibility that events in a particular location could take a turn for the worse, and lead to large scale violence. Such incidents were seen about two years ago in the east, when Muslims and Tamils clashed with large scale destruction of property and the creation of temporarily displaced populations. On the other hand, there is also the possibility

that a large number of small incidents that continuously take place in different parts of the country could lead to a pressure-cooker type of environment. This too could pave the way for a major eruption of violence.

#### Political initiatives

Unfortunately at present the numerous incidents of violence and clashes taking place are not being counter balanced by positive initiatives taken at the political level. Two years ago when there were Muslim-Tamil clashes or navy-Sea Tiger clashes, there was the possibility of sorting out the problems at the highest political levels.

On one occasion when there was a serious clash at sea the government and LTTE delegations meeting for formal talks abroad took time off their deliberations to resolve that problem. But today there is no positive engagement at all between government and LTTE leaders. On the contrary, the two sides engage in rhetoric against the other.

Hardline statements are being made by LTTE spokespersons including ideologue Dr Anton Balasingham. They

have been saying that the LTTE is prepared for war, and that it has already achieved its separate state. It appears that the LTTE believes that the threat of war may move the government to deal more favourably with them. However, this is likely to be a mistaken assumption. The LTTE is only fuelling the doubts of the international community as to their commitment to the peace process and raising the fears of the Sinhalese population, giving credibility to the opponents of the peace process.

One of the most unfortunate consequences is the justification that the LTTE provides to the JVP to campaign among the Sinhalese people against the peace process. The JVP uses state resources to spread messages that will make a negotiated settlement of the ethnic conflict more difficult in the future. It is denouncing the LTTE's proposal for an Interim Self Governing Authority as a separate state. Although it is the second biggest constituent party in the governing coalition, the JVP continues to behave as if it were an opposition party.

It is reported that JVP-backed mobs in the east even stoned and threw bottles

at the Sri Lanka police who were trying to preserve order amidst the confusion caused by rival flag hoistings in the north-east. A mental climate is being created in which the people on both sides are being conditioned for a resumption of war.

On the other hand, most analysts continue to hold fast to the belief that a real fighting war is not in the interests of any of the main parties at the present time. If that is so, the government and LTTE need to make a concerted effort to ensure that the safeguards in the Ceasefire Agreement which stopped the war, and which continue to keep it at bay, are functional.

The chief amongst these safeguards would be the role of the international monitors and regular meetings between local level Sri Lankan military and LTTE leaders which are facilitated by the international monitors. The strengthening of these mechanisms would do much to prevent a drift towards an inadvertent war. It is therefore essential that the mechanisms for preventing a resumption of war in the Ceasefire Agreement should be strengthened as a first priority. □



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# Ominous Messages

Dr. S. Narapalasingam

November 2004 witnessed some ominous and confusing messages from Kilinochchi and Colombo that seemed to shatter any hope of even an interim settlement of the protracted conflict. Moreover, provocative actions and sporadic clashes between the LTTE supporters and opponents in some districts in the North-East especially during the week preceding the Heroes' Day November 27 cast doubt about the survival of the peace process. The disturbing incidents in parliament and the hostile exchanges in which some TNA parliamentarians were involved during the budget debate also indicated the change in the direction of the wind. Norwegian Foreign Minister Jan Petersen, who along with his Deputy Vidar Helgesen arrived in Sri Lanka on November 10, left the country the next day after meeting with President Chandrika Kumaratunga twice and the leadership of the LTTE with nothing accomplished. Although before his latest mission, the Minister said in Oslo that he was not going to Sri Lanka with high expectations but because of the need to keep engaging with the parties in the current difficult situation, there was some hope his mission would succeed in bringing both parties back to the negotiating table.

During her first meeting with Minister Jan Petersen on November 10, President Chandrika Kumaratunga underscored her government's total commitment to the peace process, the maintenance of the ceasefire agreement, and the early resumption of talks with the LTTE within an agreed framework. This was conveyed by the Minister to the LTTE leadership the next day at the Kilinochchi meeting. Norwegian Deputy Foreign Minister Vidar Helgesen, Special Envoy Erik Solheim and Ambassador to Sri Lanka Hans Brattskar were other members of the Norwegian team.

Earlier in the month, the Japanese peace envoy Yasushi Akashi failed in his bid to persuade both parties to resume the suspended peace talks. He left Sri Lanka on November 2 saying he was concerned about the lack of visible

progress in the peace process. The statements issued by the LTTE after the meeting the Norwegian team had with their leader Velupillai Prabhakaran in Kilinochchi and the brief tactful statement issued by the President's office after Minister Jan Petersen had briefed her on the meeting with the LTTE leadership emphasized the nature and the extent of the differences that separate both parties.

## Permanent vs interim

LTTE's vocal spokesman Anton Balasingham said after the meeting with the Norwegian team, contrary to expectations and speculations, the facilitators did not bring any special message from the President that may be classified as a 'breakthrough'. Though there was no special positive message, the facilitators did indicate that the President is of the opinion that the discussions on ISGA – Interim Self-Governing Authority – proposal, if that is to be the basis of the resumption of talks, should necessarily be an integral part of the final resolution.

He said the LTTE leadership is of the view that it is wrong to link the ISGA with the final resolution because the former is directly and solely intended to address urgent humanitarian needs and the devastation caused by the war, while the latter is a political process that necessarily entails longer period of time and necessary ground work in the existing constitution for which the southern polity is not yet ready.

Furthermore, Balasingham conveyed LTTE's unwillingness to talk about a permanent political solution when he said: "It is not possible to find a permanent solution under this government." LTTE's chief negotiator reiterated that there is no 'Oslo declaration' committing the Tigers to base the final political settlement on federalism. The twist has seriously dented the credibility of the chief negotiator and furthermore underscored the fact no one other than the reclusive LTTE leader in Vanni can decide on major issues. His uncompromising stand on Tamil Eelam

is well known to be his singular trait.

Statements such as the Tigers have already established a separate government and have asked for the ISGA simply to win the confidence of the international community would seem to undermine the reason given with apparent conviction that it is needed to meet the immediate needs of the suffering people! Besides, such contradictory statements give credence to the perception that the LTTE has a hidden agenda for achieving its final goal and not interested in negotiated political settlement.

## The message to the President

Following the meeting all the 22 TNA parliamentarians had with LTTE political wing leader S. P. Thamilselvan on November 16 in Kilinochchi, the gist of the message carried by the Norwegian facilitators to the President appeared in the local and foreign press. The LTTE leader has sought clarification on the President's stance on resumption of the peace process. He has also asked President Kumaratunga whether she is coming to the negotiation table as an individual with full executive powers or as the leader of an alliance representing the collective view of the coalition government. The LTTE wanted the coalition partners in the government to work out a common policy and speak with one voice. LTTE's firm decision to carry forward the peace talks based on the ISGA proposals was also reiterated.

According to some media reports, the LTTE leader Velupillai Prabhakaran is believed to have told the Norwegian facilitators that the Sri Lankan government should make a public statement about its stand on the agenda for the peace talks, and that he will not entertain any proposal which is from the Sri Lankan President only. The LTTE wants the United Peoples' Freedom Alliance (UPFA) government to take a unified stand on the peace process, the peace talks and the agenda for the talks, and then issue a formal public statement on its stand on these matters.

## President's response

Rejecting the comments made by the LTTE that there is no agreement within the Government on the resumption of peace talks, President Kumaratunga said: "The necessary

environment needed for the resumption of talks has now been created. The two major parties think as one on the resumption of peace negotiations. The policy of the Sri Lankan Government on the ethnic issue is the same whoever is at the helm of power." Accusing the LTTE of giving excuses for evading talks on final settlement, she said: "The most essential thing is that the LTTE should first come to the negotiating table. At present the LTTE is finding various excuses not to come for peace talks".

President Kumaratunga added, the LTTE had been changing its stance on resuming peace talks and were uninterested in getting to the table. She said the rebels had said there would be no point negotiating with her because her term was due to end soon. She responded to LTTE's stance: "You are dealing with a government, not an individual," adding, "they still don't know the difference between a government and a terrorist movement." She added: "We will definitely talk about the (Tiger's) proposal along with the government's own plan for power sharing within a federal framework". Not surprisingly, the LTTE ignored her end of November deadline to inform the Government whether it was ready to resume talks.

According to her, the JVP is also in agreement that there should be some form of power sharing. The claim that the JVP and the PA, the two major constituent parties in the government are in agreement on the approach to interim/final settlement is debatable. Besides, the persistent bickering between the leaders of the two main political parties, the SLFP and the UNP is another negative feature of the country's political landscape. This too is a major impediment to political stability and resolution of national problems, vital for securing real peace.

### The JVP and the UNP

JVP's media secretary and parliamentarian Wimal Weerawansa explained his party's stand on the controversial ISGA in London. He said: "Interim proposal means it should have to have some links with the final proposal. We are of the candid opinion that once the final solution is reached, then we can take action about the interim administration. We will introduce an acceptable interim administrative proposal and not the one that has been introduced by the Tamil Tigers." He also said: "The proposal put forward by the LTTE is an autoc-

ratic one, untested and purely meant for the LTTE." The UPFA government is reluctant to accept it as a basis for the talks for the very reason given by Wimal Weerawansa. It is a fact that the JVP is a powerful force in the South that can no longer be ignored in the resolution of national problems.

The Sunday Times (November 28) reported that the UNF leader and former prime minister Ranil Wickremesinghe has conveyed his party's decision not to support the government on the peace process to Norwegian Ambassador Hans Brattskar, Indian High Commissioner Nirupama Rao and the diplomatic community, pointing out instances where the government had tried to destabilise the UNF by weaning away its MPs to cross over to the Government side.. On November 18, UNF member Rohitha Bogollagama of the UNF joined the government and was sworn in as Minister of Advanced Technology and National Enterprise. Prior to this, the UPFA succeeded in luring three dissident SLMC MPs and winning the support of the UNF ally, the CWC, which has seven MPs.

The opposition party's complaint is not extra-ordinary, the complainant too had indulged in such acts when these were needed to weaken the rival party. This has been a characteristic feature of the power struggle ever since the UNP and the SLFP put political power as their chief aim over and above national interests. Instead of behaving like children who rush to their masters complaining some playmates are hurting them, the political leaders should behave in a statesman-like manner. Their behaviour is only making Sri Lanka look in the eyes of the world as a backward country, lacking capable leaders to govern the country well.

Until recently, the support given by the voters to either of the two main rival parties in the south at each general election was largely the result of the dissatisfaction with the performance of the ruling party. The result of the April 2004 elections should serve as a warning sign for both parties as to what is in store for them in future elections. Both are likely to be driven to political wilderness, unless they give up the self-centered confrontational politics.

### ISGA for humanitarian work?

The main reason given by the LTTE for institutionalising the ISGA ignoring the negotiations on final settlement is that there is urgent need to alleviate the

suffering of the people in the North-East, the lot most severely affected by the war. The LTTE leader reiterated this reason in his Heroes' Day speech. He said: "There are important reasons as to why we are insisting on the formation of an interim administrative set-up as early as possible. As a consequence of a brutal and protracted war our people are facing urgent existential needs and immense humanitarian problems. Hundreds of thousands of displaced Tamils continue to languish in refugee camps in appalling conditions. In the meantime, the donor governments have pledged a massive aid package for the relief and rehabilitation of the war affected people. Therefore, it is of critical necessity that an interim administrative mechanism should be instituted with adequate powers to undertake the task of providing relief and rehabilitation to the suffering Tamil population and to reconstruct the war devastated Tamil homeland."

True, the donors' Tokyo declaration urged both parties "to enter into discussions as early as possible on a provisional administrative structure to manage the reconstruction and development aspects of the transition process". But this was not without conditions or independent of the peace process whose aim is to reach a negotiated political settlement to the conflict. The declaration stated, "priority-setting and project implementation will take place with the Government working in partnership with the LTTE and with adequate safeguards for the interests of all communities". Regarding the discussions, it stated "the process would need the expeditious development of a roadmap with clear milestones indicating the path towards a mutually acceptable final political solution". Further, the intention of the donor community to review and monitor the peace process closely for disbursing the pledged funds was stated in the declaration.

Among the ten objectives and milestones listed for measuring progress is (d) - "parallel progress towards a final political settlement based on the principles of the Oslo Declaration". The discussions on 'provisional administrative arrangement' and 'final political settlement' are not unrelated. The ISGA proposals fail to meet these stipulations and it is not surprising the Government refuses to consider only the ISGA proposals in which it has no role in "priority-setting and project implementation".

It is ludicrous to think the donors



will release funds for reconstruction and development without satisfactory progress in moving towards a final settlement and without the joint collaboration of the Government and the LTTE in the interim administration. If the ISGA is set up unilaterally ignoring the Government, no donor country will provide the much needed funds to the ISGA for humanitarian work. Therefore, the current move by the LTTE seeking the institutionalization of the ISGA is a non-starter and it will only delay further the much needed humanitarian assistance to the people most affected by the war. Furthermore, the charge that the LTTE is exploiting the suffering of the Tamil people for achieving its political objective will gain strength.

#### Heroes' Day message

As anticipated there was nothing new regarding the political objective and policies of the LTTE in Prabhakaran's Heroes' Day speech delivered on 27 November 2004. What he said on that day confirmed the messages conveyed earlier by the LTTE spokespersons and TNA members. There was also a sense of frustration in the failure to compel the Government to accept the ISGA proposals as a basis for resuming the peace talks. It is the threatening language used that has worried many moderates as it belied the impression that the LTTE is committed to a peaceful settlement within a unified Sri Lanka. The strong language used implied that return to war was the only option if the Government did to submit to the LTTE position.

The LTTE leader in his speech asserted that the Tamil people could not continue to live in a political vacuum without an interim solution or a permanent settlement. "The Sinhala nation neither assimilates nor integrates our people to live in co-existence nor does it allow our people to secede and lead a separate existence. We cannot continue to live in the darkness of political uncertainty, without freedom, without emancipation, without any prospects for the future," he declared. The Tamils had never wanted to get assimilated into the Sinhalese community and were determined to maintain their distinct identity in a multi-ethnic society. Had they agreed to learn Sinhalese, embrace Buddhism and taken Sinhalese names, there would

not be any one now to speak about Tamil rights, let alone campaign for Tamil homeland!

He said: "Once the interim administrative authority is institutionalized and becomes functional we are prepared to engage in negotiations for a permanent settlement to the ethnic problem. That is our position. Our position is reasonable. We are advocating this position in relation to the actuality of the concrete conditions prevailing in the Tamil homeland. Nevertheless, President Kumaratunga is inviting us for talks on a permanent solution, advancing a position that even an interim administrative set-up should be worked out within the contours of a final settlement." The Tiger leader suggested that the President had taken this stand for different reasons in order to meet the exigencies in the South, and at the same time her Government was anxious to give the impression that it is committed to a negotiated final settlement, "by opting to talk on a most intractable and complex issue" which would prolong the peace negotiations indefinitely. However, unlike some other powerful political leaders in the South, the President appears to be fully committed to a negotiated final settlement and ready to put it into legal effect by changing the unitary Constitution. The negotiation process will, obviously, be difficult and prolonged, if the LTTE is not willing to accept the federal concept in the Oslo declaration.

The tilt from the language of peace to war is most unfortunate and worrying to many. The Government's initial response to the speech appeared be cautious. The press release issued by the Information Department observed that "a call couched in threatening language from the LTTE for a resumption of negotiations without conditions, while setting conditions itself by insisting unilaterally on a single agenda item is scarcely conducive to good faith negotiations. The Government of Sri Lanka has conveyed publicly, and through the kind facilitation of the Royal Norwegian Government, its readiness to discuss the establishment of an interim authority to meet the urgent humanitarian and development needs of the people of the North and East as a priority, while exploring a permanent settlement along the lines of the document signed and accepted by the Government and LTTE in Oslo

on December 5, 2002." It further stated: "The absence of direct negotiations since April 2003 is of no benefit to anyone and is unsustainable".

Referring to the present muddled situation in the South which is not at all helpful for any negotiated political settlement, the LTTE leader said: "The internal contradictions and the fundamental policy differences in the ruling alliance have become a stumbling block to the resumption of peace negotiations. There is no clear, coherent policy orientation, or a consensus approach within the political parties of the coalition government. Since she has aligned herself with political parties drenched in anti-Tamil racism, militarism and Sinhala-Buddhist hegemonism, the President cannot advance the peace process based on a coherent, consistent strategy and policy. This is the authentic political reality prevailing in southern Sri Lanka."

On the other hand, the LTTE's lack of interest in a constitutional settlement based on federalism cannot be affirmed when the two main political parties have not come up with an agreed consensus for settling what they themselves claim as the burning national issue. The LTTE has been gifted with one pretext after another to proceed along the path of secession and now it is the lack of consensus amongst the main parties in the South that has become most useful. Although the LTTE complains stridently about the anti-Tamil Sinhala-Buddhist hegemonic forces in the South, in reality these are extremely helpful to justify the LTTE's case for complete autonomy. Tamil nationalism, which is used to sustain the demand for Tamil homeland has also been bolstered by these forces in the South.

#### Catch 22

The move to convince the world that the South will not agree to a political settlement that entails granting equal political rights to the minority Tamils is evident from recent statements issued from Kilinochchi. These are meant to justify LTTE's uncompromising stand on the ISGA. As stated by the Government in its press release, the continuing deadlock is of no benefit to either the South or the North-East. But the LTTE is capable of using the resulting hardship to justify its

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separatist demand. This is a catch 22 situation. Unless some bold moves are made early to resolve the conflict peacefully, there is a real danger of the standoff turning into violent clashes between the antagonists. The path to the negotiation table and especially beyond has become increasingly rough by the unpleasant exchange of various allegations.

It is now up to the main parties in the South to demonstrate their willingness to adopt a federal system in which the North and East will have sufficient powers to administer without the interference of the central government. If such a system is put forward as the joint proposal of the southern polity, the international community will enthusiastically support it. As mentioned earlier, the LTTE leadership has challenged the Sinhalese political leaders to state unequivocally their common stand on the ethnic issue. Had this been done at the very beginning of the three-year no-war-no-peace period, the LTTE would have found it extremely difficult to put all the blame on the government for the political crisis and the continued suffering of the people. Preparing a constitutional framework helpful for conducting peace talks successfully should not have been difficult as considerable work has already been done since 1995 on changing the present unitary structure to union of regions.

There is a school of thought gaining ground in the South that the Government, as suggested by the main opposition party the UNF, should agree to resume talks on the basis of the ISGA proposals and suggest amendments to make the interim administration conforms to a federal structure. The LTTE has not stated that the Government must not suggest amendments to the ISGA proposals in order to deal with the existential needs of the people. Recently, the editorials in the mainstream English newspapers have also recommended this approach.

This approach does not negate the need for the southern parties to reach a consensus on a suitable federal model for Sri Lanka. In fact, the latter will demonstrate the keenness of the South to settle the burning national issue in a just and fair manner. It is very disappointing that the parties have not even met to discuss a constitutional framework based on the Oslo declaration, which the present government has also accepted as a basis for resolving the conflict. It seems nothing has been learnt from past blunders that have plunged the country into the current crisis. □

## Ex-Minister Dissanayake jailed for contempt of court

In one of the most sensational convictions of recent years, the Supreme Court on 7 December jailed former minister and strongman S.B. Dissanayake for two years with hard labour after finding him guilty of scandalising, ridiculing and trying to create public hostility against the highest court in the land.

The Supreme Court in one of its toughest judgments described Mr. Dissanayake's speech made in the southern town of Habaraduwa as a slanderous and abusive tirade.

Amidst tight security, including body checks, the Supreme Court Bench comprising Chief Justice Sarath N. Silva, Justices Shirani A. Bandaranayake, T.B. Weerasuriya, N.E. Dissanayake and Raja Fernando unanimously ruled that Mr. Dissanayake's speech at a ceremony in Habaraduwa in November last year had struck at the root of the determination of justice by the court by eroding public confidence and whipping up public opinion against the decision and process of the court.

Mr. Dissanayake had pleaded not guilty to the charge, claiming that the statement appearing in the chargesheet was a distorted version of what he had said. When his statement was read to him word by word Mr. Dissanayake had accepted it, except for two sentences.

A report published in the "Lankadeepa" of November 4, 2003 under the headline, "We will not accept whatever decision given by the Supreme Court" and a video cassette which contained the speech, had been brought to the notice of the Chief Justice.

The chargesheet against Mr. Dissanayake said the Chief Justice and other judges of the Supreme Court were of the view that the statements attributed to Mr. Dissanayake, amounted to contempt of the Supreme Court warranting proceedings to be brought against him in terms of Article 105(3) of the Constitution.

Article 105(3) says the Supreme Court and the Court of Appeal shall each be a superior court of record and shall have all the powers of such court including the power to punish for contempt of itself, whether committed in the court itself or elsewhere, with imprisonment or fine or both as the court may deem fit.

In its landmark judgment, the Su-

preme Court said, two inferences could be drawn from Mr. Dissanayake's tirade against the court. The first was that he sought to intimidate the court and more so at a time when the judges were in the process of deciding on the matter. Secondly, with his abusive and derogatory remarks aimed at the authority of the court, by alluding to the possibility of his being brought up on a charge of contempt of court he had undermined public confidence in a proceeding that was pending.

The SC said the glaring fact was that the speech was made by Mr. Dissanayake as a high ranking Cabinet Minister at an official function held in connection with a national event and he was fully and solely responsible for the wide coverage of the speech by the print and electronic media which served his intended purpose.

"It is not a mere political speech but a speech clearly intended to scandalize the court itself and to bring the decisions of the court into ridicule and contempt and he was set on a dangerous conflict course of whipping up public opinion hostile to this court," the court said.

It said the expression of regret months later, in a changed order of affairs, was of little significance and therefore the court had to necessarily bring home the result which he himself anticipated and find him guilty of the offence of contempt of court under Article 105(3) of the Constitution.

The court said it was clear that the severe admonition or warning had no impact on Mr. Dissanayake and that he appeared to have been emboldened by the lenience shown by the court on a previous occasion and directly confronted the authority of the court with a slanderous and abusive tirade with the objective of whipping up public opinion against the court.

There was a massive crowd at the Supreme Court premises in anticipation of the Judgement. Dissanayake attired in his usual national dress appeared in court accompanied by wife Tamara and several UNP Parliamentarians. Following the delivery of the Judgement, Dissanayake who was one time the Minister of Youth Affairs and Sports, Samurdhi, Agriculture and Livestock was held in a room in the Court complex by Police officers until the committal was signed. The Po-

lice later summoned the Prison authorities and handed over the convicted Dissanayake to prison officials. He was then removed to Welikada prison handcuffed under heavy escort.

Mr. Dissanayake is currently the National Organizer of the main opposition United National Party. He was earlier a close confidante of Sri Lanka's President Ms Chandrika Kumaratunge during the People Alliance regime and held ministerial portfolio under her. Later due to differences of opinion he left the PA and joined the UNP and became a minister in the United National Front (UNF) government when it was voted to power in the general election held in December 2001.

The jailed UNP parliamentarian S.B. Dissanayake writing to the Speaker from prison on 8 December said the judgment and the sentence against him were contrary to the basic tenets of all civilized systems of law and would not have been pronounced by any court in any democratic society.

In his letter to the Speaker, Mr. Dissanayake said, "I have been sentenced to two years' rigorous imprisonment for the offence of contempt of court in circumstances, which are certain to shock

the conscience of the civilized world. There are many discreditable aspects of this matter which I will reveal both to the public of this country and internationally in due course.

Meanwhile, I wish to bring to your notice that I am a political prisoner or a prisoner of conscience. I am doing hard labour in jail because of my political convictions and the courage which I have shown in expressing them in vigorous political activity on behalf of my party, of which I am the National Organizing Secretary.

I assert with total confidence that this judgment and sentence, directly contrary to the basic tenets of all civilized systems of law, would not have been pronounced by any court worthy of its name in any democratic society. I ask, as a duly elected representative of the people of the District of Nuwara Eliya, to be permitted to attend Parliament and to attend to my duties on behalf of my constituents as a Member of Parliament.

I would like to state specifically that I strongly object to the Opinion of the Attorney-General being sought in this matter. Such a course of action is clearly contrary to fundamental rules of fairness, since the Attorney-General, in his writ-

ten submissions to the Court, argued in favour of a deterrent sentence."

#### UNP to campaign

Sri Lanka's United National Party (UNP), said that it would launch national and international campaigns against the sentencing of its MP and former Minister, S. B. Dissanayake, who was jailed for contempt of court on Tuesday, 7 December. The UNP's campaign plans include an appeal for judicial review by the Supreme Court, island-wide street marches and demonstrations.

The Sri Lankan Supreme Court held that Mr. Dissanayake's comments at a public meeting on November 3, 2003, constituted contempt of court. In his speech, made when the UNP was in power, Mr. Dissanayake had referred to a move by the President, Chandrika Kumaratunga, to seek the Supreme Court's opinion on taking over the Defence Ministry.

The Supreme Court pointed out that Mr. Dissanayake had been reprimanded for a similar offence a few years ago, when he was a Minister in the previous Peoples' Alliance Government headed by Ms. Kumaratunga. □

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# Murder most foul

The news of the murder of a top High Court Judge and his bodyguard on 19 November was received with shock and disbelief both within and outside Sri Lanka. The fact that the killings were apparently linked to a high profile narcotics case in which the Judge was due to deliver the verdict soon sent shock waves throughout the judicial establishment. This was the first time in the country's history that a High Court Judge had been gunned down.

According to the Police, High Court Judge Sarath Ambepitiya and Inspector Upali Bandara of the Military Security Division were gunned down at the Judge's Sarana Mawatha residence near the BMICH by unidentified gunmen who had come in a Mazda Bongo van bearing number 252-0882. The assailants had fled in the same vehicle which was later found abandoned at Narahenpita near the the Police garage. Police found the bodies of both victims inside the Judge's car.

Chief Justice Sarath N. Silva who arrived at the scene said, Mr. Ambepitiya was hearing a high profile narcotics case in which the judgement was due to be delivered soon. Indicating that there might be a link between the case and the killings, the Chief Justice asked police to act fast to nab the assailants.

Police said according to eye witnesses' reports, the High Court Judge had returned home from courts around 3.15 pm and the bodyguard had parked the vehicle in front of the garage. The Judge had then alighted from the vehicle to get some files from the rear seat of his car. Just then, the assailants who came in the van had sprayed bullets at the two killing them on the spot. Mr. Ambepitiya who had celebrated his 58th birthday the previous day, had joined his wife and 13-year-old son to the Kelaniya temple to mark the event.

According to initial investigations, the three assailants had hired the van near the Elphinstone Theatre in Maradana. They had then gone to a Chinese Restaurant in Kynsey Road, had lunch after consuming liquor and later proceeded to the Borella junction from where they had purchased more bottles of liquor.

Then they had come to Sarana Mawatha and waited for the Judge's arrival. As the Judge reached his home at

3.15 pm, the gunmen opened fire with 9 mm pistols, police said.

Meanwhile, Mr. Ambepitiya's wailing wife said her husband had been receiving threatening telephone calls for some time and charged that the police guard had been withdrawn three days ago. Although her husband had received many death threats, his wife Vajira claimed that no Policemen were on duty for the last three days, except for Inspector Upali of the MSD who drove the car. She also alleged that Police had removed the log book soon after her husband was shot dead. But a senior police official attributed the withdrawal to a major manpower shortage in the police forcing them to curtail the number of personnel engaged in guarding individuals.

Meanwhile, President Chandrika Kumaratunga who condemned the killing of Mr. Ambepitiya has ordered a thorough investigation and ordered security blocks at all exit points of the City. She has also ordered the police to keep her informed of all developments in the investigation.

Colombo Chief Magistrate and Additional District Judge Sarojini Kusala Weerawardena yesterday commenced at the scene of the crime, the Magisterial Inquiry into the double murder and recorded several statements.

## A fearless Judge

Mr. Ambepitiya, widely known to be firm in his judgements had given tough sentences to convicted criminals. He presided over some of the most sensational cases at the High Court. Ambepitiya sentenced LTTE leader Velupillai Prabhakaran and his intelligence chief Pottu Amman to 200 years imprisonment for masterminding the Central Bank bomb blast which killed 96 people on January 31, 1996. The ruling created quite a stir as it was delivered while the second round of peace talks between the government and the LTTE was taking place in Thailand.

He presided over some of the most sensational cases at the High Court. Ambepitiya sentenced LTTE leader Velupillai Prabhakaran and his intelligence chief Pottu Amman to 200 years imprisonment for masterminding the Central Bank bomb blast which killed 96 people

on January 31, 1996.

The Chief Justice described Ambepitiya as "the most fearless judicial officer we had. His death is a great loss to the judiciary".

Irrespective of race, creed or public standing Mr Ambepitiya performed his duty true to his conscience and in keeping with the Law. Even members of his own fraternity, Attorneys-at-Law, have not been spared and some of them have got harsh sentences.

Mr Ambepitiya was President at the trial-at-bar which sentenced to death five accused (all Sinhalese) in the Bindunuwewa case, where 22 Tamil detainees were killed in a rehabilitation camp. The five accused included, three villagers, Inspector of Police Senaka Jayampathy Karunasena and Sub Inspector of Police Tyrone Roger Ratnayake who was later acquitted in an appeal. The 94-page judgment in the Bindunuwewa case observed that police officers who were in uniform and armed with weapons could have at least prevented or controlled the situation and by not doing so, they had aided and abetted in the crime. They were also sentenced to 23 years Rigorous Imprisonment on 12 counts which was expected to run concurrently in seven years.

Mr. Ambepitiya who started his career as a Magistrate, was said to be the senior most High Court Judge who was awaiting a promotion soon. In his last verdict given yesterday morning, Mr. Ambepitiya sentenced to life, a woman drug dealer from Wattala.

Judge Ambepitiya had been appointed Chairman of the Trial-at-Bar which was to commence on 22 November against several Army personnel accused in the Mirisuvil mass murder case.

"We will assure the nation as a whole that we will not be deterred in performing our duties by such cowardly and insidious acts of those who operate outside the boundaries of decency, humanity and compassion," said High Court Judges' Association Secretary Ms. Rohini Perera in response to the murder of a fellow High Court Judge.

The Colombo High Court Judge Ms. Rohini Perera said that the High Court Judges are shocked at the cruel and insensitive way in which the life of Justice Sarath Ambepitiya was lost in broad day light near his official residence. This is no doubt a mean and insidious way of threatening the Judiciary from performing their duties in the way they had al-

ways performed for the protection and security of the nation.

"It must be clearly stated that the judiciary can never be threatened in any shape or form whatsoever and are determined to maintain the high standard in the dispensation of Justice which we have always maintained without fear or favour or partiality," she said.

Judge Ms. Rohini Perera emphasised that the implementation of the death penalty as from yesterday, November 20, 2004, is no doubt a firm signal which President Chandrika Bandaranaike Kumaratunga using her Executive Power has sent to those who may in the future contemplate laying of rash hands on the ark of Justice. On behalf of the High Court Judges Ms. Rohini Perera extended the deepest sympathies to the family of the late Justice Sarath Ambepitiya.

### Breaking the backbone of criminal groups

Chief Justice Sarath N Silva in a statement at said the death of High Court Judge Sarath Ambepitiya has resulted from a breakdown in the judicial system of this country. He said the police must take immediate steps to enforce law and order, in order to safe guard the lives of

the judges as well as the dignity of the judiciary.

The Chief Justice pointed out to the need to amend the prevailing law regarding murder suspects. Earlier, the suspects had to be in remand till the trial was over whereas at present the suspects were granted bail before the conclusion of the trial, giving them an opportunity for committing more crime.

Attorney General K. C. Kamalasa-bayson P.C. said that the assassination of judge Sarath Ambepitiya was not merely a blow on the judicial system of this country but also an attack on civil society and the time has come for civil society to decide on a proper course of action.

Solicitor General C. R. De Silva P.C., said the killing of judge Ambepitiya was not just another murder but it was a big blow on the entire civil society. "On behalf of the civil society we have to act quickly against these types of crimes. There is no doubt that this was a crime committed by an organised group," said Mr De Silva. The Solicitor General said the police have a great responsibility in combating these crimes, but unfortunately when crimes take place the police look the other way.

ised groups, which are going around the country committing serious offences," said Mr De Silva. Mr De Silva lamented that in many occasions the legal system had failed to bring these offenders before the law adding that even in the few instances they were arrested, proper punishment was not imposed.

"My belief is that this death sentence should be imposed at least in selected cases including those convicted for murder. The failure to impose the death sentence since 1976 had contributed to the rise in the crime rate in this country", the Solicitor General said.

### A major breakthrough

A major breakthrough in the probe on the killing of High Court Judge Sarath Ambepitiya and his bodyguard was made on 25 November by a Special Police Unit when they arrested a drug king pin, a navy deserter and other suspects. The drug king pin was taken into custody in Hulftsdorp while the others were arrested in Kaduwela, Kelaniya and other suburbs, detectives said.

The drug king pin who had allegedly contracted the killing of Colombo High Court Judge has been identified as Mohamed Naufer alias "Kudu Naufer". It is alleged that the drug dealer had given the contract to the deserter who in turn went with a gang of his own to kill the Judge and his body guard R.A. Upali.

Detectives said the arrests were made after one of the most intensive police operations in recent years in the aftermath of the Judge's slaying which sent shock waves across the country. The breakthrough was made amid persistent criticism and allegations that police negligence or failure to provide adequate security to the judge had left room for the killing.

The investigators had recorded statements of over 50 persons including the driver of the hired vehicle in which the assailants were alleged to have been travelling. The special police teams also recorded a statement from Pichchi Mari Theresa of Wattala on a court order. Theresa was sentenced to life imprisonment by Ambepitiya on November 19 when she was found guilty to the charges of possessing heroin.

Colombo Judicial Medical Officer Dr. L. B. L. de Alwis who performed the autopsy said he found six bullet wounds on Ambepitiya's body. Five bullet marks were found on Upali's body.

Crimes and Criminal Intelligence and

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"This was not the correct attitude in eradicating crimes in this country," said Mr De Silva adding that there were serious offences committed by the organised groups over the last few years such as the Rita John rape and murder, the mass murder of an entire family at Hokersara.

"Without breaking the backbone of these organised groups, the crime rate could not be reduced. There are about 150 leaders of these organised groups who are armed with automatic weapons. They should be arrested immediately. The law enforcing institutions should take serious action against these organ-

Narcotics DIG Jayantha Wickremaratne and Colombo DIG Sirisena Herath are investigating with the five special police teams led by Colombo Crimes Division Director Senior SP Sarath Lugoda.

### A revenge killing

The alleged mastermind in the slaying of Colombo High Court Judge Sarath Ambepitiya had vowed revenge against the judge for sending him to remand for threatening a prosecution witness in a murder case where he (the mastermind) was the accused. Police said the principal suspect was a resident of Maligawatte. Police described him as a narcotics trafficker who had sworn revenge on the High Court judge for having him remanded in a previous case. The suspect who had been consigned to three months in remand by Judge Ambepitiya had made it known he would kill the judge upon his release. He was arrested at Hultsdorp, one of his haunts. Six other suspects have also been arrested. The two other suspects were arrested at Kelaniya and Kaduwela.

The prime suspect in custody had reportedly become livid when it transpired that the driver of the vehicle hired to carry out the assassination was left behind by the killers at the scene. According to investigators the alleged mastermind in a cellular telephone call with the assassins had flown into a rage and severely berated them for leaving the driver of the hired van behind instead of taking him, too, along with them. "Why did you leave him behind at the scene without taking him also with you," the mastermind had screamed at the gunmen over the phone.

Detectives were able to listen into the telephone conversation as a result of one hiring car driver being in possession of the mastermind's and chief contract killer's cellular telephone numbers through which they had booked the taxi through its office. This resulted in a total nine cellular telephones being traced and the conversation being listened into by the detectives that helped to trace and arrest the suspect.

The details of the tele conversation came to light following indepth investigations carried out by five special police teams acting under the directions of IGP Chandra Fernando assisted by Colombo Crime Division Director Senior SP Sarath

Lugoda.

Investigations also revealed that the alleged mastermind is an accused in a murder case pending before Colombo High Court Judge Sarath Ambepitiya.

The main prosecution witness in this murder case had been threatened by the mastermind (the murder accused) not to give evidence against him and if he does so he would be killed. The prosecution witness through the State Counsel in the murder case had brought to the notice of Judge Ambepitiya about the threat to him from the accused. Later after evidence being led in connection with this threat the kingpin, murder accused, had been remanded for three months by the Judge Ambepitiya. On this occasion the mastermind had alleged to have said that when he came out of remand that he will take revenge from the Judge Ambepitiya.

The five special police teams had recovered one galkatas, one .9mm pistol and three .38 mm revolvers from the possession of the suspects now in custody. The weapons were believed to have been hidden in a television set.

### Naufer's cop connection

Officers of the Colombo Crimes Division (CCD) had stumbled over a diary belonging to the suspected mastermind behind the Judge's murder, Mohamed Naufer, during the raid on his house. He had jotted some telephone numbers of senior Police officers. When CCD Director Sarath Lugoda had interrogated Naufer as to why he had noted down the telephone numbers of senior Police officers, Naufer had told Lugoda that his life was in danger from rival gangs and telephone numbers were noted to inform those officers in case of an emergency, CCD sources said. However, the Police was conducting a separate investigation to ascertain whether those police officers really benefited from Naufer.

The National Police Commission (NCP) plans to take tough disciplinary action against police officers if found that they were on the payroll of drug king pin Mohamed Naufer. The NCP Chairman, Ranjith Abeyseriya told the press that the NCP has no option but to deal severely with such officers if the allegations were proved.

However, the Inspector General of Police (IGP) addressing a press briefing on 27 November emphasised that there

was no truth in claims that several senior officers including a deputy inspector general were on the payroll of a key suspect arrested in connection with the assassination. He also insisted that there was no evidence to link a ruling party deputy minister with the person described as an influential drug dealer as has been reported in the media.

The IGP also confirmed that Police investigations had revealed that the drug kingpin who allegedly contracted the killing of High Court Judge was due to be sentenced in an attempted murder case by the judge within the next few days before the killing took place. The drug dealer identified as Niyaz Naufer, who was also charged for two other drug trafficking cases, was on bail at the time of the assassination of the judge on November 19.

### Killers identified

Two gunmen who fired at Colombo High Court Judge Sarath Ambepitiya and his Police bodyguard killing them on the spot were identified at an identification parade held by Colombo Additional Magistrate Priyantha Silva at the Colombo Chief Magistrate's Court premises on 29 November.

Two other suspects who were alleged to have assisted the two gunmen were also identified by the prosecution witnesses at the identification parade. The two gunmen identified at the parade are Nishantha Udayakumara of Malabe and Sampath Thusara Wijewardena of Matara. The other suspects are Sujith Rohana Rupasinghe, Suminda Nishatha and Lasantha Kumara.

The suspects were later produced before the Colombo Chief Magistrate and Additional District Judge Ms. Sarojini Kusala Weerawardena and remanded till December 10.

Judge Weerawardena directed the Colombo Crime Division Acting Director ASP J.R. Jayawardena to produce the main suspect Mohamed Naufer on December 2.

ASP Jayawardena told court that the main suspect Naufer was detained under a court order pending the completion of investigations in connection with several narcotics trafficking by the Police Narcotics Bureau. The Judge allowed an application by ASP Jayawardena to obtain the blood sample of one of the sus-

pects to be sent to Dr. Maiya Gunasekera for a comprehensive report.

Court also allowed an application by the Police to send the 15 productions, including five weapons, several live bullets, spent bullets found at the scene of the incident and several blood samples recovered during their investigations to the Government Analyst for a report.

Tight security provided by the STF and police prevailed in and around the Colombo Chief Magistrate's court when the suspects were brought.

#### Naufer remanded

Suspected drug kingpin Mohamed Niyaz Naufer alias Potta Naufer - the alleged mastermind behind the killing of High Court Judge Sarath Ambepitiya - was produced before the Colombo Chief Magistrate on 2 December and remanded till December 10 at the Kalutara prison, though he claimed he would face a threat to his life there.

The notorious suspect who has been detained since last week covered his face with a handkerchief as he was brought to the heavily-guarded court in a police jeep.

When the case was taken up before Chief Magistrate Sarojini Kusala Weerawardene, top officers of the Colombo crimes division who had arrested and detained the suspect said investigations were continuing and they asked that he be remanded in Kalutara as he was known to have friends or accomplices in the Welikada and Magazine prisons.

They said it would be a risk to keep him there as he might be able to intimidate or threaten witnesses.

ASP J.R. Jayawardene, Inspector Nuwan Wedisinghe and Sub inspector R.M.A. Rajapakse said there was evidence that Potta Naufer had masterminded the November 19 slaying of the High Court Judge and supplied the gunmen with weapons for the killing. They said there was evidence of how the alleged mastermind had worked out the plot with the four other suspects who were produced in Court and remanded the previous Monday. The CCD detectives told court there was evidence that the suspected drug kingpin was also the mastermind behind the recent killing of Western Provincial Councillor Namal Gunawardene.

Hitting back at the police, Potta Naufer told court he was being ill treated by the police and wanted to make a statement. The suspect who resides in Hulftsdorp charged that the police had come to his house twice and had smashed up things because he had made a complaint against them and they had a grudge against him.

He claimed the police had forced the other four suspects to say he masterminded the killing of the judge. The suspect said he was kept in a store room for two days and did

not wish to go to the Kalutara prison as he would face a threat to his life.

He said he would go to any prison except Kalutara, but the Chief Magistrate responded that she also had to consider the threat faced by witness in this case.

The magistrate told the suspect he could make a full statement on December 10 and ordered that his palm and finger prints be taken.

No lawyer appeared for the suspect amid a controversy over a recent statement by the President of the Bar Association of Sri Lanka regarding legal representation for suspects in this case.

The Hong Kong-based Asian Human Rights Commission (AHRC) condemned the Lanka Bar Association for allegedly instructing lawyers not to appear for the murder suspects.

It referred to several newspaper reports that Ikram Mohamed, President of the Bar Association, allegedly said that although every suspect has the right to retain a lawyer under Supreme Court regulations, lawyers must take a personal stand on this particular case as the murder of Justice Ambepitiya was an attack on the judiciary.

"We cannot ask a lawyer not to appear, but they have a personal duty and every lawyer should take up a personal stand," he reportedly said.

This position is both irresponsible and unprofessional, the AHRC said in response. "It amounts to a call to deny the basic right of citizens to a fair trial. The Asian Human Rights Commission strongly condemns any statement that denies, either explicitly or by inference, the right to fair trial of any person. The right of representation does not derive from Supreme Court regulations, but from universal norms," the Commission went on to say.

"It is a very strange position for an organization representing the lawyers of Sri Lanka to propose that citizens should be denied this right. It is the same as if a medical association proposed denying treatment to a patient or group of patients on the grounds of a perceived slight against their profession. Such a stand is nothing short of barbaric. To deny fair trial to the accused will in fact be an insult to a courageous man who held the scales of justice at some of the most difficult times in Sri Lankan history," AHRC said. □

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# Return of capital punishment

Dec 5 - The return of capital punishment is back again on the agenda in Sri Lanka. The assassination of a Sri Lankan judge two weeks ago and many high profile murders in which notorious underworld figures have put pressure on President Chandrika Kumaratunga to consider signing death warrants and start hanging death-row inmates for the first time in 28 years.

The murder of High Court Judge Sarath Ambepitiya rocked the island and saw lawyers and judges demanding that existing death penalty convictions be carried out as a message to deter violent crime.

The government responded by announcing the "death penalty will be effective from (November 20) for rape, murder and narcotics dealings." But similar declarations had been made on four previous occasions since 1999 by successive governments as a vote-catching exercise and political observers expect the same this time.

Although executions have not been carried out since 1976, Sri Lankan courts have continued to hand down death sentences with the public supporting the ultimate penalty because of rising crime. Official figures show there have been nearly 800 murders in the past seven months in this country of 19 million people.

Kumaratunga went on national television recently saying she was personally against bringing back capital punishment, but felt people wanted it restored. "I don't believe in taking a life for a life," Kumaratunga said. I "don't want to sign the death warrant of anyone... but a vast majority of people in this country want it." The President has not specifically said she will sign any pending death warrants.

Government spokesman Mangala Samaraweera, who is also Minister for Ports, Information and Media, said three men convicted for murdering a customs officer may be the first to be hanged if the president decides to resume executions. "A vast majority of people feel that the death penalty should be brought back," Samaraweera said adding that the three men's death penalty conviction was upheld by the Supreme Court recently and that they would "probably" hang.

The country's two gallows have been

gathering dust since the last execution. Prison authorities say that if the death warrants are signed, however, they can begin executions quickly. "We have a hangman, but he has not been doing any work," said Prison Commissioner-General Romy Marzook. "If the government wants us to start, we can be ready very quickly. We need to get two sets of rope for the two gallows."

He said there were 49 convicts on death row. Another 152 condemned prisoners are appealing their convictions while remaining hopeful that the death sentences would be commuted to a life term in jail.

Police Inspector General Chandra Fernando said he was worried about the increase in the brutality of crime. "The crime rate itself is fluctuating from year to year, but what I am more concerned about is the increasing brutality. We lack men and resources to deal with this problem."

## Amnesty

International rights group Amnesty International has asked the Colombo government to keep the death penalty moratorium in place. The Amnesty International on Wednesday (24) expressed concern over the government's decision to reactivate the death penalty in response to the recent assassination of Colombo High Court Judge Sarath Ambepitiya.

Referring to the Presidential Secretariat statement (issued on Saturday) that the death penalty will be effective immediately for rape, murder and narcotic cases, the London headquartered human rights watchdog said, "We are gravely concerned at the recent announcement. The group has urged the government to rescind the decision and "search for other solutions to address criminality."

"The death penalty is a violation of the right to life and is the ultimate cruel, inhuman and degrading punishment," it said, adding, "We recognise that Sri Lanka for some time been facing an increase in serious crime and the state must respond to this. But there is no proof that death penalty is a more effective deterrent to crime than imprisonment."

The Amnesty International said that given the significant failings within the Sri Lankan justice system including frequent reports of torture in custody to

extract confessions, the chances of innocent people being executed are high.

The group said that President Chandrika Kumaratunga in June 2002 promised them that she would "continue practice of automatically all death sentences that come before her." It also claimed that they proposed the appointment of a commission or a similar body in 1999 to study the apparent rise in incidents of violence and make recommendations without resuming judicial executions. The then Justice Minister in June 2001 (G. L. Peiris) indicated his interest in the proposal but subsequently the same proposal was made to the then Premier (Ranil Wickremesinghe) and Interior Minister (John Amaratunga) but there was no response from them.

Sri Lanka's Human Rights Commission (HRC) has criticised moves by the Government to reinstate the death penalty and stated that the death penalty would not contribute to lessening the crime rate.

Secretary, HRC, D.H. Siriwardene said that the Commission "categorically disapproves of the measures taken to reinstate the death penalty as, such a step would be against human rights and the Commission would strongly advise officials against its re-implementation."

He recalled that the HRC had written to the President, Prime Minister and Speaker early last year, voicing the Commission's objections and, that they would continue to stand by their earlier stance. He stated that the HRC was dedicated to the establishment of human rights and as such, would not advocate the death penalty but, rather the authorities should look to "establishing rule of law".

"Despite the popular belief that, reinstating the death penalty would lower the escalating crime rate, statistics show that countries, including the USA, have seen a rise in crimes, since introducing the death penalty. The death penalty alone is not sufficient to control crime. We must address the core issues in society that, cause people to descend to committing crimes that, deserve the death penalty."

Mr. Siriwardene pointed out that the Judicial system, including the courts, the Attorney General, lawyers, police and the prison system, should be made more efficient. He said that the Human Rights Commission would be appointing a fact-finding mission of lawyers and judges to conduct a nine-month evaluation of the Judicial system and make recommendations to the Government on Judicial reforms. □

### ● Court refuses withdrawal of torture cases against police

The Supreme Court of Sri Lanka on 18 November declined the application seeking to withdraw two fundamental rights violation cases filed by alleged victims of police torture.

Instead, the Bench comprising Justices Shirani A. Bandaranayake, N.E.Dissanayake and Raja Fernando directed the Registrar to send notices on respondent police officers informing them that this matter would be mentioned in court on January 19 next year.

Counsel B.N. Thamboo appearing for the torture victim petitioners Ajith Indika and W.P.Somasiri of Tissamaharamaya by motions informed court that the petitioners had informed him that these matters had been amicably settled and he moved to withdraw these applications.

Considering the materials filed before court including photographs as well as the Medico Legal Reports where the Judicial Medical Officer had stated the injuries suffered by the petitioners were compatible with the history given by them, the Supreme Court was not inclined to allow the petitioners to withdraw their cases.

The court directed the petitioners as well as the respondent police officers to be present in court on January 19 and listed the matter to be taken before the same Bench.

The court has already granted leave to proceed with the fundamental rights violation petitions for the alleged infringement of their rights guaranteed under Article 11 (freedom from torture) and Article 13(1) (freedom from arbitrary arrest) of the Constitution.

Headquarters Inspector Desha Bandu, Inspector Krishantha, Sergeant Dharshana, Constables Lal and Kapila all of Tissamaharama Police Station as well as the IGP and the Attorney General were cited as respondents.

Petitioners said that they were arrested on May 31 this year at 12.15 a.m. while they were sleeping and taken to the nearby river where illicit arrack was distilled.

They alleged that they were stripped nude and assaulted and burnt

## Focus on Rights

with burning firewood near their private parts.

### ● Expressway challenged before UN HRC

A communication under the first optional protocol to the International Covenant of Civil and Political Rights has been filed against the Sri Lanka government before the Office of the High Commissioner for Human Rights, Geneva a press release by the Public Interest Law Foundation (Sri Lanka) said on 23 November.

Forty villagers from Akmeemana have challenged the route alterations to the Southern Expressway. The communication was filed with the assistance of the Public Interest Law Foundation (Sri Lanka) and the International Public Interest Defenders (Geneva).

It seeks, inter-alia "to test whether the right to life enshrined in the ICCPR covenant includes a right to a healthy environment. For this purpose, the communication relies on numerous South Asian and regional human rights decisions. It also alleges that the international lending institutions funding the project such as the Asian Development Bank (ADB) and the Japan Bank for International Cooperation (JBIC) have acted in consort with Sri Lankan State agencies to violate the human rights of the villagers," the release said.

The case arises out of the Colombo-Matara Expressway that will permanently displace over 1000 persons. After an Environmental Impact Assessment had been done for the expressway and approval granted for an identified route, the Road Development Authority altered the route in two places, Akmeemana and Gelanigama. The villagers in these two villages challenged the route alterations, arguing that the alterations required

fresh approval after a supplementary EIA and public hearings.

The release explained that the case went all the way to the Sri Lankan Supreme Court, which held that the alterations were illegal and that fresh approval was required. However, the court, in a surprise decision, decided that the illegality amounted to human rights violations of equality under the Sri Lankan Constitution and granted compensation to the victims.

"The victims are now arguing before the UN HRC that the Sri Lankan Supreme Court, had no option but to enjoin the project, when it found that the law had been violated and their human right to equality infringed. Since the victims are still on their lands and in possession of their homes, they argue that the Sri Lanka Supreme Court decided wrongly to give relief in compensation when it should have enjoined the route alterations."

"The victims in the communication have also asked for interim relief to stay the project until the UN HRC hears and disposes of the communication. The UN HRC will have to decide if the communication is admissible under the first optional protocol and will call upon the Sri Lankan government to respond to the various allegations," the release said.

### ● Slain in attempt to derail justice

The following is a statement issued by the Asian Human Rights Commission (AHRC) in respect of Gerald Perera, courageous worker who fought for his rights, and was slain in attempt to derail justice taking its normal course:

"The Asian Human Rights Commission (AHRC) announces with great shock and sadness that Gerald Mervin Perera, who was due to give evidence in court against seven police officers accused of torture, passed away at around 1 pm local time on November 24, 2004, at the Colombo General Hospital Sri Lanka.

He had been in a critical condition since he was shot on November 21. He leaves behind a wife and three children, the youngest of whom is eight-months' old.

This is the first time that a torture victim pursuing a complaint before the

courts in Sri Lanka has been shot dead at the instigation of the perpetrators of torture.

The injuries caused to Gerald Perera after torture by officers of the Wattala Police in June 2002 were so serious that he was in a coma for over two weeks. But Gerald was a courageous citizen who stood up for his rights despite his suffering.

He took a fundamental rights case to the Supreme Court of Sri Lanka, which held in his favour on 4 April 2003 and awarded a record compensation payment. The criminal case in the Negombo High Court, where he was to appear on December 2, was the next step.

The responsibility for filing criminal charges over torture in Sri Lanka lies with the Department of the Attorney General. The department will only take this step when it is satisfied that there is sufficient evidence to obtain a conviction.

However, although the state files the cases, it does not have any agency to take responsibility for the security of witnesses. Today the whole government apparatus stands as an accused party to this murder by reason of this failing.

The AHRC points to the numerous appeals made to the Inspector General of Police and the Attorney General in particular to provide security for complainants in trials initiated by the state which have come to nought.

The AHRC utterly condemns both the brutal torture and the subsequent murder of this innocent man. The killing of a torture victim speaks to how the rule of law in Sri Lanka has totally collapsed, and how discipline in the police force has degenerated to the extent that some officers have become nothing better than the planners and instigators of homicide.

Over the last ten years, the AHRC has repeatedly voiced concerns over the exceptional collapse of the rule of law in Sri Lanka. It is now a place

where ordinary citizens lack even the most rudimentary security. The AHRC has again warned government agencies of the dangerous situation prevailing in the country.

The judicial process is also mired in a deep crisis. A high court judge was killed two days before Gerald Perera was shot, several investigators belonging to customs authorities, the auditor general's department and other agencies have also been seriously attacked.

Judges, complainants and investigators are all under severe threat from criminal elements with strong links to police officers.

It is often said that the cause of the increase in crime in Sri Lanka is the underworld. On the occasion of this barbaric killing, the AHRC categorically states that the primary reason relates to these links between police officers and criminal elements, which the authorities have not made any serious effort at breaking.

We have been reliably informed that Gerald Perera's wife and other family members are now scared for their lives. They live in mortal fear because they see that law-enforcement officers have set murders onto them. Even the noise of a vehicle outside is said to cause the whole family to run and hide under a bed.

We call upon the Government of Sri Lanka to provide protection to Gerald Perera's family and to enable his funeral rites to be performed in an atmosphere of peace.

Although we are aware that the local community has also been chilled by dread, we urge all friends and neighbours to rally around so that the family can perform their funerary obligations.

We call upon the Government of Sri Lanka to take all steps necessary to investigate thoroughly this murder, which has been done under the cover of state protection. In particular the authorities must answer as to how officers facing criminal charges

of torture since 2003 could still have been at their posts. These men have used the opportunity given by their official positions to plan and implement this killing.

We call upon all people of goodwill in the country to rise up and defend their basic freedoms even now, when the space to fight is very limited. Sri Lanka may be heading towards a major catastrophe characterised by lawlessness and a lack of basic security that only extremely urgent action can avert.

We salute an innocent person who dared to assert his rights. We express our deepest sympathies to his family member, we call upon everyone to rally around and support them now."

#### ● Compensation order ignored

The slain police torture victim Gerard Mervyn Perera has not been paid his medical compensation which the Police Department was ordered to pay by the Supreme Court in a fundamental rights violation case, a superior court official said. Gerard Mervyn Perera had come to court even a few days before his killing by an unidentified gunman to get his claim, Supreme Court registrar Bandula K. Atapattu said.

Mr. Perera was ordered to be paid Rs. 854,871.13 as medical expenses by the state (the Police Department) in addition to Rs. 800,000 which he was paid following the order on April 4 last year.

The payment which was due to be made before January 30 this year according to the Supreme Court order had not been made despite several reminders. Police Headquarters however had claimed that the change of IGP and other factors had delayed the payment, the registrar said.

The victim Mr. Perera had requested the payment soon as he had been pressured by Nawaloka hospital where he was treated after the inhuman torture. Later the Supreme

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Court Bench comprising Justices Mark Fernando, P. Edussuriya and C. V. Wigneswaran had ordered that the payment be made to Mr. Perera within a month.

The victim had filed the fundamental rights application claiming that he was arrested and inhumanly tortured on a mistaken identity by the policemen attached to the Wattala station. He had been later released.

Following the fundamental rights petition filed by Gerard Perera, the three judge bench of the Supreme Court unanimously held that Mr. Perera's fundamental rights were violated and he was awarded Rs. 800,000 as compensation and costs on April 4 last year.

The court ordered that Rs 650,000 be paid by the state and Rs. 150,000 personally by the policemen attached to the Wattala station who had allegedly assaulted Gerard Perera. Additionally he was also awarded Rs. 854,871.13 as medical compensation to be paid by the state.

The Supreme Court had sent several letters to the Legal Director of

Police Headquarters requesting him to make the payment to the petitioner.

Mr. Perera died last Wednesday at the Intensive Care Unit of the National hospital following an attack by an unidentified assailant at close range while he was travelling to work in a bus at Wattala. Mr. Perera was to give evidence on December 2 in a torture case against the police officers who had tortured him.

The case against Inspectors Sena Suraweera and Kosala Navaratne, Sub Inspectors Suraj Gunasena, Weerasinghe and Renuka and constables Nalin Jayasinghe and Perera were filed by the Attorney General. Some of these police officers had paid Rs. 150,000 to Mr. Perera on the fundamental rights violation case filed by him.

Meanwhile CID sleuths have obtained statements from a Wattala Pradeshiya Sabha member and several others over the killing of Mr. Perera.

CID sources said the PS member had reportedly attempted to mediate on behalf of the policemen who faced

torture charges in a case pending at the Negombo High Court.

Police are reported to be tracing the source of several threatening calls received by the victim prior to his killing and will also be questioning the policemen.

#### ● Death penalty will brutalize social fabric

In a press release the Human Rights Commission of Sri Lanka said it was deeply concerned about the rule of law in Sri Lanka. The killing of Judge Sarath Ambepitiya, the murder of torture victim Gerald

Mervin Perera, the impunity with which criminal acts continue without accountability, is a serious cause of concern.

To respond to this crisis of the justice system, the Commission proposes to set up a high level fact-finding commission on the rule of law to ascertain the situation and to come up with recommendations on necessary reforms to ensure that the rule of law prevails, that those who commit terrible crimes are punished and held accountable, and that the highest standards are maintained in the justice system. The Commission hopes to present these recommendations to government and lobby for their enactment.

In the press release the Commission also said that it recognizes that hasty responses to the crisis in the rule of law may not adequately meet the needs of society. The Human Rights Commission wrote to the previous government expressing its concern about the re-imposition of the death penalty. The Commission further said, "We feel that such a re-imposition violates the spirit of our international human rights obligations and will further brutalize the social fabric. We are also aware that there is no convincing evidence that the death penalty deters crime. The countries with the highest crime rates are also the countries with the death penalty. We feel the enactment of the death penalty will only contribute to the cycle of violence and the perpetration of a culture of violence.

In this context, we feel what is needed is to strengthen the institutions of justice so that crimes are prevented, investigated and punished effectively. Only a strong criminal justice system can ensure that perpetrators are apprehended and given a term of punishment consonant with their crimes. The Human Rights Commission is of the view that we should all work together to strengthen the justice system and enact measures that will enforce the rule of law."

#### ● Businessman compensated for police torture

The Supreme Court comprising  
(continued on next page)

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# A generation of sleep-walkers

Ajith Samaranayake

It was D.B.S. Jeyaraj, now long domiciled in Canada, who during the palmy eighties when we were both in the shelter of 'The Island' reminded me that both of us belonged to 'Prabhakaran's generation.' Jeyaraj was born in March 1954, I in August and Prabhakaran in November.

The choice of Prabhakaran to represent the 1954 born was not entirely because Jeyaraj himself was a Tamil. For good or ill Velupillai Prabhakaran after all was the man who had changed the contours of the country into which we had been born 50 years ago, a different time and even a different country as the late Mervyn de Silva was fond of saying.

## Common memories

What common memories, what common formative experience could a Sinhala child and a Tamil child born in 1954 find that would bind them in

communion? Such a prospect was receding steadily because in many senses 1954 was a watershed year. In two years it would be 1956, the year of Sinhala Only and the beginning of Tamil embitterment.

Two years later would come 1958, the first major communal conflagration which compounded by the supervening years has brought the country to its present impasse.

If popular legend is to be believed the burning alive of a Hindu priest in a kovil in Panadura during the communal riots of 1958 had had a formative influence on the child Prabhakaran then living in a southern suburb of Colombo.

Jeyaraj and I attending as we did private fee-leaving schools (he St. Thomas' I Trinity) were at least able to cling on to the last vestiges of a common legacy.

(continued from page 28)

Chief Justice Sarath N. Silva with Justice H. S. Yapa and Raja Fernando on November 30, 2004, ruled that businessman A. M. Vijitha Alagiyawanna, of Nelliya, had been assaulted and tortured by two officers of the Gokarella Police station, when Alagiyawanna visited the Mahapola Exhibition and Trade Fair of the Gokarella Madya Maha Vidyalyaya, on July 26, 2003, in the company of a group of friends.

The petitioner Alagiyawanna had complained to the court that, when he was leaving the exhibition premises, a commotion had taken place among rearing the exit gate, he was suddenly with a club. He had turned back and seen policeman, L. P. G. Lalith Prema, Reserve Police Constable of the Gokarella Police station, attack him with a club. Despite attempts by him and friends to claim his innocence and stop the assault, the RPC continued to assault him.

The petitioner had, had sought treatment in the Teaching Hospital, Kurunegala. He had lost his gold bracelet and the articles purchased by him, at the Trade fair, as a result of the beating, at the gate.

The petitioner had complained that the second respondent, M. M. Indranath Janaka (OIC), had failed to record promptly a statement from the petitioner, to the effect that he was assaulted by the police officer with a club.

The court directed Lalith Prema (RPC) to pay the petitioner, Rs. 15,000 and Iranath Janaka to pay the petitioner, Rs. 5,000, while the state was directed to pay Rs. 20,000 totalling upto Rs. 40,000 as compensation and costs, to be paid by January 31, 2005.

The Registrar was directed to send copies of judgement to the Attorney General, National Police Commissioner and the IGP for necessary action. □

Paradoxically enough this was the English language bequeathed to us by our last imperial masters which over 50 years after their retreat acts as the common bond between the communities in our otherwise fragmented land.

Although under the official policy all of us had to study in our respective mother tongues, in the private schools our classes were composed of children from the Sinhala, Tamil, Muslim and Burgher communities and our common bond was the English language which we studied in a common class.

Of course there was a strong class element in this seeming solidarity because all of us came from upper middle or middle class homes which were separated from the purely Sinhala or Tamil speaking middle or lower middle classes who formed the generality of the people. By this means it was hoped that fraternal ties between the communities could be preserved but events were to prove this an illusion in the face of the deepening communal schisms of the decades which followed.

## Indifferent student

At his Valvettithurai school Prabhakaran had no such advantage or link language. His education was predominantly in Tamil and anyway he was an indifferent student. Both Prabhakaran in VVT and his Sinhala counterpart in a southern school were the victims of a cruel if well-intentioned policy.

Educational psychologists were unanimous in their view that a child was best educated in his or her mother tongue but what happened was that teaching in Swabhasha was accompanied by a jettisoning of English, the gateway to the world.

Gripped by extreme nationalist sentiments a newly-emerged elite who occupied influential positions in the cultural Establishment saw the English language purely in terms of its privileged position in the social hierarchy without appreciating its tremendous potential as a means of communication or as the key to new currents of knowledge.

The result was the creation of two entirely mono-lingual generations

walled in by incomprehension. In the enclosed Tamil milieu in which Prabhakaran found himself fresh currents were provided by the literature emanating from South India.

Academic and scientific literature coming from Tamil Nadu was supplemented by literature of a decidedly Tamil nationalist bent. In the 1970's when Prabhakaran was going through his secondary education this was accompanied by rising nationalist sentiments among the Jaffna political classes which oriented them increasingly in the direction of separatism.

#### Paradoxical decade

The 1970's were a paradoxical decade in Sri Lankan politics. They began with the installation of the United Front Government composed of the SLFP, LSSP and CP routing the UNP of Dudley Senanayake and sweeping to a two thirds victory in Parliament.

That Government led by Sirimavo Bandaranaike was pledged to the most radical program of reforms of any government since Independence embodied in a Common Programme which the three parties had signed in 1968 at Kandy's Bogambara grounds.

These included ceiling on landholdings and houses, the nationalisation of the import-export trade and the proclamation of a new Republican Constitution. But the euphoria was marred by the Insurrection led by the JVP which broke out 11 months after the UF's triumph at the hustings.

Coming as it did so early in its rule the JVP's revolt alerted the Government to the necessity for even more radical social, economic and political changes. But the revolt of the Tamil youth came only after and perhaps as a response to the Constitution proclaimed in 1972 so that there was no constitutional framework available for containing the aspirations of the Tamil people.

What is more the Tamils were represented in the 1970 Parliament (which was converted into a Constitutional Assembly) by the Federal Party which actually advocated such anachronistic notions as the full right to private property.

#### Youth discontent

By the midpoint of that decade Sri Lanka had experienced the exploding discontent of the youth belonging to her two main communities. Only 20 years old Prabhakaran had taken his

first life when he shot and killed Jaffna's SLFP Mayor Alfred Dura-yappah as he left a kovil after worship. That was the first signal of a rebellion which has threatened the vivisection of the country. While the perpetrators of the April Insurrection were brought to trial and sent to prison the Tamil terrorists proved to be elusive.

The Prabhakaran generation then is no monolithic entity. There are no common memories, no central formative experience bringing it together. Although born a bare six years after the dawn of Independence its adolescence and young adulthood have been spent in a world riven on communal and class lines.

The Sinhala Only Bill which was meant to make the administration more accessible to those who had no knowledge of the coloniser's language only succeeded in kindling discontent among the Tamils.

The dislodging of English succeeded not in fostering a new Sinhala or Tamil intelligentsia rooted in the soil but confining each to sullen mono-lingual pockets at war with each other while the urban elite with their continued mastery of English maintained its sway over society.

It was also the first generation to take to the gun. There may have been no communication between the two branches of the mono-lingual youth but they were united by their choice of violence.

The shot guns and the crude home-made bombs of the JVP gave way to the AK-47, the T-56 and an assortment of the LTTE's sophisticated weaponry. Insurrection, individual terrorism, guerilla warfare, hit-and-run tactics and conventional warfare were all tried out by the rebels on both sides of the communal divide. The State was besieged both from the North as well as the South. A whole generation had embraced violence as their political creed and the path to an imagined salvation.

#### Diaspora

It is also a generation which has been orphaned, decimated and scattered. Thousands have died - The JVP's insurgents killed by the State's forces of counter terror, the LTTE's insurgents and the so-called Sinhala Army made up of the sons of peas-

ants and workers, the youth of two communities locked in deadly combat because of the failure of their political elders on both sides to build the Sri Lankan nation.

Thousands of less fortunate Tamils and Muslims in the North and the East have been subjected to privations, barrel bombings and indiscriminate killings by the security forces in the wake of LTTE attacks while their more fortunate fellows have been able to migrate to make up the large Tamil diaspora now scattered all over the globe.

Now at 50 Velupillai Prabhakaran confronts the shift from the military to the political plane in the Tamil campaign for self-determination. He has been the product and the leading figure of Tamil nationalism rather than the Marxist theories of self-determination and resultant socialist transformation championed by other groups such as PLOTE, EPRLF and EROS.

His chosen method has been violent engagement with the armed forces of the Sri Lankan state either through his initial tactics of guerilla warfare or the later conversion to more conventional forms or a combination of both. He has been an inspired military commander while being ruthless towards his rivals including those whom he has suspected within his own ranks. If politics is war by other means the LTTE chieftain now has to choose what means are best suited for attaining his goal in today's context.

#### Symbols of new SL

But what of Prabhakaran's generation? The time when Jeyaraj and I shared the same class room with boys of all communities has exhausted itself. Only memories are left of that past while we who underwent that experience either drift like ghosts through the new mono-lingual milieu or are strewn over the world, the detritus of a dead era.

The symbols of the new Sri Lanka are those who sport the exclusive Sinhala or Tamil badge. Caught between an expired bi-lingualism and a mono-lingual nationalism menacing the very basis of a united Sri Lanka we are a generation of sleep-walkers tottering towards what looks alarmingly like a collective national doom.

(Sunday Observer, 5 December 2004)

"We cannot continue to be entrapped in a political vacuum without an interim solution or a permanent settlement, without a stable peace and without peace of mind.... We cannot continue to live in the darkness of political uncertainty, without freedom, without emancipation, without any prospects for the future. There are borderlines to patience and expectations. We have now reached the borderline."

## 'Quote Unquote'

"At this critical moment we wish to make an urgent appeal to the Sri Lanka government. We urge the government to resume the peace negotiations without conditions, based on our proposal for an Interim Self-Governing Authority. If the Government of Sri Lanka rejects our urgent appeal and adopts delaying tactics, perpetuating the suffering of our people, we have no alternative other than to advance the freedom struggle of our nation."

"On this sacred day when we remember our Great Heroes who fell in battle fighting to liberate our land and for the liberation of our people, despite all obstacles and challenges we may face, let us dedicate ourselves to fulfil their dream, the true ideal of liberation of our country."

- *Heroes Day speech by LTTE leader, V Pirbaharan, 27 Nov 2004*

"We (LTTE) are not a political party. It is not like the former Federal party or a coalition. We cannot go and beg with the Sinhalese. We have already established a state. We have a government of our own. We have an army which is equivalent to the Sinhala army and a navy, police administration, justice system and all the infra structure of a state and we are conducting a government there. We have already a permanent state. We are asking for an interim administration only for us to be recognized internationally."

....

"Our leader is making a request to accept the ISGA without any conditions and come for talks. If you do come in that fashion we can have talks. Do not reject our invitation and drag on this time and cheat us. If you do so, we will begin our struggle. Velupillai Prabhakaran is ready and ready for war. Next move, whether war or peace is in the hands of Madam (President). But the talks have to be held only on the basis of the proposals we have put forward."

- *Anton Balasingham, LTTE's chief advisor and negotiator, on 27 Nov 2004 in London*

"A call, couched in threatening language, from the LTTE now for a resumption of negotiations without conditions, while setting conditions itself by insisting unilaterally on a single agenda item is scarcely conducive to good faith negotiations."

- *Government statement on LTTE leader's November 27 speech*

"My good friends, why don't you see that the LTTE is being reasonable? Come up with your own proposals. Let's make the ISGA real."

- *TNA leader R. Sambandan told parliament on 30 November 2004*

"If the GOSL does not give the LTTE the ISGA, he will give the people of Sri Lanka Eelam War

III. It is important to recognize that Prabhakaran appears to have taken almost ten pages and seventeen paragraphs of print to present that stark conclusion."

- *Sunday Observer, 5.12.2004*

"Our (UNP) stand is contained in the document which we released on November 1, 2003. We clearly stated in our response to the LTTE's proposals that we were prepared to discuss the LTTE's proposals together with the proposals submitted by the UNP government. We have never wavered and we have reiterated that position recently also when we issued statements."

- *Prof. G L Peiris said in reply to a journalist, 30 Nov 2004*

"The LTTE fought for a separate land, were brought down to the level of a federal solution which ensure the unitary state of the country. That was the biggest victory this country had."

- *Ranil Wickremasinghe, UNP's 50<sup>th</sup> Anniversary Convention, 5 Dec 2004*

"The ISGA means the division of the country. Every action has a reaction. The TNA should be held responsible if the youth in the south take up arms against the division of the country resulting from the ISGA."

- *Nandana Gunatilleke, JVP MP on 30 November in Parliament*

"While his gun-totting cadres were hounding dissidents in every nook and corner of the country, the LTTE leader described the JVP as religiously fanatic and racist and observed that President Kumaratunga was 'acting with a deceptive mask'."

- *Champika Liyarachchi, Daily Mirror, 1 Dec 2004*

"Who is the best fighting General in Sri Lanka today?" a Sri Lankan journalist was asked by a European defence official some months ago. "There are a few. Among them is one who has never stepped into a Military Academy or gone through any staff courses," he replied. Pressed to identify this exception, the journalist said it was Velupillai Prabhakaran who has sustained a guerrilla war, sometimes assuming a conventional character, for nearly two decades."

"Many will no doubt grudge conferring the title of a General on him. A jungle warlord is perhaps the title one that most would like to confer. General or not, for good or for evil, he has etched his name in Sri Lanka's history. No one has used violence to such a high degree to achieve political ends. That is not all. He has contributed many new chapters to guerrilla warfare by introducing his own brand of suicide bombers, improvised explosive devices and much more."

- *Sunday Times, Political column, 5.12.2004*

**Man killed by Police fire:** Nov 17 - A sixty year old man from Jaffna who was returning from Colombo in a van with relatives from Germany was

shot dead by Police in Anuradhapura around 3.15 a.m on 16 November. The dead man was identified as Mr. Ramalingam Subramaniam also known as Kondavil Maniam. Anuradhapura Police said that the van was fired at because it did not stop when it was signalled to do so. However, the van driver told Vavuniya Police that he did not stop because the person who signalled at Jaffna Junction in Anuradhapura town was not in Police uniform.

The vehicle had been checked by Police at four places on the way from Colombo, including Anuradhapura. Drivers have been scared by the spate of vehicle robberies in these parts in recent months. The driver of the van, Mr. Ponnambalam Thavendran, had driven to Vavuniya with the mortally wounded man, fearing for the lives of the others in the vehicle. Drivers and passengers have been killed by hijackers in northern border areas.

**SLMM Head meets Thamilchelvan:** Nov 17 - Head of Sri Lanka Monitoring Mission (SLMM), Major Gen.(retd) Trond Furuhoide, met Head of LTTE's Political Wing, S.P Thamilchelvan, at the LTTE Peace Secretariat Building in Kilinochchi, on 16 November, according to LTTE sources said. The necessity to co-ordinate urgent matters through the Peace Secretariat, Cease Fire Agreement (CFA) and issues related to district level celebration planned by the LTTE for the Martyrs Day on 27 November were discussed at the meeting, sources said.

While acknowledging the pride Tamil people should feel in celebrating the Martyr's day event, Mr Furuhoide, is quoted as saying "it is equally essential to conduct these commemorations in the most peaceful manner without prejudice and provocation to anyone and it is only by doing so that we fully respect the Martyrs."

**Employment agent shot dead:** Nov 17 - A foreign employment agent was shot dead with an assault rifle by unidentified gunmen Tuesday night, 16 November, in a settlement near Valaichenai, 32 kilometres north of Batticaloa, Police said. According to local residents, the man is neither a sympathiser of the Liberation Tiger nor a known supporter of any group working with Sri Lankan armed forces in the east. Police said the killing was no ordinary murder because the gunmen had used a T-56 assault rifle to gun down their victim who was identified as Mr. Krishnapillai Thanikasalam, 49, of Kondaiyankerni, a settlement near Valaichenai.

**LTTE activist shot dead:** Nov 18 - Maheswaran Rusangan, described as a LTTE political activist, was shot dead on 17 November around 9.45 pm by unidentified gunmen suspected to be of the Karuna faction in Valaichenai, 32 kilometres north of Batticaloa. The victim was returning home when he was gunned down on Murugankovil Road in Valaichenai town, Police said.

**Intelligence officer and civilian killed:** Nov 19 - A Sri Lanka military intelligence operative and a civilian were shot dead by a gunman in Kaduruwela, a satellite town of Polannaruwa, 85 kilometres northwest of Batticaloa, around 1.30 p.m on 18 November, according to security sources. Cpl. Ajith Dassanayake and Vasanthanayagam Prabhakaran, a Tamil civilian, were shot by two motorbike-riding gunmen as the victims talked to each other on a street, said Brig. Daya Ratnayake, a military spokesman. Lance Corporal Ajith Dassanayaka was killed on the spot

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and the other victim Vasanthanayagam Prabhakaran died on admission to the Polannaruwa hospital, according to Police. Ratnayake alleged that the LTTE was

responsible for the murders.

Dassanayake was the eighth intelligence operative killed by LTTE hit men since the government and the LTTE signed a cease-fire 32 months ago, military sources said.

**US condemnation of killings:** Nov 19 - A press release from the US Department of State said that Deputy Secretary Richard Armitage spoke this morning with Sri Lankan President Kumaratunga and opposition leader Wickremesinghe to express the United States continued support for the peace process and to urge all parties to work together to return to negotiations. He welcomed President Kumaratunga's November 17 call for a return to negotiations as soon as possible. President Kumaratunga has been consistent and forthright in her commitment to settling outstanding issues in the peace process in the framework of a united Sri Lanka. Deputy Secretary Armitage praised the efforts of Norway to facilitate these talks.

The Deputy Secretary strongly condemned recent terrorist actions of the Liberation Tigers of Tamil Eelam that fly in the face of efforts by all other Sri Lankans and the international community to bring peace to this war-torn country. The murder yesterday of an army officer, clearly carried out by the LTTE, is only the most recent assault on the peace process. The United States calls on the Liberation Tigers of Tamil Eelam to abandon terrorism in word and deed and return to the peace table.

**Former UNP Minister joins Govt:** Nov 19 - Mr. Rohitha Bogollagama, former minister and presently a United National Party (UNP) parliamentarian, crossed over to President Chandrika Kumaratunga's ruling United People's Freedom Alliance (UPFA) on 18 November while the UPFA's maiden budget was being presented in Parliament. He was thereafter sworn in as Minister for Advanced Technology and National Enterprises. The cross over of the powerful UNP Parliamentarian from the Kurunagala district has further strengthened the UPFA's position in the Sri Lankan legislature.

UPFA, which entered Parliament with six seats less than the simple majority required to form a government (113), has now increased its strength to 122 seats with Bogollagama's crossover, an unassailable number with MPs from the Sri Lanka Muslim Congress (4), Ceylon Workers Congress (8), Jathika Hela Urumaya (2) joining the ruling coalition since May 2004.

**1000 teachers to be selected for NE:** Nov 19 - North East Provincial Ministry of Education is to hold interviews to select one thousand GCE Advanced Level qualified teachers from about 1,500 who were successful in a competitive examination held by the Commissioner of Examinations several months ago, provincial education ministry officials said. The selected candidates will be posted to Tamil medium schools in the northeast province.

It is said that there are about five thousand vacancies for teachers in northeast Tamil medium schools. The interviews are to commence on November 30 and will continue till December 16 in the provincial education ministry office in Trincomalee. Two panels of education officials have been appointed to conduct interviews. Of the 1000 successful candidates at the interviews, 400 will be appointed as English teachers, 350 primary teachers, 75 physical education teachers and 75 marine technology teachers. Rest will be appointed to teach Maths, Agriculture, Home Science, Science, Dance, Music and Arts, education official said.



**Teenager escapes from LTTE custody:** Nov 20 - A 17-year-old youth from Periyapillumalai in Batticaloa, allegedly abducted and detained in an LTTE camp for days in want of his brother who is said to have deserted the group, has reportedly managed to escape from LTTE custody. Military Spokesman Brigadier Daya Ratnayake said that the escapee had been abducted on November 3 and detained at LTTE's Ramanan camp in Batticaloa demanding that his brother who had broken ranks with LTTE be handed back. However, the detainee had escaped from the LTTE on November 17 and returned home on the following day, he said.

**Army accuses LTTE of provocation:** Nov 21 - Sri Lanka Army accused the LTTE for their move to provoke security forces and disrupting normalcy in Jaffna peninsula following the killings of two youth allegedly by LTTE gunmen two days earlier.

Military Spokesman Brigadier Daya Ratnayake said that an LTTE instigated deliberate attempt to provoke security forces and disrupt normalcy in Jaffna peninsula after two motorbike-riding LTTE gunmen fired on an EPDP supporter but killed two other Tamil civilians during a football match at Velvethurai Friday (19) evening, was foiled by Security Forces and the Police using minimum force and showing restraint.

He also said that the following day morning, LTTE men after concocting a story against security forces instigated a section of residents in the area and forced the mob to walk in procession along the Meesalai streets and made them to storm the Meesalai security forces sentry point at the roadside and unsuccessfully tried to grab the weapons of the Security Forces.

**Bombs thrown at LTTE offices:** Nov 21 - Two powerful bombs were thrown simultaneously at the political offices of the LTTE in Batticaloa town and Kaluwanchikudy close to midnight Saturday. The bombs, made of high power plastic explosives packed with shrapnel in plastic cans, did not explode due to faulty detonating mechanism, Police said. The bombs would have demolished the LTTE offices and caused extensive damage to the neighbourhoods, killing and wounding scores of people if the packed plastic explosives had exploded fully, Police said.

"Our political offices in Batticaloa town and Kaluwanchikudy are located in secure areas surrounded by Sri Lankan armed forces camps and sentries. No one could have come with a large can bomb such as these close to midnight without the knowledge of the Sri Lankan military or Police", TamilNet said quoting an LTTE official.

**Security strengthened in Trinco:** Nov 21 - Sri Lanka Army (SLA) and Sri Lanka Police have deployed more soldiers in strategic points in the Trincomalee town and several parts of the district under their control following several violent incidents that had taken place during the weekend, security sources said.

The security of Trincomalee district has been tightened due to a directive from the Colombo security establishment, which followed the killings of two civilians at Velvethurai in Jaffna district and bomb attacks on LTTE offices in Batticaloa and killing of a Tamil youth in Seruvila, down south of Trincomalee district during the weekend, police sources said. Trincomalee Police has deployed emergency units for checking vehicles plying in the eastern port town. The police, sources said, are also conducting increased foot patrols.

**Ex-LTTE man shot dead:** Nov 21 - Seruvila police in eastern Sri Lanka have interrogated several residents of Hali Oluwa, a new Sinhala settlement where twenty five year old Mr. Krishnapillai Rameswaran was shot dead at his home by unidentified gunmen on Saturday 20 November. The victim was earlier in the LTTE and later left the movement and worked as an informant to the government security forces, sources said.

**Arrested for filming important places:** Nov 22 - Police took into custody a Tamil youth, who was allegedly video-filming the Temple Trees and the Presidential Secretariat from inside a travelling bus. Police said that the suspect, a resident from Maradana area would be produced before the court. Few weeks earlier, according to the police, another Tamil youth was arrested while he was filming strategic places in the city such as Army Headquarters and Sri Lanka Telecom.

**Credit of \$20 mn from Pak to buy arms:** Nov 23: Pakistan Prime Minister Shaukat Aziz during his recent visit to Colombo has extended a 20 million dollar credit for Sri Lanka to make military purchases from Islamabad while both sides agreed to strengthen their cooperation in defence. The foreign ministry said President Chandrika Kumaratunga expressed Sri Lanka's appreciation for Pakistan's support and assistance in the field of defence. Pakistan has been a key supplier of small arms to Sri Lankan security forces who are observing a truce with Tamil Tigers since February 2002.

The Pakistani Prime Minister also extended another 10 million dollar credit for Sri Lanka to import commodities from Pakistan. Aziz said that the two countries would launch a free trade agreement by January next year when Kumaratunga is due to visit Islamabad. He declined to comment on a proposed defence cooperation pact between Sri Lanka and India but noted that military cooperation between Colombo and Islamabad was "excellent".

**Troubles over flag in Mannar town:** Nov 24 - Mannar town was tense Wednesday(24) afternoon amidst a stand off between Sri Lankan security forces and hundreds of civilians over the removal of a Tamil Eelam national flag hoisted at a sports festival to mark 'Great Heroes' Week. Crowds burnt tires in the town and demanded that the flag be handed back to organisers of the sports festival on the Mannar general play ground. Trouble erupted after some Sri Lanka army soldiers removed and took away the flag, Mannar Police said. Sri Lanka army deployed more troops and armoured vehicles in Mannar town following the fracas. An attempt by the military to return the flag failed to defuse the situation as the crowds demanded that the SLA should send an officer to explain. Meanwhile, the Sri Lanka monitoring Mission (SLMM) called an emergency meeting to resolve the stand off peacefully.

Government sources alleged that despite the ruling by the SLMM that the LTTE flag should not be hoisted on state buildings or property in government controlled areas, the LTTE was behind hoisting these flags and the subsequent protests.

**Two civilians shot dead:** Nov 24 - Two persons, Shanmugam Dayabaran (32) and Shamuganathan Manoharan (47), who were decorating their neighbourhood for the Great Heroes' Day observations in Vanthaarumoolai, 18 kilometres north of Batticaloa, were shot dead with a T 56 gun Wednesday(24) night around 7:50 by gunmen riding a motorbike, Eravur police Inspector Dharmasiri Ratnayake said. The gunmen were suspected to be members of the Karuna group of the LTTE.

**Ex-IGP on Bribery Commission:** Nov 25 - The Constitutional Council has recommended the appointment of Justice Ameer Ismail as Chairman of the Commission to Investigate Allegations of Bribery and Corruption. The ten-member Constitutional Council has also named Justice E. Edussuriya and former IGP T. E. Anandarajah as members of the Commission. Their appointment is subject to President Chandrika Kumaratunga's approval. The term of office of the present members of the commission expires in December this year.

**Fourteen injured in Mannar clashes:** Nov 25 - Troubles again erupted around noon when the military blocked people

from raising the LTTE flag in the Mannar town centre to mark the Great Heroes' Week.

It is reported that at least fourteen persons were seriously injured during clashes between Sri Lanka army troops and a large number protesters when the troops tried to pull down Great Heroes day decorations in Mannar town in northwest Sri Lanka. In their attempt to pull down the decorations, the troops sought to go through the protesting crowd firing in the air in the course of which the MP for the area and parish priest were also injured in the incident. It was also reported that local office of the Tamil Tigers was also damaged and a shelter that was constructed near the main bus station in Mannar town for the Heroes' Day celebrations was pulled down by SLA troops.

**Six injured in Vavuniya clashes:** Nov 25 - Violent scenes were witnessed during clashes between soldiers and protesters at Veppankulam Junction in the northern Vavuniya town Thursday around 5.15 p.m. At least six protesters were injured. SLA troops fired at a crowd of protesters that were in front of the Pillaiyar temple where earlier in the morning the LTTE flag had been hoisted, according to local reports. SLA troops had pulled down the flagpole and tore up the flag.

SLA troops and Police attempted to prevent crowds from hoisting the Tamil Eelam flag at Veppankulam Junction. It failed when the protesters insisted that the flag had to be hoisted in memory of the war dead. SLA troops returned later in the day in armoured carriers and attempted to pull down the flag. One injured civilian was taken to the Anuradhapura Hospital.

**N-E Governor's Secretary abducted:** Nov 26 - S. Amirthalingam, Secretary to North-East Governor Asoka Jayawardena was abducted on Wednesday (24) night allegedly by members of the LTTE. According to local sources, the Secretary was forcibly taken away by persons who arrived at his residence in the Trincomalee Town in motor bicycles. Efforts by the police to trace him has drawn a blank.

The Secretary had been in the forefront organising the sixth Governors' Conference to be held at the Club Oceanic Hotel on Nilaveli road from November 26 to 28 which coincides with the LTTE's heroes week. Governors of all Provinces were to attend the confab. The LTTE had earlier protested against holding of such a high profile conference during their heroes week celebrations, and it has speculated that the abduction of Mr Amirthalingam might be linked to the dispute regarding the conference.

**Tiger activist shot dead:** Nov 26 - A political activist of the LTTE was shot dead by gunmen suspected to be from the Karuna group in Akkaraipattu town, 64 kilometres south of Batticaloa, on 25 November around 5 p.m. The LTTE political worker, identified as Umakanth, 21, died on admission to Kalmunai Hospital, Police said. It is reported that Umakanth was setting out from the LTTE's political office on Ampara Road in Akkaraipattu when he was gunned down by two men riding a motorbike.

**ENDLF Rangappa gunned down:** Nov 26 - A senior member of the ENDLF (Eelam National Democratic Liberation Front), a Sri Lankan Tamil group based in India, was gunned down by unidentified gunmen in Dematagoda, an outer suburb of Colombo, on 25 November, Thursday evening, Police said. The slain man was identified as Mr. Sonnyboy Occerz alias 'Rangappa'. Police said that little was known about his activities in Sri Lanka. 'Rangappa' comes from the small Dutch Burgher community in Batticaloa town. He had been resident in Chennai, South India, for more than 18 years before coming to Colombo recently. His family lives in Chennai, according to Police investigating his killing.

Rangappa joined the People's Liberation Organisation of

Tamil Eelam (PLOTE) in 1983. He retired from militancy after PLOTE split in 1986 to lead a private life. But later, when a splinter group of PLOTE formed the ENDLF, he joined it.

**Four arrested near Parliament remanded:** Nov 27 - The four alleged LTTE cadres arrested near Parliament, produced before Colombo Additional Magistrate Amalee Ranaweera were remanded till December 6 pending the completion of an identification parade.

The suspects in an attire similar to the Military Security Division when they were arrested by Welikada police were produced before the Magistrate under tight security by Chief Inspector Jayantha Atapattu, OIC, Wellampitiya police. The four suspects are from Trincomalee, Akkaraipattu, Madampe and Ratmalana.

Police told Court that on the direction of Western Province South DIG K. P. P. Pathirana, a special police team is investigating to ascertain whether the suspects had come to the Parliament area to either assassinate a political leader or an official. "Two more suspects are to be arrested," Police told Court. Police also told Court they recovered two 'Micro' pistols, 30 live bullets, two cellular phones and several other items from the suspect's possession. On an application by police, the Magistrate ordered these items to be sent to the Government Analyst for a comprehensive report. The Magistrate directed the Prison authorities to allow Colombo Crime Division officers to question the suspects to record their statements.

**Police use teargas protestors in Trinco:** Nov 27 - Trincomalee Police used teargas to disperse a group of about three hundred Sinhala demonstrators led by Trincomalee district Janatha Vimukthi Peramuna (JVP) parliamentarian Mr. Jayantha Wijesekara in front of the Trincomalee Police Headquarters, police sources said. A curfew imposed on 26 November, Friday afternoon around 2 p.m. in Trincomalee town after the incident but was lifted around 5 p.m. the same day.

Demonstrators first held a sit-in protest blocking the Colombo-Trincomalee highway in the morning at Fourth Mile Post junction demanding that they would not leave the place until the LTTE's Flag hoisted in the Trincomalee Hindu Cultural Hall where the LTTE was holding Maveerar Day celebrations was brought down. The traffic in the Trincomalee-Colombo highway came to a standstill for several hours due to the sit-in protest.

At the first instance the Police did not allow these protestors to go on procession to the office of the Sri Lanka Monitoring Mission (SLMM) in Trincomalee from the Fourth Mile post junction. Maximum security was provided to the Trincomalee SLMM office. However around 1 p.m. the protestors started to move towards the Hindu Cultural Hall located in the Inner Harbour Road. The police blocked the Inner Harbour Road when the protestors reached the junction in front of the Trincomalee Police Headquarters. As protestors became violent disobeying the orders of the police, Police Riot Squad fired teargas canisters towards the crowd, sources said.

Later the police imposed a curfew to that particular area to disperse the crowd as they were found to be regrouping and following complaints of assault on Tamils in some areas. The Inspector General of Police Mr. Chandra Fernando told Trincomalee district parliamentarian Mr. R. Sampanthan that the curfew was imposed only in the particular site where protestors were found and did not cover the entire port city when the latter complained that parents of those LTTE martyrs would be placed in a difficult position to visit cemeteries where their loved ones were buried in several places in the northeast due to the imposition of the curfew, sources said.

The curfew was lifted around five in the evening after the Sinhala group led by parliamentarian Mr. Jayantha Wijesekara left the site after addressing the protestors and burning an effigy, police sources said.

**Two intelligence officers attacked:** Nov 27 - Two officers of the Intelligence Wing of the Sri Lanka Army (SLA) attacked by unknown assailants were rescued from an isolated area about five hundred meters from Nunavil Junction in Chavakachcheri in northern Sri Lanka with serious knife inflicted wounds, around 7pm on 26 November, Friday, security sources in Jaffna said. The injured were admitted to the Palay Army Hospital. One of the injured was later reported to have succumbed to the injuries.

The army in a statement claimed, "This attack by the LTTE during their Heroes Week is the latest of the LTTE's cowardly acts launched with a motive to provoke Security Forces." It also pointed out that the troops had recovered one sword and live T-56 ammunition from the location of the attack during an immediate search and that the two soldiers, who were returning to camp after duty "received serious injuries to their heads, limbs and faces."

SLMM media spokesman J. Oskar said they were taking the attack seriously and were conducting an inquiry. He also said that the results of the investigation would be announced later this week. "This was one incident of many that happened during the LTTE's celebrations of their Heroes Week. However we recognize it as a serious incident. It would be premature to link the LTTE to the attack at this stage and it is not possible to draw conclusions based on the current evidence. The SLMM will do all it can regarding this complaint," he said.

**TNA MPs light 'flame of sacrifice':** Nov 27 - The Tamil National Alliance (TNA) parliamentarians on 27 November, Saturday, created history in the Sri Lanka's parliament by lighting the flame of sacrifice to mark the conclusion of the Heroes Day (Maveerar Week), according to parliamentary sources.

Twenty-one TNA parliamentarians, except Mr.M.K.Sivajilingam, soon after the vote on the maiden budget of the United Peoples Freedom Alliance (UPFA) was taken, came out of the parliament building to the grounds outside and started lighting the flame of sacrifice following the delivery of the annual message by the leader of the Liberation Tigers of Tamil Eelam (LTTE) Mr.V.Pirapaharan.

Immediately the security personnel of the parliament rushed to the site and queried TNA parliamentarians what they were doing. They replied that they were lighting the flame of sacrifice for LTTE martyrs who died in the Tamil freedom struggle of the LTTE. Parliamentary security personnel did not interfere with the symbolic event and left the area.

**UPFA's maiden budget approved:** Nov 27 - Sri Lanka's parliament Saturday evening adopted the maiden budget of the United Peoples Freedom Alliance (UPFA) with a majority of 34 votes, 126 parliamentarians voting for and 92 against it. 218 of the 225-member strong parliament were present in parliament at the time of voting.

Members of the UPFA, which included Janatha Vimukthi Peramuna (JVP), Lanka Sama Samaja Party (LSSP), Communist Party (CP), and National Unity Alliance (NUA), and members of the Ceylon Workers Congress (CWC) and dissident group of Sri Lanka Muslim Congress and eight members of the Jathika Hela Urumaya (JHU) voted for the budget. One member of the JHU did not attend the session.

Parliamentarians of the main opposition United National Party, Tamil National Alliance, SLMC led by Mr.Rauff Hakim and Mr.P.Chandrasekaran, the sole member of the Upcountry Peoples Front voted against the budget.

**TNA chief's son assaulted:** Nov 28 - TNA leader R.Sampanthan's youngest son Ramesh Senthoooran and an associate

named Gopal were injured in an attack by an unidentified group at Srimavapura, about 2 km off north of Uppuveli area on Saturday(27) night. They had received treatment at the Trincomalee government hospital. TNA sources said that a group of Sinhalese blocked the three-wheeler in which Ramesh and Gopal were returning to their residence in Trincomalee from their estate in Allesgarden. They had been attacked with poles. Ramesh was punched in his face while being seated. Gopal received cut injuries on his forehead which needed several stitches, the sources said..Ramesh lost one of his teeth in the assault, the sources said.

**Srimani Athulathmudali dies:** Dec 1 - Former Minister of Transport, environment and Women Affairs and wife of late Lalith Athulathmudali who was a leading figure in the UNP, died after a brief illness in Colombo, media reports in Colombo said.

Srimani Anoma Athulathmudali entered politics after the death of her husband. She led the Democratic United National Front (DUNF) and won election to Sri Lanka's parliament in 1994. She gave up politics in 2000 after being left out of the cabinet by President Kumaratunge.

Lalith Athulathmudali, who was Minister of National Security in the Government of President J R Jeyawardane, was assassinated at an election rally held in the town of Kirullapone on 23 April 1993.

**Mannar, Vavuniya paralysed:** Dec 2 - Vavuniya and Mannar towns in northern Sri Lanka were paralysed on Thursday, 2 December, due to a general shut down (Hartal) called by several public organisations to protest against alleged attacks on civilians by Sri Lankan armed forces. Protestors blocked roads and burnt tires in some parts of Vavuniya town. The A9 highway and the Omanthai entry/exit point in Omanthai, 15 kilometres north of Vavuniya were closed due to the hartal. There were no incidents in Mannar although the town was generally deserted.

**Muslim MPs want independent delegation:** Dec 3 - Muslim Parliamentarians from the UPFA, UNP, SLMC, NUA, Ashroff Congress and the CWC met in Parliament yesterday (2) to discuss Muslim concerns regarding the peace negotiations.

Their opinion was that the peace talks should be resumed without any further delay. However, it emphasised that it was imperative for an independent Muslim delegation comprising political leadership and intellectuals should also be accommodated. Since the Secretary General of the Secretariat for Coordinating the Peace Process has, in response to a request to the President, stated that the matter could be discussed at the Political Committee of the National Advisory Committee on Peace and Reconciliation, the Muslim MPs unanimously decided to take it up at the next NACPR Political Committee meeting.

The meeting was convened by Environment and Natural Resources Minister A.H.M. Fowzie and attended by Minister Ferial Ashraff, Deputy Ministers Cegu Issadeen, M.I.S. Ameer Ali, M.I. Anver Ismail, Hussein Bhaila, and MPs M.T. Hassen Ali, Kabir Hashim, M.M. Musthafa and M. Faizer Musthafa.

**Maoist insurgent links with LTTE:** Dec 3 - The visiting Nepalese Minister Dr. Mohammad Mohsin in an interview with the 'The Island' (Colombo) charged that the Maoist insurgent in Nepal have links with the LTTE and hinted that the LTTE had provided training to the guerillas engaged in a eight year long war in Nepal. "We have evidence of LTTE involvement. Our troops have recovered land mines, other explosives and weapons used by the Maoist rebels similar to armaments used by the LTTE", he said.

**Norway promotes learning in Lanka:** Dec 3 - The Norwegian Government has granted Rs. 11.1 million to purchase library books for 120 Cultural Centres in the island. Norwegian Ambassador Hans Brattskar handed over the cheque to the Hon. Minister of Cultural Affairs and National Heritage Vijitha Herath at the Ministry, according to a press release issued from the Royal Norwegian Embassy.

The press release further said, "The establishment of Cultural Centres in the island is an important task handled by the Ministry of Cultural Affairs and National Heritage. At present there are 120 such Centers functioning. Each Cultural Centre has a library with books for the general public, including schoolchildren and young people who have dropped out of school, to enable them to acquire knowledge and enhance their reading habits.

The Norwegian Government contributes Rs.3000 million in development assistance to Sri Lanka per year. The aim is to help those who need it the most. Many communities find it difficult to buy books and other educational materials and a majority of the rural and under-privileged areas lack good library facilities. The Cultural Centres are mainly for communities without sufficient resources to upgrade their educational and social structures."

"Investing in education is the best investment a government can make", said ambassador Brattskar. Norway is glad to cooperate with the Srilankan government in its efforts to make young and old explore, learn and evolve through these books.

**LTTE supporter shot dead:** Dec 3 - A former Policeman, believed to be a sympathiser of the Tamil Tigers, was shot dead by a gunman at a guesthouse in Batticaloa town on Friday, 3 December, evening around 6.30. The ex-Police constable, Mr. Johnpillai Chandramohan, 33, father of two children, was living in Royal Hotel on Trinco Road, where he was killed reportedly by Karuna loyalists. Mr. Chandramohan was arrested and interrogated by Sri Lanka Police in the past for alleged links with the Liberation Tigers.

**Bomb threat delays flight to Jaffna:** Dec 3 - An aircraft belonging to a private airline which was about to take off with 45 civilian passengers to Palaly in Jaffna district on 3 December, Friday morning at 8.30 a.m. from Ratmalana domestic airport was delayed for about 2 hours due to an anonymous telephone call to the effect that a bomb had been placed inside the craft.

Bomb disposal squad of the Sri Lanka Air Force rushed to the site and conducted a search of the aircraft. No explosives were found inside the craft, aviation sources said. The aircraft left Ratmalana airport around 10.30 a.m.

**Power to detain crime suspects to be extended:** Dec 4 - Sri Lanka government is to introduce shortly an amendment to the Criminal Procedure Code (CPC) enabling the Police to detain suspects related to rape, murder and organized crime for seventy two hours in their custody since the time of arrest, Mr. John Seneviratne, Minister of Justice in the United Peoples Freedom Alliance (UPFA) government told parliament.

The present 24-hour period was not sufficient for the Police to gather enough evidence in regard to the commission of the offence, Mr. John Seneviratne said speaking on the votes of Justice Ministry during the committee stage debate.

Currently the CPC allows the Police to detain suspects in such crimes for only 24 hours in their custody and thereafter the suspects should be produced in courts. The amendment is to be brought to curb the escalation of serious crimes in the island, following the murder of a High Court Judge recently, minister further said.

**Tyronne Fernando NE Governor:** Dec 6 - Mr. Tyronne Fernando, former Foreign Minister in the earlier United National Front (UNF) government was sworn in as fourth Governor of the Tamil dominated North-East Province on Monday, 6th December, before Sri Lanka's President Ms Chandrika Kumaratunge.

Major General (retired) Asoka Jayawardene who held the post of NE Governor till November 30 assumed duties as the new Secretary of the Ministry of Defence (MoD) on December 1, replacing Mr. Cyril Herat.

Mr. Tyronne Fernando who aspired to contest for the post of Secretary General of the United Nations Organization (UNO), while holding the post of Foreign Minister left the United National Party (UNP) when it was ousted from power in the April 2nd general election. He did not get enough preferential votes to win a parliament seat and also was not considered by the UNP hierarchy for a national MP post thereafter. Those developments led him to leave the UNP.

**Parliament Road suspects further remanded:** Dec 6 - The Colombo Crimes Division (CCD) informed the Colombo Additional Magistrate that out of the four suspects who were arrested on the road to Parliament on November 23 two were LTTE cadres while others were members of an underworld gang.

When the case was taken up before Additional Magistrate Amali Ranaweera, the four suspects, Sathgunam Krishantha of Akkaraipattu, Jesudasan Jeyaraj of Trincomalee, Vellupillai Nandakumara of Madampe and Angelo Asanga Jayaweera of Ratmalana were produced from remand.

The Welikada police arrested the four suspects wearing kits similar to that of the Ministerial Security Division (MSD), on the road to Parliament, on November 23.

The CCD producing a further report into the incident said that the suspects were wanted in connection with looting in several areas including Narahenpita, Ragama and Cinnamon Gardens.

Attorney-at-Law Gunaratne Wanninayake appearing for the suspects made an application for the release of the Intercooler vehicle no. 64-5476, which was in police custody since November 23. The Magistrate reserving the order regarding the Intercooler for the next date, ordered the suspects remanded till December 16.

The Magistrate also ordered the Manager of a private Cellular company to give details of the incoming and outgoing calls of the two mobile phones recovered from the possession of the suspects. The weapons recovered from the suspects were to be forwarded to the Government Analyst for a report.

**Grenade attacks in Batticaloa:** Dec 7 - Unidentified persons threw four hand grenades at the Batticaloa town political office of the LTTE on Tuesday(7) around 1.20 a.m., Batticaloa police said. No one was injured in the attack but the explosion caused damage to glass panes.

In another grenade attack, the business premises located in Vanniar Road Batticaloa and run by Tamil Eelam Liberation Organization (TELO) Secretary General Indrakumar Prasanna was damaged.

**Private TV-Radio station in Jaffna attacked:** Dec 7 - A gang of unidentified persons caused serious damage to the Jaffna regional broadcasting station of a Colombo based Sakthi TV and Radio station, a private sector television and radio network, located on the second floor of the Jaffna Veerasingham Hall on Monday (6) night around 9 p.m. according to Jaffna police. According to initial reports from the Jaffna Police, five

men arrived in motorbikes and forcibly entered the regional station and damaged equipments inside the station paralysing the station's activities. Mr.S.Uthayasekaram, security officer of the station also sustained serious injuries during the attack and is warded at the Jaffna Teaching Hospital, police said.

**LTTE Special Forces passing out parade:** Dec 7 - A passing out parade for Special Forces units of the Liberation Tigers that completed their courses at the LTTE's Military Training School was held on Monday, 6 December, in the Vanni in northern Sri Lanka, according to a statement from the LTTE media coordinating office in Kilinochchi. The leader of the Liberation Tigers, Mr. Velupillai Pirapaharan presented certificates and prizes to the units. He gave a talk on strategy, tactics and the challenges of modern warfare.

Training Master Ms. Suhirtha presided at the passing out parade. Senior commanders, regimental commanders, heads of divisions and fighters attended the function. Cultural events were held following the passing out parade.

**Two youths accused of transporting mines:** Dec 7 - The Chavakachcheri Magistrate Tuesday (7) remanded two youths till December 21, when Kodikamam Police produced them for allegedly transporting four anti-personnel mines and a landmine through Muhamalai army checkpoint in northern Sri Lanka. The two youths, N. Jayaraj and M. Devaseelan, were arrested by the soldiers manning the Muhamalai checkpoint on the previous day and later handed over to the Kodikamam Police, sources said. The vehicle which was allegedly used to transport the explosive devises, was released to the owners on bail for a sum of one hundred thousand rupees.

Military Sources said, "the vehicle (WPHH 0608) belonging to a Danish mine clearing NGO, engaged in humanitarian demining was carrying four personnel mines and one M 72 landmine without a permit when the vehicle was taken into custody".

**ENDLF leader in protective custody:** Dec 7 - Tamil Nadu Police on 6 December have taken into protective custody G. Gnanasekaran, President Eelam National Democratic Front in Chennai and keeping him in an undisclosed location said to be for his safety against an impending planned attack on his life by the Liberation Tigers of Tamil Eelam. According to reports from Chennai, ENDLF leader Gnanasekaran alias Rajan, alias Paranthan Rajan was told by the Q branch Police of Tamil Nadu, that there is going to be a planned attack on his life by LTTE and the police proposed a security arrangements for him and for his other leaders of the ENDLF living in Tamil Nadu.

**No-confidence motion against Speaker:** Dec 8 - The Government Parliament group has unanimously decided that the time was opportune for a no-confidence motion to be brought against Speaker W. J. M. Lokubandara since an environment prevails justifying such a motion, Colombo District UPFA MP Wimal Weerawansa said.

Addressing a press conference at the Chief Government Whip's office in Parliament Wimal Weerawansa said the Government Parliamentary group took this decision at a meeting held under the leadership of Prime Minister Mahinda Rajapakse. He charged that the Speaker always acted promptly to inform the Hansard and the media when a Government MP purportedly erred in Parliament procedure but was slow to act against Opposition MPs in this regard. The Speaker has not even condemned the act of MP T. Maheswaran who hurled a glass tumbler and a saucer at the Mace when the Deputy Speaker was presiding, when the House resumed after the incident with the

Speaker in the Chair, he said.

The Leader of the House a Maithripala Sirisena also said the Government was ready to bring a no-confidence motion at any time if required. UPFA General Secretary and Power and Energy Minister Susil Premjayantha said the Speaker has also allowed criticism of the Supreme Court Judgement in the House which not compatible with the Standing Orders of Parliament.

**LTTE objects to new sentry points:** Dec 8 - Mr.S.Elilan, Trincomalee district political head of the LTTE has lodged a complaint with the Sri Lanka Monitoring Mission (SLMM) that the Sri Lanka Army (SLA) has established several sentry points in the Trincomalee town and its suburbs after December 2nd in violation of the Ceasefire Agreement signed by the Government of Sri Lanka and the LTTE.

Several violent incidents took place in Trincomalee town and its suburbs after December 2nd following JVP protest against holding Heroes' Day celebrations. Thereafter SLA has started patrolling by setting up temporary sentries in the east port town. Now the SLA has started strengthening these sentry points on a permanent basis, it is reported. Mr.Elilan in his complaint to the SLMM had said that six new permanent sentry points have been established, each in Srimapura, Abeyapura Buddhist shrine, Selvanayakapuram farm tank area, Mihindupura and two sentry points in the Trincomalee town and its suburbs. Several Tamil areas are surrounded by these new sentry points and Tamil people live with fear and are about to move out of their houses to safer places, Mr.Elilan had pointed out to the SLMM.

**Grenade attack at Jaffna PLOTE office:** Dec 8 - Unidentified persons Wednesday (8) night threw two grenades at the Peoples Liberation Organization of Tamil Eelam (PLOTE) office building located in front of Jaffna Teaching Hospital inside the High Security Zone in the center of Jaffna town. First grenade was thrown at about 8.55 a.m and the second around 9.15 p.m., Jaffna Police said.

PLOTE sources said no PLOTE activists were inside the office during the two incidents. The Jaffna district office of the PLOTE, earlier located at Jaffna-Vembadi road, was also subjected to grenade attack a few times. Later army and police provided security to that office. Later the office was shifted to the present site near where the Sri Lanka Army's 51 Brigade headquarters and Jaffna Police stations are located. PLOTE has accused the Tamil Tigers of being responsible for the previous and present attacks on its office.

**Grenade attack on Thinakkural office:** Dec 8 - Unidentified persons threw a grenade Wednesday (8) around 6 pm targeting the Batticaloa office of Thinakkural, a leading Tamil daily published in Colombo, Batticaloa police said. The rear part of the office building was severely damaged. The Thinakkural office is located along Bailey Road close to Arasady Junction in a private building owned by a lawyer. Members of the Sri Lanka Monitoring Mission (SLMM) in Batticaloa, and a police party from Batticaloa Police and Special Task Force (STF) rushed to the site on receipt of information and started investigation into the incident, according to local sources.

**VVT killing inquiry begins:** Dec 8 - The inquiry into the killing of two Tamil youths in Valvettithurai (VVT) commenced before the Point Pedro Magistrate Mr.K.Ariyanayagam Wednesday (8). VVT Police led the evidence of two eyewitnesses to the incident where unidentified gunmen came in a motorbike and fired into a group of young men playing soccer in VVT Chidam-

bara College grounds killing two youths and injuring a third.

VVT Police submitted to court that the two eyewitnesses did not make statements to the Police regarding the incident during the police investigation. The Magistrate directed the two witnesses to make statements to the Police corroborating the statements made in the court, legal sources said. The magistrate further ordered the authorities to submit to court the medical certificate of injured Mr. Ponnuthurai Theivendran who is now being treated in the Palaly military hospital under heavy security and also the autopsy reports of the two victims. The Magistrate put off further inquiry for December 22.

**Grenade thrown at lawyer:** Dec 9 - An unidentified man threw a hand grenade at a residence of a lawyer attached to Batticaloa Magistrate courts last evening. No person was injured. The grenade was thrown at the residence of Attorney-at-Law, Wishwaiyya Sarwananda, in Kaladi road, Batticaloa around 6.45pm. According to the lawyer a person who had entered from the main gate had hurled the grenade at his office adjoining his house. The bomb had rolled inside the office and exploded. No person was injured but the office was seriously damaged, police said. Acting HQI Batticaloa R Somasiri said according to the statement the lawyer neither has any rivals nor any disputes with the people. The reason for the attack is yet to be established. However he had told the police that he could identify the person who threw the bomb. Batticaloa police are conducting investigations.

**Girl found dead with cut injuries:** Dec 9 - Ms Murugesu Elilarasi aged 22 of Point Pedro in Jaffna district was found dead in her house Thursday (9) morning with cut injuries on her head and abdomen. Her house is located along B.M.C Road in Point Pedro. The victim's sister Ms Ilavarasi took the deceased body to the Point Pedro hospital. Preliminary investigations had failed to reveal the motive behind the murder, Point Pedro police said.

**Police constable shot dead:** Dec 9 - A Tamil policeman from the Kattankudy Police was shot and killed at Trinco Road in Batticaloa town Thursday (9) evening around 6.30 p.m, security sources said. The policeman had served as bodyguard to Mr T.Thangavadiel, a former parliamentarian in Batticaloa district.

**Grenade thrown again at Thinakural office:** Dec 10 - Two unidentified persons who came in a motorbike threw a grenade into the Eastern Regional office of the popular Tamil daily Thinakkural at 12.10 p.m Friday (10). The grenade didn't explode, but two senior staff suffered minor injuries caused by fragments of window glass that were broken by the grenade. Head of the Eastern Regional office, Mr. C. Chandraprakash and Journalist Thillaiamma Jehannathapillai suffered injuries.

The attackers threw the grenade, as they were blocked at the entrance unable to enter into building, according to local reports.

**ADB provides \$65 mln loan:** Dec 10 - The Asian Development bank (ADB) will provide two loans to Sri Lanka - to upgrade the country's secondary education and to help implement rehabilitation project at the affected area.

This two loan agreement with a total of 65 million US dollars was signed between P.B. Jayasundera, Secretary of Sri Lankan Finance and Planning Ministry and ADB Country Director Alessendor Pio. Under the agreement, 35 million dollars is to be used for improving the Sri Lankan secondary education mod-

ernization project II and 30 million dollars for the conflict-affected area rehabilitation project.

The secondary education modernization project II will support upgrading approximately 1,100 secondary schools toward an acceptable quality standard, and further bolster the government strategy to modernize the curriculum and teaching-learning methodologies by equipping schools with science laboratories, computer facilities and multimedia units.

The objective of the conflict-affected area rehabilitation project is to support rehabilitation of essential infrastructure and restoration of community livelihoods in the severely affected northern and eastern areas. Both project loans have a repayment period of 32 years including a grace period of eight years.

**Lankan truck driver released:** Dec 11 - The Sri Lankan truck driver Dinesh Rajaratnam who had been held hostage for more than a month by Iraqi kidnappers has been released, family members said. Mr. Rajaratnam was released together with the Bangladeshi driver Abul Kashem.

Foreign ministry sources said Mr. Rajaratnam was now with Sri Lanka's Ambassador in Lebanon after being handed over by officials of the interior ministry. The Ambassador to Kuwait Ahmad Izzeth told BBC Sandeshaya that Mr. Rajaratnam who was abducted on October 28 would be reunited with his family soon.

**Jailed MP indicted on bribery charges:** Dec 11 - Former Minister S.B. Dissanayake in the centre of a national crisis over his imprisonment on a contempt charge ran into further trouble when he was indicted in the Colombo High Court on bribery charges.

Commission to Investigate into Allegation of Bribery or Corruption indicted the former Minister on the basis he was unable to account for his assets amounting to Rs. 29 million. According to the indictment Mr. Dissanayake had amassed his assets from March 31, 1994 to September 30, 2001 - the period when he was a powerful minister in the PA government.

The Bribery Commission arrested Mr. Dissanayake on November 10 and produced him before Colombo Magistrate after recording a statement. Later he was released on cash bail.

**Grenade attack at concert kills two:** Dec 11 - A grenade exploded at a concert of Indian movie stars and entertainers in Sri Lanka's capital on Saturday, 11 December, killing at least two people and injuring 15, officials said.

Military spokesman Brig. Daya Ratnayake said the grenade was thrown at the crowd as the three-hour show was nearing its end. A man identified as a journalist for a local newspapers and a woman were killed, he said.

Two persons were dead, and there were another 12 injured admitted (to hospital). All have shrapnel injuries caused by hand grenade or a hand bomb," a local report said.

The Indian entertainers were unhurt, officials said. The show, titled "Temptation 2004," featured Indian popular stars Shahrukh Khan, Preity Zinta, Saif Ali Khan, Priyanka Chopra, Javed Khan and Celina Jaitly.

Earlier, police used tear gas to break up a protest by about 200 Buddhists who tried to prevent the concert, held a day before the anniversary of the death of a leading Buddhist cleric, Gangodawila Soma, a popular preacher who campaigned against conversions of Buddhists by Christians.

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**FORTHCOMINGS  
EVENTS**

**December 19** 6 p.m. Tamil Performing Arts Society presents A Drama Festival of four Plays acted by children of schools in London at Winston Churchill Hall, Pinn Way, Ruislip, Harrow, Middx. For free admission tickets please telephone 020 8422 2859

**January 1** New Year's Day 2005; Feast of Solemnity of Mary, Mother of God  
6 Krishna Eekathasi  
7 Feast of The Epiphany

8 Pirathosam; Feast of the Baptism of the Lord  
10 Hanuman Jayanthi  
11 Amavasai  
13 Sathurthi; Feast of St. Hilary  
14 Thai Pongal  
15 Shashti  
17 Feast of St. Anthony  
19 Karthigai  
20 Sukkla Eekathasi  
22 Sani Pirathosam; Feast of St. Vincent  
24 Fullmoon  
25 Thai Poosam  
27 Feast of St. Anglea Merici; Feast of St. Thomas Aquinas  
28 Sankadakara Sathurthi; Feast of St. John Bosco

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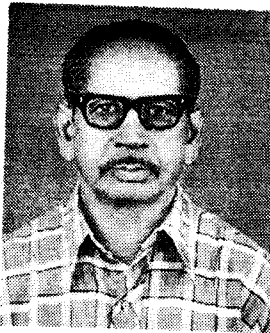
Blanca 11, 13 Thirumurthy Nagar Main Street, Chennai 600 034 and **Shubha** daughter of Mr. Asoka Panicker and Mrs Sreedevi on 31st October 2004 at ITC Park Sheraton Hotel & Towers, Chennai 600 018.

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In ever loving memory of **Mr. Canagasabai Viyakesparan** on the second anniversary of his passing away on 13th December 2002.

Dearly loved, sadly missed and fondly remembered by his beloved wife Neelambal; loving sons Jivittkumar, Branavan and Senthuran; daughters-in-law Roshanthi and Ramanthi; precious grandchildren Manisha, Manojkumar, Ambika and Janaka; sister Viyakeswari; brothers-in-law Saha-devan, Rasadevan, Vama-devan and Nadarajah.

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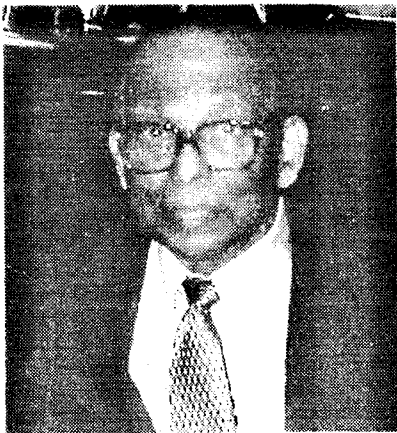
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## Professor Kandiah Arulanandan

1923 – 2004



Born August 2, 1923 in Badulla Sri Lanka, Professor Kandiah Arulanandan began his illustrious journey. It was a glorious life, full of love and professional achievement. He was schooled in Cambridge, England and at the University of California, Berkeley. After receiving the Ph.D. from Berkeley, he became a Pro-

fessor in Civil Engineering at the University of California, Davis, where he taught.

During life in Davis, he and his wife Rajes raised sons Chandran, Shiva and his lovely daughter Rohini. His son Chandran is a board-certified specialist in Internal Medicine. His son Shiva is currently Vice President of Engineering for Quarterwave Corp. in Rohnert Park, California. His daughter Rohini graduated in U.C. Berkeley with an Architecture degree and is currently President of net2net Solutions, Inc.

While performing an electrical test of a soil sample in Ghana, Africa in 1962, Professor Arulanandan noticed the soil measurement changing with a frequency change. This discovery has driven Professor Arulanandan without distraction, without fear, without doubt and with the tenacity of a bulldog, to research this phenomenon. Today over

100 publications describing his research have been published.

Professor Arul was recognised as a world leader in Geo-technical engineering. This distinction was not his goal. His single focus was to improve the methods of soil testing. Professor Arul developed, manufactured and patented an electrical apparatus named the "probe". This instrument has been used all over the world. After 40 years of research, Professor Arulanandan left no doubt as to the validity of his theories. At the age of 77, he finally decided to retire after being content with the theoretical foundation that he, along with his colleagues and students had developed.

Professor Arul accepted all people easily and made friends quickly. He empowered people as he travelled the world, by his example and courage. He brought great happiness and a sense of extreme pride to his family, including his 5 grandchildren. Professor Arul without reservations would gladly give all the credit to his wife Rajes for the strength and support over the last 55 years of marriage.

## Australian Newsletter

Maaveer day was observed in a grand scale across Australia. The special event was commemorated on separate days in Adelaide, Sydney, Melbourne, Brisbane, Perth and Canberra and was attended by large gatherings. Australian Tamils are no exception to their kinfolk around the globe when it comes to observing the Maveerar day and no doubt it is fast becoming a focal point of Tamil Diaspora.

A fourth temple in Melbourne became a reality when Tamil Educational Cultural & Charitable Association (TECCA) laid the foundation stone for Kunrathu Kumaran Kovil in the northern suburb of Rockbank recently. On the auspicious day, religious proceedings were carried out at the proposed temple site and it was complimented with cultural activities during the latter part of the day. A narrative emanating from Kunrathu Kumaran Kovil describes about a triangular shaped rock that caught the attention during the initial stages of the project was placed under a tree with great reverence and worshipped as Vazhipillayar. An apparent change was observed at the tree beside the Vazhipillayar with the passage of time - an

unusual growth occurred in the middle of its trunk symbolising the legs of an elephant in dark grey colour with creamy coloured nails, creating the impression of that of an elephant with four legs emerging from within the tree and since then the site is revered with great devotion. This episode has instilled great conviction in all those involved in the temple project and serves as a source of inspiration for the devotees in general.

The 125th anniversary of Nallainagar Arumuganavalur was observed in Sydney and in Melbourne, the gurupoosai was complimented with cultural activities. Kanthashashti was observed in all the temples in Australia with varying levels of procedure adopted at each temple. In some temples Soorasamharam was performed in the traditional style amidst a large gathering of devotees. Soorasamharam is becoming popular amongst the younger members and it was clearly evident in some parts of Australia.

A book titled "Pirabhakaran : A Leader for All Seasons" was released in Melbourne and other major cities of Australia. It is certainly encouraging to record that Tamils living in different parts of Australia are now able to access not just radio broadcast round the clock in Tamil but also television.

**Sivasupramaniam Sitsabesan**

## First ever Deepavali Celebrations at the Federal Parliament in Canberra

Saturday, 13th November 2004 was a historic day for Hindus of Australia and for the Federal Parliament of Australia.

Deepavali, the Hindu festival of lights was celebrated in Parliament House, Canberra for the first time. This is a historic event for the Indians and for all Hindus across the world as it is the first time ever that the Hindu festival, Deepavali has been celebrated in the Federal Parliament of Australia. The speaker of the Parliament agreed to celebrate Deepavali in the Parliament house on the request of the Hindu Council of Australia. Several chartered buses were arranged to bring Hindus from other cities in Australia to Canberra for the occasion.

The programme started with the chanting of Aum three times followed by Mantra recitation. Over a thousand Australian Hindus from India, Fiji, Malaysia, Nepal, Singapore, South Africa and many other countries gathered to hear a message from the Prime Minister of Australia delivered by his representative Senator Gary Humphries. He lauded the contribution made by the Hindus to the Australian society. Senator Joe



Ludwig representing the opposition leader, Mr. Mark Latham appreciated the symbolic lighting of the lamp in the Parliament house and congratulated the Hindu migrants.

An eminent Hindu scholar from Fiji, Professor Satendra, a former cabinet minister in Dr. Timoci Bavadra's government spoke on the universality of the message of Deepavali, and of the victory of light over darkness. Dr. Balasubramaniam, President, Hindu Council of

Australia and Mr. Prabhat Shukla, Indian High Commissioner to Australia spoke about the significance of Deepavali for Indians and for all mankind.

The speeches were followed by cultural performances including Ram Lila by Raghavan Nair, Chamundeshwari Dance by Aranya Samarpan, Garbha Dance by youths of Hindu Temple and Cultural Centre, Canberra and various Bhangra items by Rangla Punjab group. The Hindu Council of Australia, a

federation of Hindu organisations with members from all major cities has been celebrating Deepavali Mela for the last 8 years in Sydney. Last year the Hindu Council was instrumental in organising the first ever Deepavali celebrations in New South Wales State Parliament. This year it has made history again by initiating the celebration of Deepavali at the Federal Parliament House in Canberra

**Devi Balasubramaniam**

## COUNCILLOR SALUTED FOR TAKING A STAND



Newham councillor Paul Sathianesan has been named as one of 100 local heroes from around the country recognised for tackling anti-social behaviour and working to create safer communities. Councillor Sathianesan, who represents Wall End Ward, received a Home Office Together Taking a Stand Award, presented in partnership with charity Crime Concern and the Co-op for commitment and bravery in acting against vandals, thugs and nuisance neighbours. He was selected as part of a national competition across England and Wales and received his award from Home Office Minister Hazel Blears and BBC TV Crime Watch presenter Fiona Bruce during an awards ceremony at the Mermaid Theatre in Blackfriars.

More than 700 nominations were received from individuals and community groups for the 2004 awards, the second year of the scheme. The 100 winners have been awarded £1,000 to further fund their projects.

Councillor Sathianesan was rewarded for his partnership work encom-

## Dr & Mrs Raj Chandran presented to the Queen

Dr Raj Chandran, who is a Fellow of the Royal Society of Commerce & Industry was invited to the Queen's Garden Party by H.R.H Prince Philip, who is the President of the Society to mark the 250th year of its creation. He and his wife Dr. Qudisia were given the honour of being presented to the Queen on that day.

Dr. Chandran had the special privilege of bringing his entire family including his three widowed sisters to the Garden Party

As Mayor Elect of Gedling Borough Council, Nottingham, Councillor Chandran has personally invited Her Majesty, the Queen to visit her subjects in Nottingham, next year and hopes that they would be honoured by



(LtoR) Mrs Rajes Pulendran, Dr. (Mrs) Qudisia Chandran, Dr. Chandran, Mrs Lohes Chelliah and Mrs Ranees Thurairatnam

her visit. Dr. Raj Chandran who hails from Kokuvil, Sri Lanka is a former Commissioner for Racial Equality.

passing the council, police and other agencies, in preventing anti-social behaviour among young people in Newham and in particular the Sri Lankan communities. He said: "The task is to encourage them to embrace their culture, traditions and values and engage them so that they feel they are a trusted, socially included group within the community, confident that their aspirations can be achieved. I hope that other people will be encouraged by this award and volunteer for the task of helping to build bridges and trust within our communities."

Newham's Mayor Sir Robin Wales said: "One of the biggest challenges

facing Newham is tackling anti-social behaviour and the effort Councillor Sathianesan puts into supporting the local community is to be commended. I feel very proud to be working alongside a colleague who is so passionate about his community role and on behalf of all his colleagues and Newham Council, I congratulate him."

Home Office Minister, Hazel Blears, said: "Each and every day, local people are taking a stand against anti-social behaviour, working together to ensure our communities are safer for all. The Together Taking A Stand Awards recognise and reward the actions of these shining lights."



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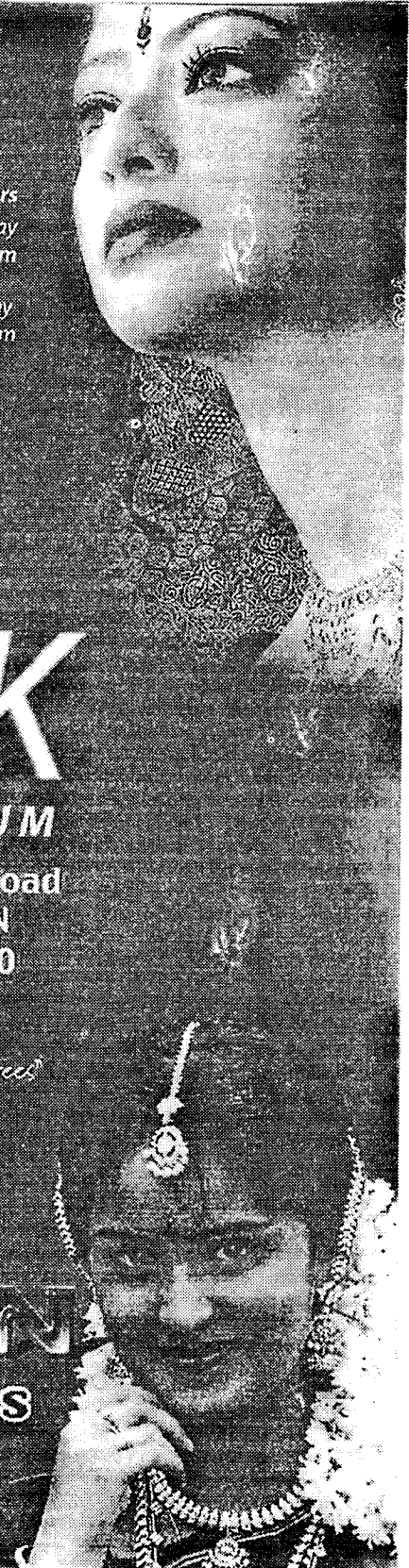
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