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The Human Rights and Humanitarian Fallout from the Sri Lankan Government's Eastern Agenda and the LTTE's Obduracy

CONTENTS

- 1. Political Machinations to Cripple the Democratic and Human Rights Future of Sri Lanka**
- 2. Developments in the East: Civilians and Children**
- 3. Revival of the Old Agenda?**
- 4. LTTE's Political Vandalism and its Services to the Sinhalese Extremist Agenda**
- 5. The Armed Forces**
- 6. Crushing Minorities in the East?**
- 7. Sri Lanka's Fault Lines**
- 8. Anarchy and Despondency: New Fears among Dissident Tamils**
- 9. The Need for Strong Measures against the Government and the LTTE**
- 10. Points and Recommendations**

1. Political Machinations to Cripple the Democratic and Human Rights Future of Sri Lanka

The Government's present approach to war, humanitarian concerns and the political process has led to grave anxiety over the deteriorating human rights situation. The present trend clearly reveals an aggravation of these with major violations, holding out no prospect of stability or any meaningful settlement at the end. It is reminiscent of the historic blunders two and a half decades ago, and the overall outcome would be impossible for the government to control, but it would and should be held responsible. President Jayawardene followed this course and even managed militarily to take most areas in the North and East. However, he was forced to face the global, regional and local realities. During this process he undermined democratic institutions in the country and brought to the fore diseased political elements in the North-East as well as the South, doing irreparable damage to the social, economic and political future of the country

To understand the nature of things to come and their deleterious effects on human rights, we need to grasp the present political developments and their possible impact. Many

hoped that the President, who had uncritically carried his Sinhalese nationalist baggage, would be pragmatic and broadminded enough to act decisively in pushing for a political settlement to undermine the LTTE and make the state forces accountable, so as to restore faith in the Sri Lankan state. His public role in raising human rights concerns in the South during the latter 1980s also created expectations that he would be amenable to new ideas. This was reinforced by some of his initiatives.

The appointment of the Experts' Panel for the APRC and the MoU signed with the opposition UNP gave some hope that the Southern polity is coming to its senses. Although many doubted the true intentions, both initiatives clearly pointed the way forward. The majority report of the Experts' Panel outlined a political initiative to undermine extremisms on both sides of the ethnic divide and created some hope. The MoU with the UNP also has the potential to charter that new course. No one in their right mind thought the LTTE would become amenable to any political settlement and disarm voluntarily. Yet a political settlement that gave dignity to the minorities would have undermined the LTTE's ability to manipulate the Tamil people and given the Government stronger moral ground to check them militarily as well.

Unfortunately the President is surrounded by individuals including his brothers who have evinced little vision for the task at hand. But the manner in which both the APRC process and the MoU with the UNP are being manipulated or made redundant by various forces including the Government to further narrow political interests, reveals the extent to which the Southern polity is hostage to extremist elements.

Raising the alarm locally and internationally were the emergence of highly organised extrajudicial killings of civilians and political activists by sections of state intelligence with individuals from Tamil groups previously hunted down by the LTTE. Instead of stopping it by sending a clear warning to the security establishment, the President, acting on the myopic advice of his counsellors that it would demoralise the security forces, sought to buy time and pacify the international community. The President appointed a commission of inquiry, knowing well that it has the monumental task of bypassing systemic obfuscation and extreme terror implanted in civilian witnesses, particularly in the conflict areas. Indeed, even as the commission remained for months a matter of names on paper, the humanitarian and human rights environment deteriorated rapidly towards a point of no return. The future of human rights and democracy in Sri Lanka were on the block.

If the LTTE killed any possibility of broader Tamil democratic politics by its terror over the decades, the State is now nailing the coffin by targeting the remaining independent Tamils, allowing them only to function as political and military proxies. Ironically, it is the State that is now actively aiding the LTTE's long-term project of ensuring that they and the Tamil people are one and the same.

We will in the sequel, evaluate the very grave developments in the political and security spheres that are at the root of the crisis and what they portend.

2. Developments in the East: Civilians and Children

The President promised that only the people of the East would decide their future. The East has been legally and administratively severed from the North. But it seems that the game goes much deeper and the people of the East are the ones who have least to do with what is being done to them in their name. The people of Vaharai caught between the Government's MBRLs and Kfir bombers and the LTTE's bid to retain them for military ends suffered immensely along with Tamils of Mutur East who were earlier goaded into Vaharai. The Government claimed disingenuously that they were running from the LTTE.

The breakaway Karuna group, which earlier abducted children on behalf of the LTTE, is now doing it with equal zeal with government connivance for its own survival and to fight its parent. Kiran is now almost empty of young men. Armed Karuna cadres with government connivance have been breaking into houses and taking children without concern for age. Parents who were threatened to hand over their children have sent them to other villages and are begging children's homes run by religious organisations to take them in.

Suddenly Karuna, reviled for child conscription in his heyday as LTTE's Eastern strongman, has become the darling of the Sinhalese Nationalists, now furiously lashing UN Special Rapporteur Allan Rock for his exposure of this scandal. For the present government, espousal of the LTTE's obnoxious practice has become the means to add numbers to the Karuna faction, and exploit regional differences between Tamils with a view to advance the Sinhalese agenda in the East. This, along with the severe violations it has entailed, is grievously complicating the problem. As in the past Tamil surrogates would be discredited in the eyes of most Tamils. Moreover, the depravity of the State that pushes the Tamils collectively against the wall becomes a fresh rationale for Tamil nationalism in a more virulent form. Thus both the LTTE and its antecedent Sinhalese extremist counterparts are fated to buttress each other to the country's utter ruin.

It appears the present agenda of the Government is centred on holding elections to an Eastern Provincial Council, after inflicting misery and ruin on the people aided by the LTTE, to install Karuna by hook or crook. Some argue that this is the Chechnyan solution! Ironically the Supreme Court decided on the de-merger of the East solely as it claimed on the grounds of equal protection before the law – the equality of the wretched of the earth.

Behind the worldwide attention drawn by the Government's atrocious behaviour, a parallel tragedy is being inflicted by the LTTE in the Vanni to boost its manpower in preparation for the next apocalypse. Children and young persons are being stopped on the roads and asked to join. Resistance is useless as after a few minutes the victim is bundled off. The LTTE has threatened that if they do not get the requisite numbers, they would next raid homes. In desperation parents are marrying off young persons. Between the Government and the LTTE, they are determined to bring the Tamils to irrevocable ruin.

3. Revival of the Old Agenda?

What is being played out in Sri Lanka's East today was begun by the State in 1984. A large number of Tamil villages in North Trincomalee District were cleansed, and remain deserted to this day, as were villages in South Mullaitivu, and strategic Sinhalese settlements were established to service military camps. Further moves were halted by the Indo-Lanka Accord of 1987. The Agenda lay buried within the State machinery, but no Government since then was rash enough to recommence it fearing repercussions in relations with India, until the present one.

The following enunciation of a programme appeared in the Defence Ministry web site in response to Prabhakaran's speech of 27th November 2006: "*Thus, the only explanation as to [the Tamils'] small number is that they were never an established kingdom in Sri Lanka, but lived as a minority among the Sinhalese – just as the Muslims.*" (<http://www.nationalsecurity.lk/fullnews.php?id=2477>). Sri Lanka has thus entered a time warp carrying us back to (later) National Security Minister Lalith Athulathmudali's statement in Parliament of the Government's programme of settling Sinhalese ruffians in the North-East on the eve of the planned ethnic violence of July 1983. Athulathmudali spoke in effect, it has been said that Tamils lived in the North and the Sinhalese in the South, but in future Tamils will live among the Sinhalese and no place would be peculiarly Tamil. Despite all the obloquy heaped on that Government for July 1983 it went ahead with killings and displacement of Tamils to establish the Sinhalese settlement of Welioya on the border of Trincomalee and Mullaitivu districts.

Global realities forced Athulathmudali to throw his plans into the dustbin. 20 years later we have a new clique of ideologically blinded bigots who learnt nothing from this country's tragic history, to put into operation plans fished out of the dustbin.

So strong is the President's complicity with the extremist camp outwardly represented by the JVP and the JHU that it has thrown all caution to the winds. The economy is in a parlous state causing restiveness in the South and, after the experience of the 1980s, many Sri Lankans have grave reservations about a course of action that shows open scorn for India. There is perhaps an insane feeling that by militarily securing the East and bringing it under de-facto Sinhalese domination, the extremist camp could consolidate itself in power for years to come. Sadly, the destructive impulses of the Sinhalese and Tamil elite ravaged every rational opening for peace.

The developments are also a statement of the achievements of the LTTE's 30 year history of bigotry and violence that has so pathetically weakened the Tamils under the pretext of liberating them.

4. LTTE's Political Vandalism and its Services to the Sinhalese Extremist Agenda

The LTTE's deliberately provocative landmine attacks on the security forces which began in December 2005 soon after the new president formed his cabinet, was largely

instrumental in tipping the scales in favour of the extremists, who were already waiting in the wings. In the meantime the Government began targeting of individuals and reprisals against Tamil civilians that were calculated to terrorise. Rapid deterioration became inevitable as impunity became the unchecked norm for the security forces.

This gave an opening for the extremists to forge covert links with the Armed forces which were humiliated by calculated LTTE provocations during the peace process. The new dispensation proceeded by deeply politicising the armed forces with the focus on marginalising the Tamils in the East, isolating the East and laying the administrative and military basis for the prospect of aggressive Sinhalisation. The Supreme Court and the Chief Justice in particular, played a crucial role, leading to the unstoppable politicisation of the entire state machinery in a direction that would leave the minorities no breathing space.

Everything that we have been talking about for the last 20 years, about a negotiated settlement to the ethnic problem along federal lines and placing Sri Lanka on an enlightened course, leaving all brands of extremism behind us, has almost been rendered meaningless overnight. Suddenly Tamils like Neelan Thiruchelvam, Thambirajah Subathiran and Ketheeswaran Loganathan who lost their lives opposing the extremism of the Tigers, and working with enlightened sections of Sinhalese opinion for a negotiated settlement are without any role. Where Tigers were the threat to their life earlier, they now have also to worry about the Sinhalese extremism of the State, one of the kind which insists '*those who are not with us are against us*'.

5. The Armed Forces

The first public warning of something very disturbing afoot was the public execution of 5 innocent Tamil students on Trincomalee's crowded beachfront on the evening of 2nd January 2006. Agents who came in a green auto rickshaw threw a grenade at the students and were then witnessed driving into Fort Frederick, the Army HQ. After detaining the crowd naval personnel, who were there in charge, checked the affected students' identities and withdrew. A unit of STF (Police) commandos then moved in and executed the students in cold blood.

This was part of the new spirit of deliberate reprisals calculated to terrorise the Tamil civilian population, involving three branches of the security services. The killings at the beach showed the hand of the extremists recently placed in control of the Defence Ministry. On 12th April a bomb blast at the Trincomalee vegetable market saw similar reprisals against Tamil civilians and establishments, which again involved all arms of the security forces that had Trincomalee in a tight security grip. On 12th April, as on 2nd January, Tamil residents who tried to get through to leading security officials on numbers previously given for such an emergency, found the phones ringing, but not answered.

Missile attacks on the Tamil area of Sampoor across the bay from Trincomalee began on 25th April 2006 soon after the LTTE's suicide attack on the Army Commander in Colombo. When the LTTE closed the Mavil Aru sluice gate in the same area in July,

there was already a large Tamil refugee population in Mutur East owing to army reprisals that had been regular from April.

Up to June 2006, the general thrust of the security forces had been to sporadically kill Tamils in Trincomalee District, displace them, disrupt their lives and make them uncomfortable. The number of Tamil refugees fleeing to India climbed to over 16 000 by the end of the year. We may trace from June 2006 a pattern of events taking shape. The Government which had earlier shown some token response to India's calls for restraint, appeared to have become set in its course, and for President Rajapakse, as the months wore on, there was no turning back from his tryst with the Sinhalese extremists.

6. Crushing Minorities in the East?

Events which seemed disparate in mid-2006 could now be firmly tied to a plan whose outlines had been laid. About June the JVP in the form of the Patriotic National Movement went about canvassing Tamils and Muslims of standing in the East to sign a petition to the Supreme Court to declare invalid the 1988 merger of the Northern and Eastern Provinces. What may come as a surprise is the involvement of senior officers of the Armed Forces in trying to entice persons to sign the petition. This was further evidence that under the new management, the Armed forces were being politicised along Sinhalese extremist lines in a return to pre-1995 days.

The petition went before the Supreme Court on 14th July with three signatures, two of JVP MPs from Sinhalese colonies in the East, and was admitted for a hearing a week later. Another important element in the plan to break up the North-East was to organise two covert operations groups, one to work with EPDP leader Douglas Devananda to bring the Tamils of the North under his patronage and the other likewise with the breakaway LTTE group under Karuna in the East. Anyone seen as an obstacle to the authoritarian control of these two in their respective areas was to be dealt with, with the help of the covert operations groups working with them.

Another significant development in June 2006 was the beginning of large scale conscription, also of children, by the Karuna group. UN Special Rapporteur Rock and Human Rights Watch have since vividly documented the despicable government-complicity in this scandal. In time it became evident that the Government was grooming Karuna for a proxy role to consolidate what it was doing in the East

On 28th June 2006, in place of a civil servant, Major General T.T. Ranjit de Silva (Rtd.) assumed duties as Government Agent, Trincomalee. This completed the militarisation of the administration of Trincomalee in addition to the North-East Provincial Administration. Early July saw harsher attitudes on the part of the Government towards relief for the refugee population in Mutur East and the beginning of sporadic shelling of this area. However the evidence does not suggest that the Government as a whole was ready for full-blown hostilities.

The LTTE's closure of the Mavil Aru sluice gate depriving Sinhalese farmers, largely the only ones left to farm, of water, came at the end of a series of provocations by both sides. In fact the Nordic Ceasefire Monitors negotiated a settlement at the end of July. But in the meantime the extremists, the JVP and JHU, who were already fully immersed in the Sinhalisation agenda, smelt blood and pushed for military operations to clear the area of Tamils, continuing what was stopped in 1987.

It may also be fair to say that President Rajapakse kept his options open until the end of July. By early August the extremists had him so deeply compromised that he was sinking in their ideological mire. An important date in this context is the 17th of July 2006. On this day the President launched the Manel Mal Movement (MMM), ostensibly a welfare movement for the security forces, which was affiliated to the Patriotic National Movement, a front of the JVP. The JVP spokesman Wimal Weerawansa played the prominent role in all of these. The PNM's Sinhalese extremism appears quite plainly in its stated aims: *"To resist any attempt at the division of the country in the name of devolution of power... To resist the cultural invasion aimed at destroying our National identity and our cultural heritage. To preserve our civilization and culture."*

This Presidential launch on 17th July was between the dates the PNM (JVP) presented the petition to the Supreme Court for the isolation of the East (14th) and its acceptance (21st). The PNM could not have worked through senior officers of the armed forces in canvassing signatories for the petition, without the sanction of the Defence Secretary, the President's brother and protégé. Also the President's brother Basil was consulting closely with the PNM during preparations for the de-merger of the North-East. In inaugurating the MMM, the President was giving his personal stamp to the politicisation of the armed forces along PNM lines, which had already been going on for some months.

The Presidential Secretariat dispatched the MMM to Jaffna on 21st July along with Weerawansa to as it were raise the morale of the troops. They told the troops, *"There's no problem. You can bomb the place and solve the problem in 24 hours. It is no big deal."* Some officers expressed their disapproval. The confidence with which the PNM got about the task of isolating the East suggests that everything was taped beforehand. Only the Supreme Court drama remained to be staged.

The politicisation of Supreme Court became increasingly evident after the appointment of the present Chief Justice in 1999. The Chief Justice¹ who, thanks to the fickleness of Parliament, evaded several attempts during 2001-2003 by a number of civil society organisations to hold him accountable for abuses of his office. Latterly, he has entered relatively calm waters by allying with the Sinhalese nationalist agenda, after the proverb, 'Patriotism is the last refuge of the scoundrel'. Ironically, for all the praise of the De-Merger judgment as an act of unimpeachable probity by the nation's highest court, Minister Mahinda Rajapakse and the JVP MPs in June 2001 supported the move by

¹ The case of Michael Anthony Fernando, <http://campaigns.ahrchk.net/tonyfernando/mainfile.php/news/38/>; Show Cause Notice on Lawyer Elmo Perera <http://www.ahrchk.net/statements/mainfile.php/2006statements/778/>

Parliament to inquire into abuses by the Chief Justice and were enraged by the Supreme Court's attempts at stonewalling.

7. Sri Lanka's Fault Lines

Taught by experience that the LTTE has in the short term no effective remedy for its Kfir bombers and MBRLs, opened up for the Government what it sees as the panacea to fulfill forbidden dreams of Sinhalese extremism. Indications from within suggest that if the strategy of dirty operations in aid of the EPDP in the North and Karuna in the East, attains significant success, the surrogates would be ditched. Present indications are that the two groups are set to earn widespread contempt working with a Government short on restraint that would allow the Tamils a hint of dignity.

We have also the internal contradictions of President Rajapakse's coalition. The dirt from the past has simply been swept under the carpet without any real reconciliation. The JHU is represented in the top echelons of the Defence Ministry and also at the top are two military officers active during the latter 1980s as major or colonel when the Army was suppressing the JVP very ruthlessly. As for the SLFP, the well-connected raconteur Buddhika Kurukularatne wrote in the *Sunday Island* on 13th November 2005, four days before the presidential election, of an incident in the late 1980s: “[DIG] Udugampola was taking down names given by his caller and after he finished he told us: That was Mahinda — giving me names of the JVP leaders! Udugampola also said that he did a stint at Law College at the time that Mahinda was also a law student and that was how the two of them became friends.”

Today the same Rajapakse has allowed the JVP significant inroads into the security forces. One ought to be very anxious about how this would play itself out. Where suppressing the Tamils in the North-East is concerned, the JVP and JHU were united in goading the Army to do its worst. However, the severe underlying tensions surfaced during December's strike on the estates where JHU General Secretary Ven. Dr. Omalpe Sobitha accused the JVP and certain Marxist groups of trying to create chaos in the plantation sector by supporting a daily wage of 300 rupees for the workers. The JVP's support for the strike, he said, was a part of a conspiracy to undermine the operations of the security forces in Vakarai and Serunuwara (Matur East), by destabilising the hill country and making it a safe haven for terrorist cadres fleeing reversals in the East.

The JVP's MP and trade unionist Ramalingam Chandrasekar made an enlightened defence of the JVP's position, that it is by satisfying the estate workers that LTTE infiltration of the estates could be thwarted. The JHU looks backward to an ancient past and is not a serious contender for state power. The JVP is an organised contender for state power under pretensions of unifying the country, and seeks a base among minorities on Sinhalese extremist terms. Among Sinhalese it articulates a hard-line against Tamils and there has been a history of Tamils attracted by socialism leaving the JVP unable to stick it out inside. Its attempts to secure a base among minorities in the East after the tsunami met with little success. The JVP (or PNM) canvassed Tamil parties opposed to the LTTE to come on board its plans to de-merge the North-East, but was rebuffed.

Against this reality, it makes sense for the JVP to urge the Military to destroy Tamil villages, displace and debase the community and eliminate their spokesmen. Then using state resources, the JVP could hope to have them eating out of its hands. This attitude is evident in the JVP's vitriolic outpourings against international NGOs and even the UN.

On the other hand, goading the Government to prosecute a very destructive war, involves inflation, unemployment and labour unrest. When that happens, the JVP will not lift a finger to help the Government. It would use the unrest to build up its strength as seen in the recent Plantations strike. All in all it is not a pretty picture for Sri Lanka.

8. Anarchy and Despondency: New Fears among Dissident Tamils

There is today a high level of despondency among all the communities, and among Tamils it has not been higher in the last 20 years. For the minorities in particular, there is nowhere to turn. The State machinery is waiting for any chance to undo them. Even the Supreme Court has been used against them. Assurances by the President on a settlement with maximum devolution and assurances given even to India that there would be no precipitous action on the North-East merger, or that it would only be decided by the people of the East, have been far less than honest.

A few months ago many Tamils who opposed to the LTTE were optimistic that the Government would arrest the trend of lawlessness and bring about a settlement that would make the LTTE redundant. For them it is a grim awakening from a terrible shock. Despite the LTTE's primary role in precipitating the humanitarian crisis in Jaffna, the people see the Government's short sighted policies as an attempt to blight the people in Jaffna by starving them and keeping them under constant terror of death and abduction where they fear to send their children out. At the same time the Tamils in the East are being isolated, shelled and turned into vagabonds.

Even the LTTE's victims are driven through sheer helplessness to feel that if the LTTE were to crumble, there is nothing left for the Tamils, having known full well that this is an illusion. The LTTE is congenitally incapable of uniting the Tamil speaking people and giving them a sense of dignity. In June 1990 when the LTTE brutally massacred policemen and provoked the Government into an even more brutal response, many Tamils alienated by the LTTE were willing to cooperate with it against what they felt was the principal enemy. So great is the LTTE's sense of insecurity that it instead imprisoned thousands of them, tortured and killed them abjectly. Indeed, its own tormented history pushed the LTTE to rely on children.

Since the 1990s, the Tamil groups opposed to the LTTE have been operating in government-controlled areas and Colombo. The ceasefire agreement brokered by Norway enabled the LTTE to kill hundreds of them, while the Government stood by, but they never expected to be directly threatened by the Government. Today they are not so sure.

During June-July 2006 the PNM with the Military were pressurising dissident Tamil groups to cooperate with their programme to isolate the East. None was willing. Neither

the EPDP nor the Karuna group came out openly in support. The other groups opposed to the LTTE started feeling a change of attitude. The most respected among them is TULF President Mr. V. Anandasangaree who was recently felicitated by the UNESCO, which awarded him the prestigious Madanjeet Singh Prize.

During recent years, Anandasangaree's comments had been eagerly reported in the South. The new attitude to him and democratic Tamils was evident in local TV stations playing down or blacking out the speech Mr. Anandasangaree made at the UNESCO award ceremony and the BBC interview where he debunked the Tigers.

A mild statement by him recently in a letter to the President describing as most inappropriate the moves to de-merge the North-East when the Tamils there are undergoing immense suffering from military operations, unleashed an angry barrage of abuse against him, transforming him overnight almost into the devil incarnate.

Also indicative of the position of democratic Tamils and also Sinhalese who stand for a decent political settlement is the manner in which the President has so lightly trashed the majority report of the Experts' Committee he himself appointed to work on a political settlement. It involved no little sacrifice. Following the assassination of Ketheeswaran, many of the Tamil committee members thought it best to resign. They discussed it and picked up the courage to stay on and finish their task.

With government sponsored killer groups linked to covert operations enjoying total impunity, a major source of insecurity for Tamil parties opposed to the LTTE arises from the Government's crazy plan to consolidate the de-merger of the East by holding Eastern Provincial Council elections after bombing tens of thousands of Tamils out of their homes. In the event of elections, these groups collecting a significant number of votes despite the Government's desperate backing of Karuna would pose a problem.

The murder of Eastern PLOTE leader Pakiarajah with a significant vote base on 28th December 2006, and especially the disappearance of Eastern University Vice Chancellor Raveendranath, are matters of deep concern. The State, singly or with the Karuna group, is widely implicated in both, and they appear closely connected to the State's Eastern agenda. The fact that these, with the killing of Raviraj MP, followed a year after the murder in the Cathedral of Batticaloa MP Joseph Pararajasingam during Christmas Mass, with the complicity of the state security services, signals the system having run wild.

How much wilder could things get? Pastor Nallathamby Gnanaseelan was hurrying along 1st Cross St., Jaffna on his motorcycle for a religious meeting on 13th January 2007. According to an account by a fellow pastor whom he overtook, he did not hear the whistle of a soldier apparently indicating that he should stop. His failure was by no means a capital offence. The right thing would have been to alert other checkpoints or use other non-lethal means to stop him if there were strong grounds for suspicion. But the soldiers fired at his person, injured him in the stomach, walked up to him and shot him in the head. The Government (MoD) claimed officially that he had a grenade which he had

attempted to hurl at the Army. His wife who went to the mortuary was asked to sign a declaration that her late husband was a terrorist.

What happened to Pastor Gnanaseelan was witnessed and is public knowledge in Jaffna. For the Government to hold on to such tawdry fiction displays utter contempt for the people. It is a very troubling return to the ways of the Ministry for National Security in the mid-1980s and the infamous government-mouthpiece *Lankapuwath*. This again comes on the heels of the abduction by the Navy of Fr. Jim Brown, parish Priest of Allaipiddy, last August of whom not a word from the Government has been forthcoming. His church had been shelled a week earlier killing 24 parishioners who had sought refuge during fighting between the Government and the LTTE. Jim Brown's matter has been referred to a commission of inquiry which would again have to depend on the Police who have so far done nothing. The attack on religious symbols and persons is a very sorry record for Sri Lanka's image.

Based on police arrests, we have now received further confirmation of what we reported about the killing of Nadarajah Raviraj MP in the Supplement to Special Report No.23. Apart from two members of the EPDP, one has been identified as an employee of an elite security firm assigned to the political office of an extremist party supporting the Government and the latter's brother, identified as a senior Police officer having in his possession a large sum of money. Given these connections one could be confident of a cover up.

Prof. Raveendranath is an apolitical person who out of a sense of solidarity participated in the commemoration of Dr. Rajani Thiraganama at the University of Jaffna in November 1989. He is a victim of the LTTE's totalitarianism, which continues to control academic institutions in the North-East for its short term ends. Karuna was earlier the agent of such control in the East. Today he wears a different hat and as much as he banned and persecuted distributors of newspapers which gave publicity to the LTTE's crimes, he does it today to papers regarded pro-LTTE. Raveendranath was caught helplessly in the surging crosscurrents and Karuna wanted him out.

On 15th December 2006, Raveendranath disappeared in a very high security area of Colombo after a scientific conference. Who could believe the Government and the Police when they say they haven't a clue? Witnesses present that day in the high security Bullers Rd. area, which contains the BMICH, state television and many high profile institutions and residences, said the place was bristling with security personnel. The best opinion we have is that whoever abducted Raveendranath would have had in their company someone with authorisation to get past security checks instantly.

The series of murders by state actors also represents a condition of burgeoning anarchy. The President has delegated powers to disparate actors and their actions are not all in his interests. Uthayan newspaper office in Jaffna was attacked by a group that included the EPDP when the President was hosting an international press event in Colombo and MP N. Raviraj was gunned down in Colombo in a manner which made it obvious that the State was involved, to name just two. However in an address to the Nation on 6th

December 2006 in support of tougher measures after the LTTE attack on his brother, the President listed Raviraj among victims of the LTTE. He has gone too far in authorising hard-line measures and for him it is too late to turn back even though his agents on the loose are tearing his credibility to shreds.

9. The Need for Strong Measures against the Government and the LTTE

The LTTE's character needs no further elucidation. It cannot hope to face the Tamils in a free environment without a separate state being carved out and it has not come to terms with the limitations of what it could achieve in the real world. It would go on gambling without any inhibition using the Tamil people as dispensable fodder to achieve it knows not what. President Rajapakse inherited a State that was fairly respectable in international eyes, quite restrained in its approach to LTTE provocations thus making it look the main obstacle to peace, and a state credible enough for others to make deals with. All this is now in ruins and so rapid is the deterioration that one would soon hesitate to call Sri Lanka a democracy in any recognisable form.

For the Government there seems no turning back and what we are seeing today is the reversal of the discourse of the last dozen of years, and a reassertion of utterly discredited Sinhalese hegemonic positions. How much room does it allow the minorities to call themselves honestly Sri Lankan and work for Sri Lanka's interests? Why is the Government bent on tying itself in knots with extremist positions that are not viable and could unravel tragically any moment? It seems incomprehensible given that people voted every time for peace with a decent political settlement. The last presidential election was manipulated by the LTTE to bring extremists into power, but certainly the people did not vote for what the Government is doing now. Even the electoral consequences of alienating minorities makes no sense for a president anxious of second term.

Indeed Tamils have made considerable sacrifices to remain Sri Lankan with dignity. Amirthalingam, Padmanabha, Mrs. Yogeswaran, Thangathurai with several others and Neelan Thiruchelvam were all killed by the LTTE because they worked for a political settlement. The Sinhalese polity praised Neelan, as they did Anandasangaree before his recent fall from grace, and buried his settlement. Sri Lanka is a place of diseased minds where everyone believes in *karma*, but often harbours hidden ill will and homicidal longings to be executed by poor village boys in uniform and conscripted children. This country cannot find peace on its own and would inevitably alienate and exclude minorities.

An imminent tragedy stares us in the face barring determined no-nonsense international intervention. Instead of inciting hatred and paranoia against international actors, the Government could expose the LTTE's scant regard for its own civilians by using the good offices of the UN and other international organisations to assist them in giving priority to civilian protection during military operations that are absolutely necessary. Instead we see the Government going wild claiming for example that the village of Padahuthurai near Mannar which the Air Force bombed during New Year festivities,

killing about 15 civilians, was an LTTE naval base. The Government was immediately contradicted by the Bishop of Mannar and a number of reputed international agencies.

Sri Lanka is standing on a precipice facing perhaps its second worst cycle of assaults on human rights and its democratic fabric, after the disastrous adventures initiated by President Jayawardene during the UNP's 17 year tenure. If Sri Lanka is to avert falling into the depths of devastation, it calls for the President to take swift action, and the international community firmly to push civil society and the progressives in Sri Lanka to challenge the government at every turn.

What signs of hope there are should be capitalised on. The Majority Report of the Experts' Committee and Prof. Vitharana's proposals based on them are signs of resistance from within the establishment by men and women of good sense who know it is neither extremism nor anarchy the people want. 11 out of 17 members that signed it could have been 13 out of 17 if not for intense pressure on officials and former officials from the President's office. The Minority Report by 4 members leaning towards Sinhalese extremist positions would make an interesting case of overdetermination of tenuous identities that has plagued Sri Lanka from the time of independence.

10. Points and Recommendations

- The Majority Report of the Experts' Committee and Prof. Vitharana's proposals speak for the courage and resilience of the progressives in Sri Lanka. This process must go forward without the watering down of the proposals.
- Tamil moderates and dissidents are facing immense pressure not only from the LTTE but also from state-linked forces. If there is to be any longer-term co-existence with the Tamil community, their space for independent survival should be protected rather than coerce them into becoming proxies or agents of Sinhalese hegemonic programmes.
- The Commission of Inquiry appointed by the President has an almost indomitable task ahead to challenge the climate of impunity and the emerging reign of terror. The international community and the IIGEP must provide the necessary support to make this effort a success.
- Addressing the deteriorating human rights situation without the support of the international community is nigh impossible and condemns the country to a very bleak future. The government should accept a UN human rights monitoring mission to address the ongoing human rights and humanitarian crisis.
- The international community and the President's Commission of Inquiry should address the question of command responsibility, particularly the present dispensation in the Defence Ministry. Without so doing, it would be very unfair to ask witnesses to come forward.

