

SRI LANKA'S NONSENSE 'TALKS'

Brian Senewiratne
MA, MD.FRCP, FRACP
Physician
Brisbane, Australia.

The Government of Sri Lanka (GOSL) has prepared 7 subjects for discussion at the "Talks" in Geneva on 28-29 October 2006. These are supposedly 'Peace Talks' to move the Peace Process forward – as demanded by the 'Aid-Donors'. However, the GOSL proposals make these 'Nonsense Talks' – an insult to the International Community (IC), the Aid-Donors and the Tamil people in the North and East of Sri Lanka whose lives have been shattered by the unending war waged on them by the GOSL.

Subjects put forward by the GOSL for 'discussion'.

Democracy
Multiparty political system
Pluralism
Human Rights
Child recruitment
North-East development
Power devolution.

These are not the critical issues in the desperate situation facing Sri Lanka in general, the Tamil North and East in particular, Then why these nonsensical subjects? Does the GOSL have an 'Agenda'? It does – but it is certainly not 'Peace'.

The GOSL Agenda

1. To try and convince Aid-donors that 'Peace Talks' have restarted. Therefore, "Can the crucial aid start flowing?"
2. To hope that the Liberation Tigers of Tamil Eelam (LTTE) would look at these nonsense subjects and refuse to attend.

Neither will (nor should) happen.

1) Sri Lanka's Aid-Donors

Unless the Aid-donors have an agenda of their own which has nothing to do with a just-peace, they are unlikely to be bluffed by this nonsense. The GOSL must be living far from reality if they think that these countries, which are fast losing their patience with the antics of a 'no-hope country', will have the wool pulled over their eyes by this pathetic attempt at bluff.

I hasten to emphasise the premise – *'provided the donors and the IC do not have an agenda of their own'* e.g. to financially prop up a 'Failed State' for their own geopolitical or economic gains, to get Sri Lanka deeper and deeper into debt, to sell their military weapons which have passed their 'use-by-date', to access/use the second largest

natural harbour in the world, Trincomalee, which can deliver a service which Diego Garcia cannot do, etc.

2 The LTTE (Tamil Tigers)

The LTTE are not stupid. There is not the remotest possibility that the Tamil Tigers have not seen through this ploy to get them to the negotiating table, and why the GOSL want them there.

Should the LTTE go for these nonsense talks? Of course they should. If they do not, the GOSL will claim that they have done all they could but are unable to get the 'intransigent' Tigers to come for 'Talks' So, the LTTE should go to Geneva, waste their time, do some shopping (as I am sure the GOSL delegation – all 12 of them, will do), and return to defend their people from the military onslaught by the GOSL which relentlessly and irresponsibly wages a war it says does not exist.

As for the on-going conflict, all that the LTTE have to do is to give the GOSL enough rope to hang itself, and it will. The GOSL is not doing too bad a job already (except that someone will have to bury the bodies). I refer to the

- blocking of the main road to Jaffna, the A9 highway, thereby attempting to starve half a million Tamil civilians, and refusing the Sri Lanka Monitoring Mission (SLMM) permission to visit the area and report on who is blocking what;
- the bombing of a Tamil orphanage killing some 51 schoolchildren and 4 teachers, claiming that it was a LTTE training camp (which the SLMM and a UN agency have confirmed it was not);
- creating a major humanitarian disaster in the Tamil North and East adding 200,000 civilians to an already massive refugee problem;
- arranging for the slaying of 17 aid workers from a French NGO,
- forcing international NGOs to quit Jaffna and the East;
- abducting more than 50 Tamil businessmen in Colombo;
- abducting Roman Catholic priests in the North and making them 'disappear';
- murdering more than 1,000 Tamil civilians in just the 10 months since President Rajapakse came into power in November 2005.

The Aid-donors and others in the IC have worked all this out, not that there was much to work out. That is why the GOSL was told that the IC "is running out of patience". The GOSL is digging its own grave; LTTE does not need to assist.

President Rajapakse's pre-election promises

Before looking at the subjects put down by the GOSL for 'discussion', it is important to look at the policies put up by Mahinda Rajapakse when he contested the Presidential Elections in November 2005, and on which the Sinhalese people voted him in as President.

- Rejection of the CFA¹ and insisting on its complete overhaul
- Upholding of the Unitary structure of the State
- Rejection of concepts of power sharing, federalism and self-determination
- Refusing to recognise the areas of historical habitation of the Tamil-speaking people
- A complete rejection of the LTTE's Interim Self-Governing Authority (ISGA) proposal
- Abandoning the P-TOMS² agreement
- Rejection of Norway's facilitator role

All this could be dismissed as mere 'political clap-trap' to get into power, but it does give an indication of the thinking of the man. What is inescapable is that the Sinhala people elected him to power on this basis and he will be called upon, by the people who voted for him and the rabid anti-Tamil forces, the JVP³ and the JHU⁴, who supported his election, to deliver. He cannot very well say "*Sorry folks, it was just loose talk to get elected, these things cannot be done*". He will simply be assassinated by the same forces that took out the founder of his Party, S.W.R.D. Bandaranaike, who played the same game and paid for it. The Buddhist monks who were responsible are still around, and even more active, and now assisted by the murderous forces who took out the visionary husband of the former President, Chandrika Bandaranaike Kumaratunga, S.W.R.D's daughter.

Aside from this, Rajapakse is probably the first President who genuinely believes that Sri Lanka should be a Sinhala-Buddhist nation. As such, it is completely unrealistic to believe that he and the regime he heads, will address the serious problems faced by the Tamils. Unless these are addressed, there will be no solution to the ethnic problem in Sri Lanka, "Talks, and Talks" notwithstanding.

The GOSL proposals for 'Talks'

1. Democracy

The leader of the GOSL team to the 22-23 February 2006 Talks in Geneva, Minister Nimal Siripala de Silva had one go at trying to do a commercial for the non-existing 'Democracy' in Sri Lanka. In his opening statement, he referred to Sri Lanka as "one of

¹ The Ceasefire Agreement signed by the then GOSL, the United National Front (UNF) government under Prime Minister Ranil Wickremesinghe (United National Party-UNP) and the LTTE on 22 February 2002. This was a far reaching Agreement hammered out after extensive negotiations between the two parties. The then President Chandrika Kumaratunga from the opposing Sinhala party, the Sri Lanka Freedom Party (SLFP), was left out of the negotiations. She did everything she could to block the implementation of the CFA.

² Post-Tsunami Operational Management Structure. See later for an explanation of this.

³ Janatha Vimukthi Peramuna. A Marxist Sinhala Party that has swapped Marxism for Sinhala ethnic chauvinism. They are now no more than political opportunists who have gone down the well-trodden path of anti-Tamil Sinhala chauvinism.

⁴ Jathika Hela Urumaya. A party of Buddhist monks who have left their Temples to enter politics. They are virulently anti-Tamil.

Asia's most long-standing democracies. The people have enjoyed universal franchise since 1931".

May I address the Hon Minister? "Yes, Minister de Silva, all the people did enjoy adult franchise since 1931, but that was thanks to the colonial British. The very first act of the newly independent country was to disenfranchise a million Plantation Tamils of Indian origin. I might remind you that the founder of *your* Party, S.W.R.D.Bandaranaike was a Cabinet Minister in that Government. We do have selective amnesia, don't we?". Having failed once, the Minister who, is to head the impending Talks, wants to have another go.

I am not sure why the GOSL wants to discuss 'Democracy', of all things, when its record over the past 56 years in safeguarding democracy has been so abysmal. I have detailed this in an address in London in June 2001, *The Abuse of Democracy in Sri Lanka*, which is still on the net⁵ and will be expanded and published as time permits.

Democracy was dismantled in Sri Lanka (then Ceylon) a year after Independence from Britain in 1948, and systematically over the next 58 years. The Tamil Tigers had nothing to do with this. Why then 'discuss' this with them?

As I have indicated, the British had hardly left, when in 1948 a million⁶ tea plantation workers, Tamils of Indian origin who, by their slave labour, had put the country on the map, were decitizenised, and the following year, disenfranchised and made non-people. They remained so for more than 4 *decades*. This was because they had voted against the in-coming Government and was one of the worst acts of political savagery the world has ever known. The message was clear "You either vote for the Government, or you will not vote at all". It was a bad start for a 'Democracy'.

The Tamils of Sri Lankan origin were to follow. In 1956, the Government under S.W.R.D.Bandaranaike, the 'father of President Rajapakse's party'⁷, went on to deprive 12.5% of the population (Sri Lankan Tamils) the right to use their language, Tamil, for official purposes. It is, in fact, much more than 12.5%, since at least half of the Muslim population (7.4%) are Tamil-speaking and all of the Indian Tamil population (5.5%) are Tamil-speaking. So the Tamil-speaking people of Sri Lanka (about 22% of the population), were affected.

In 1972, Bandaranaike's wife, Sirima, and her Marxist allies, removed Section 29A from the Constitution. This was the safeguard inserted by the colonial British for the protection of the minorities. Having removed this safeguard, Mrs. Bandaranaike went on to violate the democratic right of Tamil students to education on equal terms to the majority Sinhalese by her so-called "Standardization of University Entrance Marks", essentially a fiddling of the marks in favour of the Sinhalese.

Her Constitution made the country a Sinhala-Buddhist nation, and enshrined it in the Constitution. With hypocrisy that beggars belief, she changed the name "Ceylon" to the

⁵ www.tamilcanadian.org, www.sangam.org, www.tamilnation.org

⁶ It was one seventh of the total population of Ceylon, and the most powerful and productive work force.

⁷ It was President Rajapakse's father who quit the UNP with S.W.R.D.Bandaranaike in 1951 to form the SLFP.

totally inappropriate “Democratic Republic of Sri Lanka” (the Resplendent Island!). ‘Democracy’ had all but disappeared.

In 1977, J.R.Jayawardene, from the other side of the Sinhalese political divide, removed what democracy was left, by establishing a Presidential dictatorship, reducing Parliament to a rubber stamp, and the Prime Minister to a clerk. The 1978 Constitution of the “Democratic Socialist (!) Republic of Sri Lanka” gave himself and all who followed, including President Rajapakse, the powers of a dictator.

The Sri Lankan President is

Head of State

Head of the Executive and of the Government

Commander-in-Chief of the Armed Forces.

Can dissolve Parliament and is not answerable to Parliament

Appoints and can remove the

Prime Minister,

Ministers and Deputy Ministers.

Permanent Heads of all Ministries,

Head of the Army, Navy and Air Force

Head of the Police

All public officers required by the Constitution and written laws

Attorney General

Chief Justice

President of the Court of Appeal

Judges of the Supreme Court, Courts of Appeal and the High Court

Is immune from legal action for anything done or omitted to be done by him/her, both in his/her official or private capacity, while he/she holds office.

Can take over any Ministry (which has, in fact, been done, with disastrous effects). .

The Sri Lankan President is so powerful that its architect, Junius Jayawardene, the son of a Supreme Court Judge, could boast (at his Party conference in 1983), that he was above Parliament and the Judiciary, and that the Prime Minister and the Cabinet were at his command.

It is his successor, Mahinda Rajapakse (who holds the same powers) and his Government, who are talking about ‘Democracy’. It is hilarious. Excuse me while I laugh.

In the past two decades, the Tamils have had no democratic rights. They can be bombed and shelled, their property can be destroyed or simply made inaccessible by the Armed Forces declaring them ‘High Security Zones’, they can be arrested and detained without charge or trial, they can ‘disappear’ while in custody (Sri Lanka had the 2nd highest number of ‘disappearances’, second only to Iraq), they can be tortured, raped or killed with no questions asked. Their children and youth are labeled “terrorists” simple because they are Tamils. Tamil their lives count for nothing. They are non-persons.

The Tamil Tigers are trying to deliver their oppressed and brutalized people from the tyranny of the Sinhalese-dominant Government, which is hardly in a position to ‘discuss’ democracy unless, of course, they want to give the Tigers lessons on how to dismantle democracy.

2. Multiparty political system

What exactly does the GOSL mean? Every political party in the Sri Lankan South is, without exception, anti-Tamil. I have set this out in a recent publication still on the net "*The political ideology in Sri Lanka – anti-Tamil*".⁸ The only difference between the political parties is the degree of 'anti-Tamilness', from moderately anti-Tamil to virulently anti-Tamil. The common denominator of all Sinhalese political parties, by conviction or political opportunism, is Sinhalese majoritarian hegemony that is unwilling to recognise the rights of the numerically smaller Tamil nation in Sri Lanka. This is why the recently signed pact between the major Sinhalese parties – the UNP and the SLFP, or a coalition between the SLFP with the extremist JVP or the JHU, or even a coalition of all (a "Southern consensus"), will not make the slightest difference *vis a vis* the problems faced by the Tamil nation and their solution.

How the GOSL hopes to include the Tamils in this Sinhalese hegemonic structure, as suggested by the subjects for 'discussion', is unclear. It is nothing but bluff.

In fact, it has been the main problem in the half century after Independence – 'the politics of exclusion' of the Tamils. This important ethnic group (12.5% of the population) has been excluded from governance, even of the Tamil areas in the North and East. The Tamil Tigers have nothing to do with this, so that there is nothing to 'discuss' with them.

The GOSL's suggestion of 'multiparty political system' is nothing but a sham that will not fool anyone who is even remotely aware of what has gone on in Sri Lanka since Independence in 1948.

3. Pluralism

To talk of 'pluralism' is complete nonsense. Indeed, the *lack* of pluralism has been the problem. It is the Sinhalese determination to make multi-ethnic, multi-lingual, multi-religious, multi-cultural Sri Lanka into a Sinhala-Buddhist nation that is the problem. As has been mentioned, this has been even enshrined in the 1972 Constitution and in every Constitution since. This has nothing to do with the Tamil Tigers but the product of Sinhalese majoritarian hegemonism.

As I have pointed out in several publications and addresses the world over, a Separate Tamil State, Eelam, is not the creation of the Tamil people or the LTTE. It is the inevitable result of the refusal of the Sinhala leadership of every Sinhalese Party and every Sri Lankan Government without exception over the past 58 years, to include the Tamils in any meaningful way in decision-making in governance. If a Sinhala-Buddhist State is what the Sinhalese people and their Government want (and they have every right to do so), then the establishment of a separate Tamil State, Eelam, is inevitable.

The Sinhalese leadership has had more than 50 years to establish a pluralistic State. Their political opportunism and ethno-religious chauvinism have prevented this from happening. It is now too late to turn back the clock, however critical the economic situation is in the Sinhalese South. There has been far too much suffering of the Tamil

⁸ '*The Political Ideology in Sri Lanka – anti Tamil*'- www.sangam.org/taraki/articles/2005/11-14_Political_Ideology_in_Sri_Lanka_AntiTamil.php?uid=1309

people and too much destruction of their property and their lives to now start talking of 'pluralism'.

I have repeatedly said that what is necessary as a first step to reconciliation is an unqualified apology from the Sinhalese people to the Tamil people for the suffering and the injustices that have been done to them over the past 58 years. Such an apology is not even a remote possibility; Sinhala-Buddhist chauvinism prevents it. This is the difference between Sri Lanka and post-apartheid South Africa. As such, to talk of 'pluralism' in Sri Lanka, is arrant nonsense.

4. Human Rights

On 22 July 2006, recognizing that the Tamils in Sri Lanka (and others in similar positions in other countries), had no 'voice', we in Australia, formed a group Australians for Human Rights of Voiceless, in Sydney, Australia. I was invited to address the inaugural meeting.

On 20 October 2006, the Canadian Tamil Congress in Toronto invited me to address them on Tamil Rights as Human Rights.

On both of these occasions, I took the audience systematically through the Universal Declaration of Human Rights adopted by the UN General Assembly on 10 December 1948. This UN Declaration is one of the greatest human achievements and a landmark in human history. Starting from the very year this historic document came into being, Ceylon, (Sri Lanka, since 1972), has violated all but a few of the 30 Articles. Sri Lanka has the ignoble distinction of being ranked number 2 among countries with the worst human rights record, second only to Iraq. On a per capita basis it should be ranked the first.

The Nobel Laureate, Amnesty International (AI), and every major human rights group in the world, have extensively documented the violation of human rights by a succession of Sri Lankan Governments since 1971. Extensive as the list is, it is far from complete.

I might point out that the Tamil Tigers, the murderous sections of the politically active Buddhist clergy, the so-called Marxist JVP, and the Sinhalese gangsters and criminals who are roaming around murdering people in the Sinhalese South, have not given international undertakings to uphold human rights, the GOSL has. This does not mean that the latter groups can do what they want, but the GOSL has a special obligation to protect the human rights of *all* its people; and the Tamil civilians are Sri Lankan citizens. Their human rights are being violated extensively by the GOSL and its Armed Forces, and more recently, by Tamil groups who support the Government.

This does not mean that the violation of human rights by the LTTE can be ignored. These must be documented (as they have been by AI and others) and the issues addressed. However, I cannot see that this is an issue for discussion at a 'Peace' conference. The issues that have to be discussed are ways of ending the ethnic conflict which is the key factor responsible for the violation of human rights by all the groups.

The GOSL's rationale for including this issue in the up-coming 'Talks', is clearly to highlight the violations of human rights by the LTTE and score some 'Brownie points'. It might not work since on a qualitative and quantitative basis, the human rights violations by the GOSL far exceed anything which the LTTE have done.

The recent violations of human rights by the GOSL of the Tamil people in the North and East, have gone beyond what are normally regarded as 'human rights violations'. There is evidence of Genocide of the Tamil people by the GOSL.

I will be detailing the case against the GOSL in a separate paper which I will publish and, if the opportunity arises, present before the UN Human Rights Council. It is not an issue that has to be 'discussed' at 'Talks' between the GOSL and the LTTE, but something that has to be taken up at the International Court in the Hague where the perpetrators will have to be prosecuted. The charge will be 'Genocide', or, at the very least, "Crimes against Humanity". It is too serious a problem for 'Nonsense Talks' or political point-scoring.

5. Child recruitment

This is an excellent topic for 'discussion' provided that it is not selective.

The *forcible* recruitment of children (or for that matter, adults) for military purposes, must be condemned and the problem addressed. When the GOSL puts this on the Agenda, I hope it will not be confined to focusing *only* on the LTTE, but will also include the increasing abductions by the anti-LTTE Tamil groups, currently working with the Sri Lankan Armed Forces. I doubt whether the GOSL will even admit to these, let alone 'discuss' them.

A problem that will have to be looked at is what Tamil children in the North and East can do. Schooling is totally disrupted with the Sri Lankan Forces occupying or making inaccessible, some 35 schools in Jaffna by declaring that they are in the 'High Security Zone' and hence inaccessible to civilians. Tamil children are unable to get to the schools that are open because the bus service is essentially dysfunctional because of a curfew being declared at the whim and fancy of the Army. To get to school on foot is hazardous because of harassment by what is essentially an 'Army of Occupation' in Jaffna. In the eyes of the overwhelmingly (99%) Sinhalese Armed Forces, a Tamil child is a 'terrorist' and therefore someone who can be arrested without charge and detained without trial.

The options open to the Tamil child in the Tamil areas is to stay at home and be picked up by the Army as a 'terrorist', or to join the LTTE. It is as simple as that. If the GOSL is as concerned as it says it is about the recruitment of children for military purposes, let it end the war. It is in the power of the GOSL to do so.

The GOSL might find some difficulty in explaining the recruitment of children for child prostitution in Colombo, where some 40,000 children 'service' the tourist industry. The UN Convention on the Rights of the Child signed by the GOSL on 20 January 1990 and ratified on 11 August 1991, has two Optional Protocols.

The Optional Protocol on the Involvement of Children in Armed conflict was readily signed on 21 August 2000 and ratified On 12 February 2002.

The Optional Protocol on the Sale of Children, Child prostitution and Child pornography remains unsigned by the GOSL. Why?

It will also be of interest to find out what action the GOSL has taken to deal with the 20,000 Tamil children from the Tea Plantations who are working as domestic servants in Colombo and providing services, including sexual 'services', to their masters in Colombo.

It will also be of interest if the 'discussion' goes into the plight of thousands of Tamil children languishing in refugee camps in the North and East, and the Rights of some 400 schoolchildren in an orphanage in the Tamil North-East who were bombed by Kfir bombers of the Sri Lankan Air Force.

I raised all this 2 weeks ago with Human Rights Watch⁹ (HRW) in New York, but got no answers, except to be told that they were seriously concerned about the recruitment of children by the LTTE. The other issues I raised seemed to sail past, with not even an acknowledgement that there was a problem, indeed several problems. Jo Becker of HRW who was at the meeting, and who has written an impressive glossy brochure on Child recruitment by the LTTE (which was presented to me with a request "*Please publicise these findings*"), was remarkably silent about the other abuses of children which I raised. It raises serious doubts about the credibility of these supposedly non-partisan organisations.

I think the much-trumpeted concerns about the Rights of Children by the GOSL are a sham, aimed entirely at demonizing the LTTE. I do not think the GOSL gives a dime for the rights of children or anyone else, for that matter. Some of the International organisations dealing with this issue are not much different..

6. North- East development

This is an interesting subject to 'discuss'. I am sure that the LTTE will have a ball – a 'free kick', to use a football term, at these 'Nonsense Talks". The GOSL will have some explaining to do in the critical area of the development of the North-East (or the lack of it).

When the December 2004 Tsunami struck Sri Lanka, about two-thirds of the total casualties, and more than 60% of the destruction were in the North-East. The result was a major humanitarian crisis. While many thought that this was a golden opportunity for the GOSL to show the Tamil people (and the world) that it cared about the Tamil people, those of us who have had long experience with a succession of Sri Lankan Governments, laughed at these completely unrealistic expectations.

The International Community proposed that a joint mechanism involving the GOSL and the LTTE be set up to address the damage done in the North-East. After much procrastination, the GOSL agreed to set up a "Post-Tsunami Operational Management Structure" (P-TOMS). This was a simple administrative mechanism with very limited powers to handle relief work in a 2km area from the sea-coast. The 'Marxist' JVP promptly quit the Government. Not stopping at that, the JVP petitioned the Supreme Court, which by granting an injunction against some key provisions of the P-TOMS, effectively made it defunct. Once much respected, the Supreme Court in Sri Lanka has become a spineless body, a unofficial arm of the Government. So much for 'Separation of Powers', a cardinal requirement in a democracy.

⁹ I gather that HRW has a greater standing in the United States than even Amnesty International.

I might add that the 'help' of this spineless body was not needed. As I have stated, in the November 2005 Presidential Elections which Rajapakse contested, one of his key promises was the abandonment of the P-TOMS Agreement .

If the GOSL could not implement a simple administrative arrangement to address extensive destruction in the Tamil North-East, in the face of an unprecedented natural disaster, to now 'discuss' the development of the North-East becomes entirely theoretical and devoid of practical value. To put it bluntly, it is one more bit of bluff, unlikely to fool anyone.

7. Power devolution

It is not clear what the GOSL has in mind, if anything. As I have indicated, one of Rajapakse's policies in the run-up to the Presidential Elections was to reject any concept of power sharing, federalism or self-determination. What then is there to 'discuss'? What is on offer? This is a question that the Chairman of this 'Nonsense Talk' should have had clarified instead of wasting every one's time.

The GOSL has failed to realise that the 'solution' to the ethnic problem has moved to the point where 'devolution' of power is out of the question. 'Devolution' implies a 'granting of power from a higher level to a lower level'. The time for this is long past.

So is a Federal arrangement. A Federal (or even a Confederal) arrangement demands trust in the Centre. Today, the Tamils have no trust in the Sinhalese Centre – and for a very good reason.

Moreover, I know no country with a Federal structure which has two Armies under separate Command. Either one Army must be disarmed or the country must be divided. If the 'discussion' is about disarming the LTTE, the GOSL is in 'make-believe' land. India, with the 4th largest Army in the world, tried this in 1987 and had to go back to India 'mission unaccomplished', carrying more than 1,000 Indian troops in body-bags. To think that the poorly motivated and trained Sri Lankan Army could do this is hilarious.

The LTTE should be named the 'National Army of the Tamil Nation' which is in armed conflict with the 'National Army of the Sinhalese Nation', for that is what they are. If the LTTE lays down its arms or is disarmed (both of which are out of the question), the struggle of the Tamil people *for justice* will be over. They will then be back sitting *under* the negotiating table to pick up the crumbs which fall from the Sinhalese sitting at the table – which is what has happened in the past 58 years. This scenario is over. If, of course, the 'discussion' is about disarming the 'National Army of the Sinhalese Nation', then it is an entirely different proposition – but I do not think that is on offer!

I am surprised that two other 'favourites' did not make it to the 'subjects' listed by the GOSL for 'discussion' – suicide bombers and 'terrorism'. The GOSL might have heard that I was ready with some answers to these which I have published widely. Perhaps they will be on the list for the next round of 'Nonsense Talks'. I will therefore reserve my comments till then.

Instead of discussing nonsense, if the GOSL wanted to address the burning issues in the Tamil areas, I suggest they should have focused on the following:-

The subjects that should have been discussed

1. The immediate reopening of the A9 road to Jaffna where some 500,00 people, 150,000 of them children, are facing starvation, and that too in the near future. International NGOs have sated this publicly and have reported back to their Head Offices in Europe
2. The removal of the “Security” Forces from the Tamil North and East. These so-called ‘Security Forces’ are the main cause of *insecurity* in the area and the main factor which prevents the “return to normalcy” as envisaged in the CFA.

The “Security Forces” were sent to Jaffna in the 1960s to stop the smuggling of goods and people from India to Ceylon. For the past two decades, its main function has been to terrorise and brutalise the Tamil civilians in the area. They must go or be removed.

3. Humanitarian relief for families displaced by the conflict, the Tsunami and the continuing military activities, the CFA notwithstanding.
4. The return of civilians who fled their homes because of the conflict.
5. Compliance with the 23 February 2006 Geneva Agreement (‘Geneva 1’). It is absurd that we are about to embark on ‘Geneva 2’, when ‘Geneva 1’ has not been delivered.

The questions that must arise in the minds of the Tamils are

Negotiate with whom? Unlike the LTTE, the GOSL is not a single entity but consists of several disparate groups each with their own agenda. There is the GOSL (whatever that may be), the Rajapakse brothers and even a sister-in-law!), the JVP, the JHU, the Armed Forces, and perhaps others seen and unseen such as the Chief Priests in the Buddhist Temples, astrologers etc who have an input of significance.

Negotiate about what? A continuation of *in status quo*, a federal State, a separate State? And do all of the above agree or do they all have to come for the “Talks”? And will they then agree or will it end in an internal brawl among the various Sinhalese forces?

Negotiate for what purpose if undertakings given at one set of Talks are not delivered?

6. Resettlement, Rehabilitation and Reconstruction (RRR)
7. An immediate Interim Administrative structure to handle RRR. Will that be thrown out by the supine Supreme Court.
As I have stated, one of Rajapakse’s Presidential Election promises was to completely reject the LTTE’s Interim Self-Governing Authority (ISGA)¹⁰.

¹⁰ This was an interim administrative arrangement put forward by the LTTE to the UNF Government of Ranil Wickremesinghe, to address the burning day-to-day existential problems faced by hundreds of thousands of people in the North East facing enormous problems. The

Can the GOSL administer an area (the Wannu in the Northern Province) where its writ does not run, and has not run for more than a decade?

8. Compliance with the CFA between the then Government of Sri Lanka and the LTTE.

In particular:-

- a) The return to “Normalcy”
- b) The vacation of the High Security Zone so that the schools in this area can reopen, agricultural lands (the best in the Jaffna Peninsula) can be farmed, residences reoccupied by their owners.
- c) The removal of the economic blockade (and now the reopening of the A9 highway to Jaffna).
- d) The removal of Fishing and Transport restrictions.

The fact that none of these crucial issues were among the 7 subjects for ‘discussion’ submitted by the GOSL leaves no doubt that the Agenda of the GOSL is anything but Peace. It is time that the GOSL realised that it is not possible to fool all the people all the time. It is hoped that ‘the people’ include the International Community, in general, the ‘Aid-givers’.

Brian Senewiratne

25 October 2006

ISGA proposals were submitted in writing to the UNF Government on 31 August 2003, and a request that dates be fixed for talks on this. 4 days later, the President (Kumaratunga) who did not belong to the UNF government, took over the Ministries of Defense, Interior Ministry and Media, which were directly linked to the peace process, assigning them to herself or her nominees from her Party. She claimed to have done this because there was ‘a threat to National Security’. What threat?

She went on to dismiss the UNF Government which held a majority in Parliament. Presumably she and her Government were under the threat of possible Peace, A General Election held 4 years ahead of schedule saw the UNF Government replaced by Kumaratunga’s party, the United People’s Freedom Alliance (UPFA), which, I guess, was the object of the exercise. This is ‘Democracy’ – Sri Lankan style! And, item 1 on the Agenda is a discussion on ‘Democracy’.