



THULASI



In its Tsunami Situation Report No 6, the Tsunami Information Project of the Tamil Information Centre has pointed out the continuing demonstration of callous indifference by the politicians in southern Sri Lanka to the plight of the displaced people in the north-east. Sinhalese nationalist political parties such as the People's Liberation Front (JVP) and Jathika Hela Urumaya (JHU) are determined to destroy any cooperation between the Sri Lankan government and the LTTE or the development of understanding and goodwill between the Tamil and Sinhalese people. It is a matter of grave concern that the Sri Lankan Judiciary has joined the politicians, losing its independence and credibility. The Supreme Court said in June 2005 that if the agreement on the Post-Tsunami Operational Management System (P-TOMS) is not implemented immediately, urgent humanitarian assistance could not be granted to the people in the north-east, 'who have suffered and continue to suffer, untold hardship and tragedy from the natural disaster'. But after the new President was elected in November 2005, the court has granted an indefinite injunction against the P-TOMS and has postponed the enquiry indefinitely, leading to suspicion among many Tamil people of a devious political deal.

www.project-tsunami.org

TIC seeks review of asylum returns policy

The Tamil Information Centre (TIC) has drawn the attention of British State Minister for Immigration Tony McNulty to recent events in Sri Lanka. In a January 2006 letter to the Minister, the TIC urged review of the British government position relating to removal of failed asylum seekers. The TIC has received numerous appeals from Tamil asylum seekers, most of them vulnerable young men and women, whose applications for asylum have been turned down. They live in fear of deportation and in a state of uncertainty. Community meetings have observed that an increasing number are becoming destitute.

Meanwhile, in Sri Lanka, in the wake of the assassination of Foreign Minister Lakshman Kadirgamar, cordon and search operations by the security forces have intensified. In Colombo alone in December 2005, more than 900 Tamils were arbitrarily arrested and some of them are in detention for further questioning. Arrests are taking place under Regulations introduced after a state of Emergency was declared in August 2005. These Regulations are similar to those that were in force before July 2001, and grant wide powers of arrest and detention to the security forces.

The TIC pointed out that Police torture has continued, and with the powers granted under the Emergency, torture and disappearances will increase. A huge number of Tamils from the north-east and the Hill Country suffered torture at the hands of the security forces, but charges have been brought only in respect of very few cases and it is unclear whether anyone has been convicted. Some 40 other Tamils are still held under the Prevention of Terrorism Act for many years.

In the case of disappearances, four Presidential Commissions enquired into 37,662 complaints of disappearance which took place between January 1988 and December 1995 and found evidence of disappearance in 21,115 cases. The commissions have recorded the names of the security force personnel responsible for the disappearances. These personnel continue in their positions and some have been promoted. In recent months, there has been a significant increase in the number of assaults, injury and extra-judicial killings in the north-east. The UN Special Rapporteur on Extra-Judicial Executions said in December 2005 that the failure to effectively investigate the killings has resulted in many areas of the north-east becoming zones of impunity for killers.

UNHCR reported on 20 January 2006 that since 12 January 2006 some 50 refugees have arrived in the coast of the south Indian state of Tamil Nadu fearing an escalation in the violence, which points to a worrisome deterioration of the security situation in north-east Sri Lanka. UNHCR has also reported about internal displacement and says that displacement figures are expected to rise.

Government action is insignificant in relation to the scale of the human rights violations. This has encouraged impunity and has led to more violations. No action has been taken in a number of massacre cases. There has been no progress in other cases such as the Chemmani massacres. The accused persons in the Bindunuwewa massacre case and the main accused persons in the Udathlawinne massacre case have been acquitted, giving rise to suspicions that the police and the Attorney General's Department have manipulated the procedure for an acquittal.

Human rights institutions in Sri Lanka lack the necessary power to provide protection against violations. The Sri Lanka Human Rights Commission is weak and lacks credibility. The amendments to the Human Rights Commission Act recommended by international agencies to strengthen the Commission have not been carried out. The Supreme Court has no power to punish offenders and has failed to make rules under the Human Rights Commission Act to enable the Commission to refer cases to courts. The Sri Lanka Monitoring Mission (SLMM) has no power of investigation and has no presence in some of the districts of the north-east.

The Sri Lankan government has not appointed the Constitutional Council, the Police Commission and the Public Service Commission. In violation of the Sri Lankan Constitution the government has decided to hand over the powers of these bodies to ministers. It is evident from the Foreign Office's Travel Advice on Sri Lanka dated 23 January 2006, the British High Commission in Colombo has noted the seriousness of the situation. The FCO evidently recognizes that return of Tamils is inappropriate given the grave risks of detention, torture and disappearances.

The TIC urged the Minister to reconsider the current position to return failed Tamil asylum seekers at the present time and grant them complementary protection in the UK. The TIC also requested the removal of Sri Lanka from the list of safe countries so that failed asylum seekers are not fast tracked through the Oakington Reception Centre.

TIC launches publication for campaign

After a four-year ceasefire between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE), the failure of the government to effectively address the substantive political issues such as devolution, its preoccupation with retaining power and undermining any measure that will recognize the rights of the Tamil people, are leading the island dangerously close to resumption of war. Tamil homeland, Tamil nationality and Tamil right to self-determination are the fundamentals underlying the Tamil political struggle. The Tamils would favour a political framework that offers substantial regional autonomy and self-government in the Tamil homeland on the basis of the right to internal self-determination.

The Tamils of Sri Lanka are severely marginalized and feel that they are losing their place irretrievably. The Sri Lankan parliamentary system has legitimized the marginalization. Consequently, Tamils are unable to develop themselves as full citizens. In addition to constitutional manipulation and blatantly discriminatory legislation and administrative action, violence has been perpetrated systematically against the Tamil community, threatening their very existence as a people. The LTTE has been criticized for many years for failing to put forward its own proposals for a solution to the conflict. The LTTE put forward its proposals in October 2003, but the government's refusal even to discuss these proposals has accentuated Tamil fears.

The LTTE has also been blamed of gross violation of human rights. There could be no doubt about the Tamil community's concern over this issue, and as far as possible, the community is engaging the LTTE to address these concerns and to make them accountable to the people whom they represent. The international community must realize the urgent need to solve the conflict and that delay would inevitably lead to disappointment, frustration and undesirable consequences.

A political solution must be based on principles that have been accepted by all sides. The Sri Lankan government, the LTTE and the international community accepted the principles in the Oslo Declaration of December 2002. The parties agreed to explore a solution founded on the principle of internal self-determination in areas of historical habitation of the Tamil-speaking peoples, based on a federal solution within a united Sri Lanka. But President Mahinda Rajapakse's government has moved away from these principles.

The international community has been outspoken and very critical over violations of the LTTE and has imposed sanctions. But the grave violations of successive Sri Lankan governments hardly have impact on the policies of other governments and international agencies, which often appear to take decisions to please and reward the Sri Lankan government in power. In this light, TIC's report deals with the violations of successive Sri Lankan governments for the consideration of the international community.

The TIC report contains details of the violations of human rights suffered by Tamil people for the past fifty years, which have been well documented by international NGOs and UN bodies. The report provides references to these materials. The report also contains sections on the peace efforts, peace agreements and the role of the successive governments and opposition parties in wrecking peace agreements. Peace initiatives by the international community are also included.

International action and the role of the International Community

The TIC acknowledges the efforts taken by the international community in some areas of humanitarian concern of the Tamil people, but urges vigorous and consistent action for their protection, taking into consideration the following contexts and principles:

- The community of states must respect legitimate aspirations of the Tamil and Muslim people in finding a political solution.
- Sri Lankan governments have undermined democratic institutions. The international community must play a positive role in safeguarding and strengthening democratic institutions.
- While unequivocally condemning the human rights violations by the LTTE, the international community should without reservation condemn the barbaric deeds of the Sri Lankan government.
- Human rights violations against Tamil civilians have been covered up by control of the media and censorship. International pressure is required to allow free reporting and access to foreign journalists and fact-finding missions to the north-east.
- While using aid as a lever to make the Sri Lankan government move towards peace, donor countries should investigate the use of aid towards military purchases which fuel the conflict.
- The supply of arms to a conflict region, particularly when grave human rights violations are committed, cannot be justified. Other nations should refrain from promoting the war.
- The international community must ensure that peace facilitation and ceasefire monitoring remain separate, and that the SLMM is strengthened with personnel and resources.
- The communities in Sri Lanka are polarized. The international community must ensure that the peace negotiations are sustained.
- It must be realized that the needs of the people will not be satisfied without a joint mechanism for the distribution of post-tsunami aid. A proper joint mechanism, introduced in consultation with the civil society, will avoid failure and promote goodwill.
- The community should assist local development initiatives, especially people-focussed development.
- Before the ceasefire, the overwhelming majority of the victims were Tamil civilians. The international community must ensure that the Sri Lankan government adheres to its international human rights and humanitarian obligations.
- The government should be urged to adopt measures to prevent human rights violations by repealing the PTA and the Emergency Regulations and improve judicial remedies available to Tamils targeted.
- Arbitrary power and absence of democracy have led to human rights violations. The state is accountable to the people of Sri Lanka and the international community. The government lacks good governance, transparency and accountability and ignores civil society. The international community must take appropriate measures to strengthen the civil society and ensure that the government is made accountable.

C J T Thamotheram A pioneer among the expatriate Tamils in the UK



C J T Thamotheram, 87, who pioneered many activities for the expatriate Tamil community passed away in London on 27 October 2005. He founded the West London Tamil School in 1978 to help Tamil children in the UK to learn Tamil language and culture. He was also the founding chairman of *Tamil Times*, the monthly journal which was first published in 1981. He founded the think-tank International Tamil Foundation (ITF) in 1988, Tamil Writers Guild UK in 2005 and was associated with the Standing Committee of the Tamil Speaking People (SCOT).

His contributions to the Sri Lankan Tamil people and their cause are many. He had wide contacts with organizations and members of all Sri Lankan communities. Mr Thamotheram maintained regular contact with the TIC for information and discussion.

A member of the Tamil Writers Guild writes: *A leading light of the Tamil community has been extinguished, but his memory will live in our hearts forever.*

Sithampari Pushparajah A selfless leader of the Tamil liberation struggle



The TIC has expressed sadness at death of Sithampari Pushparajah, 54, on 10 March 2006 in Paris. Mr Pushparajah was a founder member of *Manavar Peravai* and took an active part in the youth movement of the Tamil Federal Party of Sri Lanka. He was arrested for his part in the Tamil liberation struggle and was imprisoned and suffered torture at the hands of the Sri Lankan security forces.

He was a relentless, selfless and vigorous participant all through his life in the struggle for Tamil rights and social justice, in particular for the interests of the exploited, down trodden and the oppressed. After leaving Sri Lanka, he continued his work and founded a writers forum. He was the author of the book *Witness to Eelam Struggle*, which he wrote while living in exile in France.

The Tamil community has lost a noteworthy leader of the Tamil liberation struggle of the early 1970s.

Saverimuthu Stanislaus: A dedicated worker and friend

The death of Saverimuthu Stanislaus, the Chair of the South London Tamil Welfare Group on 3 February 2006 has deprived the Tamils of a person dedicated to the cause of the refugees and the welfare of the Tamil community in Britain.

In statement of appreciation, the TIC said that despite poor health for several years, he continued to champion the cause of the refugees, even travelling abroad to attend important meetings. Mr Stanislaus was closely involved with the TIC for a considerable period of time on a range of issues, including campaigns to change policies and practices that denied protection to Tamil asylum seekers and refugees. His knowledge of asylum issues helped the TIC in its campaigns and lobby for better rights.

His long experience and talents were recognized and he was elected as a Trustee of the Refugee Council. As Trustee of the Refugee Council he was able to bring into prominence the Sri Lankan ethnic conflict and the plight of Tamil refugees, and encourage the continuation of the special project on Sri Lanka publicizing the human rights violations against the Tamils. He worked closely with the British Home Office and served as a member of the Home Office User Panel. He also served in the advisory panel of the Office of the Immigration Services Commissioner (OISC), an independent public body responsible

for ensuring that all immigration advisers fulfil the requirements of good practice. He participated in the Home Office National Asylum Support Forum as a stakeholder. In these positions, Mr Stanislaus was able to influence policy decisions on asylum and immigration. He participated in meetings of community organizations with the Home Office and on many occasions was instrumental in arranging these encounters to enable the community to take up issues of concern.

Mr Stanislaus initiated the establishment of the South London Tamil Welfare Group (SLTWG) and served as its chairman for a long time, working closely with the Merton Borough Council, particularly in integration projects. Under his leadership, the SLTWG served the community in London, especially the Tamil asylum seekers, offering advice and assistance on issues such as welfare benefits, housing and education. SLTWG also provides employment training, elderly and youth services and promotes social and cultural activities. The long-standing dedicated work of Mr Stanislaus was recognized in Britain and his name was included in the New Year honours list in 2003 and he was awarded an MBE for services to asylum seekers and refugees.

The TIC hopes that his commitment would remain an example to all and that his work would be carried on by others.

CCD elders drop-in service in Kingston

Ageing is a development issue. Healthy older persons are a resource for their families, their communities and the economy.

World Health Organization Brasilia Declaration on Ageing and Health 1996

In many parts of the world, elders make important contributions to development. Such contributions can only be ensured if older persons enjoy adequate levels of health, for which appropriate policies need to be in place. The World Health Organization (WHO) and other international agencies are encouraging the process of "Active Ageing". This is a process of increasing opportunities for health, participation and security to enhance quality of life as people age. The issues associated with this process are, fostering policy advocacy, promoting healthy lifestyles, reducing health risks and increasing quality of life. Ageing puts increased economic and social demands on all countries, but at the same time, older people provide a precious, often ignored resource that makes an important contribution to the socio-economic fabric of life of a nation.

Health is the building block which enables individuals to continue to contribute to society. A "Healthy Ageing" initiative has been launched under WHO leadership promoting a cycle of activities: the strengthening of information bases; dissemination of information; advocacy; informed research; training; and policy development. It encourages community-based and inter-generational activities. It emphasizes gender and ethical issues. The participation of older people themselves as active players and role models, reinvesting in health as they continue to age, greatly strengthens the process.

The Centre for Community Development (CCD) is developing a Tamil Speaking Elders Empowerment Programme with the aim of empowering Tamil elders living in the Borough of Kingston. The objectives of the project are as follows:

- Promote accessible and appropriate services – make assessment of the current level and appropriateness of service delivery in Kingston; improve collaboration between agencies working with elders;
- Improve access to information on elders by adopting appropriate methods of dissemination of literature in English and Tamil in order to maintain reasonable independence for families and older people; make aware of services, benefits, pensions and entitlements and issues such as debt, health and immigration;
- Establish a culturally appropriate lunch club/day centre to provide opportunity for social and recreational activities;

- Develop a flexible and imaginative day centre to enable the elders to have a normal life and to provide information and advice to them;
- Promote complimentary therapies targeting physical, mental and spiritual needs; support healthy ageing and positive mind and body;
- Involve older people in the community - teaching, volunteer work and part-time work at suitable establishments;
- Improve homecare and home care support;
- Develop interesting programmes and activities to stimulate intellectual and social enjoyment, including inter-generational activities;
- Undertake and support research into the special needs of older people, the needs of carers and resources available for care or support;
- Combat loneliness, depression and isolation; provide opportunity for members of the community to meet and share experiences;
- Work together with other organizations to influence policies that directly affect Tamil elders.

As part of these objectives, the CCD has taken the initiative to establish an Elders Drop-in Service in the Kingston area, to provide a place where older adults, as individuals or groups, can come together to advance their mutual interests and for services and activities that will enhance their dignity, support their independence and encourage their involvement in the community. The activities and services offered will include English language learning, summer events, social and recreational activities, leisure and educational activities, creative arts, advocacy, inter-generational activities, TV, games, newspapers and books, day trips and advice on issues affecting elders including active living and health.

CCD's Elders Drop-in Service will be launched on Wednesday 19 April 2006, at 10.00am at the Shiraz Mirza Community Hall, 76A Coombe Road, Kingston-upon-Thames KT2 7AZ (Near Norbiton Railway Station). Elders who wish to join may obtain a Registration Form from the Coordinator, Tamil Speaking Elders Project, CCD, Thulasi, Bridge End Close (Off Clifton Road) Kingston-upon-Thames KT2 6PZ, by writing, or by telephoning 020 8546 1560 or sending an e-mail to admin.ccd@sangu.org.



Radhika becomes UN representative for children

UN Secretary General Kofi Annan announced on 7 February 2006, the appointment of Radhika Coomaraswamy as UN Special Representative for Children and Armed Conflict. Ms Coomaraswamy was UN Special Rapporteur on Violence against Women between 1994 and 2003 and was appointed chairperson of the Sri Lanka Human Rights Commission in May 2003. As Director of the Colombo-based NGO, the International Centre for Ethnic Studies (ICES), she oversees programmes on multiculturalism, federalism and constitutional reform as well as education policy, and judicial approaches to pluralism. The Centre also conducts research into language policy, cultural studies, women and governance, women and religion, election monitoring, protection of minorities at the international and regional level and the development of social theory.

People affected by floods

CCD partner KAROD makes an appeal

Torrential rains in December 2005 resulted in heavy flooding in the north-east and CCD's partner, Kilinochchi Association for Rehabilitation of the Disabled (KAROD) has made an appeal for assistance.

In Jaffna District, 31 Grama Sevaka (Village Headman) divisions were flooded, including in Vadamaratchi, Valikamam and Thenmaratchi, and people were displaced. In Kilinochchi and Mullaitivu districts, several of the the major tanks - Iranaimadukulam, Akkarayankulam, Maniankulam, Kalmadukulam and Vannerikulam - and other minor tanks overflowed and people in the low lying areas of Paravippanchan, Vannerikulam, Paranthan and some villages in the Kandavalai fled to safer areas.

Displacement in Kilinochchi

| Division | Families |
|------------|----------|
| Poonagary | 792 |
| Karachchi | 2,466 |
| Kandavalai | 2,929 |
| Palai | 510 |

Around 11,000 homes were affected. The displaced people were sheltered in 16 schools. About 300 volunteers from the Tamils Rehabilitation Organization (TRO) rescued many of these families from the rising waters. The Government Agent of Kilinochchi has appealed to NGOs for help. The affected places were cut off by floods and the people were unable to take refuge in the homes of relatives/friends. Due to overflowing of the Akkarayankulam tank, roads were under water and the people were unable to go in to Kilinochchi town. Some of

the villages in Mullaitivu District were badly hit by the floods affecting 17,460 people.

KAROD has vast experience in serving people affected by disasters. Usual relief services include provisions of dry rations and non-food materials in areas where government and NGO assistance does not reach. KAROD service is limited to disabled persons who lack support from other NGOs. Dry rations consist of basic food such as rice, lentils, tin fish, sugar, milk powder and tea. The non-food materials are, mats, bed spreads, bed sheets, clothes, cooking utensils, lanterns, matches, soap and water cans.

The total cost is around Rs. 2,000 (\$20) per family. The food and non-food materials are available in retail shops in Kilinochchi. KAROD's local Community Development Officers (CDO) identify affected families or persons in their areas. Distribution to the beneficiaries is through Field Officers who use KAROD vehicles. KAROD is making arrangements to assist around 1,000 affected families who need assistance in the various administrative divisions. KAROD urgently needs Rs. 2,160,000 (\$21,600), which includes transport and administrative costs.

Besides displacement, there are people who have lost cultivated paddy after spending large sums of money, most of which was obtained by loans, and are in dire need. KAROD is making an appeal to assist the people affected by the floods.

KAROD

KAROD was founded in 1990 to provide, among other things, physical, psychosocial and socio-economic care and assistance to people disabled by the ethnic conflict or by

nature. KAROD is unique, in that, it was the disabled who were instrumental in its establishment. KAROD works beyond the barriers of ethnicity, religion, caste or political ideology to ameliorate the living conditions of unfortunate victims of landmines, gun shot injuries, aerial bombing, artillery shelling and also persons who are disabled from birth.

Objectives of KAROD:

- Maintain the identity of the disabled in the society.
- Help the disabled to achieve self-reliance and self-support roles through community-based rehabilitation.
- Help the disabled to mobilize and interact with society, particularly in participatory activities and decision-making.
- Assist in overcoming psychological trauma and stress.
- Network with NGO and government agencies to identify and refer people to KAROD for rehabilitation.

People who wish to assist KAROD may do so directly. The details are as follows:

Commercial Bank Ltd
Vavuniya Branch, Sri Lanka
Account Number: 1610066402
Swift Code: CCEYLKXLX
Contact person: Sr. Lourdes Joseph,
Director, KAROD, Kilinochchi
Telephone number: 00 94 21 2285784
E-mail: mljoseph5@ yahoo.com



KAROD Director Sr. Lourdes Joseph at discussions with officers of the CCD in London



Dr Soosai Joseph from Norway attending to patients at KAROD in Kilinochchi District

Violence affecting humanitarian aid in north-east

At the end of February 2006, the TIC noted the following issues relating to human rights in Sri Lanka:

1) At the peace talks in Geneva on 22 and 23 February 2006 between the LTTE and the Sri Lankan government, both parties accused each other of human rights violations, but no substantive discussions were held on developing a programme for promotion of human rights. The two-month period before the next round of talks is an opportunity to persuade the parties to discuss human rights issues.

2) The European Commission says in a letter to the TIC that the escalation in violence and volatile security situation in the north-east has had a slowing effect on the implementation of assistance both in post-tsunami and conflict-affected areas. Continuing violence and violations of human rights are of concern. Aid agencies working in the north-east have complained that the freedom to move about is restricted and aid work has been affected.

3) Ten staff members of Tamils Rehabilitation Organization (TRO) were abducted on 29 and 30 January 2006 in areas under the control of the government security forces in the eastern parts of the island. Three people were released and two of them have been interviewed by the Sri Lankan police. The TIC has called upon the Sri Lankan government to make all efforts to have the victims released immediately and launch a full investigation into the abduction. The government first said that the alleged abductions are a false claim, but later appointed a police team for investigation.

4) There was less violence in the north-east after the peace talks were announced, but killings have continued. Following a visit by Secretary General Irene Khan to Sri Lanka in December 2005, Amnesty International expressed concern over the spate of politically motivated killings in the east and said that the killings were reportedly committed by the LTTE, the Karuna group, other Tamil armed groups and the security forces. Increasingly, many of those killed are civilians with little or no evident connection to armed activity, including journalists, academics, teachers and farmers, as well as former members of Tamil armed groups who have not been involved in armed activities for a long time.

5) In December 2005, the UN Committee Against Torture expressed deep concern about widespread torture and ill-treatment as well as disappearances, mainly committed by the Sri Lankan police force. The UN Committee was also concerned that such violations by law enforcement officials are not investigated promptly and impartially by the authorities, leading to impunity.

6) Since the re-introduction of Emergency in August 2005, there has been a recurrence of enforced disappearances. According to the Sri Lanka Human Rights Commission, some 20 people disappeared in the Jaffna peninsula after arrest by security forces in December 2005.

7) In December 2005, Amnesty International also expressed concern over reports of the sexual abuse of women, and reported the rape and murder of young Tamil woman, Ilayathamby Tharshini on 16 December 2005, near the naval base in Punkudativu. Two young Tamil women from Vadamaratchi in Jaffna have complained to the Sri Lanka Human Rights Commission of attempted rape on 2 January 2006 by Sri Lankan soldiers.

8) Amnesty International called upon the LTTE and other armed groups to end all abuses, including civilian killings, abductions and torture and ill-treatment and the government of Sri Lanka to take all possible steps to protect the civilians, stop abuses by armed groups, and bring the perpetrators to justice. Amnesty has also urged the establishment of an effective international human rights monitoring presence, ensuring unhindered access by human rights monitors to both government and LTTE controlled areas; facilitate the systematic independent investigation and documentation of abuses; provide support and training to local human rights bodies; and act as a respected, senior interlocutor on human rights with the parties to the conflict.

9) On 15 February 2006, UNICEF said that while recruitment of children by the LTTE in the last six months declined to an average of 43 a month, only 79 children were released and reunited with their families during the same period. UNICEF further said that recruitment of even one child is unacceptable according to the Convention on the Rights of the Child. According to UNICEF, there have been 5,368 cases of reported child recruitment since January 2002. At the peace talks in Geneva on 22 February 2006, LTTE's Chief Negotiator Anton Balasingham said that accusations are made against the LTTE without taking into consideration the complex child rights issues in the north-east and the number of children released by the LTTE under the Action Plan for the war affected children undertaken in association with UNICEF. Mr S P Thamilselvan said that the LTTE takes care of thousands of children in children's homes and there is an urgent need to be concerned about the welfare of the children affected by war. He also said that there is no provision in the ceasefire agreement that prohibits recruitment and therefore is not an issue that comes within the mandate of the Sri Lanka Monitoring Mission (SLMM).

10) On 28 December 2005, the government announced new arrangements for foreigners seeking to enter LTTE areas of the north-east, which are under LTTE control. Foreign staff of diplomatic missions, international organizations and international NGOs accredited with the Ministry of Foreign Affairs will be allowed to cross entry and exit checkpoints into these areas without restriction. All other foreigners must seek prior approval from the Sri Lankan Ministry of Defence.

11) President Mahinda Rajapakse and the Sri Lankan Cabinet decided on 22 December 2005 to transfer the powers of the independent commissions to government ministries. The Seventeenth Amendment to the Sri Lankan Constitution provides for the establishment of a Constitutional Council, which would in effect choose the commissioners of the independent commissions - Human Rights Commission, Public Service Commission, Police Commission, Bribery and Corruption Commission, Finance Commission, Delimitation Commission and the Election Commission. The Constitutional Council also approves the appointment of the Chief Justice, judges of the Supreme Court and the Court of Appeal, Attorney-General, Auditor General, Inspector General of Police, Parliamentary Commissioner and the Secretary General of Parliament. The Seventeenth Amendment was introduced for the promotion of good governance, transparency and accountability. The Constitutional Council, the National Police Commission and Public Service Commission are currently not functioning. The Election Commission has not been appointed and the term of the Human Rights Commission ends in March 2006. The Asian Human Rights Commission (AHRC) has said that the cabinet decision to transfer the powers of constitutional bodies to administrative bodies is a clear violation of the Constitution and an undemocratic act aimed at placing all the powers of the commissions again in the hands of the executive President.

Exploiting vulnerability of asylum seekers

A rally organized by the Action Group of Tamil Asylum Seekers (AGTAS) against deportation of asylum seekers from the UK was held at Trafalgar Square in London on 19 March 2006. Below are excerpts from the speech delivered by the TIC representative at the rally:

The ongoing deportation of Tamil asylum seekers from Britain violates the letter and spirit of international and British human rights law that govern refugee protection. The human rights and security situation in Sri Lanka is grim and Tamils are forced to live in a militarized State that does not accord human rights enshrined in International law. The life, security and human rights of Tamils returning to the Tamil homeland in Sri Lanka will not be secure or safe.

UNHCR has reported internal displacement in Sri Lanka and Tamil refugee arrivals in India. Tamils are particularly vulnerable to arbitrary detention, torture and disappearances in Sri Lanka. Arrests are taking place under Emergency Regulations introduced in August 2005 which grant wide powers of arrest and arbitrary detention to the security forces that grossly violate international human rights standards for the right to a fair trial, the right not to be detained arbitrarily, the right not to be tortured and the right to life. Police torture has continued and no action has been taken regarding 21,115 cases of disappearances. There has been a significant increase in extra-judicial killings.

The government has not taken any significant action. There has been no progress in cases relating to massacre of Tamils. The human rights institutions in Sri Lanka lack credibility, are unwilling to exercise the powers granted under statutory law or do not have the necessary authority to provide relief to victims. The government has failed to take measures to strengthen human rights institutions despite the demand of the international community, but is set on a course to destroy democratic institutions established under the Constitution to protect the rights of the people. A culture of gross impunity exists in Sri Lanka for those who violate the human rights of Tamils and adequate institutional and legal mechanisms are lacking.

Many Tamil asylum seekers who are fleeing such a situation to the UK have suffered from lack of proper legal representation

and improper preparation of their application for establishing a legal foundation concerning international and British laws governing refugee status. This is due to various factors such as the British government "fast tracking" asylum applications and severely restricting legal aid for asylum applications, interviews and legal representations. This has made asylum seekers from Sri Lanka who are fleeing persecution to submit improperly prepared applications that do not truly reflect the facts and the true depth of legal implications that are causes for seeking refuge.

The TIC is extremely concerned over the Home Office practice of deporting asylum seekers during weekend holidays when they do not have access to their lawyers or other representatives. This is an inhumane tactic that exploits the vulnerability and helplessness of asylum seekers apart from violating their human right to legal representation. This practice must stop and asylum seekers should be given proper notice by the authorities during working days before any action on deportation, to enable them to contact their lawyers.

The TIC has received numerous appeals from Tamil asylum seekers, most of them vulnerable young men and women, whose applications for asylum have been turned down. They live in fear of deportation and in a state of uncertainty. Regular community meetings have observed that an increasing number of people are becoming destitute after receiving a negative decision on their asylum claims under the government's fast track system. Recent legislation in the UK has eroded the rights accorded to refugees based on international human rights laws. Hence the right of the asylum seekers to successfully gain refugee status has been seriously undermined.

In the current situation in Sri Lanka, the right to life, the right to protection from torture and other basic human rights of the Tamil asylum seekers may be violated, if they are deported to Sri Lanka. The right to education, family and married life of many refugees will also be violated because they will be returned to an oppressive situation where these rights may be affected. In addition, their enjoyment of these rights in the UK will be denied. The detention of Tamil asylum seekers in the UK and their deportation to Sri Lanka at the present time cannot be justified on any ground of morality or human rights.

TIC discussions on joint mechanism with MP

The TIC met British MP Andy Love in late January 2006, and in a letter to Mr Love following the meeting, the TIC expressed appreciation on his commitment towards helping the people of Sri Lanka. The TIC learned a great deal about the difficulties MPs face in taking forward the concerns and grievances of the people who approach them with various views and perceptions, and the need to act prudently and sensitively. The TIC also realized the responsibilities of the Tamil people when seeking assistance from MPs for promoting human rights, peace and development in Sri Lanka and appreciates the British government's substantial commitment towards post-tsunami assistance and reconstruction efforts.

Britain has an important part to play in bringing an end to the conflict in the island. Though Norway has taken on a substantial role, supported by the international community including Britain, in promoting talks on the ceasefire agreement, the UK government could facilitate discussions on establishing a joint mechanism for reconstruction. A joint mechanism would enable

both parties to come to terms on substantial issues concerning post-tsunami assistance and reconstruction, administrative structures, civil society interventions, human rights and human security, race relations and peace building.

In his oral answer on 25 January 2006 to Elfyn Llwyd's and Andy Love's questions, Secretary of State for International Development Hilary Benn indicated that it would help enormously if the parties to the conflict could reach agreement in solving the problem that would deal with the difficulties about which people have expressed concerns. A joint mechanism would not only have the potential of achieving such purpose and resolve the difficulties, but would also foster a trusting environment in which all are comfortable with their role in promoting peace, justice and democracy.

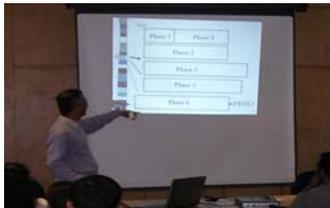
The TIC urged Mr Love to take up these issues with the Minister, particularly the merits of taking forward the issue of a joint mechanism between the Sri Lankan government and the LTTE.

CCD Workshop on Medical School Interviews



A Workshop on Medical School Interviews, arranged by the CCD, was held at *Thulasi* on 6 November 2005, for prospective medical students. The workshop provided them advice on medical school interviews and an opportunity to practice their presentation skills. After an introduction by TIC Director Dr S Ratneswaren, Clinical Biochemistry Professor R Swaminathan and Imperial College senior lecturer DR A Thillainayagam made presentations on the admission process, expectations at medical

interviews and medical ethics. Imperial College students Anenta Ratneswaren and Sobitha Sathianandan also spoke about medical ethics. Student Mayuran Ratnarajah talked about his life as a medical student and TIC Director Suresh Sivagnanam made a presentation on NHS financing. The Workshop also included tips on 'How to handle the interview' from Sobitha and mock interviews. In their evaluation, most of the participants indicated that the Workshop met their expectations completely.



Professor R Swaminathan, Clinical Biochemistry, St Thomas' Hospital



Mayuran Ratnarajah, Medical Student, Imperial College



Suresh Sivagnanam, Director Tamil Information Centre

Home Office website on refugee integration

The Tamil Women Development Forum (TWDF), a project of the Centre for Community Development, reviewed the website portal of the National Refugee Integration Forum (NRIF) at its monthly meeting on 11 February 2006. The website was launched on 7 February 2006 by the Home Office Under-Secretary Andy Burnham, and the TIC was invited to participate in the ceremony.

As part of the strategy of the UK for integration of persons who have been recognized as refugees, the Home Office has established the NRIF. Its nine sub-groups provide a practical perspective on the most important aspects of the integration process, contributing to the strategic planning and delivery of services to refugees. Integration here means the process that takes place when refugees are empowered (1) to achieve their full potential as members of

British society; (2) to contribute fully to the community; and (3) to become fully able to exercise the rights. The website is intended to provide a wider strategies and practices that promote integration of refugee children in schools and local communities. It provides information, guidance and examples of effective practice for the range of practitioners working with refugee children.

The TWDF recognizes that the website is a useful resource for the refugees, children and the community and encourages members to view the site. The website welcomes user feedback and any comments on the contents may be forwarded to the Education Guild at: enquiries@educationguild.co.uk.

Website address: www.nrif.org.uk

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