



THUILASI



UN Declaration on the Right to Development

Article 1

1. The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.

2. The human right to development also implies the full realization of the right of peoples to self-determination, which includes, subject to the relevant provisions of both International Covenants on Human Rights, the exercise of their inalienable right to full sovereignty over all their natural wealth and resources.

Article 3

1. States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development.

2. The realization of the right to development requires full respect for the principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations.

3. States have the duty to co-operate with each other in ensuring development and eliminating obstacles to development. States should realize their rights and fulfil their duties in such a manner as to promote a new international economic order based on sovereign equality, interdependence, mutual interest and co-operation among all States, as well as to encourage the observance and realization of human rights.

States responsible for human rights and rule of law

The Tamil Information Centre (TIC) submitted an Information Note to members of the UN Human Rights Council (UNHRC) in September 2006 pointing out that democratic institutions in Sri Lanka have been stifled or destroyed by deliberate action of the government and human rights standards have deteriorated to an unacceptable and dangerous level. The second session of the new UN Council was held in Geneva from 18 September to 6 October 2006. This note has been widely used for lobby by human rights advocates.

According to the United Nations, States bear ultimate responsibility as guarantors of democracy, human rights and rule of law. States must uphold their human rights obligations during periods of conflict and national emergency, in accordance with international law. Governance must be characterized by the rule of law in conformity with human rights standards, and a strong and independent judiciary is essential for the protection of human rights and for the preservation of democracy.

The government has not only failed to take appropriate action to investigate human rights violations, but has introduced legislation facilitating its agents to commit abuses and escape punishment. The judiciary has become part and parcel of this structure and the UN has stated that corruption in the judiciary is on the increase. In the circumstance, the people have no recourse to remedies and justice.

The Presidential Directives of July 2006 in no way diminish or rectify the draconian nature of the Emergency Regulations (ER) of August 2005. The Directives are a clear attempt to mislead the public and to divert attention from atrocities that are consequences of the existence of the ERs. The ERs are primarily used against the Tamil community, and a large number of Tamils have been arrested and many have disappeared.

The ERs encourage impunity among the security forces and the consequences of the ERs are indefinite detention without access or trial, admission of confessions obtained under torture, the absence of judicial oversight on arrest, detention and enquiry into custodial deaths and the absence of adequate penal provisions for breaches by detaining officers. These circumstances are ripe for arbitrary detention, torture, disappearances and executions to be carried out with impunity. A

large number of killings have taken place in the north-east region since the ceasefire of February 2002 and many killings have also taken place outside this region, including in Colombo. After April 2004, the killings dramatically increased. In many cases of civilian deaths, the killings were carried out by unidentified persons arriving at homes and shooting them or taking them away to other places and murdering them.

Many people were abducted by unidentified persons, murdered and their bodies dumped in public places. Others were murdered in public places such as bus stations, streets, shops or offices. The phenomenon of civilian killing by unidentified persons is becoming widespread and has led to the belief that a new force is operational in the north-east, creating fear and panic among the people. People have been shot, hacked or battered to death or strangled. Some were killed by grenades and many others were killed by security forces in retaliatory attacks. Some were shot dead at security force checkpoints.

Many civilians were also killed in landmine or bomb attacks against security forces. Most of the civilians killed were between the ages of 15 and 35, but some people over the age of 60 were also targeted. They included students, housewives, businessmen, local councillors, fishermen, taxi or three-wheeler drivers or former members of Tamil militant groups. The Sri Lankan security forces, the Liberation Tigers of Tamil Eelam (LTTE) and paramilitary groups aligned to the security forces are accused of carrying out the attacks on civilians. People say that some are taking the chaotic situation to settle private scores.

The TIC called on the UNHRC to urge the Sri Lankan government to ensure that a mechanism for investigation of human rights violations throughout the island is established with international participation. International observer missions as proposed by the Sri Lankan President are inadequate and will serve no purpose in the circumstances that prevail currently in Sri Lanka.

The proposed international body must be properly resourced with a robust mandate and expertise in human rights and civil affairs. As has already been pointed out by the UN Special Rapporteur on Extra-judicial and Arbitrary Executions, it must meet the requirements of independence, credibility, effectiveness and empowerment, so that it contributes to public confidence, peace and stability in all parts of Sri Lanka.

TIC urges Home Office engagement with refugee community

Tony McNulty

In letters to the British Home Office, the TIC pointed out that there is confusion in the Tamil community over asylum decisions and called for adequate acknowledgement and understanding of the community's concerns. The TIC noted that an ongoing engagement with the refugee community is essential to create awareness and to respond to its concerns.

The TIC wrote to Tony McNulty, Minister of State for immigration, Citizenship and Nationality in January 2006 regarding the situation in Sri Lanka and the plight of asylum seekers, and following a reply wrote back in April 2006 to the Home Office highlighting a number of issues.

The TIC reiterated that the manner in which failed asylum seekers are treated is a major concern for the community. Many of them have no means to support themselves and have become destitute. There are instances where asylum seekers have been removed from the country before their cases were

concluded or before they could avail themselves to entitled remedies. The TIC expressed the opinion that there should be procedural fairness in the case of removals and asylum seekers given the opportunity to explore all available legal remedies.

There is particular concern for returned asylum seekers in view of the imposition of Emergency in Sri Lanka in August 2005 and the introduction of Emergency Regulations. The impact of the Regulations is already being witnessed. The fear of asylum seekers has heightened after the arrest and disappearance of Tamils in recent months.

It is of grave concern that the Home Office Country Information of October 2005, the Country Information Bulletin of November 2005 and the Operational Guidance Note of December 2005, do not make any reference to the draconian August 2005 Emergency Regulations or the continuing arrests. The TIC urged the situation to be remedied.

Talent and experience of the expatriates must be used

Ferrero-Waldner

The TIC wrote to European Commissioner for External Relations Benita Ferrero-Waldner and said that the distribution of tsunami relief in north-east Sri Lanka is *ad hoc* and the limited collaboration is insufficient to effectively address incompetence, corruption, discrimination and the lack of public accountability. The TIC requested the Commissioner to urge the Sri Lankan government and the LTTE to resume negotiations on the establishment of a joint mechanism.

The Commissioner said in February 2006: "*We are now working on our plan after P-TOMS. There are still priorities and needs. People need permanent housing, access to roads, electricity, water, sanitation, community infrastructure – as well as support to livelihoods and secondary occupations that have not been sufficiently targeted by assistance to date. We intend to build on what has been achieved through our large post-tsunami humanitarian programmes and are looking into the appropriate mechanisms.*"

In a reply in March 2006, the TIC stressed that a joint mechanism is required to provide for effective interventions in the future, not only in relation to relief and reconstruction, but also relating to other issues such as peace, human rights and strengthening of the civil society. The EU must engage the civil society in policies and programmes and establish links with the Sri Lankan expatriate community. There are a large number of people within the expatriate community with skills in various fields, who are willing to work for the benefit of the communities in Sri Lanka. They can work in any part of the island irrespective of whether it is the north-east or south.

At the peace sessions in Oslo in December 2002, the EU agreed to engage the Tamil diaspora in the context of strengthening its role in the Sri Lankan peace process. The TIC is not aware of any mechanism for such engagement. The TIC urged the EU to set-up a process to engage the diaspora and utilize the skills of the community.

Joint mechanism will create goodwill between parties

Bill Clinton

The TIC expressed extreme concern in a letter to UN Special Envoy for Tsunami Recovery, Bill Clinton, that the joint mechanism between the Sri Lankan government and the LTTE for relief to tsunami affected people in the north-east has been put on hold. The Sri Lankan Supreme Court made clear in June 2005 that a Post-Tsunami Operational Management Structure (P-TOMS) is important and used its inherent jurisdiction to consider measures to convert a situation of illegality to one of legality to allow the structure to function.

But after the new President was elected in November 2005, the court had inexplicably granted an indefinite injunction against the P-TOMS and postponed the enquiry indefinitely. This will cause adverse impact on the north-east people and remove the opportunity of creating goodwill and trust between the parties which would eventually lead to peace talks. It is essential, therefore, for the Sri Lankan government to take urgent measures to ensure that the mechanism comes into operation.

The TIC also expressed concern over the lack of people's participation, responsibility, transparency and accountability in the provision of tsunami assistance in the government-controlled as well as LTTE-held areas. Human rights are widely violated with impunity in both areas and violations occur even in welfare centres accommodating tsunami victims, where women and children are particularly vulnerable. The civil society lacks the freedom, in many areas of the north-east, to engage in normal activities that would help the victims of the tsunami, as well as those suffering human rights violations and promote regeneration of the places devastated by the disaster.

The TIC noted that as a respected person by all communities in Sri Lanka, Mr Clinton was well placed to take up these issues further with both parties, so that efforts are made to achieve permanent peace through cooperation in providing assistance to the people affected by the tsunami.

SLMM urged to continue proactive investigations

SLMM

The TIC called on the Sri Lanka Monitoring Mission (SLMM) to continue its proactive stand on human rights violations. In a letter to SLMM's head Ulf Henricsson, the TIC said it was very concerned over the violations taking place in the north-east of Sri Lanka, particularly the large number of killings of civilians. It is our view, the TIC said, that only the prominent killings are reported in the press and many killings are not reported at all. Killings are also taking place to settle old scores, but these are publicized as political killings.

The TIC held discussions with judges, lawyers and community organizations at grassroots level. The TIC believes that the lack of investigation and impunity are essentially contributing to the continuation of the violations and that unless these violations are investigated, there is little hope of ending the killings. There is also no effective independent mechanism for the people to make complaints regarding human rights violations in the north-east. The TIC urged an effective

mechanism that allows for human rights monitoring, human rights complaints, remedy for human rights violations and reasonable access to all areas of north-east Sri Lanka, is urgently needed.

The SLMM has in the past taken the position that investigation of violations is not part of its mandate under the Ceasefire Agreement and the Status of Mission Agreement. The TIC expressed the view that the essential purpose of the monitoring mandate is to prevent violations, to ensure that the provisions of the Ceasefire Agreement are observed and to contribute to peace. Therefore investigations are an important part of achieving these objectives.

The TIC encouraged the SLMM to play a part in assisting with the investigation of violations of human rights or in the alternative urged the establishment of an effective mechanism for investigation. This would also contribute to the success of the SLMM.

Indian role essential for working towards solution

Condoleezza Rice

In September 2006, the TIC requested the United States government to use its influence to ensure that relief agencies, including the Tamils Rehabilitation Organization (TRO) are allowed to provide relief to the people without unnecessary restrictions. The TIC made the request in a letter to the Secretary of State Dr Condoleezza Rice.

The TIC has urged the appointment of an independent, credible international body to investigate human rights violations in Sri Lanka. In this regard, the TIC welcomed the suggestion of Congressman Rush Holt for the appointment of a special US envoy to monitor violations. But the international effort is facing a new challenge. The Supreme Court ruled on 15 September 2006 that Sri Lanka's accession to the International Covenant on Civil and Political Rights (ICCPR) in 1980 has no effect within Sri Lanka and the signing of the Optional Protocol to the ICCPR in 1997 is unconstitutional. This effectively nullifies Sri Lanka's obligations under international law.

In Sri Lanka, both parties to the conflict are using civilians as political pawns and as human shields without any respect for human life. The displacement of 50,000 civilians in Trincomalee in August and the killing of ten Muslim civilians in Amparai by the police Special Task Force (STF) appear to be part of their misguided strategy. The civilian population has been subjected to regular bombing, shelling, abductions, assassinations and child recruitment. The armed conflict has also created a crisis in education. It has shattered the lives of children and has had a dreadful impact on women.

The constant use of multi-barrel guns by the military in the Jaffna peninsula is affecting the mental health of vulnerable sections of the population. The government is using paramilitary forces, which have no responsibility or accountability. There have also been many attacks on the Plantation Tamils in the Hill Country and Muslims in the north-east, and the police have failed to conduct proper impartial investigations. The security concerns of the minority communities should be addressed swiftly and

adequately. The international community must also bring adequate pressure on the government and the LTTE to resume negotiations. The TIC believes that it would be extremely difficult to find a solution to the Sri Lankan problem without substantial devolution of power to the north-east Tamil regions and constitutional changes. Constitutional changes cannot be introduced without unity within government as well as bipartisan cooperation between government and the main opposition parties.

The US plays a role as co-chair of the Tokyo Conference on Development. The Scandinavian countries, including Norway, have played a commendable role in monitoring the ceasefire in difficult circumstances and they could continue as monitors. But, TIC believes that peacemakers must be strengthened by the inclusion of India in the group of co-chairs, so that the three important and strong nations, the US, UK and India, would be able to jointly take the leading role in working towards a solution.

More than 500,000 people remain displaced. People contacting the TIC from Trincomalee say that the military is preventing them fleeing from the war zone and have requested assistance from us to seek refuge in India. The Sri Lankan government has not only failed to provide them security or adequate relief, but has placed unreasonable restrictions on international aid agencies. As in the past, the government appears to have introduced an economic blockade of the north-east and the security forces are blocking supplies to this region. The blockade has resulted in shortage of food, vital medical supplies and other essential needs of the community and has caused malnutrition and other health problems.

The TIC welcomed Congressman Patrick Leahy's statement in the US Senate on 18 September 2006 that it is critical that humanitarian aid be allowed to reach those who have been displaced and that aid agencies need unimpeded access to the affected populations in Sri Lanka. The TIC urged the US government to ensure that relief agencies are allowed to provide relief to the people without restrictions.

CCD Village Regeneration Programme



After CCD-conducted sewing training in villages of its Regeneration Programme, all the participants belonging to various communities were assisted to hold an exhibition of their sewing products. They held a successful exhibition. CCD partner agencies ensured that the money collected by the sale of products was divided among the village students themselves. This was a new and rewarding experience for the participants, and created an opportunity for them to meet traders, thus eliminating the need for middlemen. It has also encouraged them to develop their own businesses. One person has established her own sewing centre and is currently employing around 25 people.



The CCD brought together children from Thambiluvil for a sports meet. The purpose was to promote racial harmony, respect and fair play. It encouraged participation of disadvantaged groups and provided an opportunity to identify sporting talents. The children and the parents thoroughly enjoyed the event.

Schools in London responded to the tsunami and donated a large number of books for children affected by the disaster. The books were sorted in London to be sent to Sri Lanka. The CCD transported the books to Sri Lanka and has arranged through partner agencies in the north-east to distribute the books in affected villages. The pictures show two young student volunteers sorting and listing the books in the CCD office *Thulasi* in London before despatch to Sri Lanka. The CCD hopes that this will encourage other schools to engage in similar activities which will eventually forge links between schools in the north-east and schools outside Sri Lanka.



Children's hygiene – Hair care

The hairdressers in Thambiluvil, Batticaloa lost all their equipment in the tsunami. The CCD assisted them through partner organisation DEVELOPERS to buy the equipment and re-establish their business, with an agreement that they would provide a hair-cutting service to all the poor children in the village twice a year free of charge. The picture shows the first hair-cutting service in progress.

Village washerwoman – A dying tradition

CCD and DEVELOPERS helped the washerwoman of Thambiluvil to re-establish her business. She may be the village's last traditional washerwoman, as her children have vowed not to follow her professional footsteps. She requests help to construct a building to continue her profession. Expatriates who wish to help please contact the CCD at:

admin.ccd@sangu.org or on 020 8546 1560

Divisive Politics

In a press release on 5 September 2006, the TIC expressed deep concern over ongoing and disturbing increase in abuses against the vulnerable Muslim community in north-east Sri Lanka.

The TIC also said that the intolerance of the Liberation Tigers of Tamil Eelam (LTTE) towards Muslims in the north-east is shocking, and foreshadows a frightening future. Ruthless violence has been committed by members of the LTTE against the Muslims. The LTTE leadership has assured that the safety and dignity of the Muslim people living in the northeast, but LTTE intolerance is manifest in numerous incidents and these abuses are increasing in frequency and severity.

The TIC stressed that it is incumbent on the LTTE leadership to take swift and decisive action to prevent the abuses and to ensure that the rights of all minorities in the northeast are protected. The killing and displacement of Muslims in Muthur have no doubt inflamed Muslim sentiments and has gravely affected Tamil-Muslim relations. This kind of action serves only divisive politics, and has no place in the cause of a community which itself is seeking justice and reprieve from intolerance.

Blatant War Crime

The TIC declared in a letter to the President of the French agency, Action Contre le Faim (ACF), Jean-Christophe Rufin in August that the killing of 17 ACF aid workers in Trincomalee was a deliberate action and a blatant war crime.

The TIC expressed concern that withdrawal of ACF or any international agency following the murders, will encourage the perpetrators and would seriously affect the people who are dependent on the agencies. The presence of ACF and the continuation of its programmes are essential to urge a proper independent investigation and to ensure respect for the neutrality of NGOs guaranteeing them secured access to civilians.

The presence of international humanitarian agencies contributes to the protection of non-combatants from undue violence through advocacy, drawing attention and raising concerns about witnessed abuses. Withdrawal by international agencies would expose the civilians to more danger and suffering. The TIC emphasized that withdrawal would leave the people in a worse position and expressed hope that ACF would take these matters into consideration in making a decision.



Ketheesh Loganathan who was assassinated

Heinous Crime

The TIC expressed extreme shock and deep sorrow in a press release on 15 August 2006 at the reported death of over sixty children and wounding of many more in air-strikes by the Sri Lankan air force in Mullaitivu at dawn on 14 August.

A social worker who visited the scene informed the TIC that he was horrified and outraged. He said, *"I can say this is a massacre. Monday's bombing was not the first time the Sri Lankan air force had committed such a criminal act. They never stop doing this. They will never stop doing this unless air force and government officials responsible for this crime are tried and punished."*

The TIC noted that in the view of the Tamil people, the complacency of the international community, and its failure to take effective steps to stop state terrorism, has encouraged the Sri Lankan government to continue to perpetrate war crimes and crimes against humanity, placing itself above international law. The latest bombing further widened the gulf between the parties to the conflict in Sri Lanka, and has complicated the situation and the efforts to restart peace talks.

Reigning Anarchy

The TIC, in a press release on 13 August 2006 expressed shock and outrage at the killing of Ketheesh Loganathan on 12 August in Colombo, Sri Lanka. The Sri Lankan government blamed the LTTE for the killing. The human rights and peace community has lost another dedicated and talented person.

Ketheesh was the Deputy Secretary General of the Sri Lankan government's Peace Secretariat. He was formerly the Director and the head of Peace and Conflict Analysis at the Centre for Policy Alternatives. Ketheesh was also an active member of Eelam People's Revolutionary Liberation Front (EPRLF) during the period 1983-1984, and represented the group at the July/August 1985 talks between Tamil leaders and the government in Thimpu, Bhutan.

The TIC said that the assassination of Ketheesh once again highlighted the stark reality that there is no law and order in the country and anarchy is reigning in all parts of Sri Lanka. The TIC pointed out that Sri Lanka badly needed a government that has the will and ability to investigate, prosecute and bring those responsible for heinous crimes to justice.

Humanitarian Crisis

The TIC urged the Sri Lankan government in a press release on 6 September 2006 to refrain from exploiting the humanitarian situation in the north-east and lift the restriction on the funds of the Tamils Rehabilitation Organization (TRO) introduced from 29 August 2006. The TRO is a registered charity in Sri Lanka.

The TIC stressed that the government must recognize the essential humanitarian work that the TRO is carrying out in areas controlled by the LTTE, of its own and in partnership with local and international developmental agencies, including UN bodies. These local and international agencies have recognized the vital task the TRO is performing in these areas for many years.

In this light, it is clear that the intention of the present action is to exploit the critical humanitarian situation in LTTE areas and pressure the civilians to submit to its will. Humanitarian aid has become a weapon in the government's arsenal.

Direct communication with LTTE vital for Tamil community

- Malcolm Rodgers, Policy Officer, Christian Aid

The people must have the ability to lobby the LTTE and say that they need to enter into a different kind of relationship with the LTTE that respects their life and person, said Malcolm Rodgers. A meeting between Malcolm Rodgers, Head of Policy at Christian Aid on *Protection of civilians against violence: Humanitarian challenges in Trincomalee and Mannar*, and expatriate Tamils took place at *Thulasi* on 18 August 2006.

People are afraid to talk openly, because of fear that what they say may be reported to anyone, and doubt whether it will be reported accurately. It is vital that a direct communication link is established with the LTTE on behalf of the Tamil civilians, whether by Tamil civilians themselves or along with other international representatives.

The current problem for the LTTE is that it is facing increasing isolation from the international political system. The

international community has also placed considerable pressure on the Sri Lankan government in a variety of ways, such as regarding provision of donor assistance and international cooperation. The statements of the co-chairs have made it clear that if neither party can move towards negotiations leading to a settlement, then forms of disincentives will be equally applied.

The international community has clearly stated that the Tamil community has significant grievances. Both parties have so far not found a way to sit and discuss the substantive issues without preconditions, and both are equally to blame.

If humanitarian agencies speak out openly that government is breaking the law by not allowing them to carry out humanitarian work, the government might say "You have now identified yourself as an enemy. According to humanitarian law, you have the right to

offer humanitarian assistance. But we have the right to refuse it."

As a national force, the military is responsible to the people of Sri Lanka. In the case of the LTTE, our approach would be to take up the international laws of war, particularly Geneva Conventions. LTTE leader V Prabhakaran addressed a letter to the UN Commission on Human Rights in 1988, pledging to observe international humanitarian law. It is the duty of governments and humanitarian agencies to remind non-state actors of the need to observe humanitarian law and refrain from violations. The primary principle of international humanitarian law is the critical distinction between combatants and non-combatants.

Unity is strength. The idea of linking up members of the Tamil community, where they can function to address the needs of fellow members, ought to be one of our major goals.



Pakiasothy Sarawanamuttu speaking at TIC



Malcolm Rodgers addressing TIC gathering

Sri Lankan President Rajapakse has no strategic vision

Both parties in Sri Lanka are not secure about their constituencies and are keen to consolidate their power. This was said by Dr Pakiasothy Sarawanamuttu, the Director of the Centre for Policy Alternatives at a meeting at TIC on 14 July 2006.

The ground situation is bleeding the LTTE. With Karuna's split, the demand for recognition as a sole representative of the Tamil people sounds hollow. The LTTE is also not able to show material benefits for the Tamil people and to protect them from the horrendous human rights violations. People are expecting and demanding protection. The LTTE must do something fairly dramatic quite quickly, but may not be seen as the violator of the ceasefire. The LTTE demand for the EU ceasefire monitors to be removed may be strategic decision in this direction.

The government believes that it is strong. The President has no strategic vision and his positions on the ethnic conflict and the economy are conditioned by his close relationship with the JVP and JHU, which are demanding a military solution. The cost of living is rising and the President is running out of options. He is assessing the option of dissolving Parliament to gain a large majority. The plan of the JVP appears to be to discredit President Rajapakse and inherit power. The UNP has decided not to take part in the All Party Conference on the ethnic conflict.

The international community has failed in its attempts to bring peace and may want more Indian involvement. But high profile intervention is unlikely as India will tread carefully because of economic investment in Sri Lanka.

Britain must use influence to promote rights

A J Canagaratna

In May 2006, the TIC brought two issues of concern to the notice of Dr Kim Howells, the Minister of State at the Foreign and Commonwealth Office.

1) The killings, particularly in north-east Sri Lanka are increasing. Professor Anthony Good of the University of Edinburgh visited Sri Lanka in February 2006 and in his report says that the level of violence fell in the weeks preceding the Geneva talks, though it never ceased altogether. He has also reported that there was an upsurge in disappearances in the north and upward spiral of violence since April 2006. According to a TIC representative, who visited all areas of the north-east in April/May 2006, only the prominent killings are reported in the press and many killings go unreported. Killings are also taking place to settle old scores.

The TIC representative held discussions with judges, lawyers and community organizations at grassroots level. The TIC believes that the lack of investigation and impunity are essentially contributing to the continuation of the violations and that unless these violations are investigated, there is little hope of ending the killings. A large number of people have been killed, but none of the deaths has been probed by law enforcement agencies to find the perpetrators. There is also no effective independent mechanism for the people to make complaints regarding human rights violations in the north-east. An effective mechanism that allows for human rights monitoring, human rights complaints, remedy for human rights violations and reasonable access to areas of the north-east is urgently needed.

In relation to massacres of civilians that have been committed by the security forces, a large number have not been investigated. Where charges have been brought in some cases due to international pressure, the accused have been acquitted. An example of this is the Bindunuwewa massacre in October 2000 relating to the massacre of 27 Tamil youths in the custody of the Sri Lankan State in a rehabilitation centre. All the accused were discharged or acquitted despite overwhelming evidence, including the evidence recorded by a Presidential Commission.

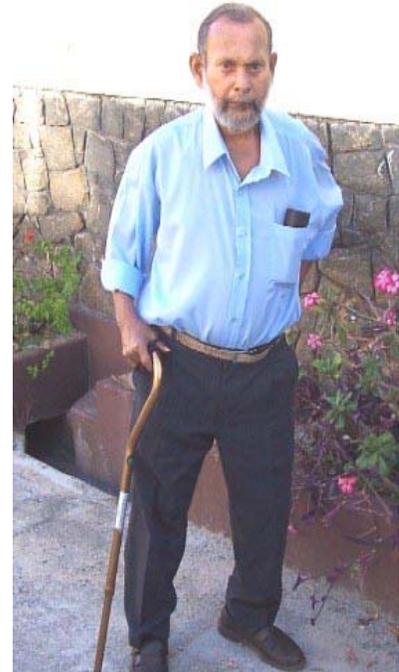
Investigations were begun in respect of a few other massacres, but were never completed. Some investigations have been aimed solely to ensure that no blame falls on the security forces.

Security force personnel have been transferred out immediately after killings, to make investigation difficult or impossible. Cases have been filed relating to some massacres, but these cases have been dragging for many years, some for more than 15 years.

Britain has vast experience in dealing with these issues and has enormous influence throughout the world. The TIC urged the British government to use its influence with the Sri Lankan government to ensure that proper and independent investigation is carried out into the Kayts massacre and the perpetrators are brought to justice. The TIC is facilitating legal representation to the families of the victims of the massacre and would be able to provide information on developments. The TIC expressed hope that the British government would also consider impressing upon the Sri Lankan government and the LTTE the importance of a joint mechanism in the promotion of human rights.

2) The TIC is also concerned over the decision of the Sri Lankan government to transfer the powers of the independent commissions appointed under the 17th Amendment of the Sri Lankan Constitution to government ministries, and the appointment of commission members without reference to the Constitutional Council. The 17th Amendment to the Constitution providing for the establishment of a Constitutional Council, which chooses the commissioners of the independent commissions, and makes recommendations for other important appointments such as the judges of the superior courts, was introduced for the promotion of good governance, transparency, accountability and democracy and for the protection of people's rights. The Constitutional Council and some other commissions have not been appointed in violation of the Constitution. Members of some commissions have been appointed in the absence of a Constitutional Council. The Civil Rights Movement of Sri Lanka has said that such appointments are against the spirit of the 17th Amendment. The government decision to transfer the powers of constitutional bodies to administrative bodies is also a clear violation of the Constitution.

The TIC requested Her Majesty's Government to take up this important issue with the Sri Lankan government in the interests of good governance, democracy and transparency.



On the demise of veteran Tamil writer Alosious Jeyaraj Canagaratna, the TIC issued the following statement:

“It is with immense sadness we record the death of A J Canagaratna popularly known as AJ, the distinguished Tamil veteran writer, scholar and translator who had done much to bring world literature to a whole range of people and groups in Sri Lanka, including university students, social workers, politicians and militant movements. He died on 10 October 2006 at the age of 72 as a bachelor in Colombo several days after he was taken to hospital following illness. He had a distinguished career as a journalist. He took pleasure in all things around him. The TIC came to know AJ closely when he was an editorial staff of the *Saturday Review*, which was supported by the TIC. He was an extremely simple, quiet and unassuming person, but an outspoken critic. No story of the *Saturday Review* would be complete without the touch of A J Canagaratna, the self effacing man who provided continuity between the two editors – S Sivanayagam and Gamini Navaratna.

“AJ was one of the kindest and gentlest persons we have known. In a life dedicated to helping others, AJ not only touched the lives of thousands of people but also had a profound effect on all who knew him, whether they knew him well or just briefly.”

Tamil Women Development Forum

The Tamil Women Development Forum (TWDF) is involved in a variety of activities and has been integral to the success of the programmes of the TIC and the Centre for Community Development (CCD). TWDF provided support for the organisers of the 24th European Tamil Women Conference to implement their two-day programme at *Thulasi* on 15 and 16th October 2006. The resolutions of the Conference focussed on (a) Women, (b) Internally Displaced Women, (c) Children and (4) Refugees and Asylum Seekers.

The Forum liaised with lawyers representing a 13 year-old child abused by a Jaffna University professor and took steps to create awareness on child protection issues in Sri Lanka among Tamil women living abroad. The TWDF is the backbone of the Elders Drop-in-Service currently run on Thursdays at the Shiraz Mirza Community Hall in Norbiton. TWDF members also assist the CCD's books collection scheme for children in the CCD sponsored villages in north-east Sri Lanka.



Tombola at Elders Drop-in Service

The elders at the service play Tombola and the prize money is donated for the benefit of all the elders. The lady in the middle of the picture gave her prize money for Deepavali celebrations.



The Elders Drop-in Service celebrated Sarawathi Poojai on 28 September 2006. The members provided a variety of food.



Mrs Sarva Kumararajah demonstrates at the performance workshop on Expressions of Bharatha Nattiyam at the Elders Drop-in Service.



In September, the elders visited the Elders Centre in Newham run by the Tamil Welfare Association for a useful exchange of views.



The elders look forward to fitness session on Thursdays. Efforts are taken to address special needs of elders during exercise sessions.

Elders Drop-in Service

The Elders Drop-in-Service of the CCD is continuing since 19 April 2006 on Thursdays at the Shiraz Mirza Community Hall in Norbiton. A number of special programmes were held, including discussions on health, religion and Tamil literature. More details about the programmes and activities of the Elders Service and other issues of interest to elders can be found in *Viluthu*, an online newsletter of the service. If you wish to receive the newsletter, please send an e-mail to the following address:
admin.ccd@sangu.org

Allaipiddy Massacre

The TIC is assisting the families of victims in the case relating to the massacre of civilians on Kayts Island in Jaffna District on 13 May 2006. The TIC also published a Case Report in July 2006 which includes developments in the case in courts, the view of international agencies, the plight of refugees and scant regard shown by the security forces to orders issued by the Magistrate. The Case Report on the Allaipiddy massacre is available online. If you wish to receive the report please send an e-mail to:
info.tic@sangu.org