

# PARLIAMENT WATCH – SRI LANKA\*

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At the end of a protracted war, normalcy does not miraculously happen. Any post war society requires time to evolve and this period of transition is also the time to lay firm foundations for integration and development.

Among the difficulties a post war nation is expected to deal with and deal with well is the question of sporadic clashes among former militant groups. Sri Lanka too is not devoid of the occasional residual violence-related experience, despite the war having come to an end in May 2009.

The fact of the matter is that Sri Lanka requires more time to heal. The militant groups that were at the receiving end when the Liberation Tigers of Tamil Elam (LTTE) exerted their unrelenting control over parts of the northeast are now having the occasional opportunity to extract their pound of flesh.

Keen observers of the north do believe that residual violence may continue for some time more until the dust settles firmly. It also becomes the responsibility of the elected political administration to ensure to make all efforts to curb any such acts of violence and consistently work towards restoring normalcy.

These efforts to restore normalcy become extremely important not simply because of the human rights concerns that are now casting shadows over the administration but also because only normalcy could pave the way for social stability in a much disturbed region that deserves accelerated economic development. This is also why it does not augur well for an administration that publicly proclaims to remain committed to reconciliation, to have sudden bursts of violence in the north.

Despite the deceptive calm that prevails in the north, it is believed that the situation is far from satisfactory. The foremost Tamil political group representing parliament, the Tamil National Alliance (TNA), claims of 24 instances of violence and intimidation said to have taken place in Jaffna and Vanni in December 2010 at a time when the only armed group present in the area were the Sri Lanka Army and the government's coalition partner, the Eelam People's Democratic Party (EPDP)

Whether acknowledged or not, these grave concerns contributed to the questioning of the Sri Lankan government's sincerity in ensuring the guarantees enshrined in our constitution.

The uncertainty that prevails in Jaffna was first highlighted several months ago with the attack on Janatha Vimukthi Peramuna (JVP) Member of Parliament (MP) Sunil Handunnetti. He came under attack while he was visiting a former TNA MP Pathmini Sithambaranathan at her residence on November 14.<sup>1</sup> The other disturbing news that emerged from Jaffna was connected to the intimidation of *Yaal Thinakural* journalist P Winslow during the Lessons Learnt and Reconciliation Commission (LLRC) session held in the Kytes Island.<sup>2</sup>

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<sup>1</sup> JVP MP Attacked In Jaffna, the Sunday Leader, November 15, 2010.

<http://www.thesundayleader.lk/2010/11/15/jvp-mp-attacked-in-jaffna/>

<sup>2</sup> Caffe Condemns the intimidation of witnesses and journalists in Kaytes

[http://transcurrents.com/tc/2010/11/caffe\\_condemns\\_intimidation\\_of.html](http://transcurrents.com/tc/2010/11/caffe_condemns_intimidation_of.html)

In early January, 'angry parents' assaulted several university students in front of the Kelaniya University and the Nawa Sama Samaja Party leader Wickramabahu Karunaratne was assaulted by 'angry patriotic masses,' when he returned from London after openly criticizing the Rajapaksa administration.

As highlighted by JVP MP Anura Kumara Dissanayake this supposed trend of 'people' launching physical attacks on those critical of the government is an indication about our fundamental rights and the fact that none of the assailants are ever apprehended by the Police. It leads to the conclusion that attacks are state- orchestrated, rightly or wrongly.<sup>3</sup>

The uncertainty in Jaffna was first highlighted in Parliament by Minister of Traditional Industries and Small Enterprise Development, Douglas Devananda who claimed that a fear psychosis prevailed in Jaffna.<sup>4</sup> This statement made by the leader of one of the two factions still reportedly carrying arms in the area was greeted by great scepticism by the opposition parties.

TNA MP M A Sumanthiran, a key speaker of the TNA pointed out that although a Cabinet Minister sought to raise a question of public importance, no answer was provided by the government to which he is a party of. He added that this was both unusual and a departure from tradition. Sumanthiran sought to point out that the seriousness of the matter lay not in the incidents of violence but in the fact that almost all incidents go without any investigation. On the sole occasion where someone was arrested, the suspects turned out to be members of the EPDP, who have also been accused of threatening the *Yaal Thinakural* journalist during the LLRC Kytes sessions.

"I was on the issue that persons, who have been apprehended, according to the Security Forces Commander, are members of the EPDP. One then understands the indecent hurry of the Hon. Minister to have jumped the gun, so to say, and raised the matter himself in this House before it was duly and properly raised by the Party Leader of TNA."<sup>5</sup>

These incidents were occurring at a time when the government has commissioned the construction of more security complexes in the Vanni with its expanded defence budget citing the vital need to ensure national security. At times, reasons of national security have been the reason for refusing to answer parliamentary questions.

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<sup>3</sup> Hansard, January, 05, 2011, pages 298 -302.

<http://www.parliament.lk/news/ViewPublication.do?published=Y&documentID=PUB3048>

<sup>4</sup> Fear Psychosis in Jaffna: EPDP, Daily Mirror, January, 5, 2011. <http://print.dailymirror.lk/news/front-page-news/31960.html>

<sup>5</sup> Hansard, January, 20 pages 778-80.

<http://www.parliament.lk/news/ViewPublication.do?published=Y&documentID=PUB3063>

On January 6, Chief Government Whip Dinesh Gunawardana refused answering TNA MP A. Vinayagamoorthy's question on the number of security personnel stationed in Jaffna and Kilinochchi citing security reasons.<sup>6</sup>

The fact that nearly two years since the end of the war no significant steps have been taken to return to a civil administration has indeed allowed various armed operators not only the power to control people's political lives but also an opportunity to control their economic activities.

"One of the latest incidents reported from that area was that of a Postal Department employee who opposed an illegal sand-mining activity that was being carried out by the EPDP in that area. He has been seen at demonstrations, his pictures have appeared on the web. The President does not have to look too far to know who these persons are, who illegally carry arms, who are threatening the people, who are driving fear into peoples' minds, who extort money, who are demanding ransom and who are carrying out these murders. That is a group that is very close to the Government and that is why it has become necessary for the Opposition today to raise these crucial issues," said TNA MP Sumanthiran commencing an adjournment debate in the House.<sup>7</sup>

Responding to the TNA parliamentarian's allegations, Prime Minister D M Jayaratne told Parliament that there was no comparison possible between what the north was like and what it has become, post war. It is similar to an attempt to highlight a hair on an elephant's tail.

There was also justification of residual violence in a post war context. Prime Minister Jayaratne added that when wars end, residual violence continues for some time and it was natural as it took time for normalcy to return. "We are working on this and we will make sure these things do not recur".<sup>8</sup>

The Prime Minister's statement was immediately criticized as being lukewarm and unacceptable by JVP MP Vijitha Herath whose party's attempts to enter the northern political base has been met with violent opposition by the government.

Numerous attempts were made by the security forces and 'unidentified' assailants to prevent the JVP from establishing links with the Jaffna University students as well as Tamil youth. It was also reported that the President has mentioned that a Southern political party was making attempts to link up with LTTE remnants in the north.<sup>9</sup>

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<sup>6</sup> Hansard, January, 6, 2011, page 406.

<http://www.parliament.lk/news/ViewPublication.do?published=Y&documentID=PUB3051>

<sup>7</sup> Hansard, January, 20 pages 778-80.

<http://www.parliament.lk/news/ViewPublication.do?published=Y&documentID=PUB3063>

<sup>8</sup> Hansard, January, 20 page 792.

<http://www.parliament.lk/news/ViewPublication.do?published=Y&documentID=PUB3063>

<sup>9</sup> Govt. accuses JVP of trying to destabilize the Vanni. [http://www.silobreaker.com/govt-accuses-jvp-of-trying-to-destabilize-the-vanni-5\\_2264599703138074648](http://www.silobreaker.com/govt-accuses-jvp-of-trying-to-destabilize-the-vanni-5_2264599703138074648)

“Responding to Sumanthiran the Prime Minister spoke of these crimes as simple matters. Then again we should not be surprised, MP Sunil Handunnetti was assaulted in Jaffna and so far no one has been arrested. If that is the case, how can we expect justice for the death of a government servant.”<sup>10</sup>

It is becoming increasingly clear that the citizens in the North are being treated differently and do not enjoy the same rights as those living in the South. Despite numerous limitations, the people in the South still enjoy the right to demonstrate, to go on strike, to demand better facilities whereas the Northern populace do not even enjoy the freedom of movement and any attempt to protest would seem to be an open invitation to physical harm.

However, the mainstream media and political parties remain silent on the issues faced by the ordinary Tamils, a fact that has become obvious when assessing the media coverage of the LLRC sessions conducted in the North and East. Mainstream media institutions gave minimum coverage and did not assign staff reporters to cover the sessions in areas which have been affected by decades of conflict.

Only time will reveal the long term effects of this division and the lack of a systematic attempt to bridge the gap between the North and the South. In the meantime, the attacks on opposition parties thwarting their attempts to make political entry points to the north do not augur well for a democracy.

In the absence of impartial reports that depict the true picture of the north, the better option could be for the Sri Lankan Parliament to send a representative parliamentary delegation to Jaffna to assess the situation and communicate a need assessment to the South who live in the dark when it comes to the plight of northern counterparts.

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<sup>10</sup> Hansard, January, 20 page 794.

<http://www.parliament.lk/news/ViewPublication.do?published=Y&documentID=PUB3063>