

CHANDRIKA APPOINTS PANEL TO PROBE EASTERN KILLINGS

By
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President Chandrika Bandaranaike Kumaratunga has announced the appointment of a commission to inquire into the on going violence in the Eastern Province and ascertain who the perpetrators actually are. The announcement came in the wake of a murderous assault on three woman tigers of the political wing on Feb 28th at Thambiluvil. Though wounded critically all three currently undergoing treatment in Colombo are now pronounced out of danger.

Whatever the outcome of this incident Kumaratunga is not taking things easy. She is planning to appoint a two member panel to inquire into the ongoing Eastern violence with special emphasis on the Kausalyan killing. The commission is expected to conclude its sittings within a month of formal commencement. Its report is to be released within 30 days of concluding sittings. It is presumed that one at least of the Commissioners will be a Tamil. Kumaratunga hopes to appoint a retired judge known for his fearless independence and another judge currently serving in the East.

Even before the full terms of reference were known the Liberation Tigers of Tamil Eelam have dismissed the move contemptuously. Tiger political commissar Suppiah Paramu Thamilselvan has described the move as "verum kanthudaippu" (mere eyewash) and indicated that the LTTE would not participate in the Commission proceedings. The LTTE and its minions have been shouting out for long like rooftop barkers that action should be taken about Eastern violence whenever one of their ilk is victimised.

One would have expected the LTTE to welcome the Commission of inquiry as the move showed that Kumaratunga herself was getting worried about the Eastern violence at least belatedly. If the LTTE dismisses the Commission outright and does not cooperate there is very little the panel could do effectively. A commission of this nature without tiger participation is like staging the Ramayanam without Lord Raman. With the tiger spectre looming large few members of the public would dare to come out with what they know about the killings. The Tamil National Alliance Parliamentarians from the East too will keep away.

Presidential logic seems to be that in order to prevent and/or penalise the perpetrators they must be first clearly identified. This is the underlying purpose of her action. A secondary objective is to deflect or contain criticism of the Government for not taking any concrete action to curb violence. The Government has come in for a lot of flak in recent times over the violence. The Norwegian "partisans" breathe down her neck when a "mainstream" tiger is killed. Even the United Nations raises howls of protest. Not a whimper is heard when the tigers kill or attack any one.

The recent pattern of violence in the East has several dimensions. Very little is known about what goes on in the LTTE controlled areas. Only the violence in Government controlled areas comes to light. When the LTTE attacks anyone it does not claim credit openly. But people know that the LTTE is responsible in three ways. Firstly the tiger propagandists at home and abroad come out with the description that "inam theriyathavargal" (Unknown persons) were responsible. The same media is cocksure of who the assailants are when a known tiger is attacked. Another indication in this respect is that the tiger media also conduct vilification campaigns against tiger victims at times to "justify" the killings.

Secondly the security forces in the East are quick to come out with such details when the LTTE is responsible. This information is directly and indirectly supplied to members of the fourth estate in the Sinhala, English and International media. Providing information to the Tamil media in Sri Lanka - with the exception of the EPDP owned "Thinamurasu" - is useless because the Tamil press will simply not utter a croak against the tiger. This results in people other than "monolingual" Tamils getting the correct picture.

Thirdly when the victims are or were connected to the Eelam Peoples Democratic Party or Eelam Peoples Revolutionary Liberation Front (Pathmanabha faction) their colleagues publicize the killings. The EPDP is quite active in this respect and undertakes unorthodox action at times that makes the Norwegian "partisans" extremely uncomfortable. When the EPDP began leaving unattended coffins with the latest victims outside the Oslo embassy in Colombo the vikings were very troubled as the international and Norwegian media latched on to it. The Scandinavians for the first time protested in Kilinochchi with a yell heard all the way up in Valhalla.

Another point of related interest is the approach of the Karuna faction. They generally keep quiet when the victims are their own. This is because in keeping with tigerish tendencies they too consider it infra dig to acknowledge their vulnerability. When the Karuna faction conducts a killing operation it immediately goes to town with a blaze of publicity. After tying up with Paranthan Rajans Eelam National Democratic Liberation Front as the Tamil Eelam Ikkiya Viduthalai Munnani the propaganda is handled by the ENDLF structure. The Kausalyan - Chandranehru killings were claimed by the Tamil National Force abroad. The TNF is the military wing of the Karuna - Rajan combine.

Usually the LTTE is silent about its military losses as it fears divulging exact casualties in a "failure" will dent its image of invincibility and infallibility. The tigers however have been quick to condemn the recent killing and attacks on their cadres in the East. This is because the bulk of LTTE victims have been unarmed political activists. Senathi, Bawa, Yoga, Kausalyan and now Kuveni and others have all been political wing operatives. Chandranehru Ariyanayagam was a democratic politician. So the LTTE can afford to take the moral high ground in these killings. It is able to whip up pressure that is extremely embarrassing to President Kumaratunga.

The reason for tiger political wing operatives being killed regularly by the Karuna faction is simple. They are very vulnerable as they are compelled to travel about unarmed in government controlled territory to do political work. The military cadres and commanders are safely holed up in the Paduvankarai area seldom venturing into enemy territory alone or in small groups. If and when they do the military wing goes around in an armed convoy thus inhibiting Karuna faction designs.

The continuous killing of political workers including those who participate at discussions with the security forces and ceasefire monitors publicly is adding to international pressure on Kumaratunga to take action. The rooftop barkers of the LTTE are yapping that their patience is running thin and that the ceasefire is at risk. This is taken at face value and few dare to call the tiger bluff. This sends alarm bells ringing and Janathipaathy Mandiraya too has to respond.

Unable to accept current reality that they are a beleaguered lot in the East after the revolt of Vinayagamorthy Muraleetharan alias Karuna the mainstream LTTE tries to pose as if it is in control of the situation. When its cadres are killed the LTTE comes out with a face saving manouvre that the security forces are behind the killing by accusing "paramilitary forces". This is a euphemism for Karuna's boys. In spite of the Karuna faction claiming credit for the killings the LTTE ignores it and goes on implicitly and explicitly accusing the security forces.

To the tigers getting whacked by Karuna is a comedown as they arrogantly dismissed his threat potential last year by calling him a "madman" and a "single individual". So saying the security forces are involved is thir way out like the proverbial saying about the man who fell flat on his face stating proudly that there is no sand on his moustache. The tigers are adamant that the Karuna bogey is actually a security force creation. Tiger acolytes accept this uncritically (Omigosh! An oxymoron!!)

Kumaratungas announcement of a commission gives the LTTE a golden opportunity to prove their accusation. Tiger propogandists allege that Kumaratunga is aware of how the security forces are aiding Karuna cadres and that these activities are sanctioned unofficially. If so the tigers should participate in the Commission proceedings and substantiate their charges. They could utilise the reservoir of legal resources at their disposal to propound their case convincingly.

Kumaratunga cannot afford to make this Commission be "mere eyewash" as charged by Thamilselvan because it has been set up for international consumption. There is every chance that the tribunal will be truly independent and go after the truth. Arrangements could also be made to get down international observers. The Tigers should also take into account the possibilty that Kumaratunga may have been genuinely believing that her security forces were not complicit in the attacks on the tigers. It may be that she has woken up to the reality that she has been fed "bovine excreta" in the past and wants to find out the truth now. If so the tigers would do well in participating and expose the truth.

If the LTTE feels that the Commission is really not independent and that it has a hidden agenda then the tigers should expose that openly. Given the state of Sri Lankas judiciary tiger allegations if substantiated with facts could be credible in the eyes of international opinion. Outright dismissal of the Commission by the LTTE political Commissar even before it was set up will only help erode confidence in LTTE accusations and cast doubts on tiger credibility.

The LTTE cannot rationalise their non - participatory approach on the grounds that they do not accept the authority of the Sri Lankan state. If so the tigers should not accept aerial transport by the state; They should not accept armed escort for their cadres being transported by road. They should not accept state help in getting medical treatment. The list is long. The LTTE cannot eat the hooper and have it. They cannot accept the authority of the Sri Lankan state when it suits them and reject it when it does not.

If the LTTE continues to be recalcitrant on the question of the Commission it can only prove the wisdom of that ancient adage. "Seek Justice With Clean Hands". Though the LTTE waxes eloquent about its cadres being killed or attacked the tigers themselves are not blameless. It is the LTTE that is responsible for more than 200 killings and disappearances of members belonging to other political groups after the ceasefire. The LTTE has killed or detained more than 350 cadres suspected of being Karuna loyalists. The LTTE has massacred many in cold blood in Government controlled areas. Until the Karuna rebellion the stock response of the LTTE had been that they cannot be held responsible for what goes on in Government areas.

The Commission could therefore tread on dangerous ground as far as the LTTE is concerned if it delves into the context in which violence is taking place. Even if the terms of reference do not mandate the tribunal with such powers no worthwhile Commission can afford to ignore the backdrop against which the violence is occurring. So the tiger may well be wary of a trap in participating. Whichever way it would be a no win situation for the LTTE but its preference should be for the participatory option.

One problem for Kumaratunga in setting up a Commission of this type is that she would be prone to charges of adopting double standards. There has been much violence perpetrated by the LTTE after the ceasefire. No commission has been appointed in that respect. But when the tigers themselves are at the receiving end of violence she is appointing a Commission of inquiry. Already TULF President Veerasingham Anandasangaree has in a statement called for an extension of the Commissions mandated period. Sangaree wants all incidents from the time of the ceasefire coming into force in Feb 2002 to be inquired into.

Given the yawning chasm between LTTE violations of the ceasefire and that of the armed forces as accounted by the Monitoring Mission an inquiry into all those acts can only result in the LTTE getting torn into shreds at the Commission. The tigers will never accept such a Commission. Besides the current objective is to ascertain the causes and prevent Eastern violence. This is seen as the biggest impediment to the sustainability of the ceasefire. Under these circumstances Sangarees request though eminently reasonable is not likely to be successful.

Security force circles too are perturbed by the appointment of a Commission. One can see the inspired leaks already. The idea is pooh poohed as unrealistic. The LTTE will never accept or participate in such a commission it is pointed out. The Karuna faction on the other hand is openly claiming credit for acts of violence committed by it. The Kausalyan murder being an example. In that context appointing a Commission to inquire into those murders is a redundant exercise it is argued.

The interesting aspect in the Karuna faction claim by its spokesperson Cheran is that the statement goes out of the way to clear the security forces of all involvement. While the actual killers may be Karuna cadres the question of security force complicity is still murky. It is widely believed in the East that Karuna cadres have the protection and support of sections of the security forces. It may not be institutionalised as the LTTE alleges but some element of collaboration is there. In that case the security circle jitters may be due to fear that their role in the violence may be uncovered.

In an environment where the LTTE rejects the Commission and the Karuna faction keeps away for fear of implication the panel can only rely on the public and the armed forces. Unlike both segments of the LTTE the armed forces will be compelled to appear before the Commission. If there is someone to quiz the security officials in a probing manner much of the concealed dirt could be discovered. It is up to the LTTE to utilise this opportunity without rejecting it in toto.

Though seemingly unrealistic and unworkable Kumaratunga's idea of a Commission should not be cavalierly dismissed. It is also imprudent to treat it as one of her sidetracking devices. If independent judges are appointed to the Commission there is every chance that an impartial report could be tabled. The tarnished image of our judiciary could be refurbished. For all this to happen Kumaratunga should continue with her decision determinedly and appoint a credible Commission. The LTTE that claims to be the aggrieved party should participate in the proceedings and present its case. A golden opportunity should not be lost through default. (ENDS)

CONCLUDED

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