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13th Amendment

E Thambiah

Presidential Power & the TNA

Government & GSP+

Sri

National Question & Self

Determination

Asvaththaamaa

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Victim Number 18

Mahmoud Darwish

Once the olive grove was green.
It was, and the sky
A grove of blue. It was my love.
What changed that evening?

At the bend in the track they stopped the lorry of workers.
So calm they were.
They turned us round towards the east. So calm they were.

Once my heart was a blue bird, O nest of my beloved.
The handkerchiefs I had of yours were all white. They were, my love.
What stained them that evening?
I do not understand at all, my love.

At the bend in the track they stopped the lorry of workers.
So calm they were.
They turned us round towards the east. So calm they were.

From me you'll have evening,
Yours the shade and yours the light,
A wedding-ring and all you want,
And an orchard of trees, of olive and fig.
And as on every night I'll come to you.
In the dream I'll enter by the window and throw you jasmine.
Blame me not if I'm a little late:
They stopped me.
The olive grove was always green.
It was, my love.

 Fifty victims
Turned it at sunset into
A crimson pond, Fifty victims.
Beloved, do not blame me.
 They killed me. They killed me.
 They killed me

From the Editor's Desk

The resignation of former Army Commander, General Sarath Fonseka from service has created fresh political stir and speculation about the next presidential election.

The possibility of fielding a non-party common candidate against the incumbent at the presidential election was in the air for several months, especially following the overwhelming victories by the ruling alliance in Provincial Council elections held in the wake of the military victory against the LTTE. The internal crisis within the UNP compelled it to consider the possibility. The prospect of fielding former Chief Justice Sarath Silva as a common candidate was pondered for some time but, with the emergence of evidence of a serious rift between the General and the President, the idea of fielding General Sarath Fonseka gained support among the opposition parties. The JVP was the first political party to openly endorse fielding him as the common candidate and the UNP informally indicated its willingness.

The UNP and the JVP, between them, have only Sinhala chauvinism in common, but political desperation seems to have become a strong uniting factor in the likely agreement on a common candidate. The prospect of General Fonseka being fielded as a presidential candidate endorsed by the two main opposition parties has serious implications for the two parties as well as for the minority nationality parties in the newly formed twelve-party alliance led by the UNP.

The JVP as a populist party with a 'Marxist' facade and chauvinist underpinnings has a support base among a section of the population which has been traditionally hostile to the UNP, which it has seen as a party of the pro-West elite. Supporting a common candidate who is not from the UNP but endorsed by it will only be a face-saving exercise but hard to defend against charges of collaboration with the UNP. The destruction of the credibility of the JVP as a political force is high on the agenda of the government since the JVP still has trade union muscle which it has flexed in recent months, without head-on confrontation. The government has already denounced the trade union action as JVP mischief aided by the UNP.

General Fonseka, a US Green Card holder, has not expressed any political opinion thus far except declaring several months ago that Sri Lanka is a country of the Sinhalese. How the Tamil, Muslim and Hill Country Tamil allies and potential allies of the UNP can come to terms with this view is a matter for speculation. But they should by now have their excuses ready. The question is how their electorates will respond to their political bankruptcy.

Much can happen between now and the elections, but the common candidacy poses serious political questions as the contest is for a very powerful post with virtually unlimited executive powers. Firstly, we have the question of the manifesto of the candidate. Mahinda Rajapakse produced a manifesto that was different things to different people and besides signed MoUs with some of his allies, all of which proved to be not binding upon him once elected to office. What kind of manifesto can one expect from a person with good military experience but no political experience? Secondly there is the question of how General Fonseka will use his power if elected to office. That may be decided to a considerable extent by 'invisible' forces within and outside the country that are behind his entry into politics. Thirdly we have the question of how the loose alliance that supports General Fonseka will present him to their respective electorates without contradictions that could be exploited by the government. There is no way of knowing what hold the various forces that back General Fonseka will have on him if he is elected to power.

Whatever the outcome, it is certain that the elections will not merely be a contest between the government and a combination of the main opposition forces. The rivalry between foreign powers, especially the US and India, is likely to play a role in the election and in the affairs of Sri Lanka after the election. What is most worrying is the prospect of choice for the people being limited to a ruler in civilian clothes and a ruler in military uniform, in a country heading towards a dictatorship guided by foreign interests vying for hegemony in the region.

India's role in the Sri Lankan national question has always been cynical and now, while making a show of unrestrained support for the government, India is seeking to bring together diverse elitist Tamil political forces together as a new post-LTTE Tamil leadership. This is likely to be at loggerheads with the leading elite of the Tamil diaspora in the West, who are resentful of India and are leaning towards the US to resolve the Tamil national question.

The 13th Amendment: a Political Dilemma

Comrade E Thambiah

The Birth of the 13th Amendment

The 13th Amendment to the Constitution of 1978 was introduced following the Sri Lanka-India Peace Agreement in order to put into effect the Provincial Council system that would devolve power to the Provincial Councils. At the time the United National Party Government headed by JR Jayawardane had a 5/6 majority in the Parliament. Besides, Jayawardane had in his pocket undated letters of resignation from all MPs from the UNP. As a result, even those who were in disagreement with Jayawardane had to support the Amendment.

Supreme Court verdicts on whether the 13th Amendment ran counter to the Constitution of 1978 also were in conflict. Chief Justice S Sharvananda, Justices Colin Thome, EAD Athukorale and HD Thambiah ruled that since the Amendment was not directly or indirectly contradictory to the Constitution, passing it in Parliament with a two-thirds majority was adequate and that there was no need for a referendum. Justice RS Wanasundera ruled that since the 13th Amendment was contradictory to the Constitution it had to be subject to a referendum. Justices OSM Seneviratne, LH de Alwis and HAG de Silva accepted his position and made their rulings in accordance with that. Justice KAP Ranasinghe ruled that certain provisions of the 13th Amendment required a referendum.

However, on the basis that Chief Justice S Sharvananda, Justices Colin Thome, EAD Athukorale, HD Thambiah and KAP Ranasinghe, who comprised a majority, had taken very much similar stands, the 13th Amendment was debated in Parliament and passed without

recourse to a referendum. All members but two voted in favour. Although Prime Minister R Premadasa said that he had his reservations, he did not oppose the Amendment and instead spoke in favour and voted for it. Gamini Jayasuriya who was Minister of Agriculture and Food resigned his seat in Parliament. Cyril Matthew voted against.

At the time, there was no one to represent the Tamil United Liberation Front in Parliament since they had not been sworn in because its seventeen MPs had forfeited their membership owing to their failure to swear in, in accordance with the 6th Amendment, declaring that they will not support the secession of the country. (Chelliah Rajadurai who entered Parliament as a TULF MP had already joined the UNP and served as a minister).

It is against this background that the 13th Amendment became law in the parliament. The Sri Lanka Freedom Party was totally opposed to it. Mahajana Eksath Peramuna MP Dinesh Gunawardana also opposed it. The Janatha Vimukthi Peramuna opposed it outside the parliament.

The JVP initiated its second armed insurrection in 1988 which ended in 1990 (its first being in 1971) in opposition to the Sri Lanka-India Peace Agreement and the Provincial Council system. It murdered those who expressed support for the Agreement and the Provincial Council system. It has been reported that the JVP killed six thousand leaders and cadres of the Sri Lanka Mahajana Peramuna, the Communist Party of Sri Lanka, the Lanka Sama Samaja Party, the Desha Vimukthi Janatha Pakshaya and the Nava Sama Samaja Party who functioned under the name 'United Socialist Front'.

At the time, the New Democratic Party (then named the Communist Party of Sri Lanka-Left), while opposing the Sri Lanka-India Peace Agreement and the arrival of the Indian army, expressed support for the attempt to transfer of power through the Provincial Council system, despite its failure to offer full autonomy for the Tamils. It campaigned against chauvinistic forces who worked against the Provincial Council system since, despite a lack of transfer of power through the Provincial Councils, there was more power granted than with devolution of power. (The NDP also pointed out that it was not a solution based on the principle of the right to self-determination).

During the Guard of Honour accorded to India's Prime Minister Rajeev Gandhi, following the signing of the Agreement by

Jayawardane and Rajeev Gandhi, the latter was attacked by a member of the Sri Lankan Navy. This was an expression of protest against the Agreement. The Liberation Tigers of Tamil Eelam, besides rejecting the Provincial Council system, resumed its armed struggle. Consequently the Provincial Council could not function in the North-East. Besides armed activities by the LTTE against the Provincial Council, the 13 MPs from the Eelam Revolutionary Organisation of Students elected to parliament in 1988 voted in favour of an amendment that empowered the President to dissolve the Provincial Councils. As a result it was possible for the President to dissolve the Northern and Eastern Provincial Council, a power which did not exist in the original legislation relating to Provincial Councils.

Marxist Leninists and other left forces who emphasised that autonomy for the Tamil people should be affirmed on the basis of the principle of the right to self-determination, did not endorse the Provincial Councils, but they did not act to reject them. The LTTE, since it persisted with its stand on a separate Tamil state, took a position opposed to the Provincial Councils.

From the time that the Mahinda Rajapaksa government started its military action against the LTTE in the North-East until now, it has been said by the Government from time to time that the 13th Amendment will be implemented in full and that, in the long run, a political solution will be found by handing over power to the provinces under the unitary political system

Following the military defeat of the LTTE, there are debates about what the solution to the national question should be. The JVP, the Hela Urumaya, organisations of Buddhist clergy and other chauvinistic organisations and individuals demand that the 13th Amendment should not be implemented and that it should be expunged from the Constitution.

The National Bikkhu Front and the JVP have said that they will launch a major people's campaign if the 13th Amendment was implemented. The Hela Urumaya has announced that it will leave the Government if the 13th Amendment was implemented.

The Merged North-East Provincial Council

According to the 13th Amendment, the Northern and Eastern Provinces would be temporarily merged. It was decided that a

referendum in the East would be necessary to make it permanent. Accordingly, elections were conducted for the Provincial Councils on 19th September 1988, and the Eelam People's Revolutionary Liberation Front captured the merged Northern and Eastern Provincial Council. Varatharajap Perumal became its Chief Minister.

Varatharajap Perumal demanded that the Provincial Councils be granted the police and land alienation powers stipulated in the schedule of powers of the Provincial Councils as well as powers allocated in common to the Central and Provincial Governments.

As the LTTE was conducting talks with President Premadasa at the time, the EPRLF-led Provincial Council was subjected to harassment in many ways. President Premadasa had also issued the LTTE with weapons to combat the Tamil National Army comprising members of the EPRLF and a few other organisations under the patronage of the Indian army. The LTTE used those weapons to launch attacks against the Indian army. As a result of this, and since an amendment was passed in 1990 allowing the President to dissolve the Provincial Councils, the powers sought for the Provincial Councils were not granted, and the Indian army started to withdraw from the island, Varatharajap Perumal unilaterally declared an independent Tamil Eelam and left for India with 250 of his supporters aboard an Indian military vessel. The North- East Provincial Council was dissolved soon after. That was followed by the killing of Rajeev Gandhi, the former Prime Minister of India in 1991 and the killing of President Premadasa in 1993, both in suicide bomb attacks. No elections were held for the North-East Provincial Council, although elections were held for the rest of the Provincial Councils in 1993, 1998 and 2004. In 1999, President Chandrika Kumaratunga survived a bomb attack in which she was seriously wounded.

On 16th October 2006, the Supreme Court ruled in favour of de-merging the North-East Provincial Council. The JVP had filed the petition for the de-merger, and Chief Justice Sarath N Silva handed out the verdict. Justices Nihal Jayasinghe, NK Udalgama, ARN Fernando, and RANG Amaratunga assented with the ruling.

Former Chief Justice Sarath N Silva, following his retirement, said that the system of Provincial Government was not suitable for a small country like Sri Lanka and that devolution through bodies such as District Development Councils would be appropriate.

Since then, LTTE domination was overcome in the East and elections were held for the Eastern Provincial Council. The Tamil People's Liberation Tigers, an organisation which split from the LTTE, contested under the symbol of the ruling alliance, and won a majority of seats. Sivanesathurai Chandrakanthan became Chief Minister. He too had demanded that his Provincial Council be granted police and land alienation powers.

New Thoughts

The argument for the right of the Tamil people to self-determination is that powers have not been devolved adequately to the Provincial Councils so that the Provincial Council could affirm the national aspirations of the Tamil people. That was why the Srinivasan Proposals were put forward during the time of President Premadasa and later the Mangala Munasingha Proposals were put forward.

Under the Presidency of Chandrika Kumaratunga, there were firstly the August 1995 Proposals. In the year 2000, Chandrika Kumaratunga presented a new Draft Constitution that amended the existing constitution in ways that would allow significantly more powers to the Provincial Councils. The UNP set on fire copies of the Draft Constitution inside Parliament, and defeated it, contrary to its earlier pledge. (The TULF opposed it too as did the JVP and the Jathika Hela Urumaya).

The Ceasefire Agreement (CFA) that Prime Minister Ranil Wickramasinghe made with the LTTE led to subsequent agreement during peace talks in Oslo that a solution will be found based on a federal system. Following dissolution of Parliament by Chandrika Kumaratunga those efforts suffered a setback. In 2005, during Chandrika Kumaratunga's time, the Post-Tsunami Operational Management Structure agreement was reached with LTTE. The JVP and the JHU opposed it and filed action in the Supreme Court. The verdict in that case was that the PTOMS was unlawful. During Chandrika Kumaratunga's time, an All-Party Committee was convened to find a political solution to the national question, and the findings of its Group of Experts were published as a report. Greater powers for the Provincial Councils were prescribed therein.

Under Mahinda Chinthanaya

Following the election of Mahinda Rajapakse as President, talks held with the LTTE broke down, and military action was initiated. Three years on, the LTTE has been militarily defeated.

Under these conditions the approach of the chauvinists, the communalists within the government, and the armed forces is that there is no need for a political solution and that the Provincial Councils imposed by India were unnecessary. President Mahinda Rajapakse does not state his position clearly.

The report of the Group of Experts of the APC formed under Chandrika Kumaratunga was opposed by the JVP and the JHU. The UNP did not participate in the APC owing to strained relations between the UNP and the President. The Tamil National Alliance also kept out of it.

Now, the Peace Secretariat of the Government has been dissolved. It is believed that in a month's time, the tasks of Tissa Vitharana, the Chairperson of the APC, are expected to come to an end. It seems that steps towards a political solution under his leadership have been brushed aside, since President Rajapakse has called an All Party Committee on Development and Reconciliation. A political solution is not studied by it. It is anticipated that the Committee will only serve further procrastination. Under the conditions, there is uncertainty about a political solution.

It is understood that the Sri Lankan Government had pledged that the 13th Amendment will be implemented by it in full and that it will go beyond that to find a political solution. The 13th Amendment is part of the Constitution and its implementation cannot have any legitimate obstacle within or without the Parliament to its implementation. Yet, like the 17th Amendment being unimplemented, the 13th Amendment too could remain unimplemented. Not implementing part or all of the constitution is a constitutional offence.

As much as it has been not possible to take action against the President for his failure to implement the 17th Amendment, it will not be possible to take action against failure to implement the 13th Amendment. If action is to be taken against him, it has to be an impeachment motion against him. That would require a two-thirds majority in Parliament. Even if it were to be done, who is there to do it?

The opposition to the implementation of the 13th Amendment will be extended to any form of autonomy that goes beyond it. Hence, even if one were not to oppose the implementation of the 13th Amendment, it is essential to concentrate ones thinking on finding a solution that will affirm autonomy for the nationalities based on the principle of self-determination rather than waste time on the 13th Amendment.

Will President Mahinda Rajapakse, who is determined that the solution will be based on a unitary state, take the necessary steps to implement of the 13th Amendment? Will he go beyond it towards a political solution based on devolution of power, while those who support him in Parliament are opposed to it, and the Army, which is the 'Sixth Force', is opposed to it, and the Bhikkhus are opposed it.

Above all, India may insist on political and administrative structures that serve India's needs in Sri Lanka, which is being converted into its Hong Kong. Will it be the 13th Amendment alone? If so, Mahinda Rajapakse will come under pressure since, unlike in Jayawardane's time, the government does not have a two-thirds parliamentary majority. Under the present electoral system, that is unlikely. It rather seems impossible.

Constraints like the presidency and parliament will not allow advancing towards a political solution that would affirm the rights of the nationalities. Thus, time may pass debating the implementation of the 13th Amendment.

Tissa Vitharana, who is responsible for submitting the political solution, has said that no problem will arise in putting forward a solution if the schedule common to the Central and Provincial Governments was eliminated: i.e., the 13th Amendment has a schedule relating to the limits of power of a Provincial Council. That includes matters concerning the Provinces. Even if the Central Government cannot intervene in such matters, it could do so by passing legislation in Parliament by a simple majority. These powers include matters such as education, health and industry.

Another schedule referred to in the 13th Amendment concerns the Central Government. The Provincial Council has no power in those matters. Of them, national defence, external affairs and currency are significant.

The third schedule of powers is common to the Central and Provincial Governments. That concerns matters such as police and land. In such matters, when the Central Government or the Provincial Government

takes a decision, it has to consult the other, and arrive at consensus through discussion. Tissa Vitharana is talking about finding a political solution with this schedule eliminated.

That would mean that power over police and land will not be allowed to the Provincial Government without the consent of the Central Government. Even those arrangements that may seem allowable could be snatched away in the prospective political solution.

Thus, India would appreciate that allowing the Provincial Government power over the police is not desirable in the current Sri Lankan context, despite the fact that the 13th Amendment was put in place under pressure from India. Disaster Management and Human Rights Minister Mahinda Samarasinghe has stated that, as a result, India will not exert any pressure on Sri Lanka to grant police powers to the provinces. He also added that in small countries such as Sri Lanka it is not possible to grant power over police and land to the provinces. Thus it is possible that the powers given to the provinces at present too may cease to be.

Meantime, Wimal Weerawansa, leader of the National United Front has announced: "Power over police and land should not be granted to the provinces under the 13th Amendment. The 13th Amendment is outdated. The President himself has pledged that it will not be implemented. That is why we are in the government. The President should seal the mouths of ministers who talk about implementing the 13th Amendment. If the 13th Amendment is implemented we will leave the government".

Under these conditions, what is the stand of the Tamil parties? What is the next stage of the struggle of the Tamil people for self determination? Such questions are inevitable. History is not static and, contrary to the wishes of dominant political forces and leaders, will not allow what is wrong.

As far as our Party is concerned, in today's context, it is essential that the 13th Amendment is implemented in full. But only measures that offer maximum autonomy to the nationalities through autonomous structures, based on the principle of the right to self determination can serve to solve the national question.

(Approximate translation of article in Puthiya Poomi, June-July 2009)

Presidential Power and the Plight of the TNA

(From Puthiya Poomi September 2009)

On 9th September, MPs of the Tamil National Alliance met President Mahinda Rajapakse and had discussions with him. Although news reports claimed that the discussions were cordial, the views expressed by R Sampanthan, the leader of the TNA, during the debate on the extension of the State of Emergency, indicated that the discussions of 9th September were not quite cordial. Sampanthan charged that the government was exploiting the LTTE threat for the purpose of using Tamils as pawns.

A series of oppressive measures can be taken against Tamils on the pretext of people having links with the LTTE. Important personalities of the LTTE have been released on bail, while thousands are under detention for alleged contact with the LTTE. Legal action has been filed against thousands under the Prevention of Terrorism Act and Emergency Regulations. Many have received severe sentences from the courts. More than ten thousand persons have been arrested from the camps for the displaced. Many more could be arrested. Several who have been speaking out for the rights of the Tamil people have been subjected to surveillance, shadowing and inquiry.

Sampanthan's views, however, cannot be said to have included such matters. When he meant by claiming that the government was exploiting the LTTE threat for the purpose of using Tamils as pawns was that the government was exploiting the LTTE threat to make a pawn of the TNA. Several TNA MPs have already been subject to police inquiries. One is still under detention. Three are still remaining abroad. The reason for the inactiveness of the TNA under various pressures is their conservative politics lacking a spirit of independence.

Why is the TNA reluctant to talk about its discomfiture, its inability to express its views, and the charges levelled against it by the government side during the two and a half hours long meeting with the president? There seem to be different reasons for initially claiming

that the discussions were cordial and then criticising the government in parliament. It has been said in media circles that Indian advice was behind its going for talks with the president and then speaking critically of the government in parliament.

At a time when three hundred thousand Tamils living as refugees have faced loss of life property and are subject to cruelty and misery, a meeting between the head of state and the TNA, which has the largest parliamentary representation of the Tamil people, cannot be a mere formality. Both parties should accept this criticism.

It is inevitable that the government talks with the TNA and the TNA talks with the president. But it is unacceptable that only the agenda of the government is taken into consideration. It will be worth remembering that the aspirations of the Tamil people have been sidelined and the Tamils have continued to be oppressed, since all negotiations from long ago to this day have been undertaken to carry forward the agenda of the government. Tamil leaderships have been reactionary. But it is true that the policies that have been put forward out of their own class interest also inevitably included the demands of the Tamil nationality.

On the other hand, it is not hard to see that neither the TNA nor the other Tamil organisations qualify to represent the aspirations of the Tamil nationality. The past and present abound in evidence for this. It has not been possible to know what long-term and short-term proposals to address the problems faced by the Tamil people were put forward by the TNA MPs when they met the president. One is led to wonder whether the TNA MPs used this meeting to diminish the gap that exists between the president and them.

Had they conducted themselves honestly, they should publish the list of demands that they presented to the president. The government has been talking about resettling the Tamil refugees. So that cannot be a matter about which the TNA can make any boastful claim. The government had announced its decision to hand over those in the camps to relatives who are willing to take responsibility for them. So the claim of the TNA that it was an outcome of their meeting with the President will be meaningless.

The TNA should make public to the Tamils what it said to the president about a political solution and what it intends to speak about in the future. They cannot wear one mask to tackle the government and another to tackle the Tamil people.

Sampanthan, who now calls upon the government to arrest LTTE members in the camps and release the rest, may have forgotten what he said when the war was still on and the government demanded that the Tamil people should surrender to the armed forces. But those with good memory would not have forgotten his words. He said that “Those with the LTTE will belong to the LTTE. How could they accede to the call by the government and go over to the armed forces?” But now he has changed his story. Thus the TNA is untrustworthy of the Tamil people. The demands that have been put forward by the Tamil leaders throughout history have been in the interest of their political dominance and not the welfare of the Tamil people. At the same time, the Tamil people will continue to be further sidelined as a result of the hostile attitude of the government towards the TNA.

Minister Tissa Vitharana, the chairman of the All Party Conference, when addressing a seminar at the University of Jaffna had said that the president will not consent to hand over police powers to the provincial governments, and that a political solution will be put forward only after it is approved by the president. But the Chief Minister of Eastern Province, Sivanesathurai Chandrakanthan is insisting on power over the police and land. He is also speaking out against the Governor of the Eastern Province.

The solution to the problems of the Tamil people cannot be just things acceptable to the president. On the contrary, the position of the Tamil people is that they should fulfil their national aspirations.

Minister Tissa Vitharana says that the Indian *panchayat* system and the Senate will be part of the proposals for a political solution. This is an attempt to divert attention from the solution. Neither the Indian *panchayat* system nor the Senate can resolve the national question. At the same time, government pressure on the Tamil people to accept as solution its chauvinist agenda will not solve the problem either.

Neither the agenda of the Tamil leaders nor the chauvinist agenda can be a solution. Only a solution based on the right of nationalities to self determination within a united Sri Lanka that will fulfil the national aspiration of the Tamils and assures equality and autonomy of the nationalities can help to resolve the national question. That demands a common programme and united action of genuine forces.

The Government and GSP+

Sri

(From Puthiya Poomi September 2009)

It has been evident over the past few years that the relationship between the Sri Lankan government and the West was less than cordial. This is the outcome of the uncertainty whether Sri Lanka should lean more towards the West or towards India. It is against this background that a warning signal has been made that the tax concessions granted to Sri Lankan exports under the GSP+ (Generalised System of Preferences) could be withdrawn. What is important here is that such withdrawal would threaten several hundred thousand jobs.

It is said that the President of Sri Lanka has intervened in the matter to enable the retention of the GSP+ concession. Although certain officials and government ministers have made boastful utterances about GSP+, it appears that the government is to plead with the European Union. The text of the plea by the government is to be drafted by a four-member committee of the cabinet.

Meantime, a group of three experts from the EU which studied whether laws relating to human rights are being implemented in Sri Lanka produced its report. The report is highly critical of the way in which the government has conducted itself in matters relating to human rights, freedom of the media, the finance sector, the armed forces and the police. The EU is expected to make its decision on GSP+ for Sri Lanka based on the Expert Group Report.

The Foreign Affairs Minister of the EU will confirm the decision in December. If the concession is withdrawn, six months' time will be allowed until June 2010, for the EU to examine whether the situation has been rectified during that period. What the government could do by then is to be seen.

The Deputy President of the UNP, Karu Jayasuriya has emphasized the importance of GSP+. Some of the facts that he provided are:

- These concessions provide a lifeline to the garment industry which employs 270,000 people. A further 100,000 people are employed in related industries.
- Of the made garments 52%, valued at US\$ 34 billion, go to the EU. It is because of GSP+ that Sri Lankan businesses are able to compete in the global market.
- If this concession is denied, it will have a serious impact on the economy of the whole country, including the rural sector.

In 1984, UNCTAD appealed to developed countries that they should grant trade concessions to under-developed countries. Following that, in 1971, the EU became the first to grant GSP+ concessions to under-developed countries.

To understand why the EU rushed into providing this concession, one should understand the politics behind it. Most of the economically backward countries which are variously referred to as 'independent' countries, under-developed countries and developing countries have in the past been colonies of some of the member countries of the EU. We should realize that the 'concern' that the EU shows is with the intention of keeping underfoot forever these 'independent' countries. It is a measure to affirm neo-colonialism. In other words, it is new charity from old masters. These countries have little choice but to gratefully accept it.

Although the GSP+ trade concession is also offered by developed countries such as the US, Canada and Japan, it is the GSP+ offered by the EU that is most widely used, as evident from the following import figures. The total combined import by the US, Canada and Japan in 2003 was US\$ 16 billion as opposed to US\$ 52 billion by the EU. The reason for this is the earlier said political background of the GSP+ offered by the EU.

The EU offered its GSP+ concession to Sri Lanka following the tsunami of December 2004 as a special concession. The concession that is currently enjoyed is one that was due to terminate at the end of 2008. But the Sri Lankan government appealed to Brussels on 9th October 2008. The purpose of submitting the appeal in time was to ensure its retention until the end of impending elections.

New rules added to the GSP+ on 22nd July 2008 became applicable from 2009 January to the end on 2011. They allowed customs duty free import of 6241 kinds of goods.

Any country seeking to join an organization has to consent at the time of application to abide by the constitution of the organization and adhere to its rules. Minister of International Trade, GL Peiris in his submission papers to the cabinet relating to the application for EU GSP+ concessions had referred to 27 points of agreement. Thus, the application for the extension of the GSP+ concessions was made with the minister and the cabinet fully aware that the GSP+ Committee of the EU would examine whether the said 27 conditions are properly fulfilled by the country concerned.

In 2007 Sri Lanka exported goods to the value of US\$ 2.8 billion. Of this the export of made garments comprised US\$ 1.4 billion, most of which was under GSP+ concessions.

Mahesh Amalean, the Chief Executive Officer of MAS Holdings, Sri Lanka has said that the company had 800 garment factories at one time and that there are only 300 now of which 150 are in rural areas.

Of those working in garment factories 80% are rural women. The garment sector directly employs nearly 300,000 people and around a million people have employment related to the sector.

The Joint Apparel Association Forum representing the manufacturers of garments has estimated that nearly 100,000 people will lose employment if GSP+ concessions are withdrawn. The Minister of International Trade has referred to this as well in his 'confidential' submission to the cabinet. He added that the impact of the economic slow down of the US will take six months to one year to reach us, and that as a result the whole of next year will be difficult, and the first six months will be particularly difficult. He also pointed out that orders for the garment manufacturers have declined and that there has been a need to cut down the prices.

Besides the US, all the countries of the EU face an economic crisis, and that is likely to have an impact on Sri Lanka. Tea and rubber are facing problems. There are reports that 65% of the tea intended for marketing was returned for want of buyers; and seven billion rupees are to be awarded to the tea industry as recovery fund.

According to an econometric analysis carried out at the University of Sussex, UK, withdrawal of GSP+ will result in a 2% fall in the gross

national product of Sri Lanka. The problem is not that alone. Of the garments made in Sri Lanka, nearly a half finds its way to the US market.

Mahesh Amalean, the CEO of MAS Holdings has pointed out that the US\$ 150 million that the government has announced as relief to the garment industry in the event of losing GSP+ is only for an year. What would happen after that?

By sending in an appeal to extend the GSP+ and through a process of inquiry and deliberations, the GSP+ concessions could be made to last provisionally until the end of 2009, and the six months' time that the EU will take to examine whether the situation has been rectified will carry the concessions to June 2010. Thus the concessions will hold at the time of general elections in 2010. The recovery fund is being granted in a way that a loss of GSP+ will not affect the outcome of the elections. But such recovery funds will increase inflation rate.

American and European capitalist countries provide recovery funds from revenue collected from the people to protect the interests of the capitalists. Likewise, the Sri Lankan government too has come forward to provide recovery funds to the owners of garment factories and tea and rubber plantations. The World Bank and the IMF that warn against state financial support and subsidy for the people approves of subsidy for the capitalists.

The government is fooling the people with declarations of national independence and self respect. But the sovereignty of the country has been mortgaged through commitments to the World Bank, IMF and the WTO, and the Indo-Lanka trade agreement, in order to safeguard capitalist interests. It boasts that it rejects the EU inquiry, but after the elections in 2010, the story will be changed to secure, by imploring, GSP+ and other concessions.

It should be pointed out at this stage that the GSP+ issue does not affect the garment industry alone. It also affects the export of nearly 2000 kinds of goods comprising aquatic products, ornamental fish, fruit and vegetable, ceramics, bicycle fittings, leather and rubber goods. They comprise 35% of the total export, and workers in these industries will also be affected by the loss of GSP+ concessions.

The Sri Lankan National Question and the People's Right to Self Determination

Asvaththamaa

Introduction

Post-war Sri Lanka has taken new directions in its political form with the LTTE militarily defeated and the liberation struggle of the Tamils facing a major setback. Against this backdrop, triumphalism of the Sinhala majoritarian chauvinism in its different forms is placing new constraints on the resolution of the Sri Lankan national question. Its impact has been almost instant.

The latest line of the NGOs and 'civil society spokespersons' is the idea of "non-devolutionary constitutional reform". Newly coined terms are used to persuade the government that it could introduce constitutional reforms with little consideration for the rights and aspirations of the people. On the other hand the Tamil nationalists among the diaspora remain stuck to the mythical notion of Vaddukoddai resolution and claiming that separate state Tamil Eelam is the solution for the Tamils in Sri Lanka. Both approaches contain their fair share of vested interests.

Although the thirty-year civil war is over, the causes of the conflict still remain to be addressed. The national question, remains the main contradiction in Sri Lanka, and unresolved. Chauvinistic oppression and denial of the basic rights of the minorities remain strong, the oppression being two-fold, political and military. The reluctance of the government to propose a political solution has serious long-term implications.

While a just solution to the national question should be based on ensuring the right to self-determination of all the nationalities in Sri Lanka, the term 'right to self-determination' itself is being interpreted by different political actors, each in a way to suit its own agenda. Thus there is a need to understand the concept of the right to self-determination and examine its role in finding a solution to the Sri Lankan national question.

Right to self-determination

The concept of the right to self-determination has its origins in the Russian revolution. The founding of the Union of Soviet Socialist Republics in 1922 brought together more than 120 distinct peoples, each with its own language and culture, who had been oppressed by the fallen Russian Czarist Empire. This great achievement was made possible by the 1917 October Revolution. Elimination of national oppression and arriving at a correct position on what was then known as "the national question" would not have been possible without a profound struggle.

Marx's analysis of the Irish question was a pioneering contribution to the understanding of self-determination for oppressed nations. Marx, who initially doubted the ability of the Irish nation to achieve independence on its own or even the need for it, expected that the Irish nation and workers would be liberated when the English working class overthrew the English bourgeoisie. His view was based on the idea that the English workers living in an advanced capitalist country were best placed to overthrow capitalism in the colonizing country of Britain. By the late 1860s, on recognising the virulent racism and chauvinism among the English workers themselves against the Irish people, he supported the right to independence of the Irish nation as the best means for the Irish workers to fight capitalism. He urged the English workers to stand up for Irish independence.

Marx further argued that an English workers' party, representing workers of an oppressor nation, was duty bound to support an oppressed nation's independence. This attitude became a central aspect of Lenin's stand on the national question in relation to oppressed nations. Lenin was later to write: "The policy of Marx and Engels on the Irish question serves as a splendid example of the attitude the proletariat of the oppressor nations should adopt towards national movements, an example which has lost none of its immense practical importance". Lenin, in upholding the Marxist approach, had

to struggle repeatedly against other socialists who were opposed in principle to the right to national self-determination.

Lenin explained the right to self determination thus: "The right of nations to self-determination means only the right to independence in a political sense, the right to free, political secession from the oppressing nation. Concretely, this political, democratic demand implies complete freedom to carry on agitation in favour of secession, and freedom to settle the question of secession by means of a referendum of the nation that desires to secede. Consequently, this demand is by no means identical with the demand for secession, for partition, for the formation of small states. It is merely the logical expression of the struggle against national oppression in every form. The more closely the democratic system of state approximates to complete freedom of secession, the rarer and weaker will the striving for secession be in practice; for the advantages of large states, both from the point of view of economic progress and from the point of view of the interests of the masses, are beyond doubt, and these advantages increase with the growth of capitalism. The recognition of self-determination is not the same as making federation a principle. One may be a determined opponent of this principle and a partisan of democratic centralism and yet prefer federation to national inequality as the only path towards complete democratic centralism".

It was after Lenin explained and defined the right to self determination that others, notably Woodrow Wilson, defined the right to self determination as the right of peoples to govern themselves. Right to self determination implies that no one can legitimately govern a people without their consent. Wilson promulgated the right to self-determination in his "Fourteen Points" speech. The fundamental difference between Wilson and Lenin was that the latter accepted the right to secede, if it becomes impossible to stay together so that self determination meant the right to secede but not necessarily the act of secession. Lenin illustrated this with the example of the right to divorce, which does not mean that every marriage should be dissolved but ensures that every person gets into the contract of marriage while reserving one's right to divorce. Without the right to divorce, marriage does not guarantee the survival of marriage. The right to separate makes the relationship more equal and stable than without. Lenin thus argued that by giving the right to secession the nations or nationalities in a union explore possibilities to coexist.

In the later years, the right to self determination acquired political as well as legal meanings, with the political principle having a wider scope than the legal. Article 1 (2) of the United Nations Charter, drawn up in 1945, stipulates that the UN is to “develop a friendly relationship among nations based on respect of the principles of equal rights and self-determination of peoples and to take other measures to strengthen universal peace”. Further, the principles of self-determination were embedded in the International Covenant on Civil and Political Rights (ICCPR); and in the International Covenant on Economic, Social and Cultural Rights (ICESCR) of the 1966. These covenants affirmed self-determination as a “right of peoples” and guaranteed it by treaty laws. The impact of these UN ratifications of the right to self determination were more political than legal; and for political reasons the right to self determination is being interpreted and explained in different ways.

Right to self determination in Sri Lanka

The Marxist Leninist position on the national question in Sri Lanka, as elsewhere, has been unambiguous. It has historically identified the development of chauvinism and its development into national oppression, and recognised the development of the national contradiction into the main contradiction in Sri Lanka. Marxist Leninists have always maintained that ensuring the right to self determination of all nationalities in Sri Lanka should be the basis for the solution to the national question. Any proposal for a solution undermining the right to self determination of the nationalities in Sri Lanka is of dubious value.

The class and class interests that constitute the essence of the national question in Sri Lanka are not readily visible. Thus, limiting one’s search for solutions to the existing political framework, the executive powers of parliament within it, and to legislation will not permit one to appreciate the national and class aspects of the national question or the need to recognise the right of the nationalities in Sri Lanka to self determination. Hence claims of finding a solution within the existing framework will fail to address the root causes of the conflict and the issues involved. It has to be recognised that during the last thirty years, the contradictions among nationalities which constitute the main contradiction have grown and need to be addressed in a way that satisfies all the communities. Thus, when the government or the spokespersons for the “civil society” talk of non-devolutionary

reforms, they implicitly declare that they are unwilling to accept the people's rights as the cornerstone of the solution.

The Marxist Leninist position, to be valid, should look closely at the development of the national question, which has entered a phase where national oppression involves local and foreign elements. When a nation, a nationality or a community is oppressed as a social group, inevitably its struggle against oppression will be based on its identity. Marxist Leninists hold that to deny the right to such struggle is to support social oppression. It is on this basis that they have supported anti-colonial liberation struggles as well as liberation struggles of oppressed nationalities and social groups.

Tamil nationalism in all its forms and identities is a product of history. The evolution of Tamil identity into a Tamil national identity was due to various social, economic and historical factors. Tamil national identity itself has kept changing, and its form today is markedly different from the one that preceded it. In the 1970s Tamil nationalist leaders propagated the notion of a "separate state of Tamil Eelam" and passed the Vaddukoddai resolution in 1976 for opportunistic parliamentary political reasons. The solution for the problems faced by the Tamils cannot be based on that resolution. To be fair, any solution put forwarded on behalf of the Tamils should duly recognise the rights of the other minorities, especially the Muslims and Hill Country Tamils. But the Vaddukoddai Resolution calling for a separate state of Tamil Eelam failed to address the issues of the Muslims and Hill Country Tamils. Notably, until recently, Tamil nationalist parties have been reluctant to seek solutions based on ensuring the right to self determination for all the nationalities.

The concept of the right to self determination is not a product of bourgeois democracy but of the revolutionary ideology of the working class. The national question in the post-colonial era qualitatively differs from that in the colonial era; and self determination needs to be seen in a broader perspective than at the dawn of the 20th Century when the question mainly concerned an oppressor nation and an oppressed nation. One should also take a historical view of how imperialism has used session to advance its hegemonic interests. Tamil nationalists calling for secession, based merely on the right to self-determination, have their interests tied up with the imperialist agenda. While Marxist Leninists accept the right to secede, they do not see secession as a panacea for national conflicts. They have, in particular, warned against the prospect of imperialists using secession

to serve their interests, the recent example being Kosovo. Thus seeking secession as solution for the Sri Lankan national question is not likely to be in the interest of any nationality.

The need of the moment is to ensure the right of all the nationalities in Sri Lanka to self determination. Sections of the Tamil Diaspora and Tamil media propagate the view that the right to self determination is merely a right to secession. This is misleading and harmful. The right to self determination is much more than the right to secession. Tamil nationalists as well as Sinhala chauvinists continue to mislead the masses on the principle of right to self determination. Meanwhile, some Tamil parliamentary politicians talk about “internal self determination” as a solution to the national question. This once again is an effort to dismantle the concept of self determination and in the process reject the right of the nationalities in Sri Lanka to self determination.

At this point it is important to reiterate the stand of the Marxist Leninists on secession. The use of secession as an imperialist tool does not make it right to oppose the right to secession. The right to secession is an integral part of the right to self determination and not a licence to secede at will. If at all, it is a proven way to avert secession and conflicts between nationalities. The vested interests of Sinhala chauvinism and Tamil narrow nationalism ensured that they always undermined people’s struggles for social justice. Their conduct in the past and present merely confirms their aim to retain their political power by dividing people and denying the rights of the nationalists.

Conclusion

The right to self-determination cannot be applied blindly or be imposed on a nationality or an ethnic group. A nationality struggles for its right to self-determination or for secession when its identity or its very survival is threatened. Struggles of oppressed nationalities are complex and continuously evolving, with no two struggles alike. In several instances, including Sri Lanka, issues have been made more complex by foreign intervention driven by hegemonic intentions. The situation in Sri Lanka is worrying, with rights of the nationalities under great threat, and upholding the rights of the minorities has become a momentous task. It is time for the progressive forces to unite and fight for the right to self determination of all nationalities, to ensure a just solution to the Sri Lankan national question.

NDP Diary

NDP Statement to the Media

Denounce the Prison Attacks

15th November 2009

Comrade SK Senthivel, General Secretary of the New-Democratic Party issued the following statement denouncing the recent Magazine Prison attacks.

The violent attack on Tamil prisoners in Block J of the Colombo Magazine Prison on 13th November has led to fears about the possibility of plans for yet another round of prison killings. Relations of Tamil prisoners and the Tamil public as a whole are perplexed and pained by it. Cruel incidents of attack and murder of Tamil prisoners have occurred from time to time. The basic reason for it is an attitude of rabid chauvinistic dominance. It is understood that prison officials with such attitude and Sinhala prisoners instigated by them have been responsible for the recent attacks and injuries. In that event, one needs to ask where law and order, justice and fairplay and humanitarianism have gone. The New-Democratic Party strongly denounces this incident and expresses its support for the hunger strike campaign by the Tamil prisoners demanding justice for the attacks against them as well as other issues.

The government is emphatically declaring in the international forum that human rights are protected in Sri Lanka and that the Tamils are not discriminated against. It is beautifully written on the prison walls in all three languages that "Prisoners are also people". But what is worrying is that the happenings inside are inhuman chauvinistic attacks. In 1983 and in periods following it, Tamil prisoners have been attacked and killed in cruel and degrading fashion in the Welikada and Kalutara prisons and the rehabilitation camp in Bindunuweva. Inquiries have held prison officers and chauvinist thugs responsible for the events. Such revengeful acts occur now owing to continued detention of the prisoners despite the end of the war. Hence the New-Democratic Party demands that proper judicial inquiries about the attacks that occurred should be undertaken, and that the government should accept the demand of Tamil prisoners to try them or discharge them and take the necessary steps.

S K Senthivel

General Secretary, New-Democratic Party

NDP Media Announcement

Comrade Thambiah to Delhi Conference

15th November 2009

Comrade E Thambiah, Attorney-at-Law and National Organiser of the New Democratic Party has travelled to Delhi to take part in a communist conference. He is attending the Second All India Congress of the Socialist Unity Centre of India, 16th to 19th November 2008, as a delegate of the NDP and will participate in discussions relating to the current political situation, the national question and the international communist movement. He will also discuss with representatives of Marxist Leninist parties of various countries on issues including the Sri Lankan national question. He is also scheduled to address public meetings there.

S K Senthivel

General Secretary, New-Democratic Party

NDP Statement to the Media

Plight of Passengers in the North

9th November 2009

Comrade SK Senthivel, General Secretary of the New-Democratic Party Issued the following statement on behalf of the Politburo of the Party.

Travel between the Jaffna peninsula and other parts of the country has been an agonising experience for passengers. On the one hand there are travel permit procedures in the name of security. On the other hand there are practices of fleecing the passengers. They are practices that constitute chauvinistic oppression. By carrying them out the government is revengefully wrenching out of the people their normal life and freedom to move about. There cannot be much sense in acting in this manner and declaring that the government is carrying forward the Northern Spring programme. Hence the New-Democratic Party emphatically asks the President to intervene and open the A-9 highway to the public and enable travel for a reasonable fare.

The people of the North ask why the A-9 highway is not open to the public even after five months since the defeat of the LTTE. It makes one wonder if the tight regulation of transport, fleecing of passengers and subjecting people to continuous misery is revenge or oppression.

It appears that since the departure of the LTTE, the government has adopted their practices and control. Hence the people express concern whether the government has taken over the anti-democratic activities of the LTTE. To this day the Tamil people have been taken for a ride by all

the Tamil parties and movements. The current experience of the Tamil people is a mere continuation of past experience. In which case, is there any meaning in the government's claim that it has rescued the Tamils?

People are compelled to pay Rs 21,000 (now 19,500) for return air fare and Rs 2,400 for a single journey by luxury bus between Jaffna and Colombo. Bus fares in the region of Rs 300 and 400 from Jaffna and Vavuniya are subject to painful procedures with passengers driven from pillar to post. Also, the way in which the people are treated when they apply for permission to travel and in making travel arrangements are appalling. Hence the New-Democratic Party emphasises on their behalf that there is need for a change and relief from the painful, troublesome and costly practices for the passengers from the north.

S K Senthivel

General Secretary, New-Democratic Party

NDP Statement to the Media

Wage Increase for Plantation Workers

5th September 2009

Comrade E Thambiah, National Organiser of the New-Democratic Party and President of the Proletarian New Democratic Union issued the following statement on the campaign of non-cooperation by plantation workers to win a fair wage increase.

Plantation trade unions that have been signing the collective agreement with the plantation companies should not indulge once more in the game of launching struggles every two years for winning a fair wage increase, amid which they transform the struggle into a rope-pulling contest, and finally compel the workers to accept whatever wage rise that is offered by the plantation companies. The struggle for a daily wage of Rs 500 should be carried forward until final victory.

The New-Democratic Party and the Proletarian New Democratic Union have decided to offer conditional support for the campaign of non-cooperation by plantation workers initiated by the plantation trade unions that have been signing the collective agreement for an increase in daily wage of plantation workers to Rs 500.

It is the trade unions that have usually betrayed the struggles of plantation workers for a wage increase that have initiated the present campaign. Although we are in disagreement with the policies and practices, based on the principle that we cannot be opposed to struggles of the people, we offer conditional support for this campaign.

The trade unions concerned should carry forward the struggle without compelling the workers to accept a daily wage of less than Rs 500. Also the system of signing collective agreements every two years should be replaced by a system that includes a wage scheme which assures an annual wage increase on a fair basis.

E Thambiah

National Organiser, New-Democratic Party
President, Proletarian New Democratic Union

Comrade Navaratnam Commemoration & Book Launch

8th November 2009

The 5th death anniversary of Comrade S Navaratnam was marked in Colombo by the Comrade Navaratnam Memorial Committee and Puthiya Poomi Publications on 8th November 2009 at the Kailasapathi Auditorium of the Dhesiya Kalai Ilakkiyap Peravai. The meeting was chaired by Comrade S Thevarajah, Member, Politburo of the NDP. Comrade Thevarajah in his opening address outlined Comrade Navaratnam's life of selfless commitment to the party and the people. Comrade SK Senthivel, General Secretary of the NDP delivered the memorial address, where he discussed the critical political situation in the country and the importance of the inspiring contribution of Comrade Navaratnam which will remain alive with the party and its members in meeting challenges. He called upon the younger generation to learn from Comrade Navaratnam in learning from practice in the course of serving the people.

A book in Tamil comprising the text of an interview of Comrade Senthivel by the website '*Inioru*' (www.inioru.com) on 4th September on matters relating to the political situation since the fall of the LTTE and the NDP's stand on the national question was launched following the memorial address. The book also included responses by Comrade Senthivel to questions following the interview.

Comrade Thambiah launched the book and discussed in depth its contents in the context of the national question and the current political climate and explained the need for the release of the book at this juncture. Comrade Sri Manoharan delivered the vote of thanks.

Sri Lankan Events

Blaming the child victims

The bodies of two Hill Country Tamil girls who worked as domestic helps in Colombo were found in a waste water ditch in Colombo in mid-August. The deaths were readily dismissed by the police as suicide with the help of 'suicide notes' implicating the girls as lesbians.

The deaths brought out a number of issues besides law enforcement, and employment of young children (one victim was 13 years old and the other 14 when employed, the legal minimum age being 14). Abuse of child domestic employees and safety of child employees have become matters of concern in the plantation, but poverty among plantation workers is still forcing families to send children for domestic work

Trade union and political leaders did not care until after a team of lawyers including Senior Attorney-at-Law E Thambiah took up the case of the two girls and initiated action for a fresh inquiry into the cause of the deaths. The lawyers are appearing free for the families of the victims. Once the matter was in public view, some Hill Country Tamil politicians claimed credit for enabling the inquiry while others including a media upstart maliciously claimed that NGOs were paying the lawyers. What is sad is that media commentary, by highlighting sensational aspects, is diverting attention from more real and urgent issues.

A ready-made sell-out

An enthusiastic non-cooperation campaign by the plantation workers, the lowest paid section of the working class, demanding a daily wage of Rs 500 was sold out by the leadership that called for industrial action. The three trade unions that make the collective agreement with the Employers Federation settled for Rs 405 a day, each giving different reasons for its betrayal. The strongest union, the CWC said that it agreed of its own accord while the UNP-led LJEWU said that it signed under duress. Interestingly, the UNP leader had pledged that the LJEWU will not sign the agreement without consulting its trade union allies in the plantations. Despite the LJEWU signing without reference to them, it has been business as usual between the UNP and its partners.

The plantation workers, who have been taken for a ride in style for the third time in succession, are bitter. But the reality is that they cannot carry out a sustained struggle until they shake off the present set of political and trade union leaders dominating their affairs.

Brutal killing in broad daylight

Video camera footage of the forced drowning on 30th October of a 26 year old man with a psychiatric problem was telecast by several private TV channels in Sri Lanka. Of the four persons involved in the killing by forcing the man to drown in the sea, only two have been identified, although the incident took place in broad daylight with several hundred eye witnesses. Some of the railway passengers angered by the man's throwing stones at the train seem to have endorsed the cruel act. Although the video footage is said to have shocked viewers, given past experience, the outcome of the police inquiry remains questionable.

What is as worrying as police violence is the response of the public to such violence and its attitude towards the mentally handicapped.

JVP journalists arrested

Three journalists of the JVP's Sinhala weekly 'Lanka' were arrested on 2nd September for allegedly entering a private land without permission and filming the construction site of a new house of a VIP in Deniyaya in the Southern Province. The editor of 'Lanka' was taken into custody on 17th October by the CID for questioning in connection with a news story in 'Lanka'. He was later released.

The JVP protested strongly against the arrest, which the left and democratic organizations too condemned. But ironically the JVP had, not long ago, actively or passively endorsed the arrest of Tamil and Sinhalese journalists on the pretext fighting terrorism.

Exercising the right not to vote

The people of Jaffna did something remarkable at the elections to the Jaffna Municipal Council: 78% of the electorate did not vote, and 6% of the voters, numbering more than the votes received by the TULF which won a seat, spoiled their ballot papers. Thus 80% of Jaffna boycotted the polls without an active campaign calling for a boycott. The New Democratic Party had issued a statement calling for a boycott, but did not campaign for it.

This exercise of the democratic right of a people not to vote in the absence of a choice has stunned the political parties, as well as NGOs who cannot understand politics without ballot boxes. All manner of explanations have been given for voter 'indifference'. It was really not lack of interest in politics but a clear understanding of politics that led to the rejection of the ballot box.

International Events

Afghanistan: The deepening crisis

A fraudulent victory

That the presidential election in Afghanistan on 20th August was fraudulent was beyond doubt to even the supporters of Karzai. But it took a lot of convincing for those in power to accept the obvious. Charges of fraud were supported by the EU monitors according to whose statement of 16th September, a third of the votes received by Karzai (54.6% against 27.8% for his main opponent Abdullah Abdullah) were suspect in an election with a pathetic turnout of just over 38%.

On 21st October, after a re-scrutiny of part of the votes, the UN-backed Electoral Complaints Commission decreed that that Karzai secured 48% of the vote against just under 31% for Abdullah. Under US pressure out of concern for nominal credibility, Karzai agreed to a run-off vote on 7th November, but rejecting several recommendations of the Commission on the conduct of the run-off vote.

Abdullah demanded on 30th October, as a precondition for participation in the runoff vote, the dismissal of the country's top election officer, whom he held responsible for the electoral fraud. When it was clear that Karzai's view will prevail, Abdullah announced his withdrawal, while rejecting the result of the election. Although Karzai was declared elected on 2nd November, doubts linger about the credibility of the government, with the US needing an effective ruling partner in its war.

It is unclear why Abdullah avoided a call for an electoral boycott or a street protest by his followers. The US had promoted the idea of power sharing between the contestants during the height of dispute. Abdullah, although tempted, decided against it. Interestingly, before his withdrawal, US Secretary of State Hillary Clinton downplayed the prospect of a withdrawal, saying that it would not undermine the legitimacy of the election, making clear that a clean election was the least concern of the Obama administration.

Despite bickering within the US establishment about the aptness of announcing additional troop deployment before the outcome of the presidential election was finalised, the view of the government of Afghanistan on US troop deployment mattered the very least to the US. Whoever was elected would have to be a US puppet to survive. The

electoral fraud has, however, divided anti-Taliban groups at a time when the US and its allies are pressing for unity in the face of growing insurgent strength.

President Obama, his top diplomats and military advisers have been engaged in a remarkably public debate over the size of a future military force and how to deal with a Karzai government that it has accused of corruption and ineptitude. A more serious fault of Karzai had been his occasional protest, under pressure from among his supporters, against excesses by the forces of occupation.

Sources: *dawn.com, nytimes.com*

2009: the most fatal year for US-led forces

The year 2009 is already the most fatal for foreign forces deployed in Afghanistan since 2001. Eleven US soldiers were killed on 26th October, bringing US casualties to 282 (out of 461 for all forces of occupation) by the end of October compared with 630 (out of 1047) between 2001 and 2008. The number of fatalities already far exceed the figures for 2008, according to *icasualties.org*.

The killing of five soldiers by an Afghan policeman at a checkpoint on 4th November in the province of Helmand (the most violent region in the country) has added a further dimension to the problems faced by the aggressors, when public opinion in the US is going against the war and President Obama's strategy for Afghanistan is under strong criticism. The political problem is bound to intensify in the US with Obama announcing the deployment of reinforcements.

Sources: *icasualties.org; granma.cu/ingles*

Bangladesh: Protesting Sell-Outs

On 24th August the government of Bangladesh approved offshore oil and gas exploration deals in three sea blocks of the resource-rich Bay of Bengal with ConocoPhillips of the US and Tullow Oil Ltd of Ireland. Critics point out that a provision in the off-shore deals allows the foreign companies to export up to 80% of extracted gas, posing a threat to the energy security of Bangladesh.

The National Committee for Protection of Oil-Gas-Mineral Resources and Electricity and Ports organised a massive protest in Dhaka on September 14th calling upon the people to foil the conspiracy of siphoning off precious national wealth. Among other calls were:

- Boldly resist the Indian project of constructing a river dam in Tipaimukh, which will prove a new death trap for Bangladesh.
- Build broader unity of patriotic people against imperialist domination.
- Ensure extraction of mineral resources with 100% social ownership; ensure fuel security for the country.

The police resorted to brutal lathi charge against the peaceful rally. A number of people including women and senior leaders of the National Committee and the Revolutionary Workers' Party of Bangladesh were seriously wounded. The incident has led to widespread protests against the brutal attacks by the 'Mahajot' (grand alliance) government.

On 29th September, leaders of the National Committee held further protest meetings and formed human chains in different districts opposing the offshore oil and gas deals with multi-national companies.

Source: *thedailystar.net*

India: State Terror on the Rampage

Bastar, Chattisgarh

The UPA government declared its 'Operation Greenhunt', a paramilitary offensive said to eliminate Maoist terror; and CoBRA battalions along with the Chhattisgarh State Police unleashed state terror in the Bastar region spread over 40,000 km². The paramilitary offensive and central government backing for the state government's patronage of the notorious Salwa Judum militia in Chhattisgarh are in breach of recommendations of the Expert Committee of the Planning Commission, advising against ineffective militaristic solutions and pointing to the socio-economic malaise due to the state's neglect of a most deprived people. Since 2005, attacks by the Salwa Judum, whose leaders have been accused of rape and loot against the adivasis of Bastar, rendered homeless around 200,000 adivasis.

The Home Ministry, which authorised the unlawful cold-blooded murder of innocent people in large number in faked 'encounter killings', gives publicity to killings by the Maoists in conflicts with the armed forces; but is silent on the numerous 'encounters' in Bastar, where victims have predominantly been identified as innocent adivasis.

By the end of October, 40 battalions of paramilitary, roughly 40,000 men, are said to have been deployed in six districts in Chhattisgarh, Jharkhand, Orissa and Maharashtra. Another 40 battalions are

envisaged. The strategy is said to be unlike that in Lalgarh, West Bengal, which in itself is an admission of failure in Lalgarh, while the Maoists seem to be adapting fresh strategies to meet the challenge.

The government forces plan to penetrate Maoist-dominated areas, clear them of Maoist presence, and hold and control the territory for government agencies to move in to initiate 'developmental work'. Thus the identification of the Maoists as the greatest internal threat to India's security has aims besides 'national security'. Prime Minister Manmohan Singh has been cited by Arundathi Roy in her article "Mr Chidambaram's War" in the Outlook India Magazine of 9.11.2009 as telling Parliament on June 18, 2009: "If left-wing extremism continues to flourish in parts which have natural resources of minerals, the climate for investment would certainly be affected". That reveals his government's real concerns. (See <http://outlookindia.com/article.aspx?262519>)

The 'counterinsurgency' operation in Chhattisgarh is a war on the people, denounced by reputed personalities, human rights organisations, and the genuine left. Vacillation in the CPI(M) quarters tainted by blood of the innocents of Nandigram, Singur and Lalgarh was not surprising.

Sources: *www.tehelka.com, timesofindia.indiatimes.com*

Lalgarh, West Bengal

The People's Committee Against Police Atrocities (PCPA) was formed in response to police violence against the tribal people in Lalgarh. Hostility of the central and state governments and betrayal by opportunist political parties led to a call for autonomy for Jangalkhand in the south of the state like the demands of Gorkha and Koch people in the north. The PCPA leader Chhatradhar Mahato who led the initiative was arrested in September by deception, adding to the fury of the tribal people.

In October, the PCPA declared that it is now an armed militant force, giving the lie to the government and mainstream media propaganda that it was a frontal outfit of CPI (Maoists). Within 24 hours of the declaration "We plan to take control of government offices in Jangalmahal" by PCPA leader Asit Mahato in late October, the PCPA led hundreds of villagers, armed with traditional weapons, to stop a Rajdhani Express and hold its drivers and passengers hostage for more than five hours. Unlike Maoist guerrilla operations, this was entirely a mass protest activity by which the villagers successfully sent a warning to the state without bloodshed.

Sources: *sanhati.com, Frontline6.11.2009*

Pricol incident and police witch-hunt

Pricol Ltd in Coimbatore is a company notorious for its practices of locking out of workers, transferring them, and depriving them of their earned wages and other statutory benefits. The management has acted in blatant violation of the laws of the land, bullied workers in order to force them to leave their union, and blatantly refused to negotiate with the trade union, belonging to the All India Central Council of Trade Unions (AICCTU).

A hunger strike by Pricol workers including many women, ended on its 16th day after the Labour Minister of Tamilnadu responded to a Calling Attention Motion on 30th June, raised by members of the Tamilnadu legislature from the AIADMK, Congress, PMK, CPI, and CPI(M), accepting that Pricol management had violated labour laws and assuring of action against them. But the Pricol management continued to disregard all state government and court rulings, thus creating a situation that prolonged the struggle of the workers. Frustration led to the accidental killing of Mr. George, Vice President of Pricol. The AICCTU condemned the killing unconditionally and pointed out that the incident occurred in the context of flagrant violation of labour laws and constitutional rights.

The state police maliciously targeted AICCTU and its central leadership in false cases and issued an FIR against S Kumarasami, National President, AICCTU. The AICCTU has demanded a high level inquiry into the incident, withdrawal of false and fabricated cases against Kumarasami, end to arrests and witch-hunt of workers, and bringing to book the management of Pricol for violation of labour laws, and court and government orders regarding the dispute. The call by the AICCTU has received support from left and progressive quarters across India.

Source: cpiml.org/pgs/ml_upd/voll12/12_42.html

Nepal: Towards a mass uprising

India's use of opportunist and reactionary political parties to topple the government led by the Maoists (UCPN-M) and cobbling up of a 22-party alliance to form a government led by politicians rejected by the people at the elections has plunged Nepal into a political crisis.

Without the Maoists (UCPN-M), the largest party in the Constituent Assembly (CA) the government cannot muster the necessary majority to draft the new constitution. The Maoists (UCPN-M) would not deviate from the principles agreed between them and the Seven Party Alliance (SPA) that led to the setting up of the CA.

Disunity and threat of desertion by allies forced Premier Madhav Kumar Nepal to make the occasional conciliatory gesture towards the Maoists, like that on 1st August when he declared that the government was serious about the integration of the Maoist army with the Nepal Army, one of the issues behind the toppling of the Maoist-led government.

The ability of the government to uphold peace and resolve the crisis was always in doubt, since the foreign powers on whose support it relies have other ideas. Notably, in late July 2009, Defence Minister Bidhya Bhandari requested India to resume military assistance to Nepal, and was confident of resumption of military assistance that had remained stalled since 2005. The Maoist leadership denounced her plea to India.

Yet, the Maoists, the Nepali Congress and CPN-UML agreed to form a six-member taskforce to accelerate the drafting of the new constitution. The parties forged consensus to form a political mechanism to draft the constitution, enable army integration, and take the peace process to its logical end. In practice, however, the Nepali Congress and CPN-UML drag their feet and conspire with their foreign masters to outmanoeuvre the Maoists.

As it became abundantly clear that the government was not serious about meeting its commitment to draft a constitution in the spirit of the agreements between the SPA and the Maoists, the Maoists warned that they will mobilize the masses to persuade the government to abide by earlier pledges. The Maoists started their agitation after several rounds of talks with the Nepali Congress and CPN (UML), the main ruling parties, failed to reach consensus on any issue. For instance, when the Maoists demanded a parliamentary discussion of President Ram Baran Yadav's overturning of the dismissal of former Army Chief Rukmangad Katawal to label it 'wrong' in one or the other way, the NC and UML disagreed and argued that the Interim Constitution could instead be amended to clarify the jurisdiction of the President.

The government underestimated public support for the demands of the Maoists, and with the build-up towards the second round of nationwide protests led by the Maoists, leading members of the ruling alliance frantically resumed their 'Delhi run' starting in late October, to meet Indian political leaders of the Congress, BJP, CPI(M) and others. The Maoist leaders pledged to continue their efforts to resolve the dispute by through dialogue even as they announced their programme of mass protests starting 1st November, which they asserted will not violate the terms of the 2006 peace agreement.

1st Nov.: Formal declaration of the movement and countrywide torch demonstration

2nd Nov.: Whole day gherao of all Village Development Councils and Municipalities

4th & 5th Nov.: Whole day gherao of all District Administration Offices

9th Nov.: Declaration of Autonomous Republics

10th Nov.: Blockade of the Kathmandu Valley including the Airport

12th, 13th Nov.: Mass gherao of Government

The protests have been a massive success, and the government is in a panic. Prompted by India, it pitched into UN Secretary-General Ban Ki Moon, who, in his report to the UN Security Council on 30th October urged the ruling parties and the Maoists to work on the basis of consensus and form a national government, and charged him of meddling in Nepal's internal affairs. It was unsurprising since India always resented the UN Mission in Nepal (UNMIN), and has encouraged the government of Nepal to terminate UNMIN presence in Nepal when its term expires in January 2010.

Sources: nepalnews.com; news.outlookindia.com; mikeely.wordpress.com

Pakistan: Road to Destruction

A country at war with itself

The US, while slipping up in its war against the Taliban in Afghanistan, is destabilising Pakistan by its military activities inside Pakistan. Eight major terrorist attacks took place in October with 200 lives lost, compared with just one in August and none in September. Terrorist attacks, already spilling into November are getting increasingly costly in terms of loss of life and extent of damage to property. An 18-hour siege of the army general headquarters (GHQ) on 10th October left the Government of Pakistan and its armed forces clutching at straws for explanations, while people felt increasingly insecure.

The army's success in wresting control of the Swat Valley boosted the army's morale and added to its prestige but did little good for Pakistan's security of in the medium and long term. The signs are that the campaign launched in mid-October in South Waziristan will lead to bigger losses of life of combatants and civilians. A senior Red Cross official has reportedly said in late October that there was evidence of a sharp rise in civilian casualty rate. On 4th November, the Pakistan daily, Dawn, reporting military claims of capture of Taliban territory and the killing of over 390 militants with a loss of 45 troops since the South Waziristan operation

began, pointed out that there were sporadic outbreaks of violence in the Swat valley despite the successful offensive in July.

The aid package of US\$1.5 billion a year for the next five years passed by the US Congress, meantime, requires Pakistan to cease support for terrorist groups on its soil and to ensure that the military does not interfere with civilian politics. President Asif Ali Zardari's acceptance of the conditions has added to his unpopularity. Many, including members of the armed forces, see the US Congress conditions as undue interference and suspect sinister US motives.

New York Times on 6th October commented that US moves to vastly expand its aid as well as the role of its embassy and private security contractors to monitor the handling of the aid, are aggravating an already volatile anti-American mood while the US demands sterner action against the Taliban. Among matters that are seen as US bullying are public assertions by US diplomats and officials as to how Pakistan should conduct its affairs. Although they have led to defiant responses from Pakistan's defence establishment, the US will have its way in the end.

Well publicized plans for a massive US embassy building to house a staff of 1000, with security for some diplomats provided by a US-based private security firm, DynCorp have reinforced the image of the US as a bully. The US conduct in Pakistan is increasingly seen to be like that in Iraq and Afghanistan. Pakistani military and intelligence agencies resent the moves to develop DynCorp as a parallel security organisation; and the raids in September by Islamabad police on Inter-Risk, a local company hired by DynCorp to provide security guard trainees for US diplomats, and the arrest of its owner reflect a growing resentment that could lead to a review of the role of DynCorp.

Barrister Zafarullah Khan, a prominent Pakistani lawyer, has filed a petition in Pakistan's Supreme Court against the Interior, Foreign and Law ministries, protesting against the US decision to expand its embassy in Islamabad and charging the US Embassy of making illegal efforts to acquire from the Pakistani Government more than 56 acres (22.5 hectares), sufficient for a military airport or an army base. The filing of the petition was amid reports in the Pakistani media of US plans to deploy a 1,000-strong contingent of US marines to its embassy. The US insists that the expansion is essential to accommodate additional staff (spies, mercenaries and war criminals) to deal with the increase in Washington's financial aid to Pakistan, but the petition warns that giving away Pakistani land to the US would jeopardize the stability and sovereignty of Pakistan.

Sources: *dawn.com*; *nation.com.pk*; *philly.com/inquirer*; *aljazeera.com*

Army and killing of civilians

The Pakistan daily Dawn reported on 1st September that bodies of 251 people, many of them tortured, were found dumped in the Swat valley, most of them in Mingora and rural areas, once militant strongholds now under firm military control. The military's attempts to dismiss the torture and killings as revenge reprisals by local individuals against the ruthless Taliban fail to explain the scale and pattern of the offences. The pattern of the deaths and disappearances has led local residents, human rights workers and some Pakistani officials to infer that the military has had a role. The number of killings and the presence of mass graves suggest that the military could have done it to settle scores for its heavy casualties as well as to silence support for the Taliban. Notably, the International Committee of the Red Cross, investigating the illegal killings, was ordered by the military to leave Swat in August.

Sources: *dawn.com, nytimes.com*

Land lease and risk of food shortages

The acquisition of farmland in poor countries, to meet the food needs of richer nations is a trend that continues despite discussion at various international forums. Fears have been raised of a likely increase in food insecurity in Pakistan if a deal to lease out 200,000 hectares (500,000 acres) of farmland to Saudi Arabia goes ahead. Pakistan Kissan Rabita Committee, an alliance of 22 organisations representing peasants, observed, "Leasing land to foreign companies or the Saudis will not benefit Pakistan in any way. It will aggravate the worsening agricultural crisis we face".

The fact that hunger is rampant in Pakistan adds to the concerns about land leasing. However, the government is moving ahead with the deal and a Ministry of Agriculture spokesperson told the media that the land would be used by Saudi Arabia to grow fruit, vegetables and crops. The government plans to lease land to other countries as well.

Sources: *irinnews.org; dawn.com*

The Philippines: Enemies of Peace

Who is scuttling peace negotiations?

The Office of the Presidential Adviser on the Peace Process (OPAPP) has blamed the National Democratic Front of the Philippines (NDFP) for lack of progress in the resumption of formal talks between the NDFP and the

Government of the Republic of the Philippines (GRP), with Norwegian facilitation, and accused the NDFP of scuttling the process.

Fidel V Agcaoili, spokesperson for the NDFP Negotiating Panel in his response of September 8th 2009 pointed out that since 15 June, the date of the agreement for the GRP to comply with the Joint Agreement on Safety and Immunity Guarantees (JASIG), the Secretary and the Executive Secretary of the OPAPP had only acted to prolong impediments on NDFP consultants while issuing endless press releases proclaiming an early end of the armed conflict. He also drew attention to the insincerity of the Arroyo regime on the question of peace negotiations and seeking to destroy the revolutionary forces militarily while using the peace negotiations as a means to achieve the capitulation of the NDFP. He also accused the US-backed Arroyo regime of victimising NDFP panel members, consultants and other JASIG-protected persons on the one hand while maliciously blaming the NDFP for scuttling the peace negotiations.

Reversing 7 years of injustice

Meanwhile in Europe, the European Court of First Instance (ECFI) on 30th September knocked down the unjust decision of the Council of the European Union which unjustly placed Prof. Jose Maria Sison, the Chief Political Consultant of NDFP on a terrorist blacklist. The ECFI decision demonstrated that Prof. Sison was not the subject of any investigation or conviction for any act of terrorism and therefore the Council of the EU had no valid ground at all to put Prof. Sison on its terrorist blacklist. The Court cited the statement of the then Dutch Foreign Minister De Hoop Scheffer on 8th October 2002 before the Dutch Parliament stating there was no reason to even start a criminal investigation against Prof. Sison, and noted that this was done less than three weeks before the EU Council put Prof. Sison on its terrorist blacklist on 28th October 2002.

The unjust blacklisting of Prof. Sison, and the Communist Party of the Philippines and the New People's Army, two major allied organizations of the NDFP, has seriously prejudiced peace negotiations between the GRP and the NDFP. After the terrorist listing of Prof. Sison, the CPP and the NPA by the USA, the GRP, the Council of the EU and some other governments sought to divert attention from addressing the roots of the armed conflict to persuading the NDFP to sign a so-called Final Peace Accord (FPA) formulated one-sidedly by the GRP, and designed for the capitulation and surrender of the NPA. The ECFI decision is a blow to the mean attempts by the GRP and its US masters.

Source: *ndfp.net*

Israel: Double Standards of the West

The UN nuclear assembly voted on 18th September to urge Israel to accede to the Non-Proliferation Treaty (NPT) and place all atomic sites under UN inspections, in a surprise victory for Arab states. The resolution, passed narrowly, for the first time in nearly two decades, expresses concern about “Israeli nuclear capabilities” and calls on International Atomic Energy Agency (IAEA) chief Mohamed al-Baradei to work on the issue.

The West tried to stop the resolution from going to a vote by calling an adjournment motion, arguing it would be counterproductive to single out Israel since a resolution passed the day before called on all states in the Middle East to forswear nuclear weapons. The adjournment motion was defeated and the resolution was passed with 49 countries for, including Iran, Russia and China, 45 against and 16 abstentions.

Israel, India and Pakistan are the only three countries outside the nuclear NPT; and Israel is widely assumed to have the Middle East's only nuclear arsenal, which it has never confirmed or denied. After the vote, the Israeli delegate rejected the resolution and declared that Israel will not cooperate in any manner with this resolution.

The measure was last voted on in 1991 when it passed by 39-31 with 13 abstentions when IAEA membership was much smaller. Since then there has only been presidential summaries of debate on this item or motions for adjournment or no action that carried the floor.

What is significant is that the brazen attitude of Israel is not only tolerated by the West, but also encouraged, while plans of Iran to develop nuclear energy for peaceful purposes are viewed with utmost suspicion.

On 5th October 1985 the Insight team of Sunday Times revealed the existence of a factory in the Negev desert that had been producing atomic warheads for many years and it is almost certain that Israel had begun manufacturing large thermo-nuclear weapons. Further information about Israeli capacity for bomb manufacture came from the testimony of Mordechai Vanunu, a 31-year-old Israeli nuclear technician, working in a secret underground bunker built to provide vital components needed for weapons production at Dimona, the Israeli nuclear research establishment. Vanunu's evidence showed that Israel did not just have the atom bomb, which has been long suspected, but had become a major nuclear power.

Sources: globalresearch.ca, thepeoplesvoice.org, timesonline.co.uk

Palestine: Struggle and Sell-out

Abbas to the rescue of Israel

The decision of the Palestinian Authority to withdraw Palestinian support for a resolution in the Human Rights Council endorsing the report of the UN Fact Finding Mission on the Gaza Conflict led by Richard Goldstone, which accused Israel of war crimes as well as crimes against humanity during its weeks-long onslaught on the Gaza Strip, came under strong criticism on 6th October in an open letter to Mahmoud Abbas, President of the Palestinian Authority. The letter from a diverse group of highly reputed Palestinians, solidarity activists, and supporters of human rights and international law denounced the decision as a betrayal of the Palestinian struggle for self-determination and of broader efforts to promote human rights and a just international system, and pointed out that the withdrawal of support undermined the mobilizing of the world community for the cause of peace and justice in the region more than the combined attacks by Israel and its allies.

The letter, while reiterating support for efforts to restore the unity and legitimacy of the Palestinian national struggle, held Abbas ultimately responsible for the decision and questioned the soundness of his leadership and the authority of diplomatic missions under his control worldwide to represent the interests of the Palestinians.

The UN General Assembly, however, voted overwhelmingly on 6th November in favour of the Goldstone Report, with 114 states endorsing a resolution supporting the report with 18 states including the US objecting to its adoption and 44 countries including France, Britain and Russia abstaining. The assembly's resolution demanded that both the Israelis and the Palestinians carry out investigations within three months, and called for the attention of the Security Council.

Sources: *BDSmovement.net, presstv.ir*

Elections and political manipulation

Mahmoud Abbas, President of the Palestinian Authority decreed on 23rd October, that presidential and legislative elections will be held on 24th January 2010 in the West Bank, Gaza and Jerusalem. He said that the decision was based on the failure of his Fatah party and rival Hamas to arrive at reconciliation for elections to be held on 28th June.

Hamas called the decree an act in the interests of the US and Israel as well as unconstitutional since Abbas' presidential term had officially ended in January 2009. It vowed to take action against anyone trying to

organize a vote in Gaza. Chief Palestinian negotiator Saeb Erakat also has advised against holding the elections under the conditions.

On 5th November Abbas announced that he will not be running for re-election in January. Israeli and American leaders expressed dismay over Abbas's announcement. US Secretary of State Hillary Clinton has pleaded with Abbas to remain in office and run for re-election. The Israeli press dismissed Abbas's announcement as a tactical manoeuvre to persuade the US to maintain its pressure on Israel for a total freeze on settlement construction in the whole West Bank. Hamas too dismissed the threat as aimed at his American and Zionist friends who have alienated him while using him as a means for advancing their plans.

Sources: *news.xinhuanet.com*, *paltelegraph.com*

Africa

Ghana: Nkrumah Centenary

The birth centenary of Kwame Nkrumah (21.9.1909 - 27.4.1972), founder leader of the African independence movement, revolutionary, socialist and the foremost advocate of Pan-Africanism, was marked nationally and internationally in September. Nkrumah became the first head of state of an independent post-colonial state in sub-Saharan Africa, after he led Ghana (Gold Coast under colonial rule) to independence in 1957.

His political career started in 1947 in the independence movement led by moderates, whom he left on the question of immediate independence to found the Convention Peoples Party (CPP) in June 1949. The CPP campaigned for immediate independence and universal suffrage, and created conditions for a popular election in 1951, which it won. Nkrumah, released from prison, became Leader of Government Business and later Prime Minister of independent Ghana in March 1957.

He stood apart from most post-colonial leaders by his unwavering anti-imperialist stand, and firmly believed that, without close ties with the cause of African liberation, Ghana's independence would be meaningless. Consequently, the First Conference of Independent African States, convened under his initiative in April 1958, broke down the colonially imposed divisions between Africa north and south of the Sahara. The first All-African Peoples Conference in Accra later that year brought together 62 national liberation movements from all over the continent, giving

great impetus to the independence movement. Ghana became a republic that year and adopted its own constitution, with Nkrumah as president.

Nkrumah in 1963 identified neo-colonialism as the major impediment to the genuine liberation of Africa. At the founding meeting of the Organization of African Unity in Addis Ababa, he released his book "Africa Must Unite" advocating a continental union government to counter the development of neo-colonialism in Africa. At the OAU conference in Egypt in July 1964, he unsuccessfully pleaded for the adoption of a United States of Africa.

At the October 1965 OAU Summit, Nkrumah launched his book "Neo-Colonialism: The Last Stage of Imperialism" denouncing the US as the principal imperialist power behind the new form of hegemonic rule designed to maintain Western control over Africa and throughout the 'developing world'. The book so infuriated the US government that four months after its release, he was overthrown on 24.2.1966, by a coup d'état led by lower-level military officers and police when he was in China en route to North Vietnam on a mission to bring about a peace settlement to the US war in Southeast Asia. CIA conspirators had taken advantage of the reluctance of Nkrumah's colleagues about his long-term goals of Pan-Africanism and socialism.

Following the coup, Nkrumah settled in Guinea-Conakry. Between 1966 and his death in 1971 he wrote extensively on the history of Africa, the revolutionary movement for Pan-Africanism and world socialism. He also founded in exile the All-African People's Revolutionary Party in 1968, which he envisioned in 1966 to create and manage the political-economic conditions for the emergence of an All-African People's Revolutionary Army that would lead the armed struggle against all forms of imperialism and for Pan-Africanism with a revolutionary socialist vision.

His role in unifying Ghana was exemplary, and his plans for the economic and social development have inspired progressive governments in Africa. His view on the necessity of coordinated guerrilla warfare to liberate Africa was realized in the sub-continent in the 1970s and 1980s. The OAU (the African Union since 2002) acts as a major obstacle to wanton imperialist intervention in Africa.

Nkrumah is still one of the most respected leaders in African history. His legacy lives on among militant African organisations, although subverted at home and abroad by a wide range of opportunists who have robbed it of its revolutionary and anti-imperialist essence.

Sources: assatashakur.org, panafricannews.blogspot.com

Guinea: Killing Opposition Protesters

Guinea, the first African country to free itself of French colonial rule in 1958 had a progressive anti-imperialist government until President Sekou Tourré yielded to French pressure in 1978, went back on his earlier Marxist and anti-imperialist principles. The country fast became a neo-colony and a military coup in 1984 consolidated neo-colonial rule. Although party politics resumed in 1992, and governments elected from 1993, the military had a major say in government. A coup in December 2008 made Captain Camara, the head of state.

Brutal repression of opposition has occurred earlier. In 2007, the regime of Lansana Conté had several hundred demonstrators shot. But the incident of 28th September surpassed all before. Soldiers shot and killed unarmed demonstrators gathered at the main stadium in Conakry for an opposition rally. International agencies placed the killings at 157, most of them shot and some trampled to death, while the government admitted to 56. Many women were raped by the soldiers, according to eye witness accounts and some women victims. Camara claimed ignorance of the rapes, disowned responsibility for the killings, and blamed the opposition leaders, several of whom were beaten up.

The US, France and EU have since called on Camara to resign and the International Criminal Court said in October that it was investigating the killings. Observers fear that “international community” pressure on the junta to give up power may end up hardening its stance since its members know that they could then face international tribunals. Meanwhile, the Economic Community of West African States, an alliance of West African nations, has asked Blaise Compaoré, President of Burkina Faso to mediate between Camara and the opposition. The 15-member body said that the violence in Guinea posed a real threat to the peace, security and stability of the region and on 17th October imposed an arms embargo on Guinea. In late October the African Union declared sanctions, including travel restrictions on the junta and freeze on assets of Camara and his collaborators.

The coalition of the opposition parties is seeking further ways to counter the government and says that it is not deterred by the bloody repression. It insists on the stepping down of the junta as the precondition for any solution, while Camara’s government declines to say it will not involve in the future presidential elections to end the crisis. ECOWAS mediator Compaoré has said that the situation is still worrying, and urges engagement for a rapid solution to get Guinea out of the crisis. He has asked the opposition to give their opinion on the big issues with a view to end to the crisis.

It is important that the African countries resolve the problem without providing opportunities for the US and EU to take advantage of a political crises to involve themselves militarily to tighten their neo-colonial economic and political control.

Sources : *nytimes.com, reuters.com, chinaview.cn*

Nigeria: the Great Bank Robbery

Five banks that supply 40 percent of Nigeria's bank credit which had been doling out loans which came to a total of US\$7.6 billion without sufficient collateral collapsed under the weight of unsecured debt and were bailed out by government in September. Afribank, Intercontinental Bank, Finbank, Oceanic Bank and Union Bank shared in the unprecedented US\$2.6 billion bailout.

The US-based Ex-Im Bank, the official credit agency of the US federal government, also had exposure in the Nigerian system. Last June it more than doubled the size of its credit line to \$1 billion to meet growing demand from member banks.

Deals by Nigerian senior banking executives are now the subject of intense scrutiny. Among those that received hefty loans before the banks went bust are dozens of small and mid-size oil companies, besides some big companies and some politicians.

Source: *globalresearch.ca*

Rwanda: US Cover-up of War Crimes

An article in Global Research 3rd September 2009 by Peter Erlinder (www.globalresearch.ca/PrintArticle.php?articleId=15037), titled "The Rwanda Crimes Coverup" draws attention to the book "Madam Prosecutor: Confronting Humanity's Worst Criminals and the Culture of Impunity" by Carla Del Ponte, former Chief Rwanda Prosecutor.

Del Ponte's book details the systematic US-initiated cover-up of crimes by the current Rwandan government, a US ally, committed during the Rwanda Genocide of 1994 when around 800,000 were killed in a matter of 100 days, and her removal from her International Criminal Tribunal for Rwanda post in 2003 by the US Ambassador, for refusal to cooperate with the cover-up. She was replaced by a US-approved ICTR prosecutor, Hassan Abubacar Jallow who was followed by Stephen Rapp two years later. Rapp had access to all of the evidence known to Del Ponte as well as what has been made public. In his four years at the ICTR, he was in a position to prosecute Kagame and members of the government of Rwanda. But no member of Kagame's regime has been prosecuted, to

date. Unlike Del Ponte, who was fired by the US, Rapp was rewarded, firstly with the post of Chief Prosecutor at the US-funded Sierra Leone Tribunal and now a coveted ambassadorship.

Del Ponte's revelations are not the only evidence of the US-initiated war crimes cover-up. On September 10, 1994 US Secretary of State Warren Christopher was informed that Kagame's troops were killing 10,000 civilians a month. A team led by former Australian Crown Prosecutor Michael Hourigan reported in January 1997 to Louise Arbour, Del Ponte's predecessor, that Kagame should be prosecuted for assassinating the previous president. Arbour scuttled the investigation, suppressed the report, and disbanded the investigation team. She then made it to Canada's Supreme Court and, following an illustrious UN career, has recently been chosen to head the International Crisis Group.

The failure to prosecute Kagame at the ICTR has meant that Kagame has been free to invade the Democratic Republic of Congo in 1996 and 1998 and occupy part of East Congo to this day. Four UN Security Council-commissioned Panel of Experts Reports (2001, 2002, 2003 and 2008) have detailed the massive rape of the Congo's resources that brought vast riches to Kagame and his friends.

Del Ponte's memoirs show that Rapp and other ICTR prosecutors withheld evidence that would be beneficial to the defence, contrary to the rules of the Tribunal; prosecuted defendants for crimes they knew were committed by Kagame's forces; and created a system of judicial impunity that let Kagame to kill millions in eastern Congo.

On 9th July 2009 the Obama administration selected the very same Stephen Rapp, former US Attorney and Democrat politician, to replace Pierre Prosper as Ambassador-at-Large for War Crimes. Rapp's nomination came just months after Del Ponte's memoir of her years as Chief UN Prosecutor was published in English.

Erlinder poses a question: "Are Obama and his advisors ignorant of the public record regarding Rapp's complicity in the ICTR cover-up....or do they just not give a damn?"

Source: *globalresearch.ca*

West Africa: More Oil, More Trouble

Potentially major oil strikes announced by an American-led consortium and a British company in West Africa have boosted the region's reputation as a most sought after energy zone. Two prospective basins off the coast of Sierra Leone extending into the waters of Liberia, Cote d'Ivoire and Ghana and could each contain 150 million to 1 billion barrels

of oil. In the scramble for new oil reserves, the US military has become a predominant force in US-Africa relations. The US military's global mission to protect America's energy supplies will trigger more trouble than it can prevent.

The US military's latest overseas command, Africa Command, or Africom, launched in February 2007 by the George Bush administration, was inaugurated in 2008. The Bush administration insisted that Africom was intended to promote a humanitarian agenda, strengthen democracy in a continent noted for its tyrants and dictators, and improve economic growth, and the Barak Obama administration endorsed that. But many Africans see Africom's mission in more menacing terms: ensuring that the US gets most of Africa's oil, and not China or India which need it to fuel their fast growing economies.

Based on: www.gasandoil.com/goc/news/ntn94454.htm
www.globalresearch.ca/index.php?context=va&aid=15286

Latin America

Honduras: Confronting the Coup Regime

The hope among the Honduran public that the US-brokered Tegucigalpa Agreement between the illegitimate coup-regime of Honduras and President Zelaya would restore his presidency is now gone. Neither the usurpers nor the US want the return of Zelaya except on their terms, leaving only one option before Zelaya and the Honduran people who want the restoration of the democratically elected regime.

The National Front of Resistance Against the Coup (NFRAC) announced on 6th November that since the deadline of 5th November passed without the restitution of legitimate president, it will reject the elections of 29th November imposed by a regime that represses and violates the human and political rights of the people, as it would validate the dictatorship nationally and internationally and secure the continuation of the oppressive system, and called for a boycott of the elections.

The NFRAC reasserted its main demand of restoring constitutional order and the demand to install a Constituent Assembly as the only way to provide the Honduran people with a democratic and inclusive political system. It endorsed the decision by President Zelaya to declare the failure of the Tegucigalpa Agreement, as part of US strategy to stall Zelaya's restitution in order to validate the electoral process.

The NFRAC statement denounced US complicity, and pointed out that its manoeuvring to stall the crisis showed its true intention of giving validity to the coup regime, thereby ensuring that the successor government will be docile in the face of the interests of trans-nationals. It also appealed to friendly nations and peoples of the world, to maintain political pressure to overthrow the military dictatorship as well as commit to recognize neither the illegitimate elections of 29th November nor the spurious authorities who seek to pass as representatives elected by the people.

Earlier, when Zelaya took refuge in the Brazilian Embassy in the Honduran capital on 21st September to apply pressure on the coup regime to negotiate seriously, the Honduran military police cut the embassy public services and blocked its supplies. The Brazilian Foreign Ministry warned that any threat to President Zelaya or its Embassy would be a grave breach of international law, and the Secretary of the Organisation of American States held the de facto regime responsible for the security of President Zelaya and the Brazilian Embassy.

International support for Zelaya is mounting, and on 27th September representatives of 61 countries attending the South America-Africa summit in Caracas condemned the coup, and stressed that it was imperative to ensure that the de facto regime in Honduras fully respects the Vienna Convention on diplomatic relations, including the sanctity and safety of persons who are within diplomatic missions. On 18th October the seventh meeting of the Bolivarian Alliance for the Americas (ALBA) held in Bolivia expressed resolute support for ousted Honduran president Manuel Zelaya.

Sources: *chinaview.cn*, *prensa-latina.cu*, *democracynow.org*

Bolivia: Taking Control of Resources

On 29th September the Bolivian government announced the nationalization of two hydroelectric power plants in Corani and Santa Isabel in the central region of Cochabamba, operated by French companies as part of the change process to provide greater benefits for the population. The Corani, Guaracachi and Valle Hermoso hydroelectric plants were transferred 12 years ago to the private sector.

Bolivia has received a commitment from the Inter-American Development Bank, or IDB, for a \$100 million loan to finance the construction of a hydroelectric plant in the central part of the country. The plant is part of the Misicuni project in the province of Cochabamba.,

President Morales said that Bolivia is very close to being able to export energy because there are places along its rivers where hydroelectric plants can be built to increase the production of electricity by 2,000 MW.

The Andean nation's power plants currently produce 1,070 MW to fulfil nationwide demand of 940 MW.

Source: *boliviarising.blogspot.com*

Ecuador: US Bases Closed

On 18th September 2009 Ecuador closed down a US military post and obliged the last group of US forces to leave the country, ending a decade of subordination. Earlier this year, Ecuador expelled several US embassy officials from the country for meddling with counter-drug police.

Ecuador has, however, negotiated a new 'narcotrafficking accord' with the US allowing exchange of information on organized crime between the two countries, including a seven-million dollar anti-crime aid package.

Source: *presstv.ir*

Colombia: Threatening South America

The US-Colombia Defense Cooperation Agreement was announced in mid-July which would allow the US military to lease space at seven Colombian bases, ostensibly to replace the US base in Manta, Ecuador to be vacated in the summer of 2009. But the expansion in Columbia is much bigger than the one in Manta, and prompted nearly unanimous rejection from South American governments. While Colombian president Álvaro Uribe refused to back down, other South American countries started to arm themselves, fuelling fears of an arms race in a region not known for major inter-state conflicts since the end of the Chaco War in 1935.

Venezuelan President Hugo Chavez called the Agreement a threat to Venezuela that could generate a war in South America. Venezuela has since been among the biggest buyer of arms in South America and has been defended by Brazilian President Lula da Silva in the context of its huge oil and natural gas reserves and vulnerability to foreign aggression. Lula da Silva also suggested that the Obama administration did not understand the inherent unpopularity of hosting foreign militaries.

Bolivian President Evo Morales observed in Spain in September that wherever US military bases exist, so do coups.

Sources: *workerscompass.org, venezuelanaysis.com, boliviarising.blogspot.com*

Europe

Germany: Centre-Right Retains Power

Elections to the German Parliament in September returned the right wing CDU to power in alliance with the CSU. The centre-left SPD suffered major losses while the smaller 'Left Party', with roots in the Socialist Unity Party of Germany in what was the German Democratic Republic (East Germany), founded in 2007 made considerable gains at the expense of the SPD.

Source: *guardian.co.uk*

Greece: Centre-Right Loses Power

The centre-left Pasok was returned to power in October amid public disillusion and anger about the 5-year rule of the centre-right coalition. The centre-left has been the beneficiary of the youth violence that shook Greece earlier in the year. Whether it can address the issues underlying the unrest and, more importantly, whether it can get Greece out of its economic mess are doubtful.

Source: *guardian.co.uk*

Italy: Convicting the CIA

On 4th November, an Italian judge found 23 Americans and two Italians guilty of abducting Hassan Mustafa Osama Nasr, known as Abu Omar, from Milan and sending him to Egypt, where he was allegedly tortured. The trial, which began in June 2007, is the first involving the CIA's so-called "extraordinary rendition" programme and has led to the first legal conviction in the world against people involved in the CIA's extraordinary renditions program.

The Obama administration, which ended the CIA's interrogation program and shut its secret overseas jails but not the practice of extraordinary renditions, has expressed its disappointment at the convictions.

Source: *independent.co.uk*

Sarath Mutthetuwegama

Shanmugam Sivalingam

**You were an epic that
we waited in hope
to read page by page
for years.
But you became a short story
with a sudden end.**

**You were the Vidura who
smashed his bow amid the Kauravas.¹
As long as you lived
you were the last conscience
of your land.
As long as you lived
you were the only firefly
of this pitch dark forest.**

**No one believes that
a firefly could
set afire a forest.
But in your light
was seen the
clawing of chauvinism.**

**You even bore with
Anuradhapura, Aranthalawa,
Kokkilai and near. ²
You called them
aberrations in response to**

**intense oppression –
although
the Air Lanka bombing and
the blasting of
the Post and Telecommunication Office
made you shudder.**

**Had you lived,
you may have opposed
the Operation Vadamaradchi,
painted the talons of the Indian black eagle
called the ‘Accord’,³
and backed Soviet naval might
in the Indian Ocean. Yet,**

**As long as you lived
you were the only firefly
of this pitch dark forest.
As long as you lived
you were the last conscience
of your land.**

(Written in 1985 at the time of the death of Sarath Mutthetuwegama and completed in 1988. Translated by Sivasegaram)

1 – The reference is to the upright uncle Vidura who denounced the injustice committed by the Kauravas to their cousins the Pandavas in the Mahabharata.

2 – The reference is to the killing of innocent Sinhalese in Tamil militant attacks.

3 – events relating to Indian intervention in Sri Lanka in 1987.

Economic Brief **Ernesto Cardinal**

*I'm surprised that I now read
with great interest
things like
the cotton harvest up 25%
from last year's crop
U.S. \$124.2 million worth of coffee exported
up 17.5% from last year
a 13.6% jump in sugar is expected
corn production dropped 5.9%
gold dropped 10% because
of attacks by the contras in that region
likewise, the shellfish . . .
When did these facts ever interest me before?
It's because now our wealth,
meagre as it may be,
is intended
for everyone.*

*This interest of mine
is for the people, well,
out of love
for the people. The thing is
now these numbers amount to love.
The gold coming out of the earth, solid sun
cut into blocks, will become electric light,
drinking water
for the poor. The translucent
molluscs, recalling to mind women, the smell of a woman
coming out of the sea, from their underwater caves
and colourful coral gardens, in order to become
pills, school desks.*

*The holiness of matter.
Momma, you know the value of a glass of milk.
The cotton, soft bit of clouds,
- we've gone to pick cotton singing
we've held clouds in our fingers -
will become tin roofs, highways, and
the thing is now what's economic is poetic,
or rather, with the Revolution
the economy amounts to love.*

Translated from the Spanish by Jonathan Cohen
FROM NICARAGUA WITH LOVE (City Lights, 1986)

Vicious Vampires

Samih Al- Qassem

When the sun set in my home,
When the moon began to roam,
They said I had, at last, vanished,
They believed that I was finished.
Yet, they were frightened, terrified
They gazed at me, spell-bound, horrified
When they saw me touch the trees,
And address the stars in the cool breeze,
Because I came back. They saw my face!
They heard the sound of my solid pace,
I came back, armed with solid stones,
With patriotic love raging in my bones.
Then fled the lurking, vicious vampires
And vanished the dream of Zionist empires.

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