Family members of those who had disappeared during the 30-year war protest in Trincomalee.

*The Sunday Times*—27/05/2018
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THE SEARCH FOR A STRONG BENEVOLENT LEADER

There was a time when Sri Lanka had political leaders with unquestionable integrity like Mr. Dudley Senanayake, Dr. N. M. Perera and many others. These leaders identified what the country needed most and made our national interests their own personal interests. They wanted to be remembered for what they had done for the country and therefore were not interested in increasing their own bank balance and those of their relatives and friends. Then too there were development projects like the Gal Oya scheme or the Mahaweli Development project. There may have been a certain amount of corruption even then, but their achievements were far greater. A large number of people benefited and the country was not pushed into a ‘Debt Trap’ - because those politicians were not interested in ‘mega commissions’ Today it is different.

Today’s politicians crave for large commissions. Some of them have become billionaires overnight. They ignore the needs of the people and work towards their own personal agenda. Majority of them, though literate are not educated or intelligent enough to understand the problems and needs of the country. It is said that about 100 out of 225 MPs do not even have the very basic GCE (O/L) qualification. The very few who understand and want to take the country forward are either bought over or silenced through various means. Foreign countries are invited to invest in developing our country. What these development projects offer the masses most of whom live below the poverty line are; airports, harbours, highways, stadiums, luxury hotels, super luxury apartments, etc.. The people need houses, rural roads, bridges across streams, water, proper schools and hospitals. There are school children who don’t even have a roof over their heads, drinking water or toilets. But the minister in charge has plans of distributing ‘Tabs’ to school children. All these development projects may not help the poor but they do help the politicians to get rich in no time.

Most people today watch the debates in Parliament as episodes from a cheap teledrama, at the end of which all the actors would meet at a grand tea party and have a good time. These debates are meaningless because important issues are not being discussed. The many, many special commission reports including the recent ‘bond commission’ report may be collecting dust somewhere, perhaps in the national archives, to rest for the next 30 years when some of those found guilty may not be alive. One wonders whether there is any use in appointing these special commissions at great cost if no action is to be taken.

This set of legislators are not even keen to implement the existing laws against bribery and corruption because they themselves thrive on corruption. They brush aside the real issues and ‘entertain’ the people offering them several distractions like the debate on minister Vijayakala’s reference to the LTTE, the New York Times story on Mahinda Rajapaksa (the details of which were known to them even when they took over power in 2015, if they really wanted to take any action against Mahinda Rajapaksa), introducing a new constitution which may never see the light of day and executing drug traffickers in prison while some of the ‘big fish’ protected by politicians may be outside, and of course increasing their own salaries and allowances. All these are controversial topics and the debates within Parliament and outside can go on endlessly while the Parliamentarians from both sides concentrate on how to win the next elections and hold on to their parliamentary seats for the next 20 or 30 years. They may even decide to have the provincial council elections after they secure their seats in Parliament. The only good thing under ‘yahapalanaya’ is that the people have the right to protest without the fear of abductions and white vans. Therefore they may be forced to have the provincial council elections before the other two.

The new constitution is another topic that is being endlessly talked about. This could be a mere carrot being dangled before the minorities in order to win their votes. In reality no politician is seriously interested in solving the problems of the minorities by devolving power to the North and East. President Chandrika Bandaranaike Kumaratunga tried it but failed because the then UNP opposed her "package". Almost all politicians today in the South have their eyes on the Sinhala Nationalist votes without which they cannot win elections. The solution is of course to educate and convince the majority Sinhalese that unless this is done there can never be permanent peace in the country. This, our present set of politicians have never done and will never do because their interests are purely personal and not national.

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The present generation is not even aware that it is the ethnic conflict that led to communal riots over the years that culminated in the riots of ‘Black July 1983’, when many lives were lost and thousands of Tamils fled to other countries seeking refuge from the ‘Terror’ here in Sri Lanka. The ‘Tigers’ did not suddenly drop form the skies. It is ‘Black July’ that helped and strengthened the LTTE movement which was then in its infancy, to grow and become a ruthless force in the 30 year civil war. The terror of July 1983 the arson attacks, lootings, the killings of innocent Tamil civilians including women and children and the torching of the precious Jaffna Public Library by goons sent by politicians of the South are mere ‘stories’ to the youth of today. But our present set of politicians cannot be forgiven for ignoring this all important national issue. They have not learnt a lesson even after the 30 year long civil war. While gloating over the victory over the LTTE, they have forgotten that there is an ethnic problem that needs a durable solution.

Therefore looking for a strong benevolent leader among the present leadership is futile. At the moment the main political parties are busily engaged in making plans for the next election and choosing the next presidential candidate. Their choice is limited because for their own survival the party stalwarts would only choose one from the present leadership. It could be the present president, the prime minister and one of the Rajapaksa brothers who have all proved themselves to be unfit for the role of a good political leader. And so we may move on from one election to another, electing the same corrupt politicians who will finally sell all the assets of the country to satisfy their own greed, unless the people realize this and choose an honest politician within their own party or outside as a ‘common candidate’. Do such honest politicians exist? If they do, they should come forward to serve the country now. If they don’t Sri Lanka will continue to wallow in this muddy pool of political corruption. We can only hope that it will be saved before it is completely sucked in.

Leela Isaac
July 2018

Excerpts from an article by Dr Upatissa Pethiyagoda
Are We A Dysfunctional Democracy?

It seems as if the political fraternity in our country is hell bent on a ghoulish project to grind the economy into the dust. The obscenity of the manner in which the country was plundered to satisfy an insatiable appetite as witnessed in the ridiculously inflated bonanzas of a myriad emoluments and allowances of every conceivable type was capped by an “electoral allowance” of Rs 100,000/= every month to 225 MP’s and the reckless grant of a blanket monthly increase of Rs 10,000/= to all of the million or more Public Servants. Would any government in its right mind endorse this kind of extravagance and profligacy?

The thinking public needs no persuasion to agree that the 70-year experiment with our brand of democracy has failed. It is clearly the time for change. The existing political establishment has so debased and devalued itself, that the populace more than ever before, may be ready for a bold experiment. There is a U-tube doing the rounds, of a retired Indian Superior Courts judge who recommends that the whole Lok Sabha be hanged! This maybe going a bit too far – in our society which cannot agree that even unrepentant Drug Mafia Kingpins should suffer capital punishment.

But in our ocean of despair, I see the faint outlines of an island. We are finally zeroing in on the notion that “Politics is too important to be left in the hands of Politicians”. I just do not accept that we are lacking in talent. In fact, all our dispensations have shown a spectacular deficit. So, a clean sweep and no less is urgently needed. There are figures emerging that are unquestionably far and far removed from the present cesspool. Men (and women) who hold promise of excellence do abound. Unfortunately the obscene misuse of the Nominated Member provision, has kept such persons in the shadows. There has probably not been any more propitious time for them to emerge.

-Sunday Island
Excerpts from an article by Sanjeeewa Fernando

Tomorrow, April 5!

On April 5, 1971, the rural Sinhala youth rose up in arms against the centre-left government of Sirimavo Bandaranaike, which was relatively-fresh in power. The timing of the insurrection from the beginning was questionable as the people had not entirely given up hope on the regime at that point. Despite the element of surprise the assault initially had and the seeming paralysis of the State apparatus in responding to the uprising, the State was able to suppress the rebellion and try the leaders for high treason.

Most of the incidents that transpired in April 1971 are well-documented and hardly need repetition. Yet, the society in general and the policymakers in particular did not seem to fathom the root cause of unrest among the youth as they erupted again in 1989. The point lies elsewhere.

Daily Mirror - 04/04/2018

Do the poor and marginalised really feel they too are part of decision-making in development efforts? Have the lower strata of society reaped the harvest of economic growth albeit we have achieved marginal and material development? Do the youth feel like they too are legitimate contenders for decision-making, not only in the State apparatus but in all spheres that matter?

Excerpts from an article by Ellmo Jayawardena

Hobson’s Choice? Or “Homben Yana” Choice? (the choice of the helpless)

Sri Lankans stood up proudly and faced the new world with hopes running high when we received our independence from the Colonial Masters in 1948. Yes, we were a united people of an independent paradise isle. But, from then on, it has been a slow slide, as the average Sri Lankan struggled to find answers to the ever-multiplying woes the country’s leadership brought upon its eternally suffering citizens.

Let’s look at the recent past, the 21st century, the ethnic war was in full swing when the new millennium dawned in the year 2000. We all breathed a sigh of relief when the 30-year old carnage ended in 2009 in Nandhikkadal. That entire story is best left in the past; too many people from all races and all religions suffered when unmarked graves or mounds of earth carried the victims of the miserable war. Then came the hope of peace, along with the blessed promise of prosperity. Things did change, less for some, more for others, but things did change for the better. But, unfortunately this euphoria didn’t last long. People were forced back to the ‘Homben Yana’ syndrome. Undoubtedly, the minorities got most of the flak.

Presidential Elections came in 2015 and Diyawanna Oya changed colours. The winners had a Clarion Call that reverberated ‘corruption, corruption, corruption’ in flashing neon. Nepotism and power-abuse were also added to the sin-list along with other misdeeds with which the winners branded the defeated. New hopes began to sprout out and the helpless proletariat slowly rose to their feet pleading that the new brooms sweep Lanka clean.

A bright and beautiful life filled with marshmallow dreams was offered to the masses by the new coalition regime occupying Diyawanna Oya. We, the people of Lanka came out of the blocks like Olympic sprinters, full of vim and vigour. New appointments were made to bring justice to the fore. This committee and that commission went into action to crucify the culprits who supposedly stole from our national wealth. Yes, they erected the cross and brought in the nails and the hammer, but alas! There was no one to crucify. A lot of noise was made, but the brooms didn’t sweep at all. I only read in the papers the likes of a school principal who was sentenced to 5 years of rigorous imprisonment for taking a bribe of Rs.150,000 to admit a child to her school!

We can leave all that for now and take a time out to give a rousing cheer to Arjuna who

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came from Singapore. Of course, he had friends and that too in the right places. So, he did what he wanted to do and high-tailed it to Singapore, and perhaps, as I write, is sipping a chilled Margarita sitting on a wicker chair in the prestigious Raffle’s Hotel. And we who have lost Rs.11 billion (could be much more - I don’t know) are back in the helpless state while despising Diyawanna Oya for its unbelievable tomfoolery! There goes a pompous fairy-tale, if ever there was one.

In the current state of the country, the future does look fractured and bleak. The front pages of the daily newspapers are always filled with political Tug-o-wars where there are serious doubts on who’s pulling for whom. The fact remains that it’s impossible to figure out who’s on whose side and how sincere their allegiances are. Of course, there could be a thief or more who is pulling nothing while pretending a ‘full dum’ action on the rope. This sure is a shambolic sambol we face as spectators of the current political drama, wondering from which way the wind is blowing and in whose favour? Yet in some perverted way it is rather interesting too, watching the trapeze artistes of the Diayawanna Circus doing their dare-devil performances. They swing from side to side and find safe footholds to shine prominently again under different Godfathers promising different dreams. With three elections on the cards there’s sure to be some excitement for the masses, yes, you and I are the ones who are still waiting for manna to fall from heaven.

-Daily Mirror - 05/04/2018

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**Excerpts from an article by Sanjeewa Fernando**

### NO CONFIDENCE MOTION:
On whom should we place our confidence?

Any one watching the no confidence debate on TV would have been entertained to the mud-slinging between the battling groups. A foreigner who would have listened to the accusations and the cross accusations that were bandied about by those supporting and opposing the motion, would have wondered whether it is one of those underground meetings of the underworld syndicate. Such were the allegations raised.

**Dilemma of the people**
The result aside, the citizen of this country is left with the dilemma as to what direction he should turn to entrust the sovereignty that is vested on him in terms of Article 3 of the Constitution. The confidence, motion or no motion, that should be with the representatives of the people, is in smithereens, going by what is clear as daylight. 70 years of representative democracy has come down to this. The Pot calling the kettle black.

**A blessing in disguise?**
According to the UNP backbenchers the seemingly ominous hurdle is a blessing in disguise as it had united hitherto conflicting sections in the party. According to others it was a waste of a lot of national resources to have such a long parliamen-tary session with all the attendant costs. But in a way it was a no confidence against the entire representative democracy, the party politics and entire mode of governance. The CID, FCID and Commission Inquiries that were thrown about in the Parliament involves majority of the members of the legislature who represent people at the highest place.

**What is the alternative?**
Very few members of the Parliament could boast of moral uprightness and integrity; the only thing they can resort in the face of allegations against them is to make counter allegations against the rivals. Yet they find it relatively easy to get re-elected at elections and come to this august assembly.

Was not the entire farce that was played out before the whole nation, an indictment against the system of governance that we have been under in the last 40 odd years, at least? To whom and to what group shall we turn to do our bid in governance?

**Good governance is people’s right**
The motive of the proponents of the no confidence motion was allegedly to question the legitimacy and the credibility of a Prime Minister who was involved

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in the Bond scam by action and by inaction. The reason why the UNP and parties supporting it came to his rescue was on the basis that he was being a scapegoat for a bigger political game. Neither party seem to show a genuine eagerness to rid this country of the corrupt culture that ails this body politic. For one it is a means to coming back to power while for the others it is a threat to the bid to remain in power. The only principled decision in the entire legislature with regard to the motion seems to be that of the JVP. Accordingly the picture is so bleak as on both sides are rogues and whether the PM lost or won, the result would have been the corrupt people being in power.

-Daily Mirror - 09/04/2018

Excerpts from an article by D.B. S. Jeyaraj

TNA’s key role in defeating the no-confidence motion and their demands

A delegation of TNA parliamentarians led by Sampanthan called upon Wickremesinghe and explained their position. The MPs outlined their grievances and sought a guarantee from Wickremesinghe that he would address them in due course. Most of the matters raised were not new with some being issues of discussion from the time this Govt came into being. A common thread in the grievances was the lack of speed and not enough being done to address concerns. The issues raised were categorized into ten main points. They were as follows -

1. Expediting the political discussions to bring about a negotiated settlement

2. Renewing the dormant Constitution making process to enact a new Constitution

3. Hastening the return of lands in the North-east occupied by the armed forces back to the civilian owners

4. Speedy release of all Tamil political detenues

5. Tracing the whereabouts of Missing persons and those made to disappear during the war

6. Greater employment opportunities for youths in the North and East

7. Giving preference to people already resident in the areas over non-residents when making government service appointments in the North and East

8. Appointment of Tamil-speaking administrators in Tamil-speaking divisions in the North and East

9. Prioritizing development projects being undertaken by the Northern and Eastern provincial councils

10. Giving top consideration to proposals made by MPs of the North and East when launching development projects in those areas

-Daily Mirror - 10/04/2018

Excerpts from an article by Ajith Kanagasundram

The Perfect Storm

The optimism that accompanied the Yahapalana government in 2015 has evaporated. We simply seem to have exchanged the misguided and dictatorial regime of Rajapaksa for the misguided and weak government of Sirisena/Ranil. There is a confluence of factors – political, economic, financial, inter-ethnic relations and international that are converging and will cause a major crisis within two years.

My title is a nautical term – The Perfect Storm. It refers to the convergence of gale force winds, strong tidal forces and huge waves that takes place in the Southern Atlantic in winter months. It is feared by seafarers as no ship could withstand it. This is a good analogy for what we as a nation face now.

The ability of the government to take the unpopular steps necessary to achieve national progress is undermined by political infighting within the coalition. The earlier constitutions had the virtue of simplicity and accountability– in the pre 1978 constitutions Cabinet responsibility and the Post 1978 constitution an all-powerful Presidency. Now after the 19th amendment, no one quite knows who is ultimately in charge. The President dissolves the

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Prime Minister’s Cabinet sub-committee on Economic Management and cabinet ministers publicly criticize government policy. The result is decision making paralysis. The only voice of sanity is the Central Bank Governor Dr Indrajit Coomaraswamy, who has warned that political instability will threaten foreign investment and economic growth.

The problem is that as a Harrow and Cambridge educated economist and gentleman he is too polite. It would be more effective to be blunt and use Bill Clinton’s famous phrase “It is the economy, Stupid” to concentrate politicians’ minds on what is really important.

We face three more elections in the next two years – Provincial, Presidential and Parliamentary. These are distracting our leaders and preventing the difficult decisions necessary - and the nation is enthralled by this Political Theatre (by far the most entertaining in the world) while the affairs of the nation are left to drift.

We are drifting towards a crisis and no one is paying attention. The public are distracted by our Political Theatre and the necessity of making ends meet on a daily basis amid the rising cost of living. The politicians are jockeying for position when the Government changes. In Colombo there are grand parties for the rich in five star hotels, even grander weddings at destination resorts and “parties” for rich young businessmen where cocaine and Russian girls are available at a price that will pay the expenses of the average family for a month.

To continue my nautical metaphor – this is exactly the same as when the band played dance music on the deck of the Titanic to distract the passengers when the ship was slowly sinking into the icy waters of the North Atlantic – and in our case the Captain and Chief Officer are arguing and pulling the wheel in different directions and the crew are escaping on lifeboats leaving the passenger stranded. Meanwhile the ship of state drifts helplessly towards the rocks where a Perfect Storm awaits us.

- Sunday Island – 15/04/2018

Excerpts from an article by Tisaranee Gunasekara

Lanka’s Road back to Tyranny

The Sirisena-Wickremesinghe administration must shoulder the lion’s share of the blame for the worsening of Lanka’s debt crisis. It came into office criticizing the Rajapaksa for pushing the country into a debt trap through corruption, waste and extravagance. Instead of making a clean break with Rajapaksa economics – as it pledged to do – it opted to follow the same disastrous path. The decision to go ahead with the Central Expressway Project (hardly a necessity given the country’s economic and financial woes, not to mention environmental factors) and the manner in which it is being implemented demonstrate that this government knows no other way than to follow Rajapaksa footsteps towards financial ruin and political disaster.

A recent report by the Centre for Global Development, a leading think-tank based in Washington, placed Sri Lanka among 25 countries highly vulnerable to Chinese debt distress. As The Economist pointed out, “The Hambantota schemes were vanity projects for the then-president, Mahinda Rajapaksa. His closeness to China was one reason for his surprise defeat in elections in 2015. A rising interest bill forced the government of his successor, Maithripala Sirisena, to agree on a debt-for-equity swap that gives China a 99-year lease on the port.”

The Chinese, like the IMF, do not hesitate to demand its pound of flesh and more from countries caught in its debt trap. In Sri Lanka, they were not satisfied with getting the Hambantota port on a 99 year lease. They also wanted 15,000 acres to set up an exclusive economic zone. The government gave in.

The effects of this disastrous deal are already evident. The government is being forced to shift a wind farm in Hambantota because the port’s new overlords are demanding rent payments – naturally. Once the clearing of the jungle begins, the direct effects on the neighbouring communities will become apparent, from the drying up of scarce water sources to the exacerbation of elephant-human conflicts. And these deleterious effects will start being felt just in time for presidential and parliamentary elections.

In Buddhist literature there is a story about a man faced with three life-threatening dangers. He is hanging on to a branch. Below him is a pit with a cobra; around him is the thick jungle with a none-too-friendly elephant; coiled around the

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The palace is not safe when the cottage is not happy.

- Benjamin Disraeli

branch is another snake. The man ignores the three deaths and eats honey off a bee hive.

That is the Wickremesinghe-Rajapaksa administration. Its fate is written in the political firmament. If living costs are not tamed – a seeming impossibility – the UNP and the SLFP will lose, and lose badly, at the provincial council election. The victorious SLPP will launch a political campaign, demanding an immediate general election. The anti-Maithripala forces in the SLFP and the anti-Ranil forces in the UNP will gain a new lease of life. A powerful section of the SLFP will demand that the president ditches the alliance with the UNP and forms a pact with the Rajapaksas. A powerful section of the UNP will clamour for Ranil Wickremesinghe’s immediate ouster from the party leadership. As the crisis escalates, the SLFP will experience one or more schisms – and so might the UNP.

The political crisis will worsen economic conditions. The crisis in the government will become transformed into a governance crisis. Even if the government survives, it will be mortally wounded and dependent on artificial respiration to defer death until the presidential election.

Both Mr. Wickremesinghe and Mr. Sirisena have expressed their desire to contest the presidency. Clearly neither has learnt any of the lessons from the electoral drubbing of February. The government might have a chance – albeit a very slim one – of overcoming its existential crisis, but only if it acts as a unity. Neither the UNP nor the SLFP can win if it contests separately. For the government unity is not a choice; it is a necessity. Unity in itself cannot ensure survival for the SLFP and the UNP; but sans unity, both will die.

-Sunday Island - 20/05/2018

Excerpts from articles by Kishali Pinto Jayawardene

The king cobra and Sri Lanka’s fascinated paralysis

When the king cobra kills, it is said that its glare is so unnerving that the victim is fascinated first into a state of terrified immobility before the strike occurs, paralyzing through the injection of a potent neurotoxin that immobilizes the central nervous system. The victims, (including humans if the dose is large enough), can feel impending death but be completely powerless to prevent it, sans immediate recourse to anti-venom treatment.

Political chicanery, natural disasters and human misery

In some ways, it feels as if Sri Lanka is in that advanced state of paralysis as the country lies transfixed in a state of apathy with a quarrelling National Unity Government, overtly ambitious constitutional reforms going nowhere and urgent economic problems of the populace remaining unsolved. One disaster after another continues to hit the most vulnerable as the monsoon rains envelop the land bringing deaths and homelessness in their wake. First the drought, then the rains hammer Sri Lanka with equally devastating effect and we have no mitigation system in place beyond politicians distributing relief to desperate people.

Indeed there is an inescapable link between political chicanery, natural disasters and human misery. Corruption, unplanned developments and unauthorized constructions have meant that natural disasters turn deadlier each year. Even as Colombo was built up to be the ‘prettiest city in Asia’ during the Rajapaksa years, its wetlands were mercilessly encroached on with political patronage and no regard for the law. Now as rain waters routinely flood the city, we see one direct consequence thereof.

But our memories are short. And mistakes aplenty made by this Government has paved the way for the return of the Rajapaksa in a more venomous avatar than before, cheered on in no doubt by Colombo’s capitalist class which brazenly genuflected before the family brand in the (political) ‘coming out’ of former President Mahinda Rajapaksa’s brother and onetime Secretary of Defence, Gotabhaya Rajapaksa recently.

-The Sunday Times— 27/05/2018

“The palace is not safe when the cottage is not happy”.

- Benjamin Disraeli
The coalition government led by the UNP and a faction of the SLFP led by President Sirisena in the so-called ‘National Unity’ government came into power in January 2015 -a coming together of two political forces which have since their creation been diametrically opposed to each other.

Unfortunately the coming together of two diametrically opposed political forces without either a common ideology or pragmatic programme of work was bound to flounder. And so it has come to pass.

In the aftermath of the governing coalition’s defeat at the local government elections to the new political formation -the SLPP, led by immediate past President Rajapaksa, the unity government seems to be unravelling at the seams and the country descending into anarchy. The President and the Prime Minister of the unity government seem to be working to undermine each other. In the absence of governance, different power groupings are seen to be taking matters into their hands.

The primary duty of any government is to govern. Yet governance in the country today, has seemingly taken a back seat. One classic example is that of the doctors’ trade union. Today this grouping is using helpless patients as human shields so-to-say in their attempts to dictate terms to government regarding Free Trade Agreements and other matters of state. The doctors grouse there could be an influx of foreign medical doctors which would help relieve abysmal the patient to doctor ratio in the country!

Students of government universities have joined hands with doctors’ trade unions to dictate that the shortage of doctors-to-patients ratio in the country should not be be solved via the introduction of private medical universities, even though the state universities cannot fill this critical need. Media reports inform us a few Deputy Inspectors General of Police have dictated to the President, that they do not want a particular individual - who is known as a strict disciplinarian - as Minister of Law and Order at a time when corruption in the country is rife and the law and order situation at an extremely low depth.

This, despite the fact, the fight against corruption was supposedly one of the main planks of the present regime’s election platform! The regime which came into power in 2015 on an anti-corruption and law and order brief, seems helpless in facing down non-state power centres and gangsterism.

Perhaps it is time we took a leaf out of the book regarding events taking place in Malaysia. A scarce week ago, the party that had been governing Malaysia since it was granted independence on August 31, 1957 - 61 years ago - was voted out of power. The incoming regime campaigned on a platform of wiping out corruption, bringing to justice the miscreants who were accused of robbing the country and freeing of the main opposition leader Anwar Ibrahim who was jailed on trumped up charges. On the day of victory, the first steps were taken to have Ibrahim freed vide a royal pardon. When the man accused of defrauding Malaysia attempted to leave the country, his passport was impounded. He was restrained from fleeing. His residences were raided and millions in ill-gotten wealth seized. In next to nought, Anwar Ibrahim was freed and the newly-elected Prime Minister has promised to fulfill his election promise of resigning and handing over the reigns of power to Anvar Ibrahim within two years.

We, in Sri Lanka, made the regime change come true in January 2015. Our newly-elected leaders pledged to wipe out big time financial crime, bring the accused to justice, bring down the cost of living and change the Constitution etc

Instead the regime that promised to end big-time financial crime, stands accused of similar - if not a bigger fraud. Three years later, not a single perpetrator of large-scale fraud has been brought to justice. A few small fry stood accused. Our President who pledged he would not seek re-election, has changed his mind.

The cost of living is spiraling. Only the reduction of presidential powers and incorporation of a Freedom of Information Act stands to our leaders credit.

Sadly, what Malaysia was able to achieve within a week, Sri Lanka has not been able to in over three years.

The lesson we can learn from the Malaysian experience is that “...if there’s a will, there’s a way”.

-Editorial
-Daily Mirror - 21/05/2018
The Intellectually Inspired Sri Lanka, slogan suggests that the GR regime would be one comprising, the educated, intellectuals, Professionals, managerial Experts, and Technocrats and, his policies and actions will be intellectually inspired. Is this blind optimism, pragmatic, considering the Sri Lankan reality? I say no, for following reasons:

1. First and foremost, to be intellectually inspired, the country’s Legislature or the Parliament must consist of “intellectually inspired” persons. The reality is, leave aside intellectualism, majority of the Members of Parliament, does not even have the basic secondary level educational qualification of an OL or Al. What intellectual inspiration can be drawn and harnessed from such persons? The Government is the “Driving Engine” of the country. But it is not driven by intellectual inspiration, but by “emotional Inspirations” of Religious/Racist kind.

2. As a first step, to draw intellectual inspiration, those contesting elections to be chosen as Members of Parliament, should have a mandatory requirement of a minimum educational qualification of a University Degree or equivalent professional qualification from a recognized Institute.

3. Intellectualism demands the principle of equity. People and the Rulers of the country must have a secular outlook and attitude, particularly in a multicultural polity. Having an emotional, religious provision in the Constitution to cater to the “religious inspiration” of one religion of the majority, is contradictory to the proclaimed “intellectually inspired Sri Lanka”. Intellectual inspiration can flow, only from “Secular Inspiration.” Therefore, a declaratory provision in the Constitution, making Sri Lanka a Secular State is a sine qua non for the realization of the slogan “an Intellectually Inspired Sri Lanka”.

4. Unless and until the broad masses of the people of the country shed their ignorance by reasonable standard of education and their racial-religious orientation, the hope of having an “Intellectually Inspired Sri Lanka” is only a dead hope.

5. On the contrary, what we see in reality is that, when Intellectuals / professionals formulate progressive solutions to the country’s problems, the ignorant, dark forces of Sinhala Buddhist Inspiration, Sangha Nikayas and other extremist entities, scuttle them. Some examples are, Trade Agreements with other countries, Access to higher education through Private Institutions, Private Medical College, framing a new Constitution to solve the National Question, etc.

6. Whichever Government comes to power, it appoints not professionals and Intellectuals of proven ability and capacity, but “Politically Inspired” family members, sycophants, to top local and diplomatic positions.

7. Mere lip service to Intellectualism, Professionalism and Technocratism is of no use, unless we change the mindset of individuals and extremist groups, from their Sinhala Buddhist inspirational thinking to secularist, modernistic thinking, based on Intellectual Inspiration. The shift of the centre of economic gravity to the Asian Region, with the expanding economies of China, India and the Far East countries, is a current phenomenon that is self-evident, which even a Grade 10 student knows.

-Daily Mirror - 26/05/2018

Excerpts from an article by C. A. Chandraprema

SL – Singapore FTA: Why the Colombo elite should be worried

The sectors opened up

The areas where Sri Lanka has made specific commitments to allow the entry of natural persons are telecommunication services, computer and related services, financial services including banking and insurance, shipping, hotel and restaurant services, tourism and travel related services including travel agency and tour operator services and tourist guide services, sports and other recreational services including sports events promotion services, sport events organization services and recreation park and beach services, professional services, including legal advisory services in international or any home country law excluding Sri Lankan Law, architectural services, engineering services, commercial market research, management consultancy services, placement and supply services of personnel (Executive Search Services) environmental services, sewerage services for industrial establishments not run by the government, etc.

(Continued on page 12)
We see that almost all service sectors in Sri Lanka have been opened up to Singapore and Singaporean nationals. Furthermore, even though it is said that Sri Lanka has to mandatorily allow only managers, executives and specialists from Singaporean firms, with regard to all service sectors where Sri Lanka has made specific commitments, the movement of natural persons is an unbound commitment which means that in the first instance it is presumed to be open but Sri Lanka has retained the leeway to impose restrictions if they are deemed necessary. However when it comes to managers, executives and specialists, Sri Lanka cannot impose any restrictions at all.

The English speaking middle class in this country aspires to those very positions that have been laid open to Singaporean nationals. They educate their children overseas at enormous cost so as to be able to occupy those very positions. Holding a top managerial position or sitting on the director board of a foreign owned enterprise was always a matter of prestige from the days when British owned companies dominated the economy of this country. When the colonial masters left, Sri Lankans began to occupy those slots. We still hear of top private sector figures of yesteryear who were the first Ceylonese Directors or Managing Directors of the old British owned business houses they worked in. After independence, when people thought of foreign investment, it was always been in terms of some foreign party investing money to set up an enterprise and it being run by Sri Lankan directors, managers and executives with Sri Lankan labour.

However with the SLSFTA opening up those slots in Singaporean owned companies to Singaporean nationals, that restricts the opportunities open for Sri Lankans with the same skills. All this while, we thought that since Sri Lanka is still developing, new businesses will be opening up and Sri Lankans will at least be running those businesses if not owning them. Under the SLSFTA the danger is that Singaporean firms with more money and better expertise will invade and take over the sectors of the service economy in this country and there will soon be a Singaporean managerial elite with a lower rung made up of natives as during the colonial era.

Already we hear of Indian nationals taking over senior management positions from Sri Lankans in many companies in Colombo. That has been going on for some time without any FTA with India that permits Indian nationals to provide their services here. In this instance, Singaporeans are being given not just ad hoc but a legal and permanent right to occupy senior managerial positions in Singaporean firms set up in Sri Lanka. Some may argue that since Sri Lanka is less developed than Singapore, Singaporean nationals may not want to serve here. But since the positions they will occupy will be the commanding heights of the Sri Lankan economy, Singaporeans who cannot occupy similar positions in their own country will see Sri Lanka as an opportunity.

We see that the SLSGTA has even opened up the legal profession to Singaporean entities and thus the most lucrative segments of the legal profession will soon be taken over and dominated not by Sri Lankan lawyers but by Singaporeans. This can’t possibly be what the Colombo based elite in this country has been looking for.

-Sunday Island - 10/06/2018
PARADISE LOST, NOT REGAINED!!!

It is time and the time is NOW, when the UNP should give due recognition to its young ministers who are both progressive and innovative and rearing to show their mettle! One of our young ministers had given an interview recently in which he acknowledged that there was much to be done and, more importantly, to start building bridges and winning hearts. He is so right, but the people are naturally asking, "WHAT HAVE THEY DONE ALL THIS TIME??" DID THEY NOT REALIZE THAT THIS WAS THE ONE THING THEY SHOULD HAVE ADDRESSED AS SOON AS THEY CAME INTO POWER???

If the old guard steps down and some of them are OLD indeed, at least the country will have a chance at redemption. Most of the young ones hail from illustrious fathers, who, if given the opportunity will turn the country around. Do what must be done without prevarication, know their goals and go straight for the jugular. They will have fresh perspectives and want to change things around for the good of the country, hopefully! Like our older politicians have given new meaning to 'barren,' they should now step aside and let the young ones give new definition to 'duty!'

Moving away from what should be done and has not been, let us take a look at what COULD be done to make this country more meaningful again. Perhaps, if just one of the younger conscientious ministers takes it upon himself to put a group of people together and start something new, something which is absolutely necessary to show the people of Sri Lanka that there are THOSE WHO CARE!!! A group, together with one or two of our lady ministers, visit our hospitals on a regular basis, especially the children’s hospitals, the cancer hospital, where there is so much devastation, to take a look at what really needs to be done, to show there are those who really care. It would indeed be a first but a necessary first so the people know that their ministers are capable of caring in every sense of the word!

Not forgetting the Karapitiya Hospital, where tremendous mercy missions are being carried out by the few doctors who care and are pleading for better facilities and more buildings to house patients, especially children. If these visits are undertaken on a regular basis, they would be able to do so much, to ensure that vital needs like medicines are made available and more wards built to ease the current congestion. The people will then know, recognize that there are ministers who care and that is the all important issue!!!

-Voice of the voiceless
-Daily Mirror - 20/06/2018

Corruption - Past & Present

The Bond Scam

Coalition in do-or-die battle to win back hearts and minds of the people

Weeratunga, Mahendran allege political witch-hunt

The move follows an Interpol request for a detailed briefing with regard to the two cases where they have issued Red Notices on wanted suspects. One is in respect of Udayanga Weeratunga, a former Ambassador to Russia. He is a principal suspect in the probe now being conducted by the Financial Crimes Investigation Division (FCID).

The other is Arjuna Mahendran, the former Governor of the Central Bank, a Singapore national, who is wanted for questioning by the Criminal

(Continued on page 14)

Police team to fly to Paris to brief Interpol on allegations against the suspects

A delegation comprising top officers from the two main investigative arms of the Sri Lanka Police will fly to France to brief their Interpol counterparts on the investigations into two high profile cases — the procurement of MiG-27 fighter jets in 2006 from Ukraine and the massive bond scam at the Central Bank of Sri Lanka (CBSL).
Investigation Department (CID) over the CBSL bond scam.

Both Weeratunga and Mahendran have filed appeals with Interpol over the red notices issued on them. A Red Notice is a request to locate and provisionally arrest someone pending extradition. It is issued at the request of a member country of Interpol or an international tribunal based on a valid national arrest warrant. An Interpol Review Board reviews appeals filed by those named in a Red Notice by closely examining the evidence and other details related to a case.

The Sunday Times has learnt that both Weeratunga and Mahendran, on whom open warrants have been issued by courts in Sri Lanka, have taken up the same position – that investigations against them were politically motivated and termed them “witch hunts.”

Weeratunga, originally a resident of Ukraine where he ran a restaurant serving Sri Lankan cuisine, is now being held in detention in Abu Dhabi. He was arrested for being in that emirate without valid travel documents.

The government in United Arab Emirates (UAE) turned down a Sri Lanka request to hand over the former Russian Ambassador to face charges in Sri Lanka. The UAE Government has advised the Sri Lankan Government to initiate extradition proceedings. Though a UAE-Sri Lanka Extradition Treaty exists for well over 15 years, it has not been ratified by the Sri Lanka Parliament.

In the case of Mahendran, CID detectives who flew to Singapore to deliver the warrant could not locate him at his given address. However, later reports received by the CID had confirmed that he was present in Singapore. A high ranking source said yesterday that efforts to get down Mahendran to Sri Lanka were moving slowly due to several pressure moves, both in Colombo as well as in Singapore. “We have to surmount hurdle after hurdle,” he said.

- Political Editor
- The Sunday Times-06/05/2018

Sri Lanka’s former Sports Minister Dayasiri Jayasekara admitted that he received millions of rupees in unaccounted cash from undisclosed donors as he faced fresh allegations of sleaze.

Jayasekara told parliament on Friday that he encashed a one million rupee cheque given to him by an associate of the controversial Perpetual Treasuries company at the centre of the 2015/16 bond scam.

He said the money was received when he was campaigning for the August 2015 parliamentary election under the leadership of former president Mahinda Rajapaksa who was leading the Kurunegala district list of candidates under the SLFP ticket.

"I want to say very clearly that although I got money from them, I have never defended Perpetual Treasuries or Arjun Aloysius," Jayasekara said. "What is important is if I defended Aloysius. I have not and I will never."

Jayasekara had taken money from Aloysius in July 2015 despite the controversy over the February 2015 bond scam which had turned into a major campaign issue.

During the 2015 election campaign as well as during previous elections, Jayasekara said he received unspecified amounts of cash from businessmen, but he never returned them any favours.

He said many other colleagues in parliament had also taken large amounts of money from Aloysius, but declined to name them.

Jayasekara defended his association with Aloysius saying he knew the family for a long period of time, but did not defend the bond scam.

Former Finance Minister Ravi Karunanayake was forced to step down last year after it transpired that an Aloysius-linked company had paid rent for a luxury apartment he occupied.

- ECONOMYNEXT -
- Sunday Island- 07/05/2018

“Ethics and equity and the principles of justice do not change with the calendar.”
- D. H. Lawrence
The recent incident where President Maithripala Sirisena’s Chief of Staff, Dr. I.H.K. Mahanama and Chairman of the State Timber Corporation P. Dissanayake were arrested and remanded on the charges of soliciting a bribe of Rs. 20 million from an Indian investor, not only made headlines but has become the talking point within many sections of society. The businessman, who had purchased a block of land at the Kantale Sugar Factory, had wanted to purchase machinery and building space to commence operating the factory. Then, the suspects had allegedly solicited a bribe of Rs.540 million from the businessman promising that they would provide him with the approval needed to obtain the machinery and building space for the purpose. However, after negotiations were held between the two parties, it was said to have decided to reduce this bribe to Rs.100 million. The two officials were to receive a bribe of Rs. 100 million, but they were allegedly caught red-handed while accepting Rs. 20 million as an advance payment. The alleged incident can be viewed in two ways. One is that the Good Governance is plagued by bribery or corruption. The other is the question as to how these types of actions would adversely affect investors who wish to invest in Sri Lanka? A query also needs to be raised as to how these types of suspected unscrupulous state officials like Mahanama and Dissanayake managed to survive while serving in top administrative ranks. Speaking to the Daily Mirror, Executive Director of Centre for Human Rights (CHR) and Campaign for Free and Fair Elections (CaFFE) Keerthi Tennakoon, said that he had received information regarding this case in early 2016 and had exposed this on various occasions using the platform of Anti Corruption Front and the Centre for Human Rights. He said that this Indian national is a businessman who had been working in Sri Lanka since 1994 and was well connected.

Negative impact on investors There is a negative impact on investors who wish to invest in Sri Lanka following the news of this incident. Tennakoon said that this incident is a huge blow on investors who are hoping to invest in Sri Lanka.

“Now, investors would not think twice, but thrice before they arrive in Sri Lanka. They would show little interest to invest in Sri Lanka. It is not easy to restore credibility once lost. Hence, the Government should look into this matter seriously and not be hesitant to take effective steps to win the hearts of investors,” Tennakoon opined.

He said that the Indian businessman is receiving death threats and he is not safe at this stage. Therefore, the BOI should take strict measure for his safety.

‘Good name tarnished’-Dr. Mahanamahewa
Meanwhile, Colombo University Law Faculty Senior Lecturer and Former Human Rights Commissioner Dr. Prathiba Mahanamahewa told Daily Mirror that this incident had tarnished the good name of the country.

“This is an action of contravention. This act would have direct impact on the investors. Both the President and Prime Minister have kept Sri Lanka on false pedestal during their official visits to foreign countries and extended invitations to these officials to invest in Sri Lanka, showcasing the island as a peaceful country. But now according to what has transpired, the investors would be reluctant to invest in Sri Lanka. This would vastly affect the country’s economy,” Dr. Mahanamahewa warned.

-Daily Mirror - 16/05/2018

“It is not power that corrupts but fear. Fear of losing power corrupts those who wield it and fear of the scourge of power corrupts those who are subject to it.”

—Aung San Suu Kyi
Sri Lanka at centre of new cricket match-fixing probe

The International Cricket Council has begun investigating allegations that two Sri Lankans agreed to tamper with the pitch at Galle to change the outcome of a Test match against England later this year.

Sri Lanka cricket said it will fully co-operate with the ICC investigation.

"Sri Lanka Cricket wishes to state that it has zero tolerance towards corruption and will take immediate action against any person involved in the alleged incident, if found guilty," SLC said in a statement.

The ICC said it took the allegations contained in an Al Jazeera documentary to be broadcast today (Sunday) very seriously and also wanted the Doha-based news network to share its evidence and supporting material with the investigators.

The London-based Daily Telegraph trailed the documentary with an extensive report detailing the two Sri Lankans and a former Indian player discussing how to rig the First Test between England and Sri Lanka in November.

“We have already launched an investigation working with anti-corruption colleagues from Member countries based on the limited information we have received,” the ICC said in a statement.

---ECONOMYNEXT---
-Sunday Island- 07/05/2018

---Excerpts from an article by Justice Chandradasa Nanayakkara---

Indictment on the Judiciary by Suganthika Fernando

The critical comments made by the Attorney-at-Law Suganthika Fernando on the conduct of a judicial officer and the happenings at Marawila Magistrate’s Court should prompt us to take a realistic and dispassionate look at the whole judicial process of this country. Her allegations which are of serious nature would have tremendous negative impact on the image of the whole judicial system. Therefore in fairness to all those who are involved in the judicial process without rejecting her allegations outright, I would urge that a fair and impartial inquiry be held to determine the truthfulness or otherwise of the allegations made.

Corruption and perception of corruption in court is also an enduring problem. It is pervasive and none can deny that corruption and other irregular practices exist in the field of office administration in courts. It must be remembered that judges’ functions are not primarily concerned with presiding over courts but their work extends to other parts of judicial process such as administration of the office work. Therefore, it is their responsibility to see that corruption and other irregular practices are completely eliminated or at least minimized in their courts as it leads to the erosion of the public confidence of the whole judicial process.

Criticisms have also been levelled against certain Judges for the use of inelegant inappropriate and abrasive language in the course of judicial proceedings. Judges should treat all parties equally with utmost courtesy and they should be restrained in their speech when addressing lawyers and other litigants before them. It has to be remembered that use of unrestrained language by a Judge in judicial proceedings tends to diminish fairness and effectiveness of judicial process. In the course of judicial proceedings, a Judge may honestly err which is pardonable, but he should not consciously and deliberately deviate from the correct path.

Finally, in regard to the critical comments made by the attorney, I must state I can neither discount nor accept what she uttered in regard to the conduct of the judicial officer or the alleged happenings at this particular court, as I was not an eye witness to the incident, which can only be proven at an impartial and fair inquiry.

My primary objective in writing this is neither to castigate the judiciary as a whole nor even to impugn the conduct of a particular Judge. I write this solely in the interest of an institution, which we have nurtured and preserved for generations.

---Daily Mirror--- 28/05/2018
Treasury bonds probe CID under Pressure

In the backdrop of top political names being revealed in connection to the Central Bank Treasury Bonds scam, Ceylon Today reliably learns that the investigating officers are under severe pressure to not reveal or publicize names.

A top official of the Criminal Investigations Department (CID) and his boss were summoned by a top political authority last Thursday night and were ordered not to include politicians’ names when filing ‘B’ reports with regard to the case against Perpetual Treasuries Owner Arjun Aloysius.

Currently, two names, those of former Minister Dayasiri Jayasekara and State Minister Sujeewa Senasinghe have been revealed, in ‘B’ report filings, as those who received funds from either PTL or other companies belonging to Aloysius. Speculation is rife that politicians belonging to many political parties have received funds as campaign money from Aloysius during and after the last General Election held in August 2015.

According to reliable sources, the CID has finalized investigations in connection with another woman politician, who allegedly received funds from Aloysius. While, personal bodyguards and campaign managers were involved in the transactions that took place between Aloysius and Jayasekara and Senasinghe, the CID officials have questioned the son of the woman politician who was involved in the deal.

Meanwhile, both investigators as well as legal officials, involved in the case, have vowed to not give into political pressure. Legal officials were of the opinion that the investigators (CID) are bound to go ahead with their investigations impartially, comprehensively and consistently as per the directives of the judiciary.

They also maintained that while they are aware that extremely sensitive political issues may occur as the investigations are going ahead, both parties are not in a position to stop the ongoing investigations.

According to a top official of the CID, approximately 44,000 transactions have taken place between Aloysius and various other parties and they have only completed investigating only around 150 transactions.

Reported By Gagani Weerakoon & Niranjala Ariyawansha
-Ceylon Today - 10/06/2018

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Excerpts from an article by Narada
Where’s Arjuna? Whither Ranil?

The Prime Minister has assured Parliament that he has no clue on the whereabouts of Arjuna Mahendran. On Thursday last week, this paper reported the story with an interesting profile of the Prime Minister that betrayed him experiencing his Pontius Pilate moment of truth. Just as the procurator of Rome failed in washing his hands off that historical travesty, the Prime Minister will not succeed in washing his hands off the Bonds scandal that decidedly derailed the ‘good governance’ agenda.

The Prime Minister seems convinced of his capacity to hoodwink us and our capacity to absorb his deceptions.

He has asserted that he had no dealings with Arjuna Mahendran after he ceased to be Governor of the Central Bank. That is not an accurate statement. After he stepped down from his position in the Central Bank, he continued to be a close confidant and advisor of the Prime Minster.

When the President declined to re-appoint him as Governor of Central Bank, the Prime Minister co-opted him to his economic team.

Arjuna Mahendran accompanied the Prime Minister to Indonesia within weeks of his ceasing to be the head of the ‘big bank’.

Arjuna Mahendran was listed as the ‘Head of the Five-Year Planning Unit’ in the official delegation.

With disarming detachment, he insists, “He left the country without informing me and I have no clue about his whereabouts now.”

Hypocrisy and deceptive statements are regarded as legitimate and permissible tools in policy debates. However, deliberate falsehoods in explaining the personal conduct are another matter.

The Prime Minster with his response on the whereabouts of Arjuna Mahendran has established that his politics lacks authenticity. He has achieved something more. He has demonstrated that he commands a vast reservoir of slime.

-Ceylon Today— 10/06/2018
Losses at State institutions exceed Rs.50 bn last year: Speaker

According to Finance Ministry reports, the losses incurred by State institutions last year had exceeded Rs.50 billion, Speaker Karu Jayasuriya said at a workshop organized by the Committee on Public Accounts (COPA) yesterday.

He said more than 40 per cent of the funds belonging to State institutions were wasted each year.

“These funds if saved could be utilized for the betterment of the people and for development work,” the Speaker said. “Parliament has been able to carry out investigations and monitor State institutions to the desired level. There are more than 837 State institutions that were investigated by COPA last year. All these institutions have been monitored by COPA, Auditor General and Parliament. Only around 20 or maximum 100 institutions were monitored by COPA during the past. Currently, there is satisfactory progress by COPA.”

He said State institutions were no longer able to spend public funds according to its whims and fancies because they were being monitored by new systems put into place by the committees such as COPA and COPE.

Reported By Yohan Perera & Ajith Siriwardana
-Daily Mirror - 19/06/2018

Half of state officials should be in jail by now: AG

More than half the state officials would be in jail by now if they were dealt in the manner in which former presidential secretary Lalith Weeratunga was dealt with and sentenced to prison on charges of misusing State funds, Auditor General Gamini Wijesinghe said yesterday.

"Mr. Weeratunga was sentenced to prison for misusing public funds and if the other state officials are dealt with in a similar manner, half of them should serve jail terms because most of them spent funds without the approval of their superiors,” he said at a workshop organized by COPA.

Mr. Wijesinghe said trillions of rupees had been wasted by various government institutions in the recent past while a huge amount of funds were wasted in the health sector for importing outdated equipment and money allocated for school buildings without making proper assessments.

He said there were some 1,500 students in the school he studied at but there were only 50 students in that school now. "This is just an example as there are instances where funds are utilized to construct buildings in schools which did not have a sufficient number of students to use these facilities,“ he said.

Mr. Wijesinghe said the bond scam was not the only financial crime in the country because there were many more including the coal power purchasing deal and the rice import scam which had taken place under the previous and the current government.

He said the Audit Bill was a must to ensure financial discipline in the State sector under the 19th Amendment to the Constitution but the government was unable to enact it as yet. COPA Chairman Lasantha Alagiyawanna said the Bill would be enacted within three months.

Reported By Yohan Perera & Ajith Siriwardana
-Daily Mirror - 19/06/2018

What is a coalition?

J ust when I sat down to write this column I read in a daily English Broadsheet the exhilarating words of Ravi Karunanayake – our former Minister of Finance. ‘I will boost the economy in 100 days, if given the responsibility’. That reminded me of Charlie Chaplin’s famous adage on politicians. "I remain just one thing, and one thing only, and that is a clown. It places me on a far higher plane than any politician.”

Given the context it is not unkind but illogical to claim that Karunanayake is a clown. Why? Clowns make people laugh. Karunanayake makes me cry. He makes me cry in despair for the quality of our political class. He makes me cry in anguish for the contempt that he exhibits for public opinion.

By all counts, the former Minister of Finance is turning out to be a dangerous man. He is the assistant leader of the UNP. He enjoys the absolute confidence of his party leader. That makes him a powerful man. Power is okay, and stupidity is usually harmless. Power and stupidity together is dangerous!

By Narada
-CeylonToday-22/04/2018
Scars of the gruesome ethnic conflict are still in their recovery stage. The implementation of the Post-war development plans, especially in the North and East, so far has been slow and hampered by external pressure. Among the many Internally Displaced Persons (IDPs) were 187 families from Iranaithivu, which comprises two islands belonging to the Pooneryn Division in the Kilinochchi District. Those displaced moved to Iranaimathaanaagar, near Mulankavil in 1992 and eventually housed themselves in makeshift shelters.

But last April these families decided to return to their homeland as their one year long protest to request the return of their lands fell on deaf ears. Upon their arrival, these Tamil families of the Catholic faith have begun to settle down, some with tears of joy, relishing how they once grew up there. But many of them don’t have their deeds and they require the support from the Government to stand up on their feet.

A forgotten island

Separated by a channel of sea water, Iranaithivu includes Perum Theevu (Big Island) and Sirum Theevu (Small Island), a beautiful island with ponds and crystal clear water. A 45-minute boat ride will take you to this long forgotten island of Perum Theevu in the North, standing out with its vast expanse of greenery – a clear sign of abandonment.

Being a community that thrived on fishing, one could see them throwing their cast nets in search of fish several days after their return. Shelled and abandoned buildings, including a lighthouse dating back to 1886, makes one think of its long history. The main shelter at this island is the Sebamalai Matha Church (Roseiro Church) which has several statues of Mother Mary and Jesus, figures which have been there since the inception of this place of worship. With a school, hospital, three libraries, a church, a post office and the fishing centre this island was once equipped with all facilities. Today there are over 450 families waiting to start a new life on their homeland. Sea cucumbers and mussels could be found in abundance in the shallow waters around the main island and shore-based fishing practices provided an income for the women. The island’s waters are also rich in limestone making it a rich breeding ground for several marine species. The island also provides base material to construct houses, in the islands and the mainland.

IDPS, resettlement and the fight to reclaim land

According to the statistics of the Ministry of Prison Reforms, Rehabilitation, Resettlement and Hindu Religious Affairs, as at October last year 44,119 families have been resettled in the Kilinochchi District. The remaining 729 families and 2395 persons living with friends and relatives in the same district are yet to be resettled. From 1992, the residents of Iranaithivu were displaced on several occasions, especially during the final phase of the war and they eventually left to Puthumathalan. As at now, people are allowed access to certain areas of the island. These people are still confined to one area in the island. However the once thriving fishing industry has faced many challenges especially with Indian and other local fishermen fishing in the waters. The other factor that stifles their industry is the wastage of fuel. Although numerous appeals were made to the Northern Province Chief Minister, the Prime Minister, the European Union Delegation in Sri Lanka and twice to the President himself in 2017, these challenges still exist. In May 2017, the residents staged a continuous protest in Iranaimathaanaagar. These protesting voices were also heard in Pooneryn, Kilinochchi and even Colombo. As an outcome of these protests a series of discussions were held with community leaders and politicians, but the residents see no progress.

“The rights of every man are diminished when the rights of one man are threatened.”

- John F Kennedy
Abolish PTA without compromising national security: HRCSL

The Prevention of Terrorism Act (PTA) should be abolished in order to prevent violations of citizen’s human rights without posing any threat to national security, Chairperson of Human Rights Commission of Sri Lanka (HRCSL) Dr. Deepika Udugama said yesterday.

She said that it was the Commission’s preliminary recommendation to the government to abolish the PTA Act, since it was observed that the human rights were heavily violated via the Act throughout the past decades.

“It does not mean that we should not take adequate laws and regulations for the sake of the national security. But such rules should be drafted in accordance with regulations to protect the human rights. Soon after the new office bearers were appointed, we made recommendations for the subjects including PTA, death penalty, hate speech and establishing of the Office on Missing Persons.” she said.

Dr. Udugama said instead of the Commission’s duties to inquire into the complaints which had been received, it is also the Commission’s duty to advise the government on how to draft rules and regulations on protecting human rights.

She further said that National Security Act is being drafted and it is very important that HRCSL must study it before it was passed in Parliament.

“The biggest challenge we face is that we do not receive the Draft Bills to study whether those rules and regulations were drafted properly. These are essential to people’s lives. We have requested the President, the Prime Minister and the relevant ministries to handover the Draft Bills before passing it.

“There is no judicial review of legislation in Sri Lanka unlike in our neighbouring countries like India. So this is why it is absolutely important that the HRCSL gets to study the Draft Bill so that we can guide the Government in compliance with human rights,” she added.

By Thilanka Kanakarathna
-Daily Mirror - 01/06/2018

MEDIA

Brutal attack on Jaffna newspaper circulation manager

It was some three hours before dawn when the circulation manager of a Jaffna-based Tamil newspaper began to panic. The delivery boy for the town area had not arrived. A further delay would mean readers would not receive their copies of Kaalai Kathir, he feared. Hence, Selvarajah Rajendran (55), a father of three children, decided he would load the newspapers in the pillion of his motorcycle and drop them personally at sales outlets. He had travelled barely a kilometre in the road alongside Hindu College, when five armed men in motorcycles, with their faces covered, accosted him. They assaulted him mercilessly and fled the area. Mr. Rajendran lay wounded until he was found at the break of dawn by passers-by and rushed to hospital.

Editor Vithyatharan told the Sunday Times, “My newspaper has been pursuing a Tamil nationalist line. We have therefore become targets.”

Whether he is right or wrong is only one issue. With the military defeat of Tiger guerrillas in May 2009, no one expected armed gangs to operate brazenly in the peninsula. A remark by an intelligence source in the area, no doubt, would raise eyebrows. There are such gangs for hire now. So much for law and order in the north!

-The Sunday Times - 03/06/2018
Relationship to OMP and Enforced Disappearances Acts

It has to be understood that these sweeping amendments to the 2002 Mutual Assistance in Criminal Matters Act are being brought in a specific context. This government has already established the Office of Missing Persons which though described as an ‘office’, is in reality a tribunal for all practical purposes which can examine witnesses, issue summons and hold hearings. Its officers can enter without warrant at any time of day or night, any police station, prison or military installation and seize any document or object they require for investigations. Anyone who fails or refuses to cooperate with the OMP may be punished for contempt of court. Complaints can be received by the OMP not only from relations and friends of missing persons but from any interested party both local and foreign.

Government bodies at all levels including the armed forces and intelligence services are mandatorily required to render fullest assistance to the OMP and the provisions of the Official Secrets Act will not apply to investigations carried out by the OMP. The provisions of the Right to Information Act will also not apply to the work of the OMP. No court, not even the Supreme Court can order any officer of the OMP to submit to courts any material communicated to him in confidence. While the investigative mechanism has been set up in the form of the OMP, the government has also passed the International Convention for the Protection of All Persons from Enforced Disappearance Act No: 5 of 2018 which makes applicable in Sri Lanka, the provisions of the International Convention for the Protection of All Persons from Enforced Disappearance which has been signed and ratified by the Sri Lankan government.

Even though the name of this international convention would convey the impression that it has something to do with preventing enforced disappearances, its actual purpose is punitive and it has the effect of broad basing and sharing jurisdiction over offences related to enforced disappearances among all the signatories to the Convention. According to Article 10 of the International Convention, any State in whose territory a person (who can be a citizen of any other member state) suspected of having committed an offence of enforced disappearance is present, can take that person into custody. According to Article 11, after making an arrest in that manner, the member state concerned can take one of three alternative courses of action – (a) extradite that person to another country in accordance with its international obligations, (b) prosecute that person under its own laws or (c) hand him over for prosecution to an international criminal tribunal whose jurisdiction that member state has recognized.

Article 13 of the international convention also states that any member state may request the extradition of a person suspected of being responsible for enforced disappearances in any other member state and all member states are supposed to respect such requests for extradition. After the Sri Lankan government passed Act No: 5 of 2018 to make the International Convention for the Protection of All Persons from Enforced Disappearance operational in Sri Lanka, under Section 8 of this Act, where a request is made to the Government of Sri Lanka by the Government of a Convention State for the extradition of any person accused or convicted of causing an enforced disappearance, the Minister shall, on behalf of the Government of Sri Lanka, forthwith notify the Government of the requesting State of the measures which the Government of Sri Lanka has taken, or proposes to take, for the prosecution or extradition of that person for that offence.

The OMP does the local investigation, the International Convention against Enforced Disappearances confers jurisdiction on foreign nations and indirectly on the ICC as well to hear Sri Lankan cases and the latest Bill seeks to put in place the remaining requirements by making it incumbent on the Sri Lankan authorities to comply with requests for information, documents, witnesses and the like made by foreign governments and international organizations to carry out criminal investigations or prosecutions of Sri Lankan individuals. This entire set up beginning with the OMP and ending with the mechanisms to be set up under the proposed amendment to Act No: 25 of 2002 will operate under a shroud of secrecy with the Right to Information Act rendered inoperative in relation to action taken under those laws.

-Sunday Island - 27/05/2018
The Mullivaikal Commemoration on 18 May 2018 is touted as a memorial for all those civilians massacred there. Few can quarrel with that. The army thinks it is to honour the Tiger fighting forces that were massacred. That again is legitimate since however brutal the Tigers were, those who loved them have a right to mourn and certainly find out what happened to them.

Game of Threats and Lies

When reports initially emerged of the extent of carnage and the use of cluster bombs and chemical weapons from people I know who experienced it first hand, the government tried brute force to suppress these accounts. Doctors present at the time on the ground and had testified to the atrocities were arrested by July 2009 and paraded on TV where they contradicted their earlier statements, now saying deaths were fewer than 700. We were shaken.

Following the February 2011 Census, the government “put the death toll in the north of the country during the final phase of the war at 9,000.” The Tamil doctors who deserved medals for their dedicated service under intense shelling stood vindicated. No one believed our government any more.

Then came the UN report to Ban Ki-moon by eminent authors Marzuki Darusman, Steven Ratner and Yasmin Sooka. They reported that up to 40,000 of the 330,000 Tamils trapped in a narrow strip of land in and about Mullivaikal were killed. They described the bombings of hospitals and designated refugee shelters. Even before their report reached us there was hysteria in Colombo based on leaks. The BASL Executive Committee had a resolution by Jayantha Gunasekera, PC, dated 23 May 2011 condemning a report we had not seen. At the time, Gunasekera had argued (Sunday Observer, 24 April 2011) that he condemns Navaneetham Pillai on the grounds she is a Tamil who has to side with Tamils because “[a]fter all, blood is thicker than water.”

After the report’s release, the BASL dutifully condemned it unanimously at meetings on 30 April and 7 May – since blood is thicker than water, as Sinhalese, they had to condemn the report.

Instead of addressing the issues raised in the report, the state pushed back. President Mahinda Rajapaksa made the extraordinary claim that his “troops went to the battlefront carrying a gun in one hand, the Human Rights Charter in the other, food for the innocent displaced on their shoulders, and love of their children in their hearts.”

The Sinhalese communalist Juggernaut moved, driving fear into anyone who tended to believe that report. Douglas Devananda and the army forced people going about the streets in Jaffna town to sign a statement that nothing happened in Mullivaikal.

To ward off the seemingly inevitable accountability over its murders, promises of reconciliation were liberally made in Geneva. But nothing was done. Indeed, locally these promises were denied.

Then Charles Petrie, a former UN Official, was mandated by Ban Ki-moon to review the conduct of the UN during the last days of the LTTE in May 2009. He confirmed that “Events in Sri Lanka mark a grave failure of the UN.” It accused the government and the LTTE of war crimes and according to the BBC “very much reflects the findings of the [earlier] panel.” A large majority of deaths were caused by government shelling, whereas the government has repeatedly denied shelling civilian areas.

Dead Silence: Lord Naseby Seeds Doubt

With government inaction on war crimes, prevarication on casualties, and reports of continued torture, few within Sri Lanka dared say that such crimes had occurred.

Then came along Lord Naseby. He has compromised his own integrity by asserting “the truth that no one in the Sri Lankan Government ever wanted to kill Tamil civilians.” His tentative figures are up to April 2009 and say little of the killings in May when Channel 4 had clips of executions by Sri Lankan forces after the LTTE collapsed. His information really means little. For example, “It is not possible to distinguish civilians from LTTE cadres as few are in uniform” says nothing of the death toll; likewise “IDPs being cared for in Trincomalee. Welfare appears to be overriding security considerations.” Similarly, “Then on 20 January they say, ‘no cluster munitions were used’, does not mean they were not used on other days. What he writes is for the converted.

In contrast I have met people who lived through the shelling and say all they saw was an unending series of flashes from explosions. My secretary testified how they were directed to go to a place to collect milk for her grandchild and the government then rained shells on them. I met one man whose entrails came out because of the shelling but survived. The arbitrary shelling made Rev. Anuhoolan lose his pickup although he escaped.

Despite all that, the climate of fear with

(Continued on page 23)
continuing reports of torture has silenced most of us. Even today I received reports of three attempt-
ed hits over the past week on a former LTTE armour
and weapons maker in Mannar settled in civilian life.
As the press mounted its attacks on war crimes
claims, even the TNA was largely silent here but
went to Geneva. Two friends who were active in re-
cording the terrible events of 2009 told me not to
push the 40,000 figure. I began to wonder if Sinha-
ese communalist propaganda was right after all.
But surely, the government would never have
agreed to UNHCR Resolution 30/1 unless the atroci-
ities really happened.

Today, Friday 18 2018, there will be a mas-
sume commemoration at 11:00 am. University stu-
dents fell in line and promised to parade to Mulliva-
ikal on motorbikes. All the School Principals of the
Northern Province had been requested to observe a
moment of silence and hoist the Northern Provincial
flag at half mast at 11.00 a.m. in commemoration of
Tamil civilians who died during the war.

Leaders of the Tamil National Alliance (TNA)
including its leader R. Sampanthan, Gurukularajah
Mavai Senathirajah, and Sritharan took part in the
event in the prearrangement inspection a little earli-
er. As reported by Global Tamil News, Mr. Sampan-
than has stated "Mullivaikal is the soil where enor-
mous numbers of Tamils were brutally killed by the
Sri Lankan armed forces and where many of our
Tamils were disappeared. This is the soil where Tamils burnt themselves for the liberation. Thou-
sands of freedom fighters and people have sacri-
ficed their lives with the dream of liberation. ... Tam-
ils should gather unitedly in Mullivaikal on May 18.
To light the lamp of remembrance and to pay trib-
ute to our deceased relatives."

He had spoken up at long last asserting that
murders did occur. However that part about thou-
sands of freedom fighters and people sacrificing
their lives with the dream of liberation was mislead-
ing insofar as no one volunteered to be massacred –
the LTTE had corralled civilians as a shield. As the
UN and Channel 4 reports now make clear, the LTTE
shot those who tried to leave and the government
shelled into oblivions those who stayed. Sampan-
than speaks carefully. I doubt he said this.

The Mullivaikal Event

I decided to go with Gurukularajah today.
He also gave lifts to Nimal who lost both legs when
a shell landed in his bunker. He has rebuilt his life
as a musician and will perform in Oslo next month.
Also with us were a war-widow and Sivathasan who
was Pass Officer for Kilinochchi!

The fever of excitement had caught on. We
arrived by 10 am. A crowd of 2000 was there but by
the scheduled 11 am it had built up to 10,000 at
least. Forty buses had brought crowds. University
students' parade had perhaps 25 motorbikes. Every-
one participated. Even former EPDP strongman
Chandrakumar came with a large crowd.

For such a large gathering with potential
crowd control issues, there were only 2 policemen
who came with the Chief Minister. But the police,
however irresponsible, were there. Men in civvies
taking photos had their pot-bellies giving them away
as policemen.

Next to the grounds are two caste-based
schools, officially called Vellaam Mullivaikal and
Karaiyaam Mullivaikal. The principal of the former
told me that the CID had called first to ask if he was
flying the flag at half-mast and then to ask if he had
not gone for the event. The police seem to have
painted themselves in a corner and become a joke.
The event was well organized. We were to
be in sheds with chairs while at the centre of the
field the lamp lighting would take place. While wait-
ing we could see clothing, plates, and cups popping
out of the ground from the massacred people. But
the crowd today walked into the field and all ended
up round the flame. Gurukularajah had given some
light music to be played while we waited. But LTTE
supporters had taken it over, and played Eelamist
songs. People we could not see for the crowds gave
hysterical speeches about the day that their dreams
of Eelam were snuffed out.

Promptly at 11 AM the main torch was lit by
Vijitha Kesavan who lost both her parents and an
uncle on 15.05.2015. Then the Chief Minister C.V.
Wigneswaran spoke.

It was politically correct. He stressed that
the massacres occurred after those of Bosnia and
Rwanda but unlike them after the UNHRC was es-
ablished. He challenged the international communi-
ty to do something and resolved that Every May 18
be Genocide Day.

He said, “The International Community set
up a strategy mechanism to ensure justice and sus-
tainable political solution for us. Designate our expe-
rience as a Mass Disaster and offer recompense.
Recognize the need to withdraw the army from
Tamil areas and not ask for compensation from re-
settlement funds meant for us. He asked that note
be taken that 18.05.2019 is the tenth anniversary.
The government has to establish inquiries so we
may know the truth rather than argue about it, and
offer us accountability. Or next year the problem
will be bigger.

-Ceylon Today— 20/05/2018
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