

Honourable Chairman and Members,

Thank you for your invitation to appear before this Commission.

First, as a member of the wider Christian Church, I state that I fully endorse the testimony of the church delegations representing the Anglican Church and the Roman Catholic Church as reported in the press. The fact of my agreeing fully with the broad principles they enunciated, lightens my load and lets me focus on my own personal experiences. I have with me by my side The Rev. Fr. Dr. J. Jebamohan, formerly my parish priest and now a Senior Lecturer at University of Jaffna. He is here to help me with my computer and to advise me in case the need arises.

I will initially say a few personal things about my own perspective and situation which I will connect up to your TOR. I am a Sri Lankan and a Tamil. I grew up as a proud Sri Lankan and continue to be a proud Sri Lankan. I also grew up in Jaffna which gave me unique perspectives which are part of my make up. This make up includes pride in my Tamilness and a wish not to be deprived of it just as I would not wish to be robbed of my Sri Lankanness.

Growing up in Jaffna in the heady days of confrontation with the state, I am like most Tamils at heart, without apologies, committed to internal self-determination for the northern and eastern areas of Sri Lanka where we have lived for centuries – but that does not mean that we wish to live separately from the Sinhalese or refuse to work with them. It is relevant to note that even the Hon Douglas Devananda, a cabinet minister in His Excellency's government, is also for some form of devolution to the regions inhabited by the Tamils.

To be strictly correct, while most if not all Tamils want a say in the decisions that affect our lives, Jaffna always has had a third of the population wanting to work closely with the government. Remember that although the late Mr. Alfred Duraiyappah has been and continues to be called all sorts of horrid names, he commanded the respect and support of a third of the Jaffna electorate and with the rest divided about evenly between the Tamil Congress and the Federal Party, he always stood a good chance of being returned as MP and indeed was. Even today the most recent elections show a similar proportion of the electorate voting with the government. It is an embarrassing fact for the nationalists but always has been a fact.

These are difficult times for those like myself who are both Sri Lankan and Tamil. From numerically very small sections of the government comes the message that there are no Tamil homelands (when we all know there are) and that we Tamils are welcome in this country if we accept that this is a country of the Sinhalese. It is this attitude that led to the calamity of the past 50 years and the scourge of the LTTE years. Tamil and Sinhalese communalism have spawned each other and fed on each other.

As we seek to build up one united nation free of communalism and forge a common national identity, Tamils in general, it is correct to say – and here I am making an observation rather than speaking for myself – have little confidence in the government and its institutions. Our history is littered with Commissions that simply bought time and whose recommendations, such as of the Sansoni Report, were never implemented. The Tamil public is deeply skeptical of commissions especially after the experience of the Trincomalee murders of ACF workers and the 5 students. Witnesses were intimidated. The Commission ignored what I consider decisive evidence. A member of the Commission who was serious about his work was forced out. Impunity was the order of the day.

This Commission too, I am afraid, faces skepticism from the Tamil public. Tamil newspapers allege that those who testify are photographed and threatened by men of the armed forces in civils. Mr. Chairman, with all due respect and as a matter of observation, your own reputation in the eyes of

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the Tamil public is poor because of allegations against the AG whom you represented as Solicitor General, by the Eminent Persons observing the ACF/Moothoor Disappearances inquiry. I make no charges nor endorse their allegations but merely record the fact that the public is skeptical. I do not wish to prejudge you and my appearance here is a measure of my open mind on the kind of report that will emanate from this learned Commission.

In these circumstances if this Commission is to have any meaningful and even forceful effect upon nation building and forging a common Sri Lankan identity, your work must look into every aspect of your mandate, sparing no one and not entrenching that scourge of Sri Lanka – impunity to those on the side of the state.

In the year 1970 my brother and I were brutally attacked by a party of Sinhalese policemen led by Sub-Inspector Waragoda for no reason other than that they were angry with Tamils over the anti-standardization student demonstrations. When my late father, a Clerk in Holy Orders in the Anglican Church, complained to the then SP, Mr. R. Sundaralingam, he was told “Take it to the OIC because if you come to me I would need to take action.” That is permanently etched in my memory as the impunity that errant police officers who hammer Tamils are guaranteed by the state. So we filed a private complaint for assault in the Jaffna Magistrate’s Court against Mr. Waragoda but under the intervening emergency his lawyer Mr. Viswanathan, a politician with ties to the government, would come with a letter from the SP saying that Waragoda had to be sent on emergency duty. Viswanathan would also shout at me that I am a rowdy sullyng the name of a good officer. As this was repeated month after month, the case came to naught. Deeply ingrained again in my mind at an impressionable age was that there is no justice for Tamils. Viswanathan later joined the nationalist bandwagon and became Mayor of Jaffna.

That episode underscored the cause of today’s firm, inveterate beliefs among Tamils that – 1) the Sinhalese have impunity when they beat up and even kill Tamils 2) the armed forces are murderously dangerous 3) Tamil officials are stooges of the state and 4) politicians who wear the nationalist cloak have only one permanent loyalty – to themselves – and can be bought over

With the end of the war, after years of chaos and threat to life in the Northeast, for the first time since the early 1970s we in Jaffna feel free but only somewhat so. After 40 years of internecine violence, today the darkness of the long night is perhaps lifting. I emphasize perhaps. We seem to have a new dawn. The Tamil insurgency is crushed but Tamil pride is wounded. However, there is no one to ask us for inordinate contributions – nay, make demands – for money we do not have. No one carries away our children to serve as fodder on the battlefield. When I see a soldier or a policeman on the streets of Jaffna I do not feel almost like micturating out of control of my bladder as I once used to. We can go to Colombo without passes. Our children have access to jobs in Colombo. Lights are back in our homes and our lives no longer stop at 6 o’clock when we huddle together behind closed doors fearful of unknown persons carrying us or our children away in white vans. Indeed we after several years have multiparty democracy.

For this new dawn we need to thank His Excellency our President. Can we now leverage this peace towards national reconciliation and forging a united nation as he rightly wants? I believe we can but I see several attitude problems lower down that would make it difficult to translate the President’s high ideals into reality. While the President has idealistic plans for one common nation, the lower officials who created this mess are still at the levers of power and will block any initiative that goes towards sound nation building.

Let me turn to my own experiences on which I can speak with some authority and because they are revelatory of the Tamil’s lot in this country despite the dawn of peace. In my own life I have asserted

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human rights as the very basis of a good and ordered society and that Tamils should use the legal system when denied their rights. I have believed that the Federal Party instead of making hot speeches should have challenged standardization under the then prevalent Article 29 and would have prevailed. When University of Peradeniya filed false charges against me – believe it or not, one of the charges was on teaching my students how human rights are relevant even to an engineer and another that I fraudulently altered the mark book – and denied me my confirmation, I worked with Sinhalese to challenge it legally. All charges against me were thrown out and I was confirmed in my post and promoted to Senior Professor on the orders of the Court of Appeal. It was an example for other Tamils to work within the system and prevail.

As you may know I left Sri Lanka in the year 2006 because of LTTE threats to my life after His Excellency the president appointed me as the Vice Chancellor of University of Jaffna. When the President announced national reconciliation and invited all Sri Lankans, Sinhalese, Tamils, Muslims, Burghers and others in exile abroad, to return and build a united Sri Lanka, living in the US I jumped at the opportunity. Many others too have the enthusiasm to return and work here, and welcome the pledges given by the Govt., but as I will explain, obstructions are being placed through quasi-legal means and deliberate red tape by people hostile to new challenges and wanting to safeguard their patch and not wanting to discuss how the system of university education is thereby being corrupted and continually degraded.

Upon the President's announcement, subsequently repeated by Prof. G.L. Peiris in New York, I contacted my friend and erstwhile colleague at the UGC Professor Carlo Fonseka and informed him of my wishes to return with my family. I also wrote to Prof. Peiris.

In the meantime, officials at Peradeniya, for reasons best known to themselves, who had been legally obliged to confirm and promote me, had used my misfortunes with the LTTE to terminate my services. At the time I fled the country under death threats, I had been released from Peradeniya for three years in March 2006 to be VC of Jaffna. So in December 2008 I had informed my Department Head at Peradeniya that I would report on Dec. 19 2008 as my release was ending and apply for my sabbatical leave. On the day I reported the Head received an alleged copy of a letter to me vacating me from my post for absence although I was still on release. I am yet to receive the original addressed to me.

So Professor Fonseka contacted His Excellency the President on my behalf. The President had responded positively to my wife's and my request for reinstatement based on orders from the University Services Appeals Board and the Human Rights Commission which I do not have time to go into. He had imposed one condition though, namely that we should be in Sri Lanka before any action is taken. So we left our positions in the US and arrived on 2 September 2010. The President, true to his word, issued directions on 13 September 2010 to have us reinstated at Peradeniya and released to Jaffna and to be appointed at Jaffna without delay or loss of service. The role played by some officials in Jaffna, besides those in Peradeniya, in this matter shows that what happens to Tamils is not always because of communal passions but could be a defensive measure to cover up administrative lapses and shortcomings. In Jaffna my appointment as ordered is being delayed. Significantly applications for the post of VC closed on the 9th and perhaps my purported termination can be held to disqualify me.

The President's good intentions are thwarted by a bureaucracy with its own mind. I with my D.Sc. London am the only person in Sri Lanka of working age with an earned western higher doctorate. My wife has her Ph.D. earned under Nobel Laureate George Olah. And yet we are both now well into our third month of unemployment in a country desperately short of qualified academics. If this happens to us with connexions to the President, imagine the lot of an ordinary Tamil with no connexions. This is my case for some devolution of government authority so that government is accessible to those

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who are governed. Devolution is not a dirty word but the well-tested, indeed time-tested, panacea for holding disparate, fissiparous peoples happily under one cohesive nation.

I will take up now only sections of your TOR on which I have anything useful to say.

Item (i) b. of the TOR: The sequence of events that followed thereafter up to the 19th of May, 2009:

I will confine myself to events regarding my appointment as Vice Chancellor of Jaffna University. Some of what I say is hearsay but based on the personal testimony of very reliable people.

The Universities Act provides for applications and nominations to be called for, the university council forwarding three names from the contenders to the President, and the President appointing one. I was picked by the Council of University of Jaffna as one of the three people of its choice and the President appointed me from this list of three. On March 12, 2006 I believe, when the Tamil radio news announced my appointment, Parliament was in session. Mr. Gajendran, TNA MP for Jaffna, as a former university student with loyalties to the other two persons sent up by the Council, asked his TNA colleagues to oppose the appointment at the meeting with the President which was scheduled for that night. The others refused. At the meeting, however, after the 10 points the TNA wanted to raise had been dispensed with, Gajendran went ahead and raised this. The President quickly realised that this man stood alone and apart from the other TNA MPs and justified his decision to choose me as VC over the other two, based on my higher doctorate and UGC experience, besides other things. Perhaps to isolate him from the others, the President reminded Gajendran in front of his TNA colleagues that he had come to him earlier with the UNP's Maheswaran for a favour and told Gajendran that he expected Gajendran to ensure that my appointment met no trouble.

The next day students in Jaffna who were controlled and handpicked by the LTTE went on demonstrations. Student leader Wijitharan stated on Sakthi TV News that if I came to Jaffna I would be severely dealt with. My children seeing this were badly shaken. My effigy was burnt at the university gates. Over the next several days there were incessant telephone calls home telling my wife that I would be killed if I stepped into the campus and they would be sad to see her a widow in white. My third daughter, 14 years old then, was told that her 8 year old brother would be cut into inch-long pieces. The calls were incessant.

National List MP Eelaventhan of the TNA made an announcement in the newspapers that the TNA had taken a decision to oppose my appointment. Mr. R. Sampanthan, the party leader, assured me that there was no such decision but I should let the matter rest there – meaning I suppose that he would not say it publicly. MPs Mavai Senathirajah, Sivajilingam and Suresh Premachandran showed some leadership and asked the LTTE's Thamichelvan at the meeting of the MPS with him in Kilinochchi to state one reason why I should not be VC. In his inimitable fashion Thamichelvan coyly replied that the LTTE had nothing against me but the students were upset and they could not rein them in without consequences and that if I resigned he would ensure that I am made VC next time. It was unadulterated rubbish that he and his audience knew to be rubbish because it is the President who makes the appointment and not the LTTE. But no one told him so.

Tamil newspapers issued various statements attributed to all kinds of nonexistent organizations claiming to be against me. I was directly appointed bypassing the Council said one newspaper untruthfully. People ask me even today if this is true. The editors knew these organizations to be nonexistent and still published them. Mr. Thanapalasingam, the Thinakkural editor, told me that he is sent reporters under the age of 25 whom he must employ and whose articles he cannot cut or edit. The

only power he had was to print a rejoinder. But he finished looking rather sad, asking who there is to dare to write a rejoinder. I wrote one which he printed. But for how long could I keep writing myself denying these untrue allegations by unknown persons? Jaffna newspapers like the Uthayan also, after liberally printing the slanderous statements of nonexistent organizations including that I am an Army Spy, carried a rejoinder from me because of personal pleas.

I began receiving death threats by email too. The same man threatened me again when I visited Sri Lanka in December 2008 to report as my release ended. My movements were monitored even while I lived abroad.

The general advice I got in Colombo about the LTTE's demand to resign was that my resignation would cede the need for the President to consult the LTTE before appointing a Vice Chancellor again and would set a bad precedent. So I tried to operate as VC from Colombo. The Acting Registrar whose son worked for the dreaded Pottu Amman, one Kandasamy whom I knew well, responded to my telephone instructions saying that he could not recognize my voice and therefore could not follow my orders. When I faxed my instructions he said the fax was not received. I then faxed my instructions to the Bursar who assured me that he had passed them on but there was a wall of silence. I appointed a Deputy Vice Chancellor, Professor Parameswaran of the Medical Faculty, the most senior academic then, who wanted the letter of appointment to come from the UGC and not me – for he did not want to be seen as my pick although it is the VC who usually writes the letter of appointment. When this superfluous letter from the UGC was sent he faxed the UGC in the morning that he had assumed duties. But then, after a visit from MP Gajendran and Kugan, the LTTE's man in charge of the campus – Poruppalar they called him – he resigned in the afternoon. LTTE websites like nitharshanam.com then carried on a campaign slanderously maligning Professor Parameswaran as a corrupt man. I appointed Dr. Rajendram as Rector of Vavuniya Campus. Immediately LTTE websites alleged that his son was involved in all kinds of nefarious activity whereas the poor man had only one little daughter whom he was bringing up bravely alone since his wife's premature death. Dr. Rajendram thereupon excused himself from assuming duties.

The University Teachers' Association was asked to meet to condemn my appointment. At the meeting Prof. Sittrampalam, the university's senior historian and later UGC Member, pointed out that my appointment had been regular and that I should be welcomed as VC. His views prevailed. The LTTE having failed to get the decision it wanted, Prof. Sittrampalam's name-board at his university office was broken up and his residence stoned that night.

The Vavuniya Campus Teachers' Association was to meet to consider welcoming me. Just five minutes before the meeting's commencement the LTTE's Political Authority for Vavuniya informed the Rector that there was no need for such a meeting. The meeting did not even begin.

Hon. Douglas Devnanda who had been very supportive, offered an army escort for me to enter the campus but I felt that it was not appropriate to, first, preside over a university that way and, second, to take comfort in such security when even General Mendis, the commander in Jaffna, had been unable to protect himself against a determined LTTE.

MP Sivajilingam kept pressing the matter and even went to the deep Vanni with Dr. Myleruperumal of Valvettithurai to speak to Mr. Prabhakaran and Mr. Nadesan. But the latter two went even deeper into the jungles and avoided a meeting citing security concerns. I am grateful to Mr. Sivajilingam and Dr. Myleruperumal for the risks they took and to Mr. Sivajilingam for making a public statement on a Canadian Radio station, relayed on the Internet, denying the claims that the TNA was opposed to me. Daya Master of the LTTE too tried to help through my clerical contacts that put me in touch with him but I understand that Thamichelvan had told him to keep off. The Roman Catholic Bishops of

Jaffna and Mannar and the CSI Bishop in Jaffna wrote to Mr. Prabhakaran and sent the letters into the Vanni through personal commissaries rather politely asking him not to meddle in the education of the people but alas, to no avail.

In the meantime when Thamichelvan called the Deans of the university for a meeting, one of the other two candidates went a day or two ahead to Kilinochchi and parked himself there, I believe to press his case for ensuring that I am not allowed entry to the campus. His student, a student union leader, was the tea server at Thamichelvan's. Many of my former students at Peradeniya – some of whom then worked for the LTTE in Kilinochchi – also pressed the matter on my behalf and were told not to interfere and through them the message was conveyed to me by Thamichelvan that no warning would be issued to me. I knew what that meant and it took my apologetic students a lot of humming and hawing before they told me. A senior TNA MP came home and advised me to leave. With that I decided to leave the island since resignation as demanded was not an option. Mr. Devananda has blamed me for fleeing saying that I did not respect the President's appointment. But I was an ordinary man with 4 young children including three unmarried girls. How could I risk leaving them behind, alone without a father?

Gajendran has continued to pursue his vendetta against me. In 2009 I visited Europe and stayed in Berlin with my school classmate and university batch-mate, one V. Sivakumaran. The day after my departure Gajendran who was in Europe then, visited Sivakumaran and was abusive.

I am thankful to my wife for arguing with those horrid men hurling death threats over the phone, crying but giving back in style. When they suggested that they would be sad to see her a widow in white, she shot back not to forget what happened to Madurai in the Tamil epic Silappathikaram: when Kannaki cursed the king for unjustly executing her husband Kovalan, all of Madurai went up in flames. I rejoice in no death – especially when many of those killed had been forced to bear arms for the LTTE. But as I look around I wonder about the LTTE and its leadership.

Amnesty International issued an “Urgent Call for Action” regarding my safety. The New York based “Scholars at Risk Network” advertised my plight and helped me.

I obtained leave from the UGC and left the island for the US. Subsequently when I asked the UGC for payment of my salary, it requested me to ask Peradeniya myself. But Peradeniya had released me to Jaffna. And there was no point in my asking Jaffna to pay me, given who was really running the universaity. Such was the obligation the state felt towards one who responded positively to the President's invitation to serve as VC. In the event, no one has paid my salary.

From the US I enquired several times from the LTTE through church channels including The Rt. Rev. Rayappu Joseph whether I could return and based on Thamichelvan's response I remained abroad.

A related incident needs mention. The people of the Vanni, both Sinhalese and Tamil, launched a petition drive to make Vavuniya Campus a university and brought it to me at the UGC. The then Vanni TNA MPs – Selvam Adaikalanathan, Kishore Sivanathan, and Sivasakthi Anandan – were keen and had meetings with me. Some national universities had been given a campus to grow into a university. While other universities successfully did this and converted the campuses under them to full universities – Wayamba, Sabragamuwa, and Rajarata – only the Tamil universities, Jaffna and Eastern Universities, kept their campuses in Vavuniya and Trincomalee respectively as campuses, treating them as sinecures for senior academics to go there as Rectors (with the exception of just one Rector who took work seriously). I was sympathetic to the petition and plugged the idea at the UGC. But suddenly the MPs backed off. On enquiry I was told that Thamichelvam had replied to their request to ask the Prime Minister Wickremasinghe with one sentence: Do not stoke the fires of

pirathesavaatham – regionalism – that he alleged I was trying to fan. With that all the enthusiasm of the Vanni MPs for the development of the Vanni vanished. They were now even scared to speak to me. The University of the Vanni seemingly died there for then.

It was a sad period for me as a Tamil. In the name of Tamil liberation and decentralization, all our institutions – universities, newspapers, electoral processes and what have you – had been emasculated and replaced by a centralized hierarchy that had to be obeyed. Every decision concerning us was taken by a few persons in the name of self-determination. I am glad it is over. Now will the government that triumphed give us a measure of self-determination or will it be the same old stuff with new masters? I wish the President well and pray that he has the wisdom to overcome officials who thwart his good intentions.

Item (ii) of the TOR: whether any person, group or institution directly or indirectly bear responsibility in this regard:

We need to look forward if we are to build a united nation. But we also need to do a post mortem to learn from our mistakes. The state and the Sinhalese people must equally share the blame with the Tamils; I would say the preponderant blame as parties holding virtually all the levers of power. With us Tamil people, the several riots and the impunity offered to the armed forces and unruly mobs over massacres of unarmed civilians have given us a mindset that does not trust the state one bit. The onus to make overtures is primarily on the state.

As for the specific ceasefire, the LTTE several times had offered to it on a platter what the Tamil people wanted – in 1987, 2000, and during the negotiations over the ceasefire. The Sinhalese state needs to be congratulated for its efforts after 1994. Indeed Chandrika Kumaratunga and Ranil Wickremasinghe need to be praised for the risks they took with their support base in making the proposals they did. But the sincerity behind even these laudable efforts were a question in Tamil minds over effective impunity offered in high profile murders and the attitudes during the Chemmany exhumations. Even Ranil Wickremasinghe's proposals during the ceasefire seemed to lack sincerity in Tamil minds because of his successfully thwarting passage of the 2000 constitutional amendments. The LTTE rejecting these overtures from a pragmatic state was the greatest betrayal of the Tamil people.

However, the preponderance of ceasefire violations by one side as reported by the Scandinavian monitors makes clear the answer to your question. Even during the peace talks in Jaffna right from these premises, the Kachcheri, LTTE officials have made speeches that the ceasefire is only to prepare for the final battle which they would soon launch. There was no sincerity from anyone. Each group was concerned with preserving and electrifying its support base rather than doing what was right.

The Tamil parliamentary leadership also evinced a failure of leadership which contributed to the disaster we lived through. They knew that elections were rigged. While many of our MPs like Mr. Sampanthar and Mavai Senathirajah would have been returned by the people because they are so dear to Tamils, they failed us by having in their midst people like Gajendran whose recent rout at the hands of the electorate shows that ballot stuffing was how they got into parliament. Living with such charlatan TNA MPs tattered the democratic credentials of the older MPs. Simply retiring from politics in dignity would have been an act of great leadership which perhaps would have brought Tamil totalitarianism to its well deserved end sooner. I do not think the LTTE would have dared to kill them for that tiny act of defiance. Despite all their mistakes the Federal Party has a deeply rooted position in the Tamil psyche. May God guide them.

I am also rather skeptical about the Norwegians and their commitment to peace, justice and human

rights. At the height of my personal crisis with the LTTE, the Norwegians were supposedly, as it were, honest brokers trying to bring about peace. Here was the LTTE clearly in violation of the peace accord trying to scuttle my appointment as VC which was legitimately within the President's authority to make. So I tried to complain to the Norwegians.

I went to their embassy in Colombo and introduced myself as the Vice Chancellor of University of Jaffna. Embassy officials would not even open the gates to let me speak to anyone of substance. I was asked to write a note and leave. When I did this from outside the gates, I was asked to await a response. I returned a few days later having not heard and received the same cold shoulder. I have to date never received a reply nor acknowledgement.

I felt treated like a mangy stray dog shut out at the palace gate. Having lived for over 20 years in the West I know the courtesy with which White people, especially White officials, treat each other, particularly people of high standing. It is their training to put on a kind and courteous face even if they hate someone. I cannot help wondering if I would have been treated any differently if my skin colour had been different or indeed if their oft and loudly stated commitment to a human rights regime is nothing more than a ploy to make a position in the world for tiny little, obscure Norway. They certainly showed no sympathy for my position nor courtesy to me as the Vice Chancellor of a national university when, in my reading, looking into what I was suffering and the necessity of at least asking the LTTE about their position were theirs by obligation under the ceasefire agreement they were a party to.

Item (iii) of the TOR: the lessons we would learn from those events and their attendant concerns, in order to ensure that there will be no recurrence:

Simply give us Tamil people our due. We want a say in how our lives are run. The purse strings are in Colombo and except for a few of us we have no connexions to ministers and MPs in Colombo. Most of our MPs cannot help us because of the way power is structured to the exclusion of the opposition, making a travesty of the concept of representative government. The Hon. Devananda, it may be argued, is trying to do much but he is just one minister and cannot handle the problems of all Tamil people, whereas the Sinhalese have several access points. I truly believe that the TNA should come to a deal with the President to overcome this problem and give Tamils multiple points of access to the powers that be for the benefit of their electorates. After all, politics is patronage as Mr. Devananda has properly understood but the FP and the TNA have failed to grasp. If deals with General Fonseka and the LTTE are fine for the TNA, why not with the President? It is an anti-establishment mindset, I am afraid and the TNA must work to overcome this. This will enhance the access that Tamils have to centres of power and is part of devolution.

Devolve powers. Devolution is not a dirty word. We Tamils have separate needs that require solutions to be tailor made for us. One size fits all just does not work. Very recently I was stopped by a policeman in Jaffna town and given a ticket. He spoke to me entirely in Sinhalese. I tried but could not express myself. My wife was translating and I am not quite sure what she said. I produce here a copy of the ticket in Sinhalese. I really do not know what it says or what I am to do. Here I am with a higher doctorate but for all practical purposes illiterate in my own hometown. No Sinhalese is made to feel the way I feel in Sri Lanka. I want to be Sri Lankan but am not allowed to feel fully a Sri Lankan.

Today, despite the new opportunities, there is severe resentment among the Tamil people. Sinhalese visitors to Jaffna speak to us in Sinhalese as if we are obliged to know Sinhalese. Soldiers summon us from afar with a wag of a finger and when we approach them thinking it is a security matter, they ask for something personal like directions. The incidents of 2 years ago are gone when they demanded

our motorbikes and Rs. 500 rupees with it for petrol, but we feel we are being treated like a conquered people although we ourselves suffered under the LTTE. Every day the government delays a solution, the people wonder more if the LTTE was right after all. The opportunity to rebuild the nation must not be frittered away as seems to be happening. Time is of essence.

The government is on an unwise course, relying on one-time nationalists to be its public face. For example when the LTTE in 2005 ordered Jaffna University students to come for training and only a few hundred turned up, the LTTE's political commissar for Jaffna, Ilamparthy, was visibly annoyed. He asked the few who reported whether to put a pottu on my first cousin Psychiatry Professor Daya Somasundaram's wife Malar "because she talked too much" and thereby caused his and his family's exile. Today I understand, he is cosy with the government. Professor N. Shanmugalingan who used to sing his kavies and odes to Prabhakaran over LTTE TV and at Pongu Tamil festivals, is today singing odes in praise of the President as Vice Chancellor of University of Jaffna. The public is cynical.

In our minds is the question whether the government is serious about cultivating a credible Tamil leadership with whom it can work. The public had severe misgivings about Minister Douglas Devananda once. But he has worked hard and seems to have earned a place among the Tamil people as judged by recent elections where he had the highest preferential vote in Jaffna. But it is widely believed that government loyalties are shifting away from him although he has served the government so faithfully under severe risk to his life. Does this encourage other Tamils to join the government? In politics, as my friend Carlo Fonseka often reminds me quoting from Australian politician Graham Richardson's book *Whatever it takes*, there are three cardinal rules: 1) Loyalty is all. 2) if they rat on you once, they will rat on you twice and 3) The value of political forgiveness is nil. Government would do well to take note and choose through whom it tries to win over the estranged Tamil public.

I have three daughters and a son. They are all equally my children and equally loved. But the girls have different bedrooms in our house because their needs are different. Under one roof we are one family but with different living quarters. The arrangement does not make my son unequal to my daughters. Indeed the arrangement gives them greater freedom to lead fuller lives, one room with boy toys and comics and the others with dolls and wall posters and a library with books like *Pride and Prejudice*. Giving us Tamil people different space where we can give expression and life to our peculiar needs is not separation but true integration.

Let me also paraphrase another family based argument that my daughter who worked for Dr. Jehan Perera heard from him. If I were to have a voting system among my children every time we go out as a family, the three girls would outvote my son and we would always end up shopping or eating at a classy restaurant. My son who would prefer Casuarina Beach would get outvoted. In time he would want to break off from the family and go to the beach with his friends. Majority vote would lead to separation but taking turns to integration.

Therefore the Tamil people need to be able to vote separately on matters concerning themselves rather than being subject to the majority vote of a consolidated electorate as it presently is. Giving room for diversity, I boldly state, is to enhance unity amongst us.

Item (iv) of the TOR: the methodology whereby restitution to any person affected by those events or their dependants or their heirs, can be effected:

We cannot talk of restitution until we identify those who need it. Although the state and LTTE supporters are in denial, speaking to refugees from Mullaitivu who are at my alma mater St. John's College, to my students who lived in the Vanni and to persons who lived in Mullaitivu till recently,

I am convinced that tens of thousands of civilians have been killed in this war by both sides in the last year. I have heard testimony from a priest next door to an army camp that as he watched, a detainee boy was released and as the boy came out another person came on a motorbike, and shot him dead outside the army camp which the murderer thereupon drove into. For the records, the boy was released and the army is not responsible.

If we went to punish all these crimes I think there will be resistance from those who fear prosecution. If we want to build a truly united Sri Lanka, let us try at least to follow South Africa's example and offer an amnesty to all who come forward and willingly and fully confess their misdeeds and help identify victims. At least the dear ones of the dead will have closure and some compensation.

Item (v) of the TOR: the institutional administrative and legislative measures which need to be taken in order to prevent any recurrence of such concerns in the future, and to promote further national unity and reconciliation amongst all communities, and to make any such other recommendations with reference to any of the matters that have been inquired into under the terms of this Warrant:

We have been looking at and arguing for too long over what can be done. To Tamils whose confidence in the state is rather thin, wafer thin I must say, such discussions are more evidence of the insincerity of the state. I personally predicted to my friends that the All Party Representatives Committee (APRC) under Prof. Tissa Vitarama would come to naught. It did as most Tamils knew with certainty it would.

If the state is serious let it fully implement the laws already on the books fully instead of talking about future laws and enactments; for example the Indo-Lanka Accord (or 13th Amendment) and the language laws. Once that is done and the bona fides of the state are firmly established, the time may be ripe for this discussion that you seek.

Thank you.

S. Ratnajeewan H. Hoole.