

THE BOMBING OF TAMIL SCHOOL CHILDREN IN SRI LANKA

Brian Senewiratne

Physician, Brisbane, Australia

Summary

On Monday 14 August 2006, the Sri Lankan Air Force bombed a well-known orphanage in the Tamil North (Mullaitivu). There were some 400 schoolgirls who had gathered for instructions in First Aid and skills training. 51 children and 4 staff were killed on the spot and more than 129 injured, some critically.

The Sri Lankan Government claims that what was bombed was a training facility for the Tamil Tigers. UNICEF¹ (which has offices nearby) and the Swedish-led Sri Lanka Monitoring Mission (SLMM) visited the scene soon after. UNICEF's Joanne van Geiter said "*At this time, we don't have any evidence that they are LTTE cadres*". Major General Ulf Henricsson, the Swedish Head of SLMM, said that his team visited the area and confirmed that the dead were teenage school children and declared "*It was not a military installation, we can see (that)*".

It is clear that the Sri Lankan Government's claim is patently untrue, an attempt to justify the unjustifiable and, more seriously, to deliberately mislead the international community. The reality is that it was a slaughter of school children in one of the worst atrocities of its kind in Sri Lanka. It adds significant weight to the increasing evidence that what is going on in Sri Lanka is genocide of the Tamil people by the Sri Lankan government.

It is mandatory that international action be taken against Sri Lanka (not merely 'condemnation') and that the criminals responsible for this outrageous violation of human rights and blot on Sri Lanka, be charged and prosecuted. This will have to be in an international court since it will not be done in that country.

Most of the children killed or seriously injured were from neighbouring schools. They were visiting the orphanage for a 10-day resident seminar. The families of these children have a powerful case to sue the Government for compensation. Since they are poor rural people, this will have to be done by the expatriate community in a class action.

The callous disregard for Tamil civilian lives, which includes the lives of children, has a bearing on possible solutions to the Sri Lankan ethnic problem between the Sinhalese -dominated Government and the Tamil 'minority'.

The impact of this outrage on a possible solution to the ethnic problem is significant and will be outlined.

The background

The 20 year war between the Government of Sri Lanka (GOSL) and the Tamil people in the North and East has left some 65,000 dead (mainly Tamil civilians), hundreds of thousands in refugee camps, thousands permanently disabled, and hundreds of orphaned children.

The Government of Sri Lanka (GOSL) has not had the slightest interest in even looking at this problem, let alone address the major problem of destitute and orphaned children.

¹ United Nations International Children's Emergency Fund.

As such, the problem had to be taken up by expatriate Tamils, NGOs such as the Tamil Rehabilitation Organisation (TRO) with its international branches (ITRO), the Liberation Tigers of Tamil Eelam (LTTE) who have administered the area, UNICEF², and others.

In 1991 the Chencholai Girls Home for orphan children was set up in Mullaitivu. The Home was moved from place to place for security reasons – ‘security’ from the Sinhalese Armed Forces.

In 1998, a more permanent site was found off the Paranthan-Mullaitivu road in Vallipunam in the Mullaitivu district in the Vanni. The site was called the ‘Peace Village’.

A man-made disaster (the war) was compounded by a natural disaster (the December 2004 tsunami) which hit the East and South coasts of Sri Lanka. Some 70% of the damage done was in the Eastern seaboard, especially Mullaitivu which was devastated. The Senthair Illam home for orphans, located about 1km from the coast, was washed away completely. Of the 60 orphans (some only tiny tots) only 6 or 7 who were able to climb on to the kitchen pantry shelves, survived. A friend of mine who visited the area soon after, describes the scene – tiny shoes on the floor and notebooks with simple arithmetic (5+3=8).

Post-tsunami, the number of orphans increased significantly. With the GOSL more interested in quickly rebuilding the southern coast which has the dollar-earning tourist hotels (and the votes), the massive task of rebuilding the devastation in the Tamil area, looking after the refugees – and the orphans – fell on those who administer this area, with little or no help from the GOSL.

The Chencholai Valaham orphanages in Vallipunam.

Let us look at these orphanages in ‘Peace village’ and see what was going on.

Chencholai Valaham (campus) consists of 5 orphanages for girls orphaned by the war and the tsunami.

1. Chencholai Girls home – 245 girls.
2. Bharathy Illam Girls home (TRO run) – 160 girls, tsunami and war affected.
3. Inniya Valvu Illam (TRO run) – 78 deaf and blind children.
4. Vasanthan Children’s home – 60 girls, tsunami and war affected.
- 5 Senthair Illam (relocated from Mullaitivu after the tsunami destruction) – 130 girls

These names, incomprehensible to a Sinhalese such as myself, do have a meaning!³

The ‘peace village’ in Vallipunam, where the 5 orphanages are located in a 1 km radius area, is not in some hidden jungle where secret weapons training can occur, but is off the Paranthan-Mullaitivu road at Mullaitivu and is readily accessible to anyone who wants to go there. The location is well-known to the GOSL, the Government Agent, UNICEF, ICRC⁴, and all those who work in the Vanni⁵. Many of my friends in Australia and New Zealand have visited Chencholai Valaham and been impressed by the work done. I have met others in London, just 8 weeks ago, who strongly support the work there.

²UNICEF was established in 1946 for the emergency needs of children in post-war Europe – which was very similar to the reason why the Chencholai Orphan’s Home in Mullaitivu was established in the early 1990s in Sri Lanka’s war-torn Tamil North.

³ *Chencholai* – fresh green path, *Valaham* – campus *Bharathy* –the name of a famous Tamil poet, *Illam* –hostel, *Inniya Valvu* – happy life, *Vasanthan* – happy, *Senthair* – fresh bud. *Vallipunam* – is interesting. The Hindu deity, Lord Murugan, had two wives. One the ‘arranged’ marriage to his uncle’s daughter, the other a ‘love’ marriage to a girl, *Valli*, he met in the fields (*punam*). My sincere apologies to the Hindus if this is incorrect.

⁴ International Committee of the Red Cross

⁵ This is a large area in Northern Sri Lanka, south of the Jaffna Peninsula, comprising 4 districts – Kilinochchi, Mullaitivu, Vavuniya and Mannar, controlled by the LTTE.

The site has been designated a humanitarian zone. To make sure it is not 'accidentally' bombed, the co-ordinates, obtained by GPS⁶ mapping, had been passed on by those concerned with such a possibility, to the Sri Lankan military, via UNICEF and ICRC. (As it so happened, I think this information was invaluable to the Air Force for bombing the facility which was done with pin-point accuracy).

In addition to providing a shelter for orphans, Chencholai Valaham carries out some critical teaching functions in an area where education has suffered a serious set-back which the GOSL has no interest in addressing.

Every week-end, girls from the surrounding area come to the orphanage for training in first-aid and skills. They return to their homes on Monday.

In addition, once a year there is a 10-day residential workshop aimed at piecing their lives together, building self-confidence, gender equality (a UNICEF 'focus area'), life skills (another UNICEF 'focus area'), interpersonal relationships, helping oneself and others, and in first-aid. This major annual event was initiated by the zonal department of Education, Kilinochchi and funded by the Centre for Women's Rehabilitation and Development (CWRD). More than 400 GCE A-level students from 18 schools in Kilinochchi, Mullaitivu and Oddusuddan Educational zones, and selected students from other educational organisations, participate.

This year's workshop started on 11 August and was due to end on 20 August. It had a tragic end much earlier.

The bombing

On Monday 14 August 2006, at 7am, the time of morning assembly, four Sri Lankan Air Force Kfir jet bombers dropped 16 bombs on Chencholai. As I have said, 51 children and 4 staff were killed instantaneously, 129 wounded, some critically, some of whom have since died not only because of the severity of the injuries and blood loss but because of limited medical facilities especially with the number of casualties. The aircraft did not circle around looking for a target. The bombers flew straight in, dropped the bombs with pinpoint accuracy, and left.



⁶ Global Positioning System

UNICEF, which, as I have said, has an office nearby, were on the spot in minutes. The Swedish Head of the SLMM, Major General Ulf Henricsson and his team arrived at 11 am, made their observations, and spoke to eye witnesses. The following day, **UNICEF** representative, Joanna van Gerten told the Media *“At this time, we don’t have any evidence they are LTTE cadres”*. The **SLMM** Head, appearing on Sisira TV (Colombo), said, *“We couldn’t find any sign of military installations or weapons. This was not a military installation, we can see (that).”* He said he had seen the bodies of children when he visited the scene on the day of the bombing, and saw no LTTE camps in the area. He said the SLMM had found at least 10 bomb craters and an unexploded bomb. **UN** spokeswoman Orla Clinton told the media, *“What we know at the moment is that these seem to have been students between 16 and 18, A-level students, from the Kilinochchi and Mullaitivu areas, who were on a two-day training course in first-aid”*.

The Sri Lankan Government explains

The Sri Lankan military immediately denied responsibility for the crime. The Defence establishment admitted to Reuters that the Air Force had attacked *“LTTE-held territory in Mullaitivu”*, but refused to give details of the targets. With mounting international concerns, Group Captain Agantha Silva told Associated Press that the military had proof that this place was an LTTE base.

Digging itself deeper in lies, the Defence Ministry denied that the Air Force had attacked civilian targets, *“The Sri Lankan Air Force bombed pre-identified LTTE gun positions and LTTE camps in the Mullaitivu area this morning, Monday August 14”*, adding, *“Air Force personnel confirmed that the bombings were precise and well targeted”*⁷.

Confronted with incontrovertible evidence of a slaughter, a spokesman for the GOSL, Chandrapala Liyanage, told AFP, *“It is a lie to say that schoolchildren were targeted. The Air Force bombed a LTTE training centre. We don’t know if they moved child soldiers there.”*

We now move from ‘small liars’ to ‘big liars’ who can face prosecution. Keheliya Rambukwella is the Sri Lankan Government Defence Spokesman, and also a Minister in President Rajapakse’s government. At a press conference in Colombo (Tuesday 15 August 2006), he repeated the claim that the ‘former’ orphanage had been used as an LTTE training camp, and that *“children trained there had been involved in recent attacks on the Sri Lankan armed forces at Muhamalai over last weekend.*

Brigadier Athula Jayawardena, a military spokesman, told the media, *“...the camp that was hit is a jungle area with a firing range.”* He said that the military had monitored the area for years and had only attacked the site after weeks of gathering intelligence, including from spies, and analyzing the target. I might add that in his enthusiasm, the Brigadier admitted that the military had been planning this attack for weeks, if not longer.

Neither the Minister nor the Brigadier thought it necessary to offer the slightest proof for their claims.

As for the conflicting UNICEF and SLMM evidence, the Brigadier thought it unnecessary to address this. The Minister, however, did. He said that if the SLMM and UNICEF had any doubts, the government would take them to the area. The government does not need to take these people to the area, they can go there themselves, and had, in fact, done so already and given their verdict. Some of the Ministers in Rajapakse’s government are clearly not blessed with, how can I put it, an abundance of intelligence.

The Minister makes up for deficiencies in this area by issuing some worrying threats, laying the foundations for further attacks. This is what he said, *“Once trained with arms one cannot count them as*

⁷ I guess that was true. It was very well targeted in that it killed 51 children on the spot!

normal children. If a child comes with a gun to shoot a soldier you cannot expect them to stand there and hug him. At a time like this we cannot look at their age but instead what they are aiming to do”.

A Sinhalese, like myself, but with much more courage, journalist Vilani Peiris, reporting from Colombo, commented on this. I will quote what he wrote since I cannot put it:-

“Stripped to its bare bones, Rambukwella’s argument runs as follows: the LTTE trains child soldiers, the Vallipunam orphanage contained children, therefore it was a legitimate target. In other words, the entire population - children, as well as men and women - is being treated as the enemy.

It is the same logic as employed by the Israeli government to justify its war crimes in southern Lebanon. On the basis of destroying “Hezbollah infrastructure”, the military levelled villages, towns and cities, killing hundreds of civilians. After bombing the town of Qana, killing at least 28 people including children, Israeli authorities continued to maintain that the building was used by Hezbollah to fire rockets, despite all evidence to the contrary by journalists and aid workers.”

He ends his outstanding article with, *“No one in the Colombo political and media establishment has called the Mullaitivu bombing by its right name: a war crime for which those responsible in the government and the military should be charged and prosecuted”.*

As long as there are Sinhalese as brave as Vilani Peiris, Wije Dias (General Secretary of the Socialist Equality Party in Sri Lanka), his outstanding colleagues, K.Ratnayake, Sarath Kumara, Nanda Wickremesinghe, Shantha Ajithan and Deepal Jayasekera, and, outside this group, a Sinhalese journalist with extraordinary courage, Victor Ivan, the outstanding editor of *Raavaya*, a Sinhala newspaper in Colombo, there is still hope for Sri Lanka. I wish I had the guts to return there and join this incredible bunch.

However, their ability to say what has to be said, may be coming to an end. On 16 August 2006, President Rajapakse held a meeting of editors and heads of Media in Colombo. It was ostensibly to explain the “Current situation in the country”. However, the *real* purpose was to pressure them to faithfully reproduce the Government propaganda on its widening war against the LTTE. The fact that the meeting was called at all reveals a distinct nervousness since the Media in Sri Lanka is already toeing the party line. Virtually all reports of the war are based directly on Government speeches and military statements. There is little independent reporting from the war zone, no exposure of major human rights abuse by the Government, and no opposition to the war, expressed in editorials or commentaries.

The next step is the notorious “Patriotic Act”, courtesy of the USA. That for sure is coming and would spell the end of what ‘press freedom’ there is. It will ensure that the international community and, even more important, the Sinhalese people in the Sri Lanka South, knows nothing of what is being done *in their name* by their leader to fellow citizens in the North and East. I remind you again, I never tire of doing so, this is the *Democratic Socialist Republic of (Sinhala-Buddhist) Sri Lanka*.

Rajapakse has gone further. If he cannot ‘control’ the likes of the people I have cited (and others), he has threatened to bring in legislation that will see their media outlets closed and the owners and journalists jailed. In case you do not appreciate it, we are talking of the *Democratic Socialist Republic of Sri Lanka*.

Before I comment on the consequences and actions that must be taken with this bombing outrage, let me clarify a point and ask some questions.

Look at the act

Let us take away the trappings, put aside the emotions (if that is possible), and simply look at what was done.

There is a Ceasefire Agreement (CFA)⁸ in place which has been violated by both parties (the GOSL and the LTTE). The GOSL continues to maintain that the CFA is still alive; the LTTE has started questioning the validity of it. Article 1.2 states that “Neither party should engage in any offensive military action” and specifically mentions aerial bombardment. So, is this yet another Ceasefire violation? No it is not, it is much more than that.

Is this a “pre-emptive strike”? Well, the girls were not about to attack the Sri Lankan Forces unless they intended to do so pens and pencils. The equivalent of “weapons inspectors” have visited the site and found no ‘weapons of mass destruction’, weapons of any sort, or even training facilities for the use of such weapons. The presence of a ‘firing range’ (claimed by a spokesman for the GOSL), is a figment of his fertile imagination, unless, of course, those who visited the site were blind. You cannot but a firing range under the bed. So, it was a ‘pre-pre-emptive strike’. That is an advance in terminology yet unrecognized by the rest of the world.

The GOSL has, for several months, more so recently, been trying hard to restart the war. This has included the bombing of an area round a sluice gate which was closed by the LTTE. The bombing, was apparently, for ‘humanitarian reasons’ but occurred after the LTTE unconditionally opened the sluice gate (settling the original problem). So, is this something like that? No, it is not – it is much more than that.

Some have described this mass killing of children as “bestial”. I do not think it is. ‘Bestial’ means “of beasts, especially quadrupeds” i.e. 4-legged. They are not beasts. In an earlier life, I was a Zoologist. I know of no beast, with two or four legs, who, presented with 400 children, will kill 51 and injure 129. It simply does not happen that way and to call these people ‘beasts’ is a zoological injustice (to the beasts). They are humans – and of that, there is no reasonable doubt.

If they are, what sort of humans are they? What sort of action is this? What sort of humans act this way? I admit I am now coming to the limits of “describability”. It is an act more barbaric than anything that has happened – even in Sri Lanka- and that is saying a lot in a country where the Sri Lankan Navy has recently slit the throats and bellies of children (? 5 years old) and then hanged them.



⁸ Signed in February 2002 between the GOSL and the

Do I apologise for these photographs? No I do not. If it is alright for the Sri Lankan Navy to do such things, the world must be made aware of it. If this raises questions which the GOSL cannot provide credible answers, and is declared a Pariah State, it is a problem of Sri Lanka’s own making

We are talking of a Sinhala-Buddhist nation whose predominantly Sinhala-Buddhist Armed Forces have, on the admission of members of those very same Forces, taken some 900 civilians (in 1995), held them in Army custody without charge or trial, tortured them (this was proven by post-mortem), killed and buried them in mass graves. Some were not quite dead when buried. Before the Buddhists complain, I hasten to add that the Brigadier General in charge of this little bit of mass murder was a Christian. We are talking of a country, directed by Buddha, no less, to be the custodian of his teaching, whose earthly followers in saffron robes directed Sinhalese hoodlums, in July 1983, to set fire to Tamil cars with their occupants inside them (“in situ incineration?”), tossed others into burning houses or just slit their throats and bellies. These acts, however barbaric, pale in significance when compared to the pin point bombing, guided by GPS coordinates, of 400 orphans, who had nothing left except their devastated young lives - and some who were even blind. So, this is an incomparable act, even by Sri Lankan standards.

I can think of no country whose Government has bombed its own orphan children in large numbers (400), or small. What sort of people can give the orders to bomb, which were given (according to Brigadier Athula Jayawardene) after monitoring the area “for years” and “weeks of gathering intelligence, including from spies, and analyzing the target”? Make no mistake. It was not the rash act of some maniac but was ‘carefully planned’ and meticulously executed. I would remind you of what the Defence spokesman said, “The bombings were precise and well targeted”. No disagreement.

I do not know who gave the orders but the responsibility lies squarely with the Executive President and the Commander-in-Chief of the Armed Forces – who, by good fortune, happens to be the same person. Are we looking at the Sri Lankan version of Pol Pot, Idi Amin or Hitler? I do not know.

From the President, the responsibility goes down the ‘chain of command’ – to the Service Chiefs, the Brigadiers etc – all the way down to those who loaded the bombs into the Kfir jets, set the coordinates to target the orphans, and those who released the bombs. To claim that they were ‘acting under orders’ is no defence, as Nuremberg and the International Criminal Court in the Hague have declared with no uncertainty.

The responsibility goes laterally, to implicate the numerous ‘Defence advisors’ whom the President surrounds himself with in such profusion that there is only standing-room, and without whose knowledge and collaboration, this horror could not have occurred.

Are they mad? No, they are not. Not any more than Hitler’s numerous ‘assistants’ – Ribbontropp, Himmler, and Goering, or the Buddhist monk who assassinated Prime Minister S.W.R. Bandaranaike⁹.

So how does one describe these people? I honestly do not know. One way or the other, they must be held responsible and prosecuted – internationally since it will not happen in Sri Lanka.

Let us now look at the consequences, which are humanitarian, legal and political.

Genocide

There is now not the slightest doubt that these killings constitute genocide of the Tamil people by the GOSL. Genocide is defined in the 1947 UN Convention on the Prevention and Punishment of the

⁹ There have been numerous references to “an insane Buddhist monk” who assassinated Bandaranaike. I stress that the question of insanity was never even raised in Court. Moreover, if he was mad, he would not have been found guilty of murder and executed. Let us call him by what he was “A Buddhist Monk”.

Crime of Genocide as an act committed with intent to destroy, in whole or in part, a [national](#), [ethnic](#), racial or [religious](#) group. The Government of Sri Lanka (GoSL) is a signatory to this international Convention.

The two essential requirements for genocide are: a) intent and b) acts. Both are satisfied in Sri Lanka.

The question of Genocide of the Tamil minority in Sri Lanka was raised in 1983, when 3,000 Tamil civilians in Colombo were massacred in the worst single act of civilian killing in Sri Lanka. Since then there have been several Tamil killings of a genocidal nature. I will not list them out since I will be presenting a separate paper on this subject at the AGM of Sangam in New York in October 2006.

All I need to say here is that if there is need for any further evidence of the genocidal killing of Tamils in Sri Lanka, the bombing on 14 August 2006 of a whole lot of Tamil females, about to enter their reproductive life, has provided it. In the absence of any plausible explanation, I doubt if any international Court will have difficulty in accepting this as genocide. The stage is now set for criminal lawyers outside Sri Lanka to file action.

I gather that several groups are giving this some serious thought. On a recent visit to New Zealand, I discussed this with a non-Sri Lankan criminal lawyer from Europe who specializes in this area. He could foresee no problems. He said that all that was needed was careful documentation (which we have), evidence (which we will have no problems in obtaining), and \$25,000 (a trivial amount of money in this game), to take the case to the New Zealand Supreme Court. From there, the next step is to have it referred to the Hague, where our Sri Lankan friends, however decorated they may be back home, will have to appear and defend themselves. I look forward to see them do that in the face of the evidence that can be produced. They will find that it will not be a walk in the park like it is for the High and Mighty in the Courts in Sri Lanka.

International involvement

Kfir bombers have bombed this and other areas where major human rights violations of the Tamil people have occurred at the hands of the GOSL. These are aircraft obtained from Israel. Therefore Israel is involved in this outrage – involved in a big way too.

The United States, one of the biggest suppliers of weapons and funds to buy them, is involved in no uncertain way. So is the UK, China, and Pakistan, to name just the main players in the weapons supply game. I will not be surprised if the aircraft which dropped the bombs were Israeli made, purchased with money from the US, flown by British trained pilots and guided by navigation systems supplied by Pakistan. They are all in it, right up to their ears.

There is the US, EU, and Canada, banning the LTTE and giving President Rajapakse the necessary excuse to bomb them to extinction, even though the actual targets were civilians and school girls in an orphanage. The unilateral exclusion of one essential party to a negotiated settlement of the problem, essentially excludes them from taking part in the peace process. It also gives enormous support to the hard-line Sinhalese in the South (the JVP¹⁰ and sections of the virulently anti-Tamil politically active Buddhist clergy) in their determined attempt to prevent the GOSL from offering any reasonable offers to the Tamils. This has directly contributed, if not resulted, in the relapse to 'war' and the current atrocities. So, these countries have contributed substantially to the problem and the prevention of its resolution by negotiations.

Foreign Governments, especially those that support the GOSL, are not critical of the human rights abuse by the GOSL, and the recent outrage will be no exception. The result may well be further outrages, as Minister Rambukwella promises.

¹⁰ Janatha Vimukthi Peramuna – so-called "Marxists", in reality, political opportunists.

Lack of accountability of the Sri Lankan Armed Forces

The Armed Forces have been able to commit any atrocity with impunity. The recent outrage will be no exception. Indeed, it is this ability to do what they want which has resulted in this senseless bombing of the children. Had there been a single major prosecution or even a significant reprimand of those responsible, it might have curbed their murderous actions. The question is whether the President and his pathologically anti-Tamil supporters who keep him in power, *want* these murders to stop. I doubt it.

Children's rights

Sri Lanka has signed the UN Declaration on the Rights of the Child but can bomb children with impunity.

The GOSL (and its supporters abroad) have vociferously condemned the LTTE for recruiting children for their army. If the Government is as concerned about the rights of the child, it is interesting, to say the least, that they seem to ignore, or even direct, the killing of children *en masse*, as has happened in the recent bombing. This supposed GOSL concern with the Rights of the Child is nothing but a sham.

Thousands of children working as child prostitutes to service the Government tourist industry is another exercise in hypocrisy.

Of equal concern is the hypocrisy of international organisations which deal with children. They fail to even mention, let alone condemn, the serious and extensive violations of the rights of the children committed by the GOSL.

The Armed Forces declaring large areas of the Jaffna Peninsula as "High-Security Zones" where some 35 schools are located, has seriously violated the rights of Tamil children to education in this area. Now they have done the same thing in the Vanni by bombing an institution which is struggling to offer even a meager education. It is outrageous.

The making of suicide bombers

It is outrages such as this that produce Tamil suicide bombers. The LTTE does not have to do this. The GOSL and its Armed Forces do it for them. This is the type of frank State terror and violence which is the crucible in which the suicide bomber is 'produced'. I have not the slightest doubt that one or more of those who survived this outrage will go on to become suicide bombers.

The brutality unleashed by the GOSL on the Tamil people and now, Tamil children, has given a huge impetus to 'suicide bombing' and terrorism. It has made it look like suicide bombing and terrorism is the only effective way to get the point across that people are hurting.

Brutalisation of a people results in the 'suicide-bomber psyche':- "*You have hurt me so much, you raped and killed my mother and sister, you slit my father's throat, you bombed my friends and destroyed my home. I have nothing more to live for. When I decide to leave this planet, I will take you with me*". The bombing of 400 orphans which we have just seen, may be the start of the journey down this road. The Sri Lankan Government will surely reap what it has sown and terrifyingly, continues to sow.

Legal action against the GOSL

There is a strong case for legal action to be taken against the GOSL. There are two reasons.

The families who have sent their children for the seminar have lost a potential breadwinner. Almost all the children who were killed were between 17 and 19 years old. In the economic state that exists in the area with some 70% of people living below the poverty line mainly because of the total disruption of economic activity by a devastating war, the loss of someone who has got to GCE A-level is a major loss. It could well mean destitution for the family. It is obvious that there is a very strong case for compensation. These people obviously cannot afford to go down the litigation pathway. This will have to be done by the expatriate Tamil community, which is not short of lawyers funds. There will have to be a class action launched against the GOSL to obtain compensation for the affected families.

There is another reason. Legal action will act as a powerful deterrent to prevent the GOSL from repeating these reckless acts which, on the statements made by Minister Rambukwella, are on the way. If there is no way of preventing the GOSL from acquiring an enormous stock of highly lethal weapons, the best we can do is to make them pay for their misuse. While this may be difficult in a war situation¹¹, this is supposed to be 'Peace' – the CFA still holding on the Government's own admission. Therefore, this is the bombing of unarmed civilians in a Ceasefire situation

The GOSL is liable, and of that there can be little doubt. I hope the expatriate Tamil community wakes up to this reality. This is one situation where we must do something rather than simply express our horror and condemn the Government. This type of non-activity, of allowing the GOSL to get away with anything, has resulted in a tyrannical regime, going from bad to worse, with more to come.

The dishonesty of the Sri Lankan Government

There has been overwhelming evidence over many years that what the GOSL says about the ethnic conflict are blatant lies. But this incident beats them all. Here is a major outrage, 51 children are bombed, there are international agencies and people of repute who have visited the scene, checked out what has happened and delivered their verdict publicly. Yet, the GOSL chooses to lie about it not once, but several times. Does the GOSL really think that their version will be accepted by the international community when the UN, UNICEF, and the European Peace Monitors, have contradicted every claim that they have made? Presumably it does. I find it incredible. So will others, except those who are determined to believe otherwise, whatever the facts. There are quite a number of them around in the expatriate Sinhalese community. I will not give prominence to these maniacs by mentioning enlarging on this. A Tamil friend of mine sent me a desperate e-mail "*What do we do?*" My answer was "*Ignore it. There are some you cannot change.*"

The inhumanity of the GOSL. The inability to say "Sorry"

The comments by Minister Keheliya Rambukwella, the GOSL Defence spokesman, about shooting children is worrying. So are his definitions of what are and what are not "normal children". Those in the USA should be familiar with such sentiments. In 1996, Madeleine Albright, then US ambassador to the UN, was asked on National TV what she felt about the fact that 500,000 Iraqi children had died as a result of US economic sanctions. She said, "*I think this is a very hard choice, but that all things considered, the price – we think the price is worth it.*"

Comparing the degrees of horror is probably futile, since it cannot be assessed accurately from outside. However, the horror of the July 1983 massacre of Tamils in Colombo (Black July) is comparable with the horror of bombing some 400 children in an orphanage. At that time, Sinhalese, such as Bishop

¹¹ Germany did have to pay compensation after World War 2

Lakshman Wickremesinghe and I, challenged the Sinhalese people to say “sorry” to the Tamil people for the July 1983 massacre, even though there were several Sinhalese who ran enormous risks in trying to befriend and save the terrified Tamils. I said that reconciliation between the Sinhalese and Tamils was not possible, now or ever, until this was done. I now call on the Sinhalese to have the honesty and integrity to say “sorry” for this current bombing. I bet they will not

I base this on Minister Rambukwelle’s attempt to justify, on completely false grounds, the bombing. What was needed here was also an apology, or at least the expression of regret. The inescapable conclusion is that whatever the facts are, the GOSL would never apologise. The USA should be familiar with this too. On 3 July 1988, the USS *Vincennes*, a missile cruiser in the Persian Gulf accidentally shot down an Iranian airliner, killing some 200 civilian passengers. George Bush senior, during his presidential campaign, was asked about this. His response was much the same as that of the Sri Lankan Government spokesman to the bombing of the children. He said, *“I will never apologise for the United States. I don’t care what the facts are”*.

To put it another way, “The facts better fit my story. If they do not, everyone else is lying and that’s not my problem”.

One of the reasons why Archbishop Desmond Tutu in South Africa insisted on a Truth and Reconciliation Commission is that there can be no reconciliation until the past is admitted to and an apology tendered. It is the inability of the Sinhalese and their Government to face the past and tender an apology to the Tamils for all the discrimination that they have suffered over five decades, all the brutalization that they have been subjected to, the rapes, the torture, the ‘disappearances’, the bombing and shelling of their homes and property, and now the mass bombing of their children, that makes me quite sure that there can never be peace and unity in Sri Lanka. It is a very powerful reason for the separation of the country into a Tamil State and a Sinhalese State. This leads me to the fairly straightforward problem of a solution to the conflict.

Solutions

I should change the word to the singular since that is what it has come down to. Perhaps I should first deal with negotiations.

Foreign governments, without exception, have asked, indeed demanded, that the LTTE returns to the negotiating table. Negotiate about what? Negotiate with whom? Is it seriously being suggested that the Tamils, the LTTE, the Tamil people, or anyone concerned about the plight of the Tamil people, negotiate with this brutal, barbaric regime that has become depraved enough to bomb school children?

Foreign governments who have not the faintest idea of the complexity of the problem or its historical evolution, have suggested, at the very most, a Federal solution. A former US Ambassador in Colombo declared, just 5 months after arriving there, that a Separate Tamil State was “not acceptable” to the USA. Frankly, nobody asked him. It is also breathtaking arrogance. Here is a man who arrives in the country and within 5 months has the solution to a problem which Sri Lanka has been grappling with for 50 years, in fact longer. The US does not have to live with a regime that has brutalized an entire nation, the Tamil nation, for decades and has now bombed its own children, believe it or not, citizens of the country.

I will not expand on a solution since I will be dealing with it in the AGM of Sangam in New York in October 2006. Suffice to say that with the barbarism that we have just seen unleashed, added to what has occurred since 1983, the solution, the only solution, is a separation of the Tamil areas from the Sinhalese areas. The time for less radical solutions has gone, the opportunity has been blown by a succession of Sinhalese governments since Independence.

It is time for the Sinhalese in the Sri Lankan South, to ask themselves one simple question, “*What sort of Sri Lanka do we want? Do we want a Sri Lanka so obsessed with being a Sinhala-Buddhist nation, so suffocated by anti-Tamil feelings as to call even the bombing of Tamil children in an orphanage a legitimate target of war?*” If that is what the Sinhalese want, they have got it. If they want a Sinhala-Buddhist nation, a separate Tamil nation, Eelam, is not an option, it is mandatory. Eelam is not the making of the Tamils. It is the inevitable result of Sinhalese ethno-religious chauvinism and the exclusion of Tamils,

We have, as a result, a blood soaked ‘nation’, now soaked with the blood of 51 Tamil children who were massacred *because they were Tamil, and lived in the Tamil area*. There is no other reason. The view of one Sinhalese, myself, is that a better Sri Lanka, divided if necessary, is possible.

A word to President Rajapakse. “If you were a true Buddhist, I, a half-Buddhist¹², would not be shedding tears writing this article.

Brian Senewiratne

MA (Cantab).MBBChir (Cantab)
MD (Lond).FRCP (Lond), FRACP.

Brisbane, Australia

20 August 2006

¹² My mother and her family are devout Buddhists