

- I. Annual Report and Accounts of the National Institute for Empowerment of Persons with Multiple Disabilities (NIEPMD), Chennai, for the year 2009-10, together with the Auditors Report on the Accounts. [Placed in Library. See No. L.T. 5031/15/11]
- II. (a) Annual Report and Accounts of the National Institute of Social Defence (NISD), New Delhi for the year 2008-09, together with the Auditor's Report on the Accounts. [Placed in Library. See No. L.T. 5030/15/11]
- (b) Reviews by Government on the working of the above Institutes.
- (c) Statements giving reasons for the delay in laying the papers mentioned at (a) and (b) above.

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**Report of the Department related Parliamentary Standing  
Committee on Information Technology**

SHRI M.P. ACHUTHAN (Kerala): Sir, I lay on the Table, a copy (in English and Hindi) of the Twenty-fifth Report of the Department-related Parliamentary Standing Committee on Information Technology (2010-11) on 'Disbursement of Wages to labourers under Mahatma Gandhi National Rural Employment Guarantee Act by Post Offices'.

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**STATEMENT BY MINISTER**

**Status of Implementation of Recommendations contained in First Report  
of the Department-related Parliamentary Standing Committee on  
Social Justice and Empowerment**

THE MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI MUKUL WASNIK): Sir, I make a statement regarding status of implementation of recommendations contained in the First Report of the Department-related Parliamentary Standing Committee on Social Justice and Empowerment.

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**SHORT DURATION DISCUSSION**

**Situation arising out of the problems being faced by Sri Lankan Tamils**

SHRI D. RAJA (Tamil Nadu): I am grateful to the Chair, I am grateful to all the political parties and I am grateful to the entire House for facilitating this meaningful discussion. I have raised the question of Sri Lankan Tamils and their problems several times in this House. Once again, I rise to

raise this issue. In fact, I initiate this discussion with great amount of anguish and pain. I do not stand here to shed tears for those thousands of Tamil people in Sri Lanka who were massacred, who were killed. I do not stand here to condole their deaths, but, definitely, I stand here to demand justice for those thousands of Tamil people who were killed in Sri Lanka. I stand here to demand justice for those Tamil people who are alive even today in Sri Lanka and who are alive elsewhere in the world. I stand here to demand an impartial international investigation of the war crimes and the abuse of human rights that took place in Sri Lanka. I also stand here to question the moral responsibility of my own country, our own Government, and the role of our Government in helping Sri Lankan Tamils get justice and in finding a political solution to their problems.

Sir, Sri Lanka is the closest neighbour of our country. Sri Lanka has two nationalities. One is, Sinhala nationality and the other is the Tamil nationality. The Sinhala nationality is the majority nationality while the Tamil nationality is the minority nationality. What happened to the Tamil nationality is one of the worst tragedies in the history of the world. If the Sinhala nationality had been a minority there and if they had been subjected to such tragedies, such inhuman treatment, I would certainly have been the first to raise my voice in defence of that community also. It is not because something happened to the Tamil nationality that I stand here and raise my voice. It is not at all so. It is the question of human rights. It is a question of democracy. It is a question of the rights of a minority community, minority in a particular nation.

Sir, Sri Lanka is a democratic, socialist republic. They call themselves the democratic socialist republic of Sri Lanka. What happened to the Tamils does not indicate that it is democratic and socialist in its true nature. That is why I raise this issue. The Tamils have been there since 1948. They were the backbone of the Sri Lankan economy, the Sri Lankan development. Sri Lanka got Independence in 1948. Since then, systematically, the Tamil people have been subjected to torture. The Tamil people were being decimated. They were deprived of their rights. The first anti-Tamil act was the disenfranchisement of one million Tamils in Sri Lanka. When that happened, the Tamil population was reduced and that became an issue there. Sri Lanka has two languages, Sinhalese and Tamil, but the Sri Lankan Government passed a legislation which made Sinhalese the only official

language. In Sri Lanka, if there had been two languages since the beginning, it would have remained one nation but if there is only one language, it would become two nations. That is how people's sentiments started boiling and, subsequently, the successive Governments in Sri Lanka went in for standardisation. In the name of standardisation, they created obstacles for Tamil people for entering into jobs, for entering into the administrative set up and, systematically, in order to change the demography of Sri Lanka, they allowed 'Sinhalisation'. This went on and, systematically, the rights to the Tamil people were denied and they were subjected to torture.

Sir, I now come to the 2009 full-scale war on Tamils. Before that, the august House should understand that the first anti-Tamil pogrom took place in the year 1956. Then, the second pogrom took place in the year 1958. Then, there was a pogrom in 1962. Then, there was a pogrom in 1977 and there was a pogrom in 1983. In all these anti-Tamil pogroms, thousands of Tamil people were killed, thousands of Tamil women were raped and thousands of Tamil children were left orphan. It is countless; this tragedy went on. This led the Tamil people who were fighting on Gandhian lines - I am reminded of one name here, that of Dr. Selvanayagam, who was a Gandhian from Sri Lanka; he led the Tamil people in the struggle -- to fight for their rights. They followed the Gandhian, non-violent method of struggle. But the successive Sri Lankan Governments systematically denied all the rights which led to some militant actions and militant activities. Several young groups of youths were started, and LTTE was one of those groups which took to arms having seen all this denial of human rights and democratic rights by successive Governments. This is not the place where I argue for LTTE; I don't need to argue for LTTE and I do not subscribe to their idea. That is a separate issue. But the point is that in the name of fighting LTTE what Sri Lankan Government did was a full-scale war on Tamils. This full-scale war took place in the year 2009. It was a full-scale war in the name of fighting militancy. In the name of fighting LTTE, what Sri Lankan Government did was a full-scale war on Sri Lankan Tamils. In the month of May 2009, 40,000 people were massacred. I call it a \*; nothing but \*; nothing but 'massacre'. You have not seen such a killing, such a \* and such a massacre in any country in the contemporary history. It never happened in Europe; it never happened in Arab countries; it never happened in Africa or in Latin America. It happened in our closest neighbour Sri Lanka. Sir, 89,000 Tamil women are war widows. It is not one or two. People may question my

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\*Expunged as ordered by the Chair.

figure. But let them give the figure. This is one independent study which put the figure that 89,000 Sri Lankan Tamil women remained war widows; thousands of Sri Lankan Tamil children have become orphans, they have lost their limbs, they have lost their legs and they have been wounded; 15,000 young women and young men are declared to be disappeared and nobody knows their fate. This is what happened in the month of May 2009. But \* -- I take his name because he is the Head of the State -- and his Government said there were no civilian casualties. They said that what happened in Sri Lanka was a humanitarian operation. All war operations were called by that Government as humanitarian operations. They called concentration camps as welfare centres, this is what they claimed. But the international community has to raise its voice. The Secretary General of the United Nations appointed a three-member Committee. That three-member Panel gave its Report on 31st March, 2011. That Panel has said that there were human rights abuses; there were war crimes. This is what they said. They massacred 40,000 Tamil civilians; they took away over 15,000 people for interrogation whose fate is not yet known; they held over 300,000 people in concentration camps denying them access to international humanitarian agencies. Many people died in these camps due to lack of food and medicine and 1,46,679 are still unaccounted since the end of the war. These are all figures from the Report given by the UN Panel. The UN Panel called it 'killing fields of Sri Lanka'. Sir, we thought that this war would go without any witness. But, fortunately, there were some human beings who had some feelings for Sri Lankan Tamils.

They videographed all this war, the war operations by Sri Lankan Army. This was shown by British channel, 'Channel 4 News'. In India, I must say, this was shown by the *Headlines Today* channel, the only channel in India which showed the war operations, the abuse of human rights, the killings of Tamils in Sri Lanka. And, I must also mention that one young lady journalist from Chennai, Priyamvata, representing the *Headlines Today*, went to Sri Lanka and she had recorded, "I witnessed Genocide: Inside Lanka's Killing Fields". That is the document, Sir. If Members are interested, I have got all the CDs and I have the reports of the UN Secretary General's panel. A three-member panel has given this report. I think, there is a need to sensitise the feelings of the Members also. These are all photographs where the war took place, how the Tamil people were

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\*Expunged as ordered by the Chair.

massacred and killed. The book contains all the horrible photographs. No human being can tolerate such crimes that took place in Sri Lanka. Now, there is a demand for an international, impartial investigation, and this demand was not raised by India. So far, India has not raised this demand. But, the international community has raised this demand. And, I must say, the European Union has raised this demand. The European Union has come out with a strong statement which has said that evidence is very credible and there is a need for an independent, impartial international investigation on war crimes. But, what does the Sri Lankan Government say? Sri Lankan Government says, "America is not the international community, or, Canada is not the international community, or, the European Union is not the international community." What about Russia? What about China? What about India? In fact, \* claimed, "I waged India's war". This is what Sri Lankan President claims, "I waged India's war and I demand an answer from the Government of India." Did you ever deny the Sri Lankan claim? The Sri Lankan Government claimed, "I waged India's war". What does he mean? What does the Sri Lankan Government tell the world? India was the collaborator in the war against Sri Lankan Tamils. The Government of the day was the collaborator in the war against Sri Lankan Tamils. Are you having the sense of guilt? That is why, you are keeping quiet, not raising issue of an international investigation. Why do you keep the silence? What is the meaning of your silence? Why is India not speaking? When Bangladesh War took place, India took a stand. India interacted with the international community. India justified the cause of Bangladesh and India justified its support to Bangladesh. In this case, I ask the Government whether they ever took up this issue in SAARC. Did you ever take up this issue in the Non-aligned Movement? Did you ever take up this issue in the United Nations? Did you ever take up this issue with our neighbouring countries? Did you ever talk to China? Did you ever talk to Pakistan? Did you ever talk to our neighbouring countries, mobilising their opinion to stop this genocide, to stop this massacre? There, I said, I find the Government of India totally failed to defend the Sri Lankan Tamils, to protect their interest. Otherwise, how can the Sri Lankan Government make such a claim? That is where I say, Sir, and I take this opportunity even to appeal; I appeal to the Chinese leadership; I appeal to the Russian leadership; I appeal to those countries who are siding with the Sri Lankan Government till this minute. I want them to have a serious interaction, at least, with India and try to understand what actually happened in Sri Lanka. It

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\*Expunged as ordered by the Chair.

is not just killing of one person. It was a full-scale war on one particular nationality - Tamil nationality. In two days, 40,000 people were killed. Where else did such a thing happen? That is why, Sir, I said that this House must express its strong feeling. The Government of India should take a stand. What is the stand of the Government of India? I am not very clear about that. Why has the Government of India not demanded an impartial international investigation of war crimes? Sir, something happened in Libya. The Australian Government, the American Government demanded that the former Libyan President must be prosecuted in the International Court of Justice. Here, I take the names of \* who is the President, and, his brother, \* who is the Defence Secretary; both of them speak venom against the Tamil nationality and justify the war on Tamils as humanitarian operations. Sir, \* went to the extent of accusing one of your elected Chief Ministers in the country. The Chief Minister of Tamil Nadu was ridiculed by \* but the Government has no time to react; the Government has no time to take up the issue. Why is it happening, Sir? This is what I am asking. Why does not the Government have that will? Somewhere down the line, the Government has lost the moral authority, Sir, I must say and I admit that till the time of Madam Indira Gandhi, the world used to look up to India to know what India had to say on a particular issue at a particular point of time when certain things happened in international arena. Now, who cares for India? It is because you have lost your moral authority. You don't want to discharge your moral responsibility. I am not entering into the internal affairs of a sovereign country. I admit that Sri Lanka is a sovereign country but the problems do not remain the problems of Sri Lanka. Since 1948, we have been receiving refugees from Sri Lanka. Even today, more than one lakh Sri Lankan Tamils are living in Tamil Nadu and other places as refugees. Is this not the problem of India? How many agreements have been entered between India and Sri Lanka since the first disenfranchisement agreement? How many agreements have been signed since the late Rajiv Gandhi-Jayawardene Agreement? What happened to those agreements? Could you save the Tamil people? Could you protect their democratic rights? Could you protect their human rights? Why? This is what I am asking. You are now building 'strategic relationship' with Sri Lanka. What do you mean by 'strategic relationship' with Sri Lanka? You are not demanding an impartial investigation at the international level. Are you keen only to have investments in Sri Lanka? Sri Lanka plays the geo-political equation. If India is keen to have investments in Sri Lanka, Sri Lanka is keen to have

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Chinese investments. Sri Lanka is keen to have other investments and Sri Lanka tries to play a geo-political equation. Sri Lanka tries to blackmail, and, you succumb to that blackmail. You don't want to raise your voice. Otherwise, India should have raised its voice and India should have asked for an impartial international investigation. India should have talked to China and Russia. India should have built an international public opinion in the interest, and, in the defence of the rights of the Sri Lankan Tamils. Why did you not do this? This is what I am trying to ask you. I am asking the Government. The Congress-led UPA-II Government should answer this questions-otherwise, nobody will have respect for India in the international arena. I am telling this to you. 'Now, India is trying to become a Permanent Member in the UN Security Council. I say that the Sri Lankan Tamil issue is a test case for India as to whether India can play a role as a Permanent Member in the UN Security Council or not. Otherwise, what is the need for India to go to the Security Council as a Permanent Member? I am one of those Indians who wish India to become a Permanent Member in the UN Security Council. I wish India to be there, and, the UN Security Council must be more representative. India should find a place; Africa should have its own representative. Having said that, my question is as to what are you going to do in the UN Security Council if you cannot raise your voice in the interest of Tamils in Sri Lanka, the closest neighbour. It is a test case. Somewhere, I find that your foreign policy towards Sri Lanka has completely failed. It has to be admitted that the foreign policy towards Sri Lanka has completely failed. The Government will have to recast its foreign policy towards Sri Lanka. This can have implications. I admit. But these implications will have to be faced by India. Consequences will have to be faced by India. India is not, as some people think, a banana republic. It cannot be blackmailed by anybody like this; it cannot be pressurized by anybody like this. India should stand up. India should gain that moral courage in the context of international affairs. That is where I question the Government. You have completely failed to protect the Sri Lankan Tamils. The Government of India let down Sri Lankan Tamils. I can use the harsh word also, Sir. The Government of India 'betrayed' the Sri Lankan Tamils at a crucial moment. ...*(Interruptions)*... That is what I am saying....*(Interruptions)*...

SHRIMATI VIPLOVE THAKUR (Himachal Pradesh): What are you talking about? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please ...*(Interruptions)*...

SHRI D. RAJA: The Government of India has betrayed. That is what I am saying. It is a fact. ...*(Interruptions)*... You have signed different agreements and you have committed to protect Sri Lankan Tamils. What happened finally? When the war was going on, what were we told? Even the Home Minister...

MR. DEPUTY CHAIRMAN: Mr. Raja, please conclude.

SHRI D. RAJA: I have come to the end, Sir.

What did the Home Minister, Mr. Chidambaram, say when the war was ...*(Interruptions)*... That is why I am asking. When the war was in full-scale, what did he say? He said that combat operations came to an end. That stopped the fasting of the then Chief Minister, the DMK Chief. He sat on a fast in the interest of Tamils. But the Home Minister then claimed that the combat operations, were over. The fast came to an end within an hour. I do not know; people doubted why the fast was begun when it was known that it would be over in an hour. ...*(Interruptions)*...

SHRI D. RAJA: I don't know ...*(Interruptions)*...

DR. V. MAITREYAN (Tamil Nadu): You are saying that ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please ...*(Interruptions)*...

SHRI TIRUCHI SIVA (Tamil Nadu): Please don't trivialize the matter. ...*(Interruptions)*...

SHRI K.V. RAMALINGAM: Why are you talking. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please sit down. ...*(Interruptions)*...

SHRI PAUL MANOJ PANDIAN (Tamil Nadu): You are ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Pandian, please sit down. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*... Don't make this a debate between the two Parties. ...*(Interruptions)*...

SHRI D. RAJA: Sir, I am stating the facts. ...*(Interruptions)*... I am not politicizing the issue. ...*(Interruptions)*... I am stating the facts. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, I submit that let the issue not be trivialized. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That is what I am saying. You are taking the discussion to the party level. ...*(Interruptions)*... We are discussing ...*(Interruptions)*...

SHRI D. RAJA: Sir, I am stating the facts. Facts are bitter.

MR. DEPUTY CHAIRMAN: Please conclude, Mr. Raja.

SHRI D. RAJA: I am stating the facts. What happened in the crucial days of final stage of war?

What happened in Tamil Nadu? What happened in the country? Why could India not intervene at that stage? Why? That is my question. Let them answer. They are part of the Government. Why did India not intervene at that point of time to save the Tamils? My simple question is why it happened. This is my question. Let the Home Minister reply. Let the External Affairs Minister reply, if necessary.

MR. DEPUTY CHAIRMAN: At the end of the debate, you will get a reply.

SHRI D. RAJA: The problem is, the Government should take the responsibility collectively. It is Government's moral responsibility.

MR. DEPUTY CHAIRMAN: I think, you have taken more than the allotted time.

SHRI D. RAJA: Sir, finally comes the question of fishermen. Even today, there are reports that Indian fishermen are being harassed, are being killed, are being subjected to tortures by the Sri Lankan forces. Why are we not able to protect our own fishermen? There is a problem, Sir. That problem is Katchatheevu Agreement. I have the statement given by the Minister.

MR. DEPUTY CHAIRMAN: That is a separate issue.

SHRI D. RAJA: I am just finishing it. I am saying this because it is related to it. The External Affairs Minister has given the statement in the same House where he said, 'The access to Katchatheevu does not cover the right to fishing'. Right to access to Katchatheevu does not cover the right to fishing by Indian fishermen.

MR. DEPUTY CHAIRMAN: I think, you are clubbing the two issues. The debate is going on on the problems being faced by the Sri Lankan Tamils. Please conclude, A number of Members are participating in it. You should respect it. That's all.

SHRI D. RAJA: Sir, I will conclude. Had the interruption not been there, I would have concluded it.

MR. DEPUTY CHAIRMAN: There was no interruption.

SHRI D. RAJA: My point is this. Earlier I demanded to reopen that Agreement. Now I think that the time has come when the Government will have to think of revoking the Katchatheevu Agreement in the interest of Indian fishermen. That is my submission. The Government will have to consider it.

Finally, Sri Lankan Tamil people have not got their political solution. India is helping to rehabilitate Sri Lankan Tamils. India is giving generous financial aid and support to Sri Lankan Tamil

people. But that support does not reach the needy Tamil people there. And that is being used for various other purposes. The Government will have to find some mechanism to monitor how that fund is utilised and spent.

MR. DEPUTY CHAIRMAN: Mr. Raja, you have taken 27 minutes. Half of the time of the debate is taken. Please conclude.

SHRI D. RAJA: Sir, my point is that the Government of India should make its stand clear and demand an impartial international investigation on war crimes. The Government of India will have to take up this issue in the United Nations. The Government of India will have to take up this issue in the United Nations Human Rights Commission. Already the Chairperson of the Human Rights Commission raised this issue.

MR. DEPUTY CHAIRMAN: It is a repetition, Mr. Raja.

SHRI D. RAJA: Sir, I am summing it up. This is a serious issue.

MR. DEPUTY CHAIRMAN: In this way, we cannot conclude the debate.

SHRI D. RAJA: The whole House will have to join me in demanding that the Government should come out clearly in order to find a political solution to Sri Lankan Tamils. Thank you, Sir.

MR. DEPUTY CHAIRMAN: I request all the Members who are going to participate in this debate that they should not take the names of dignitaries of the other countries in the debate ...*(Interruptions)*... You can say this by telling their designation, not by their names. I remove the names wherever they came.

DR. E.M. SUDARSANA NATCHIAPPAN (Tamil Nadu): Sir, it is a very important issue. The entire Tamil Nadu, the entire Tamil community throughout the world is very much anxious to know about the stand of India. Actually, Tamils of Sri Lanka are having three separate entities. One side is north-east part, which is dominated by ancient Tamilians who settled there many, many years ago. The eastern part is having Muslim population who speak Tamil. The central part of Sri Lanka is occupied by the people of Indian origin who in 1960s were around 15 lakh. There was an agreement between India and Sri Lanka which is known as the Shastri-Bandaranaike Agreement and five lakh people were given citizenship there and the rest of the people were asked to go out of Sri Lanka. Five lakh people were taken as repatriates to India. I know that in the past 40 years how the repatriates suffered there; how they came to India and settled by the Government of India.

The issue now is this. During the period of 1980s, there was a struggle for their own identity. They want to show themselves as equal citizens of Sri Lanka. Sir, on that basis, the people started to fight against the Government. They finally came to the conclusion that unless the Tamil area, which is now known as 'Eelam,' which is the northern and eastern part, is bifurcated and given to the separate entity, their rights cannot be protected. At that time, Sir, the international forces were not helping in that aspect. On the basis of the UN Security Council's Resolution, terrorism had to be curtailed there from 2001 onwards. At that time hon. Vajpayeeji was the Prime Minister of India. He knew the foreign policy of India throughout the years. Therefore, he followed the principle which was laid down by the earlier Government. Rajiv Gandhiji went there to sign an agreement with Jayawardane. And on the basis of that agreement, Sir, the Constitution of Sri Lanka was amended. That is called the thirteenth amendment of the Constitution of Sri Lanka. By that, three important positions were made clear. One is, 'Tamil' was uplifted as the official language, as a national language, along with Sinhala. That was accepted by the Government, and an amendment was also carried out in Chapter 5 of the Constitution. Second one is, the Ealam area which was demarcated as the North-East area was also made a single province and that single province should get all the powers just like the Indian States, which are having their separate State powers. Similarly, those powers were also given as 'provincial powers'. 'Reserve powers' were given to the Central Government. The concurrent powers were with both. That was the arrangement made by Rajiv Gandhi's agreement. That was an excellent architecture on which Sri Lanka could become a strong nation with equality given to Sinhalese, Tamils, Muslims and all other religious and linguistic people living there. That was the correct structure on which the foreign policy was built up. Subsequently, according to the Security Council's Resolution No.1377, terrorism was to be removed. Accordingly, all the nations throughout the world were supporting it. They banned LTTE and on that basis, they had gone for a war. Sir, during the last days of the war, there was a report by the United Nations, which clearly gives the information as to how much damage has been caused to the innocent Tamil people. Three lakh innocent Tamil people taken away by LTTE just to protect themselves from the bullets of the Sinhalese Army. That was given in the United Nations report. Six counts of errors were committed by LTTE and five counts of errors were committed by the Sri Lankan Government. That was given in the report.

Sir, I would like to read the extracts of the emergency meeting, a special meeting, which was conducted by the International Human Rights Council. The Council called the meeting in May 2009.

There, they had given a clear undertaking. The Government of Sri Lanka also gave an undertaking. I am reading from that portion. I quote, "Welcoming also the recent assurance given by the President of Sri Lanka that he does not regard a military solution as a final solution, as well as his commitment to a political solution with implementation of the thirteenth amendment to bring about lasting peace and reconciliation in Sri Lanka". This was asserted, and the Sri Lankan Government also accepted it. Similarly, Sir, subsequently, it was also mentioned as to how the people have to be protected. I quote para 4. It says, "Welcomes the announcement of the proposal to safely resettle the bulk of internally displaced persons within six months and encourages the Government of Sri Lanka to proceed in these endeavours with due respect for the persons belonging to the national, ethnic, religious and linguistic minorities." This wants also to be done before December 2009. They delayed it. At that time, the hon. Chief Minister of Tamil Nadu, Dr. Kalaignar, was invited by the President of Sri Lanka to directly interact with the internally displaced persons. He nominated Congress Members and DMK Members of Parliament and also Mr. Thirumavalavan to go and visit the places. We visited the places. There were about three lakh people who were put up in the same area, in the open area, and on the basis of the United Nations Relief Fund, they had put up tents and other things. Sir, we demanded that all the people should be resettled. Accordingly, they could make it within a period of 15 days. They resettled 1.5 lakh people to their original places where they had their own houses, land, and where they had Government jobs and other things.

Subsequently, Sir, for the rest of the people, the resettlement is very much delayed. At that time, we demanded the same thing. We put up the things here also as a debate in the Parliament. The Government of India took the initiative and sanctioned Rs.500 crores as a first instalment for the help. In the meantime, 100000 dollars were also given as part of the effort to have all rail link to be restored. And also the road to be restored. The agricultural land has to be de-mined. Then, it has to be handed over to the agriculturists. The Government of India has sent seeds, fertilizers, pesticides and agricultural related things so that Tamilians could resettle themselves in the northern part of the Sri Lanka. They got two best crops in their life after 25 years of disbanding that land. Yesterday, the parliamentary forum on Human Rights for Global Development had a discussion with eight Tamil political parties from Sri Lanka. They came down to New Delhi. Our Members of Parliament from all political parties from different States have interacted with them. At that time, they told that the Sri

Lankan Army was there. The Army is dominated, more or less, by the Sinhalese alone. The Tamilians are not a part of the Army, Navy and the Air Force. They are dominating there. If you take the area of the northern part, more than one lakh Army personnel are there. The people are living under fear and wondering whether they were living in their own country and whether they were enjoying civil rights. Now, we have to request the Sri Lankan Government to withdraw the Army from that area and deploy police so that the civilian rule comes back.

Sir, when we are giving thousands of crores of rupees for constructing 50,000 houses, the first level of a pilot project which was started is somewhat slow because the identification of the persons was done by the civil administration. They call it as Government agents, District Collectors. They are empowered with that. For this purpose the Army has to give clearance. They have given a proper list for the first time and then they withdrew it. Then, the Indian High Commissioner has taken interest and told that people who were affected and displaced would have to be accommodated. Now, they have given another list.

Already there was an election at the grass root level. The Tamil parties have won the elections in that area. There are elected panchayat bodies. They should be in charge of identifying the persons and they should be allowed to construct the houses. Whatever funds we are giving should be utilized through the elected government rather than through the Army people.

Similarly, I would like to attract the attention of the Government on this issue. The parties who have participated in the meeting yesterday requested that immediate steps should be taken on the so-called take over of the land by the Army under the guise of the high security zone and must be dismantled properly. They have taken over Mulaitheevu and other important places against the wishes of the Tamilians. They are emotionally attached to these places. The Army has taken over it in the name of de-mining process. Those areas are under Army's occupation. They are asking Tamilians to go away from there. In lieu of that they are giving more than 1000 acres for settlement. They are asking Tamilians to shift from there. Sir, Mulaitheevu and other places are sea-shore places. The Tamilians are fishing there since ancient times. They were using that place for fishing. Now, if they are shifted to some other place, how could they fish? We are getting reports that Sri Lankan Government has brought Sinhalese in that place and allowing them to fish. Now, fighting is

going on between Tamil fishermen and Sinhalese fishermen. That has to be looked into. Therefore, there should be a body of fishermen representatives in both the countries. They should regulate themselves. The Army must be withdrawn from the North and East because the threat of the Army rule has to be taken away. The Government of Sri Lanka has controlled terrorism. Now, they have opened up the sea route between Colombo and Tuticorin. They have to open up Talai Mannar and Rameswaram route, then, everything will become normal because all the districts nearby are totally affected for the past 30 years. In the areas of Tamil Nadu also there is no industrial development. The sea-shore area starting from Ramanathapuram to Virudhu Nagar to Tirunelveli in Kanyakumari District is a very fertile area and Tuticorin is a modern port, but the business is very dull because there was always war in Sri Lanka. Therefore, there was a threat and no businessman was coming forward to invest in that area. The southern parts totally don't have any industrial development. Therefore, our interest is also protected if there is a peaceful settlement to the Tamilian issue in Sri Lanka.

The third point is that all the land grab schemes must be halted. We were told that in each and every part of Tamil occupied areas, the original Tamil places, they were sandwiched between Sinhalese habitations. We can't accept it. Already, the international fora have condemned these types of things in the case of Israel. It has done like that. Similar things should not happen here. It should be stopped at this stage itself.

The fourth point is that the political prisoners must be released forthwith.

The fifth point is a conducive atmosphere must be created in the north and east of Sri Lanka for the refugees in India to return and restart their lives in the original places. More than two-and-a-half lakh refugees are living in Tamil Nadu, Andhra Pradesh, Orissa and other places. They are not given any special treatment in India. For the past 28 years they lost their property; they lost their own culture. They lost all their properties in Sri Lanka. They want to go back. When they go back, if their properties are occupied by non-Tamilians or by the army people and the Sinhalese, how can they go and settle there? What is the security for their life? Therefore, we have to create an atmosphere, and for which the Sri Lankan Government should come forward, to understand the issue of their emotional attachment to the land, that is, Eelam. They have to see to it that the Thirteenth

Amendment is properly implemented. If it is implemented, nothing will happen to the Sri Lankan integrity. Sri Lanka will remain as a single country and there will be integration and peace.

Here I just want to make a correlation with the Thirteenth Amendment of the United States of America. Abraham Lincoln brought the Thirteenth Amendment to the Constitution of the United States of America in 1865 for the abolition of slavery. Had they taken away the Thirteenth Constitution Amendment, Mr. Obama could not have become the President of the United States of America. We visualise a day when a Tamilian, an Eelam man, would become the President of Sri Lanka by accepting the Thirteenth Amendment. It was also accepted by the Government of Sri Lanka in various fora. In the latest booklet released by their Defence Ministry a humanitarian analysis is given. In that also they have accepted the Thirteenth Amendment. Why I am stressing on the Thirteenth Amendment again and again is because there is a new thinking in the policy makers that they have to go beyond the Thirteenth Amendment. This is the policy followed by all the parties including BJP after Rajiv Gandhi. What he had laid as a foreign policy for Sri Lanka is to have the Thirteenth Amendment implemented in toto, so that there is peaceful settlement. The Sri Lankan Government has started tampering with the Eighteenth Amendment by which they want to take away the police power from the State, that is, the Provincial Council. If they start doing things like that one after the other and if they take away the land right also, there will be no settlement in Sri Lanka. Therefore, I request, through you, Sir, to the Government of India that it should clearly say that the Thirteenth Amendment is helpful not only to the Tamil people but also to the Sri Lankans. The Tamil people will be benefited by getting their land, their rights again and identifying the areas. The entire Sri Lankan people are going to benefit by the Thirteenth Amendment because it is devolution of powers to the people including Sinhalese, Muslims and Indian origin people, in the six provinces. All the people are going to get power. Therefore, it has to be enforced as it is.

Along with lifting of the state of emergency, other similar provisions in other laws and the Prevention of Terrorism Act also must be repealed. When we have accepted it and the international bodies have also accepted it that terrorism in Sri Lanka is totally curbed, this is the correct situation to withdraw these laws.

Finally, I want to conclude by saying that we are trying to create unanimity among the Tamil parties in Sri Lanka. We could succeed yesterday by asking them to sit across the table for two days

and discuss and come out with, their points. They gave their points to our parties. All the Indian parties MPs have attended that discussion. Similarly, I request all the Diaspora—they are having their own international bodies in three places, that is, in the United States, the UK and Germany -- to communicate with the Government of India so that we can have a peaceful Sri Lanka which will be helpful for them, for Tamil Nadu and also for India. Thank you.

SHRI S.S. AHLUWALIA (Jharkhand): Mr. Deputy Chairman, Sir, my heart goes out to all those tens of thousands of civilians who suffered inhuman brutality and tragic consequences from the actions of both sides during the armed conflict in Sri Lanka. I watched a few videos and photographs of the atrocities suffered by the innocent civilians. Those are terribly horrible. Women, children and the elderly bore the brunt of suffering. You cannot help but feel frustrated when you see such visuals of atrocities committed against the human kind. The civilians lived under constant gunfire, intense shelling and acute shortage of essential items like water, food and medicines.

Sir, I was present in the House when the hon. Minister made a statement on the 4th of August regarding the situation in Sri Lanka. But, I am sorry to say that it was not reassuring. Whatever assurance we wanted from the Government, we could not get that. I know the limitations of a sovereign nation against another sovereign nation. I also agree that India and Sri Lanka share historical, cultural and civilizational ties. We want that relationship to continue. We are committed to the unity, territorial integrity and sovereignty of that country. But, Sir, can we be mute spectators of what is going on there against a section of their own population? They are our immediate neighbour. Those people who are suffering are of Indian origin.

The Minister has narrated in detail the various steps taken by the Government of India for the welfare of Internally Displaced Persons (IDPs). There are three lakh Internally Displaced Persons. In the answer the Minister had said that out of that, 2,90,000 people were settled. But what is the Sri Lankan Government doing on its part? We do not know. If reports are to be believed, no adequate pro-active steps have been taken to resettle and rehabilitate the IDPs. If I go by his answer, I have to believe that a major part of the IDPs are believed to be still languishing in refugee camps; although the Minister's statement pegs that figure at around 10,000. There have been no tangible efforts to ensure proper rehabilitation of the large number of displaced Tamilians in the north and east provinces of the country.

Will merely allowing the refugees to go to their villages solve their problems? It will not. What about their lost livelihood? What about development of infrastructure ravaged in the military action? The Government of India should ensure that all the Tamils who are living in refugee camps are resettled in their own places and are allowed to live with dignity and with equal constitutional rights on par with their Sinhalese brethren. This is the duty of the Government of India. While maintaining friendly relations, we need to put pressure on Sri Lanka that the Sri Lankan Tamils do deserve a life with dignity and equal constitutional rights which are being denied by the Sri Lankan Government. The hon. Minister of External Affairs, in his statement, expressed satisfaction that his counterpart in Sri Lanka assured commencement of a structured dialogue on pursuing a political solution for national reconciliation as well as reconstruction and development. I take this assurance with a pinch of salt. Their words and actions do not match; what they say and what they do do not match. A structured dialogue with Tamil representatives is not possible without creating an atmosphere conducive for such a reconciliatory process. Normalcy in the armed conflict-affected region is very far from reality. Unless and until the resettlement and rehabilitation process is completed on an armed conflict footing basis and to the complete satisfaction of the Tamil community, there cannot be a meaningful engagement with them to find a long lasting solution. That is the need of the hour. I remember the Minister advising this House in December, 2009, that at that time it was not appropriate for an Indian Parliamentary Delegation to visit Sri Lanka because of the Presidential elections in that country. Sir, now that a popular Government is in place in Sri Lanka, how about a visit by a Parliamentary Delegation to gather first hand information about the resettlement? A Joint Parliamentary Delegation can go there and they can get the first-hand information.

There have been serious questions relating to the conduct of the armed conflict. In the final phases of military action, there had been numerous reports of indiscriminate killings of innocent civilians and human rights violations. The U.N. Secretary-General's Panel of Experts, which focused on alleged armed conflict crimes committed by both the Sri Lankan Forces and the LTTE, during the months leading up to the end of the armed conflict in 2009, found serious and credible allegations against the Sri Lankan Government on the following counts: (i) Killing of civilians through widespread shelling; (ii) Shelling of hospitals and humanitarian objects; (iii) Denial of humanitarian assistance; (iv) Human rights violations suffered by victims and survivors of the conflict, including both IDPs and

**1.00 P.M.**

suspected LTTE cadre; and (v) Human rights violations outside the conflict zone, including against the media and other critics of the Government. The U.N. Expert Panel has recommended in their Recommendation No.2, and I quote: "The Government of Sri Lanka should implement the following short-term measures, with a focus on acknowledging the rights and dignity of all the victims and survivors in the Vanni:- (i) End all violence by the State, its organs and all paramilitary and other groups acting as surrogates of, or tolerated by, the State; (ii) Facilitate the recovery and return of human remains to their families and allow for the performance of religious rites for the dead; -- Sir, it is very unfortunate that people have not got the dead bodies of their near and dear ones. They are running from pillar to post; they are not getting any response -- (iii) Provide death certificates for the dead and missing, -- people are running from one place to another to get the death certificates so that they can file for the insurance claims. But they are not getting even the death certificates -- expeditiously and respectfully without charge, when requested by family members, without compromising the right to further investigation and civil claims; (iv) Provide or facilitate psychological support for all survivors, respecting their cultural values and traditional practices; (v) Release all displaced persons and facilitate their return to their former homes or provide for resettlement, according to their wishes; and (vi) Continue to provide interim relief to assist the return of all survivors to normal life." Sir, the Government of Sri Lanka should investigate and disclose the fate and location of persons reported to have been forcibly disappeared. They are not allowing any group to negotiate or discuss with them.

In this regard, the Government of Sri Lanka should invite the Working Group on Enforced and Involuntary Disappearance to visit Sri Lanka.

In the light of the political situation in the country, the Government of Sri Lanka should undertake an immediate repeal of Emergency regulations and modify all those provisions of the Prevention of Terrorism Act that are inconsistent with Sri Lanka's international obligations. When they claim that there is no terrorist now on their soil, why do they have this draconian law? They should withdraw that. Sir, I submit that every short-term recommendation of the UN Panel merits acceptance and immediate implementation by the Sri Lankan Government. Rather than speaking about their implementation, the Sri Lankan Government is understood to have rejected the

recommendations of the Panel altogether. They have not at all considered the recommendations. They have rejected them.

It may be worth noting that the Panel of UN Experts concluded that "during the final stages of the armed conflict, the United Nations political organs and bodies failed to take actions that might have protected civilians". At least, now is the time for us to take up the cause of Sri Lankan Tamils at all available fora. Sir, there is a need for a permanent political solution.

A pragmatic political solution within the framework of united Sri Lanka that is acceptable to all sections needs to be provided. There is an urgent need to restore equal rights of citizenship, which are at par with the Sinhalese, to Sri Lankan Tamils. The Sri Lankan Tamil community has historically inhabited the north and east provinces. Therefore, they have to be allowed greater participation in the governance of these provinces. Political reforms, with further devolution of powers, are the need of the hour and the aspiration of the Sri Lankan Tamil community.

Sir, the notion that the LTTE has gone and so has the Sri Lankan Tamil issue is a misplaced notion. They believe that the LTTE has gone and the Tamil voice is now killed. It is not so. I say this with responsibility. The issue may resurface sooner or later unless you address the core issues of proper resettlement and rehabilitation of the armed conflict victims and adhere to the 13th Constitutional amendment. Sir, the 13th Constitutional amendment is very dear to you. What is the 13th amendment? It was signed by Shri Rajiv Gandhi, the then Prime Minister of India, and President Jayewardene in July, 1987. What did it say? The key provisions were: in addition to Sinhala, Tamil shall also be an official language of Sri Lanka, with English as the link language; the north and east to be merged into one province subject to referendum; Provincial Council to be elected every five years; a Governor with executive powers to be appointed by the President in each Province; Provincial High Courts to be established; 'Reserved' and 'Provincial' Lists detail powers of the Centre and the Provinces respectively. A 'Concurrent' List outlines shared powers, though ultimate authority for these issues remains with Parliament; financial provision for the Provinces to be directed by Parliament; Provincial Councils can be over-ruled by regulations promulgated by the President under the Public Security Ordinance. But in the name of Public Security Ordinance, they have never

implemented the 13th amendment. That was the sole objective behind the Rajiv Gandhi-Jayewardene Pact. That was denied and that is the reason why the Tamils in Sri Lanka had been raising their voice. Sir, there is, in fact, nothing that the Sri Lankan authorities are doing to see that the Tamils and, for that matter, all minorities, feel that they are a part of the Government, a part of the system and a part of the administration. I would like to know from the hon. Minister whether he had any opportunity to discuss with his counterpart specifically on the progress or stage of devolution of powers as agreed upon by the President of Sri Lanka. I would like the Minister of External Affairs to share with the House the information he has in this regard.

Sir, there is another problem concerning Our fishermen, Tamilian fishermen.

[THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair]

As per the agreement of 1974, again as per the agreement between Sri Lanka and Government of India in 1976, every vessel of Indian fisherman and Sri Lankan fisherman would enjoy each other's waters such rights as they traditionally enjoyed therein. But, it is not being implemented. Everyday, we find a news that there is a problem and they catch our fishermen, they kill our fishermen; their navy people are killing our fishermen, they are snatching their boats. They are not allowing our fishermen go there and fish, which is their livelihood, from where they earn their bread and butter.

Sir, ultimately, I sincerely urge the Government, through you, to prevail upon the Sri Lankan Government to implement the U.N. Panel's recommendation in their earnest and vigorously pursue the Thirteenth Amendment to its logical conclusion so that a lasting solution is found and durable peace is established in our neighbourhood. Sri Lanka is the immediate neighbourhood. Sir, we want peace in that area, we want peace, tranquility and right of honour for our people and the Sri Lankan people, to live in dignity. That is my submission, Sir. I believe, the Minister would consider it and would pursue the matter further. Thank you.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): The House is adjourned for thirty minutes, for lunch.

The House then adjourned, for lunch, at six minutes past one of the clock.

The House reassembled after Lunch at thirty-eight minutes past one of the clock,

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Yes, Shri Ambeth Rajan.

SHRI AMBETH RAJAN (Uttar Pradesh): Sir, I thank you very much for the opportunity being given to me to express the stand of the Bahujan Samaj Party on the issue of problems being faced by the Sri Lankan Tamils. Sir, the problem arose when the demand was made for a separate nation for Sri Lankan Tamils. Sir, it is a well-known fact...

DR. V. MAITREYAN: Sir, there is no Minister present here. ...*(Interruptions)*... Not even MoS. ...*(Interruptions)*...

SHRI AMBETH RAJAN: Sir, some Minister should be present in the House. The Minister should listen to us.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): He will come now. ...*(Interruptions)*... I agree with you. He will come now. ...*(Interruptions)*... I am supporting you. ...*(Interruptions)*... Yes, he will come.

DR. V. MAITREYAN: The Minister should be present here to take the notes. ...*(Interruptions)*... The Government has not taken note of the problems of the Sri Lankan Tamils for the last two-and-a-half years. At least, now they should listen to the Members. ...*(Interruptions)*...

SHRI AMBETH RAJAN: Sir, at least, they should listen to us.

DR. V. MAITREYAN: Sir, not even a single Minister is present. ...*(Interruptions)*... They have 70 or 80 Ministers. ...*(Interruptions)*...

SHRI VIJAY JAWAHARLAL DARDA (Maharashtra): The former Minister is here. ...*(Interruptions)*...

श्री शिवानन्द तिवारी (बिहार): सर, यह नया tradition शुरू हो रहा है कि Former Minister हाउस में हैं। ...*(व्यवधान)*...

श्री सतीश चन्द्र मिश्रा (उत्तर प्रदेश): आप कहिए कि उनको वर्तमान मिनिस्टर बनाएंगे, तो हम लोग बोल देंगे। ...*(व्यवधान)*...

श्री शिवानन्द तिवारी: हम लोगों को इसमें कोई एतराज नहीं हैं। ...*(व्यवधान)*...

श्री सतीश चन्द्र मिश्रा: आप कहिए कि former को present कर देंगे। ...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): The Minister is coming immediately. ...*(Interruptions)*... He was just here. ...*(Interruptions)*... Shri Ashwani Kumar was here.

...(Interruptions)... Maybe, he has gone out. ...(Interruptions)... He is coming.  
...(Interruptions)... Just he was here. ...(Interruptions)...

**श्री सतीश चन्द्र मिश्रा:** अगर कोई मंत्री नहीं आएंगे, तो बोलने का क्या मतलब है? ...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): The Cabinet Minister has come.  
...(Interruptions)... Now Shri Ambeth Rajan can start again. ...(Interruptions)...

SHRI AMBETH RAJAN: Mr. Vice-Chairman, Sir, I thank you for the opportunity given to me to express the stand of Bahujan Samaj Party on the issue of Sri Lankan Tamil problems. Sir, the problem arose when the demand was made for a separate nation for Sri Lankan Tamils. Sir, it is well known fact that not only Tamilians but people from other parts of India also had gone to Sri Lanka for various reasons, particularly to work in tea estates. From a particular point of time, people started settling there itself. Hence, their demand should have been considered in a right perspective. But things went away from the desired direction. Now the world has realized that Army and war alone cannot bring peace. We have heard about mercy killing. But for the first time in history we are seeing mercy itself being killed and that too in the land of Buddha and Buddhism. Now the important point in the context of report given by the 3-member UN panel, which I do not want to quote because everybody knows it and the previous speakers have highlighted the contents of the report. (1) There is a need for open and fair trial on war crimes. (2) India should spell out its stand because India is a major player in the Asian region. (3) There should be resettlement of displaced people in Sri Lanka which is the most important task. (4) The Union Government should extend all help for the well being of the refugees who are living in various camps. (5) People who are living as refugees in India should be sent back to their original places of living. (6) Frequent attack on Tamil fishermen is the most serious problem which should be addressed immediately. (7) Every one knows about the long pending problem, but no one is giving solution. I, on behalf of Bahujan Samaj Party and its National President Kum. Mayawati, insist that India should come forward with a political solution to take care of not only Sri Lankan Tamils but also of Tamils living all over the world. Thank you.

SHRI T.K. RANGARAJAN (Tamil Nadu): Thank you, Sir. Our External Affairs Minister on 4th August made a suo motu statement here. I was not fully convinced with that statement because reality speaks in a different way. So, what has happened? I wanted to draw the attention of this august House to the point that the conflict in Sri Lanka ended in May 2009. After that, our External

Affairs Minister visited Sri Lanka several times. Sri Lankan External Affairs Minister visited here. Our Foreign Secretary went there. They came here. Several joint statements were issued. Sir, as soon as the war was over, the Sri Lanka President assured 3Rs. What are the 3Rs? One is, relief two is, relocation and three is rehabilitation. I am sorry to say nothing tangible happened. Neither the Tamils in Sri Lanka nor other fishermen are happy. So, the result is, nobody is happy. Sir, I went to Colombo last year. In the last week of August I was there. I discussed with so many people, some intellectuals, both Tamil intellectuals and some other intellectuals also. Sir, Sri Lankan Tamils are fighting for their rights for the past fifty years. Everybody knows that subject. From 1983, our party, CPI(M) have been saying that war is not the solution. The Government it should honour the Tamil people's wishes. While opposing terrorist activities we have always urged for an understanding and aspiration of the Tamil population in Sri Lanka through appropriate mechanism within United Sri Lanka. The long period of armed conflict in Sri Lanka in May 2009 has ended. I would like to ask the Government what happened to Rajiv-Jayawardena Government. This is a sovereign Government. You have entered into an agreement with another sovereign Government. It was endorsed by everybody. So, nothing was implemented till time. No solution was found. Sir, even two years after the civil war, the President of Sri Lanka is not prepared to solve the ethnic issue. In fact, the situation in Sri Lanka has become worse than earlier. Sir, in the last phase of the armed conflict when Sri Lankan Army attacked LTTE in Vanni region, some 40,000 innocent people were killed. It is not an ordinary thing. It is a tragedy which we have seen in this part of Asia, in the beginning of the 21st Century. That was narrated fully by hon. Member, Mr. Raja and others. I don't want to repeat that tragedy. We have never seen that type of tragedy because we are living peacefully for the past 2000 years. We have not seen the First World War or the Second World War. We have not seen this type of massacre. That massacre has been done by the Sri Lankan Army. Sir, 50,000 people are still in camps. Government may say 10,000 or 15,000 or 20,000 but the people there say that 50,000 people were not provided anything and 10,000 Tamil people are missing. Nobody knows whether they are alive or dead. This is the situation in Sri Lanka at the moment. Here comes the UN Panel Report which says there were series of Human Rights violations during the last phase of the war. Human Rights violation, wherever it happens, whether in India or elsewhere, we must lend our voice. We must lend our helping hand wherever human right is violated. It has happened with your neighbour.

You are a Member of SAARC. You are a leader of SAARC. It is happening in Sri Lanka. We are not able to raise our voice at least diplomatically. I don't know. When the Minister replies I expect him to say whether he raised about the UN Report. My point is, the British television documentary, was rightly mentioned by hon. Member, Mr. D. Raja, "Sri Lanka's Killing Fields" Air Channel 4, I have seen that. Many of the hon. Members would have watched that. Executions were carried out by Sri Lankan troops during the final stage of the battle against Tamil Tigers. I would like to know whether the External Affairs Minister's meeting with Sri Lankan counterpart has discussed about Human Rights violations with Sri Lankan Government.

Sir, we must urge the Sri Lankan Government to constitute an independent commission to inquire into the human rights violations. Whenever something happens here, we ask the Government to constitute a commission and inquire. There must be an independent commission. On that commission, Tamils should be there. Also, women should be there because both the genders have been affected by this.

Another very important question agitating the minds of Tamil people is about Kachchatheevu. It was stated in the Tamil Nadu Assembly by the hon. Chief Minister that the agreement of Sri Lanka was not endorsed in the Indian Parliament. I expect a reply on this from the External Affairs Minister when he makes his reply. I would like to know whether we can still negotiate with the Sri Lankan Government to allow this to be freely used by our fishermen. We have been using this from 1974 to 1983. Only after 1983 this was banned. The agreement was there. I heard Mr. Ahluwaliaji's speech. Our BJP friends in Tamil Nadu wanted to hoist the flag in Kachchatheevu. Mr. Vajpayeeji was the Foreign Minister in 1977 and NDA was running the Government for 6 years, then, what happened? Why have you not taken that Island? Why have you not endorsed that in this Parliament? Sir, please permit me to quote, not anybody else, but the former Sri Lankan President, Chandrika Kumaratunga. She was silent for years. Now, she has opened her mouth. On July 24, 2011 after watching Channel 4, she said this, and I quote, "I cannot blind myself to the fact that although we have won the civil war, we have not even begun to win the battle for peace." This is the former President of Sri Lanka. Winning peace implies bringing/including others fully and honestly not only in development but also as full and equal partners in the process of the Government - to power-sharing." She accused the President Mahinda Rajapakse of following ...*(time-bell rings)*...

SHRI T.K. RANGARAJAN: Sorry, Sir. I have-not even touched this point. ...*(Interruptions)*...

SHRI SATISH CHANDRA MISRA: Sir, you can give him the time of BSP. Seven minutes are left, he can use them. ...*(Interruptions)*...

DR. V. MAITREYAN: The revised time-table has been agreed upon, Sir. ...*(Interruptions)*...

SHRI T.K. RANGARAJAN: Sir, please permit us. ...*(Interruptions)*... Sir, this is the feeling of all the Indians. She accused the President, Mahinda Rajapakse of following a policy, 'winner takes all.' She coined that word after eliminating the last of the Tamil tigers in May, 2009. This is what Mr. Ahluwaliaji also said in a different way. Eliminating LTTE does not mean that Tamil problem has died. It is still more alive. Yesterday, we met all the eight parties here in Delhi. We are able to understand their feelings.

Sir, the hon. Minister did not mention the suffering of women. Women are the worst affected in the civil war. About 80,000 women were affected. This figure was quoted by Mr. Raja. His is right. It may be more. Definitely, it cannot be less. There are 80,000 widows. Do you know what will be the position of widows in the Asian continent? In Europe, it may be different. A widow is ill-treated by the society and by the family too. When I was in Sri Lanka they told us that in one family, mother, who is 80 years old, is widow. She has four daughters. Out of this, three daughters are widows. One is unmarried. There is no match available. There is no boy. All the youths have been completely perished. This is the situation.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please conclude.

SHRI T.K. RANGARAJAN: No, please permit me, Sir. I beg you.

DR. V. MAITREYAN: No, no. No question of begging. It was agreed that minimum of 15 minutes will be given to all the Members from Tamil Nadu. There is no question of begging on this issue. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, it was agreed that at least 15 minutes will be given to the Members from Tamil Nadu. ...*(Interruptions)*...

DR. V. MAITREYAN: Otherwise, no Bill will be allowed to be passed today. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : Fifteen minutes for every Member from Tamil Nadu.

SHRI T.K. RANGARAJAN: Sir, our Minister, in his Statement, says that, "We have given 500 tractors to Tamil people." Sir, only 75 tractors were given to Tamil farmers and the rest were taken to the non-Tamil areas. India had promised construction of 50,000 houses for affected Tamil people. Our Foreign Minister laid the foundation stone in November, 2010, but not even 50 houses have been built. Sir, para 6 of the Standing Committee Report says - please see Chapter III of the Sixth Report - "The projects are carefully chosen to have maximum impact on rehabilitation and well being of Internally Displaced People in Sri Lanka." Then it says, "... Finance Division scrutinizes the cost estimates in detail and conveys its concurrence. The overall supervision of each proposal is with High Commission of India (HCI), Colombo on the ground. To monitor the project, a Committee is set up, comprising of senior officers of the HCI under overall supervision of High Commissioner." I would like to ask the Minister whether you have supervised that all the tractors were given to Tamilians. Whether you have supervised as to why delay is taking place in construction of houses. What is the reason? You have given our money. We wanted to help them. But nothing has been fruitfully done.

Sir, the situation on the ground is that there is Army everywhere. Today, there is complete militarization of North and South. Sir, people are terrorized and are unable to lead a normal life. The police stations are manned by Sinhalese officers. Whether it is a marriage or funeral, they have to seek permission of the Army. We all know what happened during emergency in our country. We have undergone the suffering of emergency. I would like to ask our hon. External Minister to please try to restore civil rights and emergency law and the Army should be withdrawn. This is our bounden duty. We are criticizing the Army rule, wherever it is. When Sri Lanka has got that type of civil rule with the help of Army, and a section of people are harassed, it is, really, a sorrowful thing. We cannot be a spectator to that.

Sir, TNA placed before the Government delegation the discussion papers setting out proposals in regard to: (i) The structure of Governance; (ii) The division of subject and functions between the Centre and the devolved units. Financial power and others, relevant to achieve the acceptable and durable political solution. For this, there is no response even after ten rounds of discussion. Ten rounds of discussion are over. No light has been shown to them. Sri Lankan

2.00 P.M.

Government has not taken any worthwhile steps to reach a political settlement on the Tamil question. The President is now talking in terms of a Parliamentary Select Committee to go into the question. This is very important. Our Government should take this. What is Parliamentary Select Committee? Why does a President talk like that? Sir, it is a dilatory step. They want to cheat the people. We must see that Rajiv Gandhi-Jayewardene Agreement is implemented. Now, the President says, "We will go to the Parliamentary Select Committee." Sir, the CPI (M) wants to place on record, it is essential that wide-ranging political consultations be held and specific measures taken for devolution of power and provisions of autonomy to the Tamil-speaking areas in the Northern and Southern region. Along with that the Sri Lankan Government should step up efforts to resettle and rehabilitate displaced persons affected in the conflict.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please, conclude.

SHRI T.K. RANGARAJAN: Finally, Sir, the serious allegations of atrocities and human rights violations by the armed forces should be inquired into through a high-level independent inquiry. The Government of India should make all necessary efforts to ensure that a political settlement is arrived at at the earliest, so that minority people can lead their lives with dignity and as equal citizens in a united Sri Lanka.

**श्री शिवानन्द तिवारी:** उपसभाध्यक्ष महोदय, श्रीलंका में जो minority community है, चाहे वे तमिल हों या मुस्लिम हों, उनके साथ जो कुछ हो रहा है, उन पर जो बीत रही है, उस पर चर्चा करने के लिए जब हम इस सदन में इकट्ठा हैं, तो मुझे नहीं लगता है कि हम श्रीलंका के आंतरिक मामले में दखल दे रहे हैं, क्योंकि श्रीलंका के साथ हमारा संबंध कुछ इस तरह का है कि वहां की जो अंदरूनी हालत है, वह हमारे देश को भी प्रभावित करती है। श्रीलंका की ही अंदरूनी राजनीति के चलते हमने एक भूतपूर्व प्रधानमंत्री को खोया है और श्रीलंका की अंदरूनी हालत के चलते हमारे देश में श्रीलंका के लाखों रिफ्यूजी आकर तमिलनाडु में बसे हुए हैं, जिनका भार हम ढो रहे हैं। महोदय, जब पहली दफा आतंकवाद में फिदायीन हमले की शुरुआत हुई थी, हमें याद है उस समय हमारी नज़र लिट्टे की तरफ गई थी और तब यह कहा जाता था कि दुनिया का सबसे संगठित और सबसे effective कोई आतंकवादी संगठन है, तो वह लिट्टे को माना जाता था। उस समय हमने यह जानने की कोशिश की कि आखिर यह

प्रभाकरन या लिट्टे का जो संगठन है, वह ऐसा कैसे बना? तो हमने महसूस किया, जो अभी हमारे कॉमरेड राजा बता रहे थे कि किस तरह से वहां की तमिल पॉपुलेशन पर जुल्म हुआ, अत्याचार हुआ, उनका संहार किया गया और हम ऐसा मानते हैं कि जो हाशिए पर रहने वाले हमारे समाज के लोग हैं, जो minority community हैं, अगर उनको इंसाफ नहीं मिलता है, उनको न्याय नहीं मिलता है, तो वहीं से हिंसा का जन्म होता है। हम लोगों को अपने देश का भी तजुर्बा है और दुनिया भर में, जहां कहीं हिंसा है, उस हिंसा का जो कारण है, उसकी जब हम तलाश करते हैं, तो हम इसी नतीजे पर पहुंचते हैं कि इंसाफ का नहीं मिलना हिंसा को जन्म देता है। अभी रंगराजन जी बता रहे थे कि जब हाल में श्रीलंका का दिवस मनाया जा रहा था, तब वहां चन्द्रिका राणातुंगा भंडारनायक मौजूद थीं। उनकी मां भी वहां की प्रेजिडेंट थीं और पिता भी वहां के बहुत बड़े नेता थे। तो उन्होंने उस मीटिंग में, जहां श्रीलंका के प्रेजिडेंट मौजूद थे, कहा कि हमें यह जो विजय हासिल हुई है, हम लोगों ने लिट्टे का खात्मा किया है, इससे हमें संतुष्ट नहीं होना चाहिए। यह जो जीत है, उसको consolidate करने के लिए हमारे मुल्क की जो तमिल आबादी है, उनको हमें confidence में लेना चाहिए और उनको इस बात का एहसास होना चाहिए कि इस देश में एक नागरिक के रूप में उनका भी उतना ही हक है, जितना सिंहली आबादी का है - यह उन्होंने खुद कहा और टेलीविजन के चैनल 4 वगैरह पर हमने जो कुछ देखा, उसके बारे में चन्द्रिका राणातुंगा ने कहा कि हमारा बेटा विदेश में रहता है, विदेश में पढ़ता है, उसने हमें फोन करके कहा कि यह जो टेलीविजन पर हम देख रहे हैं, वहां श्रीलंका की फौज जिस ढंग से निहत्थे मासूम लोगों पर जुल्म कर रही है, जिस तरह से नरसंहार कर रही है, तो हमको यह कहने में संकोच होता है, शर्म आती है कि हम लोग श्रीलंका के नागरिक हैं - यह चन्द्रिका राणातुंगा ने श्रीलंका के वर्तमान प्रेजिडेंट के सामने कहा। हमें याद है अभी वहां की असेम्बली के स्पीकर साहब के नेतृत्व में एक प्रतिनिधिमंडल यहां आया था। हम लोग चेयरमैन साहब की दावत में उस प्रतिनिधिमंडल से मिले थे और वहां यह सफाई देने की कोशिश की गई कि यह मीडिया में, चैनल 4 वगैरह में जो नरसंहार दिखाया गया, यह concocted है। यह बनाया हुआ है। हमें भी लगा कि हो सकता है कि यह बनाया हुआ हो, लेकिन उसके बाद जब हमने चन्द्रिका राणातुंगा का बयान पढ़ा और प्रेजिडेंट के सामने जब उन्होंने यह आरोप लगाया कि हमारे बेटे ने फोन करके हमें ऐसा कहा है, तो प्रेजिडेंट के पास कोई जवाब नहीं था। सर, वहां की हालत बहुत खराब है। यह बात सही है कि लिट्टे का जो संगठन जाफना में, श्रीलंका के उत्तरी इलाके में था, उसको श्रीलंका की फौज ने पराजित किया, लेकिन उस पराजय के पीछे जिस तरह से \* हुआ - जिस \* शब्द का कॉमरेड डी. राजा ने इस्तेमाल किया, वह बिल्कुल दुरुस्त किया - अगर उसकी जांच नहीं होती है, उस अपराध के जो कर्मी हैं, उनको अगर सजा नहीं मिलती है तो इस बात का खतरा रहेगा, जिसके बारे में हमारे साथी श्री एस.एस. अहलुवालिया साहब ने इशारा किया कि जो अन्याय का

जर्म है, कीड़ा है, वह कहीं फिर एक दूसरा रूप धारण न कर ले। इसलिए यह आवश्यक है कि जो अंतर्राष्ट्रीय फोरम है, उस फोरम पर, हम अपने देश की जो गुड़विल है, उसका इस्तेमाल करते हुए, वहां पर जो वार क्राइम हुआ है, उस वार क्राइम की जांच के लिए कोई स्वतंत्र संगठन, और यदि संभव हो अंतर्राष्ट्रीय संगठन बने तथा जिन लोगों ने अपराध किया है उनको सजा मिले। तब वहां के लोगों को लगेगा कि हमारे ऊपर जो जुल्म हुआ है, जो अत्याचार हुआ है, जो अन्याय हुआ है, ऐसा करने वालों को सजा मिली, हमें इंसाफ मिला। साथ ही साथ एक नागरिक के नाते उनका जो अधिकार है, वह अधिकार उन्हें मिलना चाहिए। हमें इस बात की खुशी है कि वहां पर पंचायतों का जो चुनाव हुआ, उस चुनाव में उत्तरी इलाके में जो तमिल संगठन हैं, उनको भारी बहुमत मिला है। इससे साबित होता है कि उनके अधिकारों को सुरक्षित रखने की जरूरत है, ताकि वे यह महसूस करें कि वे इस देश की मुख्यधारा के साथ हैं। तभी जाकर वहां शांति स्थापित होगी और हमारे देश में भी श्रीलंका की अंदरूनी राजनीति के चलते जो हलचल मचती है, उससे भी शांति मिल सकेगी। इसलिए सरकार को इसमें पहल करनी चाहिए। महोदय, हम लोग वहां पर श्रीलंका की सरकार को, तमिलों को रीहेब्लिट करने में जो मदद कर रहे हैं, वह एक अच्छा काम है, लेकिन हमें देखना चाहिए कि हम जो मदद कर रहे हैं, उस पर ईमानदारी के साथ वहां काम हो रहा है या नहीं। अपने प्रभाव का इस्तेमाल करते हुए, जो कुछ वहां अपराध हुआ है, उसकी जांच हो और दोषियों को सजा दिलवाने का काम सरकार करे। इन्हीं शब्दों के साथ, आपने जो समय दिया, उसके लिए बहुत-बहुत धन्यवाद।

SHRI TIRUCHI SIVA: Hon. Vice-Chairman, Sir, please permit me to speak in Tamil. I have already informed about that.

†My colleague said that he had not come here to shed tears but to point out certain reasons. Sir, as far as I am concerned, I am standing here withholding my tears. During the course of my speech, I may get emotional, I may lose self-control and break into tears.

We belong to the Tamil race which has always provided prosperous livelihood to the immigrants through many ages. A significant section of our race is totally annihilated. We are standing here with the loss of considerable population of our race. While Tamils are being exterminated in clusters, we are pleading for a solution. We have shown great tolerance. We have held so many processions in our state. We have conducted so many conferences. But we cannot find any solution to their problem. We are firm that this is not the problem of Tamils alone. Otherwise, what is the need for speaking in this august House?

Whenever there is injustice to humanity, in any part of the world, India is the first nation to raise its voice against that injustice. I would like to remind about the rule of Idi Amin in Uganda. History did not forget the steps taken by Shri Morarji Desai, the then Prime Minister of India for protecting the Gujaratis in Uganda, during the rule of Idi Amin.

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†English Translation of the original speech

During the separation of Bangladesh from Pakistan, Mr. Siddharth Shankar Ray, the then Chief Minister of West Bengal asked whether the Centre would send army or he would have to send the state police to protect the affected Bengalis. This is also safely documented in the pages of history. Whenever there was injustice to humanity in any part of the world, India raised its voice against it. But, lakhs of Tamils are being massacred in Sri Lanka. When we speak about their misery, no person with clear conscience and humane concern can escape shedding tears.

Aringnar Anna, our former leader and founder of our party had said, "Dear brother, do you know the reason for the salinity of sea water. Due to the tears shed by the Tamils abroad, the sea water has turned saline."

Our leader Dr. Kalaignar had said, "I am a Tamil by language, a Dravidian by race, an Indian by nationality, but a human being in the world arena". None of these can be compromised for the other.

The unrest in Sri Lanka did not result from the demand for a separate nation. After the independence of Sri Lanka in 1948, the Sinhalese gradually gained domination over Tamils. Sinhala became the official language of the nation. Buddhism became their national religion. I would like to highlight certain issues of the past. I am deeply pained and ashamed to share this issue. But, I want to mention those points to my Hon'ble colleagues who have a conscience. Members from all parties and from all states have participated in this discussion.

In the streets of Sri Lanka, there were sign boards which proclaimed "the flesh of Tamils will be sold here". For the first time in this history of the world, such sign boards have been displayed in Sri Lanka. Our Tamil women's upper garments were removed in streets and the letter 'Sri' in Sinhala language was stamped over their bare chests. Tension has been created in the nation since then. Some youth who could not bear such heinous acts began to struggle. Mr. Selva, who was fondly addressed as Sri Lankan Gandhi was killed. Violence was unleashed against the Tamils gradually. The library in Jaffna was burnt down.

Sir, all of us may know about the history of China. In China, there was a king who thought that the future generation of China should not have knowledge about any of his predecessors. He burnt all the history books in China. He arrested and imprisoned all the historians. It is also said that the Great Wall of China was built with their labour. History has said that libraries were burnt down in

order to destroy a language, to eliminate a race. In a similar way, the first step taken in Sri Lanka against the Tamils is the burning of library in Jaffna.

Sir, we fondly remember the wonderful programmes broadcast by the Tamil division of Sri Lankan Radio. We used to listen to them regularly. We enjoyed the melodious voices of Tamil announcers of Sri Lankan Radio. We were attracted by their accent. We cannot listen to those voices now. It has become a memory of the past.

My dear friend and a member of this House, Dr. Sudarsan Nachiyappan mentioned that a Tamil would be the President of Sri Lanka in future provided the Rajiv Gandhi-Jeyawardhene agreement was implemented. He compared his dream with Barack Obama's Presidentship in America. I would painfully state that his dream of having a Tamil president in Sri Lanka will never come true. Because, Tamil men were not found in Sri Lanka, at the present time. Almost the entire male population of Tamils, is slain there. That was mentioned by my Hon'ble Colleague Mr. T.K.Rengarajan.

I would like to point out another bitter truth. At present, no child borne by Tamil women in Sri Lanka is fathered by Tamil men. Our Tamil women are forced to bear Sinhalese children. Almost all Tamil women are subjected to sexual harassment. Only women and children are found in the areas of Tamils. Men are totally absent in those areas. Women have to live in abject fear every day. Each war widow has to live with fear about who will come and what will he do.

The Sri Lankan Government is narrating stories of what is happening there. And we have been silent spectators. As citizens of India, we are pleading for their welfare. We did not ask whether to send State Police like Sidharth Shankar Ray. We trusted this Government. But, what had happened?

Germany has filed a case against Sri Lanka, in a Human Rights Organisation in Geneva. Many nations have supported Germany's case against Sri Lanka. But, India has supported the Government of Sri Lanka that they have not committed any crime.

I would like to narrate a story about Lord Sri Ram. Our colleagues from BJP know very well about it. When Sri Ram returned from Sri Lanka, he reached Rameswaram. When he was about to take bath, he planted his bow and arrow in the soil. There was a convention that they were not supposed to lay it in soil and that they ought to plant it in soil. After finishing his bath, he took the

arrow from soil. He was shocked to find that a frog was hurt by the arrow and that it was struggling for life. Sri Ram asked the frog why it had not shouted when the tip of the arrow was pierced over its body. The frog replied, "Lord Ram, whenever somebody hurt me, I would call Lord Ram for help. But, now I am hurt by Lord Ram himself. Whom will I ask for help?" This is an episode from Ramayana.

Sir, we are in the same position now. The nation which has to protect Tamils, is assisting the Sri Lankan Government's activities. Where shall we go now to plead for justice?

To discuss this issue, we have to struggle so many times. We have discussed various issues — about the past, about the future, and about various other issues repeatedly in this House. But, to discuss this issue, how much did we have to struggle? How many days did we have to wait to bring a resolution on this issue? We do not like to point out at the previous Government and at the present Government of Tamil Nadu. All of us have struggled for their welfare. A mention was made here about the fast of our leader, Dr. Kalaignar. He observed fast at the age of eighty six for the welfare of Tamils.

The Sri Lankan President is giving smiling postures. The Defence Secretary of Sri Lanka speaks as he likes while giving interview to a TV channel. Nobody questions them.

Earlier, in the name of war, hundreds of thousands of civilians were killed. Then, in the name of hunting LTTE, thousands of civilians were killed. Now, our women are being sexually assaulted. Our children are deliberately starved. They are malnourished. Deliberately, the Sri Lankan Government is involved in the genocide of Tamils. What is the use of giving financial assistance to them?

Have we ever checked whether our financial assistance has reached the targeted mass? Rupees five hundred crore was sent by Government of India for the welfare of Tamils. But was the fund used for the welfare of Tamils? Is there any occasion either for our External Affairs Minister or for the Indian officials, to monitor the situation in the rehabilitation camps of Sri Lanka? No journalist is allowed there.

In Jaffna, eight thousand people live per square kilometer. Fourteen thousand people live per square kilometer in Colombo. But, in the refugee camps, three and a half lakh people are forced to reside in an area, less than a square kilometer. This implies that they are overcrowded.

The Tamils are deliberately starved. They have no food. No proper drinking water is given to them. No medicine is given to them. Two years have passed after the war. Still, there is no safety for them. No livelihood is provided to them.

Hon'ble Member Shri S.S.Ahluwalia, my dear friend, spoke before me. He mentioned about the U.N. Panel. The Panel does not include any member from Tamil Nadu. It consists of three men—one from America, one from Indonesia and one from South Africa. They were shocked on seeing the reality at those rehabilitation camps. Their report says that war crimes are committed in Sri Lanka and that human Rights are violated. What is the action taken in this regard?

Our External Affairs Minister made a statement in this House on 4th August, 2011. We have to analyse the words mentioned in those statement impartially.

The end of the long conflict in Sri Lanka has also raised questions relating to the conduct of the war. We have, in this context, noted a report issued by a Panel of Experts constituted by the UN Secretary General on Accountability in Sri Lanka. There have also been public reactions to the telecast of 'Channel 4' documentary entitled "Sri Lanka's Killing Fields". Presently, our focus should be on the welfare and well-being of Tamils in Sri Lanka." Then, what is the punishment for these people who have committed war crimes? The Panel appointed by the United Nations, have mentioned this.

They must be tried in the International Court of Justice. It is one of the recommendations made by the Committee appointed by Ban Ki-Moon, the Secretary General of the United Nations.

Sir, I think, it is not possible since Sri Lanka is not a signatory of the Rome Statute. Trying them in an international court of law is not possible. If at all it could be done, it can be done only by way of discussing it in the Security Council. Even that is not possible because China and Russia are in favour of Sri Lanka. What is the remedy left? When we practically understand that it is not possible to try them in an international criminal court of law, which the President of Sri Lanka is also well aware of, there is one more option which I would urge the Government to consider. We appeal to you, just impress upon the US Government. The US Government, as a matter of policy, must fully investigate war crimes and crimes against humanity allegations against its citizens and permanent residents on

the basis of any available theory indicating their responsibility. May I submit to you, Sir, because \* the brother of the President of Sri Lanka and the Defence Secretary is a naturalized US citizen, and former Army Commander \* is a permanent resident of the United States, making use of your close ties with the United States Government, strongly demand for an investigation and trial, if necessary, within the US courts or in the international criminal court? This is our submission. Why can't it be done when a Government has exceeded all its limits, when it has hunted all the people? This is not killing of Tamils; this is \*. Their intention is that Tamil race should not survive or exist in the land of Sri Lanka in the future. Sir, may I again caution you, caution the Government of India, don't think that your border is only in the North, East or North-East? It is also in the South? The sensitive sea border is there. The North-East portion of Sri Lanka which was dwelled by our Tamil people, was a security to you. You were also there. But you totally neglected it. I do not want to name any country. A country which is totally unfriendly to India, is having a strong base now in Sri Lanka. What are you going to do in the future? Why have you not concentrated on all these things? Saying that we are all sovereign powers and we cannot interfere in the affairs of another country, you cannot allow them to do whatever they like. Sir, we have spent all our energy. We have submitted in all manners possible but we have got no result. I second Mr. Ahluwalia's suggestion that a Parliamentary delegation could be sent to Sri Lanka. Moreover, Sir, kindly understand our sentiments. So far we have given rupees five hundred crores. I will just mention this very very important thing. Ms. Nirupama Rao, Foreign Secretary, before her retirement visited Sri Lanka. After her visit the report came, "The progress of work has been painfully slow. Since the Indian-built houses seem the best among the available options, there have been reports of beneficiaries waiting for the project to be completed. Ms. Rao wanted to inaugurate the first batch of houses before she demitted office. In the first phase, 1,000 houses are to be built by the public sector Hindustan Prefab Limited. The Indian authorities have confirmed that the first lot of homes - a mere 50 - is nearly ready". When you have aimed at thousand of houses and when your first phase of building houses is thousand, only fifty houses, after two long years, are ready, the President of Sri Lanka says that internally displaced people have been settled. I remember one thing. When we were in prison during Emergency, I was then a student, everything was new - a prison was new, a jail experience was new, We were all imprisoned. After

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†English Translation of the original speech

some ten days, the radio, which was the only source of news to us, announced that all the *detenues* have been released, the political prisoners, only smugglers are inside. Like that, Sir, Mr. \* says that all the internally displaced persons have been removed and they have been settled. No, it is not so. If at all the numbers in the camps are less, it is not that they have been settled. They might have been killed. We are afraid of it. Where can we go to vent our feelings like this? There is no other place than this supreme body, our Parliament. The Government should take it as a humanitarian consideration. Today is the first time when we are expressing our views like this. Losing so many lives is unconsolable. Most of all, we consider our women as our assets, and those women are being hunted every day by the Sinhalese males. What is the remedy? Kindly do something. Punish those who have committed war crimes. Rehabilitate at least the remaining Tamils. The Minister has given a list of fishermen who have been arrested and released, but not the list of fishermen who have been killed. Not even one fisherman, if at all, has been killed in the Indian waters by the Sri Lankan Navy. I think we cannot assure of the reaction of the fishermen in Tamil Nadu and so also the Tamils. I started speaking in Tamil. Why? Only because of one reason. The last man, not only in this country but outside also, who knows at least some Tamil, and in their camps people who may happen to watch the proceedings of our Parliament on which we are reposing our confidence, if at all understand a few words which we speak will console them. That is why I started my speech in Tamil. Kindly understand our feelings. Sir, no child being born by our women there is fathered by a Tamil person, but all by Sinhalese. The Government should act at the right moment. Thank you, Sir.

DR. JANARDHAN WAGHMARE (Maharashtra): Sir, I rise to speak on this particular problem out of moral compulsion. The Sri Lankan Tamilians are as much Sri Lankans as Sinhalese Tamilians. But today they are tortured. Massacre has taken place. As Rajaji has rightly said, it is \*. We have been talking about this problem. We have been raising it but our voice is so soft that nobody cares. Thousands of women have become widows; thousands of children have become orphans; and they are nowhere. The peace in this area is threatened. As you know, peace threatened anywhere is peace threatened everywhere. This particular region has become disturbed. During the British times, thousands of Indians migrated to other countries. And they are living there. Tamilians once must have migrated but they have become the nationals of Sri Lanka. But today they are tortured. Not only

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†English Translation of the original speech

their civil rights but their human rights are also violated; they are trampled. These people, our Tamilian people in Sri Lanka have served Sri Lanka with their sweat, blood and tears. They have contributed their mite. But today this has created a very crucial situation and we cannot remain mute. Our voice should be heard. I am not going to take much time. But I would make two or three suggestions. As Ahluwaliaji said, let us send a Parliamentary delegation to study, to interact with the people there, to visit the camps, so that we can understand this problem.

Secondly, this problem should be taken up by our Prime Minister with his counterpart there. The matter has to be seriously taken up.

Now we are a Member of the Security Council. Why not take this problem there? This problem has got international significance. It is not the problem of Tamilians. It is the problem of all Indians. This is an Indian problem. This is our national problem. I would remind that we have lost the precious life of a Prime Minister of this country for this particular problem.

Therefore, the matter has to be taken very, very seriously and our voice must be heard and in that tone, we have to speak to that Government. Thank you very much.

**प्रो. राम गोपाल यादव** (उत्तर प्रदेश): धन्यवाद श्रीमन्। आज डी. राजा साहब ने जो प्रश्न उठाया है, वह बहुत ही महत्वपूर्ण प्रश्न है। वह इस दृष्टि से बहुत महत्वपूर्ण है कि अगर हमारे देश के पड़ोस में कहीं अशान्ति है, कहीं मानवाधिकारों का हनन हो रहा है, लोगों के साथ अन्याय हो रहा है, तो उसका असर किसी-न-किसी रूप में हमारे यहां भी पड़ता है। अतीत में दुनिया भर में ऐसी बहुत सारी घटनाएं हुई हैं कि पड़ोस में कोई दिक्कत हुई, तो उसका असर बगल के किसी दूसरे देश पर पड़ा। हम जानते हैं कि जिस तरह से तिब्बत के इश्यू के बाद भारत और चीन के रिश्तों में फर्क आया। तत्कालीन पूर्वी पाकिस्तान में जब human rights का violation हो रहा था, लोगों को मारा जा रहा था, कत्लेआम किया जा रहा था, तब किस तरह की स्थिति बनी। इसलिए यह बिल्कुल स्वाभाविक है कि अगर हमारे पड़ोस में किसी देश में अशान्ति है, तो उसका असर हम पर पड़ेगा। अगर हम बिल्कुल neutral रहेंगे और कुछ नहीं करेंगे, तो उसका adverse असर हमारे ऊपर पड़ सकता है। जैसा लंका में तमिलों के साथ हो रहा है, वह, कभी दक्षिण अफ्रीका और रोडोशिया में काले लोगों के साथ जो व्यवहार होता था, उस स्थिति से भी ज्यादा खराब है।

श्रीमन्, पिछले दिनों एक बहुत ही प्रतिष्ठित संस्था ने श्रीलंका में तमिलों के ऊपर होने वाले अत्याचारों को लेकर यूनाइटेड नेशंस की Human Rights Council को एक रिपोर्ट दी थी। मैं आपकी अनुमति से उस रिपोर्ट के

एक पैराग्राफ को quote करना चाहूंगा। "In the final days of the war, there were at least 30,000 Tamil civilians killed by forces of the Government of Sri Lanka. Additionally, it is alleged that many LTTE combatants were summarily executed, even though they were surrendering with clearly visible white flags. After the end of hostilities, more than three lakh fifty thousand Tamil civilians were detained in camps. When the Secretary-General visited the camp at Malik Farm, he declared the situation to be the worst that he had ever seen. He was, of course, shown the best parts of the camp. An undisclosed number of LTTE combatants are in detention, and the International Committee of Red Cross and other humanitarian organisations are unable to visit them. Tamil youth continue to be 'removed' from detention camps, and cannot be located." Tamil youths को deliberately कैम्प से निकाल कर undisclosed destination पर ले जाया जा रहा है। They are being liquidated. It is unthinkable, जिस तरह का अत्याचार हो रहा है। इससे सम्बन्धित, human rights violation से सम्बन्धित रिपोर्ट UN के सेक्रेटरी जनरल ने जारी की। 26 अप्रैल 2011 को United Nations released a report on human rights violation in Lanka but India remained silent. इंडिया का केवल क्या comment था? Ministry of External Affairs says that the issues raised in the report need to be studied carefully. It is very unfortunate. हम यह नहीं कहना चाहते हैं कि आप किसी के आन्तरिक मामलों में हस्तक्षेप करें, लेकिन Indian fishermen को लंका की नेवी के लोग पकड़ कर torture करें और मारें, इसके बावजूद हम कुछ न कहने की स्थिति में हों, तो यह ठीक नहीं है। तो जब आप लंका के सामने ही मुंह खोलने की स्थिति में नहीं होंगे, तब और पड़ोसी देश तो आपके हिस्से की जमीन को मांगेंगे ही, जो मांग रहे हैं। क्या आपका दृष्टिकोण इतना कमजोर हो गया है कि आप सही बात भी नहीं कह सकते हैं? तमिल के साथ ह्यूमेन राइट्स का जो वॉयलेशन हो रहा है, उस पर आप कुछ नहीं कह रहे हैं, सो नहीं कह रहे हैं, लेकिन आपके जो फिशरमैन जाते हैं, श्रीलंका की नेवी उन्हें पकड़कर मारती है, टॉर्चर करती है, उस पर भी क्या स्ट्रांगली आप अपनी प्रतिक्रिया नहीं दे सकते, उन्हें नहीं रोक सकते?

हिन्दुस्तान इतना बड़ा देश है, इसके बावजूद भी अगर लंका के लोग, लंका की नेवी हमारे लोगों को टॉर्चर करे, यह बहुत निराशाजनक है। आपने उन्हें 500 करोड़ रुपया दिया, एक्सटर्नल अफेयर्स मिनिस्टर ने यहां पर अपना एक स्टेटमेंट दिया था, उसमें कहा था कि श्रीलंका को 500 करोड़ रुपये का पैकेज दिया गया है, 500 ट्रैक्टर दिए गए हैं, और भी तमाम चीजें दी गई हैं, लेकिन क्या आपने कभी जानने की कोशिश की कि उसका प्रयोग कहाँ हो रहा है? यह स्थिति है कि जो पैसा दिया गया, उससे जो रोड्स बनाई जा रही हैं, वे तमिल रीजन के उस इलाके

में बनाई जा रही हैं, जहां से तमिल्स को कुचलने के लिए, उन्हें सप्रेस करने के लिए आर्मी को आराम से मोबिलाइज किया जा सके। खेती के लिए जो ट्रैक्टर दिए जा रहे हैं, वे भी दूसरे परपज से प्रयोग किए जा रहे हैं। सिंघलीज अपनी सुपीरियॉरिटी को छोड़ने के लिए, कम करने के लिए बिल्कुल तैयार नहीं हैं। जब तक श्रीलंका पर अंतर्राष्ट्रीय दबाव नहीं होगा, तब तक यह समस्या हल नहीं होगी। उनसे खास तौर पर हिन्दुस्तान प्रभावित हो रहा है। बंगलादेश से जब रिफ्यूजीज आए थे तो मजबूरन इन्दिरा जी को कदम उठाना पड़ा था और उसका रिजल्ट आपने देखा। हमारे यहां पर तमाम रिफ्यूजीज हैं, लेकिन आप श्रीलंका को एक शब्द भी नहीं कह पा रहे हैं। क्या हमारा देश इतना कमजोर है? अगर दुनिया की निगाह में हमारा देश कमजोर हो जाएगा, फिर तो छोटे से छोटा पड़ोसी देश भी आपको आंख दिखाने लगेगा...(समय की घंटी)... इसलिए मान्यवर, मैं आपके माध्यम से हिन्दुस्तान की सरकार से यह कहना चाहता हूं कि थोड़ा सा मजबूती दिखाइए जिससे आपका रुतबा बना रहे, रौब बना रहे और आपकी बात अंतर्राष्ट्रीय कम्युनिटी में भी सुनी जाए। बहुत-बहुत धन्यवाद।

DR V. MAITREYAN: Mr. Vice Chairman, I am thankful to the Chairman for permitting this Short Duration Discussion today on the plight of the Sri Lankan Tamils.

I am particularly thankful to the non-Tamil speakers who have participated in the debate today, namely, my friend, Mr Ahluwalia, Mr. Shivanand Tiwari, Dr. Janardhan Waghmare, Prof. Ram Gopal Yadav, Dr. Ashok Ganguly, Dr. Manohar Joshi, Mr. Kumar Deepak Das, Mr. Ram Vilas Paswan and Mr Rajniti Prasad.

I am particularly thankful to Shri Ahluwalia for having kindly lent his party's extra time of 15 minutes which will be in addition to my own time of 15 minutes. When the debate was scheduled. ...(*Interruptions*)... there was a dilemma in my mind whether to speak in Tamil or English. If I speak in Tamil, probably, I will satisfy my conscientiousness. But I thought it is more important to reach out to other Members of Parliament here and arouse their consciousness. That is why today I ventured to speak in English.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Translation is there.

DR. V. MAITREYAN: Original voice is always better than the translation.

After I became a Member of this House in 2007, two specific dates stand out as thorn in my heart. The first is 4th June, 2009. After the UPA-II assumed charge in May, 2009, the House convened, for the first time, on 4th June. The month of May that year also witnessed the most horrific war of our time in Sri Lanka culminating in the genocide of the Eelam Tamils. The top two places

where massive number of people was massacred as war targets were Hiroshima and Nagasaki. Mullivaikkal in Sri Lanka stands third. In the final days of the war alone, more than 40,000 Tamils were slaughtered by the Sri Lankan Army and Air Force. Against this background, I was shocked, when the House convened after two weeks that Rajya Sabha did not even shed a drop of tear or pass a condolence resolution. In this House, we have been witnesses to so many obituary references relating to some countries which we would not have even heard of. But on 4th June, 2009, we would not even stand up for a minute to observe silence condoling the death of thousands of innocent civilians just 12 kilometres across the coastal border of Tamil Nadu, people who are our umbilical cord brothers and sisters.

The second date was 1st August, 2011, the first day of this Session, with mixed emotions -- shock, horror, disbelief, despair and frustration -- I was a mute spectator as the Chair welcomed the Parliamentary delegation from Sri Lanka, a country that successfully completed the ethnic cleansing of my Tamil brethren in Sri Lanka. \* could not maintain his schedules in Oxford University and US due to opposition...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): The name is expunged.

DR. V. MAITREYAN: "The hon. President of Sri Lanka", are you satisfied?

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Yes.

DR. V. MAITREYAN: Okay. But it is unfortunate that his team got a red-carpet welcome in India even after Mullivaikal carnage.

This is all the more hurting because the newly elected Tamil Nadu Assembly, on the very 1st day of its first Session on 7th June, 2011 passed a unanimous resolution urging the Government of India to take up with the United Nations Organisation to declare those found guilty of war crimes as war criminals and also to initiate action by working with other nations for imposing economic embargo on the Government of Sri Lanka. That historic resolution was moved by none other than the Chief Minister of Tamil Nadu and my beloved leader, Dr. Puratchi Thalaivi. Mrs. Hillary Clinton, the US Secretary of State, appreciated this when she met the Chief Minister of Tamil Nadu. Subsequent to Clinton visit, the US House Foreign Affairs Committee voted to ban aid to Sri Lanka.

On 4th August, 2011, the hon. External Affairs Minister, Mr. S. M. Krishna, made a suo motu statement on the situation in Sri Lanka. Emboldened by this statement, on 8th August, Mr. Gotabaya Rajapaksa, Sri Lanka's Defence Secretary, severely criticised the Tamil Nadu Chief Minister-you

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†Not recorded.

can't expunge his name because he has criticised my Chief Minister —and the unanimous resolution passed by the Tamil Nadu Assembly without knowing the facts. A war criminal like Gotabaya Rajapaksa has no right whatsoever to even take the name of my leader, Dr. Puratchi Thalaivi. I strongly condemn him and warn that, sooner than later, he and his group will have to stand before the International Criminal Court as "war criminals". It is really unfortunate that three weeks after the incident, so far, the Government of India has not condemned it.

As early as 2009, the US Department of State submitted a report to the US Congress on the incidents during the recent conflict in Sri Lanka.

The Report of the UN Secretary General's Panel of Experts on accountability in Sri Lanka, if at all there is any accountability, was released on 31st March, 2011. Its conclusions are very significant. The conclusions are: There is a reasonable basis to believe that large scale violations of international humanitarian and human rights law were committed. As a direct consequence, tens of thousands of Sri Lankan civilians were killed and hundreds of thousands suffered immensely, including the loss of loved ones, serious injuries, displacement and loss of homes and livelihood.

The credible allegations against the Sri Lankan Government fall into five core categories: (1) killing civilians through widespread shelling; (2) shelling of hospitals and humanitarian targets; (3) denial of humanitarian assistance; (4) human rights violations suffered by victims and survivors of the conflict; and (5) human rights violations outside the conflict zone, including against the media and other critics of the Government.

The UN Panel further stated that the Panel's assessment of what happened during the final stages of the war and, therefore, the political, legal and moral obligations that follow stand in stark contrast to the position of the Government of Sri Lanka, which continues to hold that it conducted a "humanitarian rescue operation" with a policy of "zero civilian casualties" and, therefore, has no responsibility for any wrong-doing. The UN Panel further notes that two years after the end of the fighting, the root causes of ethno-nationalist conflict between the Sinhalese and the Tamil population of Sri Lanka remain largely unaddressed and human rights violations continue. That is why my Party General Secretary, Dr. Puratchi Thalaivi, is demanding that the hon. President of Sri Lanka and his

team should be tried as war criminals. Since justice cannot be obtained from the accused, I strongly urge that there should be an independent international investigation.

That it was indeed a war crime is proved by the excellent pictorial compilation in the Book, titled "What is to be done about this" and also by the video cassette, titled "Killing Fields of Sri Lanka" telecast by the 'Headlines Today' news channel.

The most devastating proof of the \* was provided by Priyamvada, a young news correspondent of the Headlines Today channel, the first international journalist to travel to the Vanni area in the 1st week of August, 2011. This is the video documentary titled "I witnessed \* inside Sri Lanka's killing fields" telecast on 9th and 10th of August, 2011. She spoke with scores of Tamil civilians who were witness to the war crimes and human rights abuses during that time. These people have also told her about sub-human living conditions, sexual assaults on women and torture in camps they were interned in by the Sri Lankan army after the end of the conflict.

The victims still live in fear in one of the most densely militarized zones of the world, devoid of any hope of ever getting justice. The entire Vanni region is swarming with soldiers of the Sri Lankan army. There was a soldier on patrol every few metres and a check post every 100 metres. The army has built major military cantonments across the Vanni region. The sad tales of these men, women and children of war-torn Tamils are still ringing in this land.

Mr. Minister, in your statement, you have said, "Around 2,90,000 IDPs have already been resettled and only around 10,000 IDPs remain in camps". This is untruth. The Vavunia camp alone has more than 15,000 IDPs. What about the Mullaitheevu camp, the Mannar camp and the Pudukudiyiruppu camp? Your officials were told by the Sri Lankan officials only about the green camps. What do you know about the orange camps and the red camps? Do you have any idea about the secret camps?

In your statement, Mr. Minister, you have mentioned about the Indian aid for relief, rehabilitation and resettlement. India has pumped crores and crores of rupees and tonnes and tonnes of relief material. What has happened to the Indian aid? Where has all the money gone? The delegation of the UPA Members of Parliament, which went \* to Sri Lanka two years back, gave a very rosy picture. But that has been completely demolished by the Priyamvada documentary. There is no resettlement at all. The hapless Tamils were moved away from the camps and dropped like hot

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\*Expunged as ordered by the Chair.

potato in jungles to fend for themselves. There are no houses, no buildings, not even tents, no food, no water and no sanitation.

Mr. Minister, in Para 8 of your statement, you are eloquent about the commitment of the Sri Lankan External Affairs Minister regarding expeditious and concrete progress in the ongoing dialogue...

DR. E.M. SUDARSANA NATCHIAPPAN: Sir, he has used the word \*

DR. V. MAITREYAN: Sir, Mr. Natchiappan, at least, spoke half truth today. Now he wants to go back on that. ...*(Interruptions)*...

DR. E.M. SUDARSANA NATCHIAPPAN: That was not a \* ...*(Interruptions)*...

DR. V. MAITREYAN: I forgot to add one more word - Not only a \*

DR. E.M. SUDARSANA NATCHIAPPAN: There were three lakh IDPs. He visited that place. Was it a \* for him?

DR. V. MAITREYAN: You had visited that place. What is the report you gave to the Government?

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Don't make it a party issue.

SHRI TIRUCHI SIVA: The delegation had gone there, with some responsibility.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Don't make it a party issue.

SHRI TIRUCHI SIVA: They were authorized by the Government. They are all Members of Parliament. They cannot be named like that.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Dr. Maitreyan, don't make it a party issue. The entire House is supporting you. Then why do you make it a party issue?

DR. V. MAITREYAN: Para 6 mentions that 50,000 houses are to be constructed by the efforts of the Indian Government, and inauguration of the construction of thousand houses at Ariyalai at Jaffna. There is a news-item in the New Indian Express, dated 22nd August, 2011, about flaws in Indian-built houses. Forget about 50,000 houses! Forget about 1,000 houses! Our Minister inaugurated the construction of 150 houses. Even in this case, the work had to be suspended because of flaws in Indian-built houses. Actually, the Hindustan Prefab Limited had given a sub

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\*Expunged as ordered by the Chair.

contract to Sri Lankan contractors, and because of that, there were problems in the construction. So, even the construction of those 150 houses has been suspended. This is what the 22nd August issue of the Indian Express has reported.

Mr. Minister, in Para (8) of your statement, you are eloquent about the commitment of the Sri Lankan External Affairs Minister regarding expeditious and concrete progress in the ongoing dialogue and about the devolution package, building upon the 13th Amendment. Do you still believe in what the Sri Lankan External Affairs Minister says? Whether you believe it or not, we have no belief in you. And Mr. Gotabaya Rajapakse threw egg on your face. In his interview on 8th August, he categorically stated that "the existing Constitution is more than enough for us to live together. I don't think there is any issue on this more than that. Devolution wise, I think, we have done enough. I don't think there is a necessity to go beyond that." This is what Mr. Gotabaya Rajapakse has said, as latest, on 8th August. Today the surviving Eelam Tamil community feels that it is betrayed and orphaned by the International community, particularly, by India. The average Eelam Tamil is not concerned about the devolution package, 13th Amendment, and all those high-flung phrases. He wants food to survive; he wants drinking water; he wants livelihood, shelter and, above all, to live without fear, fear from the brute Sri Lankan Army. Mr. Minister, if Foreign Policy is about anything, it should be about stopping this kind of inhumanity. I look into your eyes straight and ask a question: If it were your families, what would you do? Mr. Minister, if it had been your families, what would you have done? Please answer. Thank you, Sir.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, Dr. Ashok S. Ganguly.

SHRI T.M. SELVAGANAPATHI: Sir, I am on a point of order. Mr. Maitreya, in the course of his speech, has denigrated ...*(Interruptions)*... I have been allowed by the Chair. Sir, he has made remarks denigrating. Members of Parliament ...*(Interruptions)*... He has stated that it was a \* I would like to seek a clarification ...*(Interruptions)*... I would like to seek a clarification from Dr. Maitreya ...*(Interruptions)*... His leader had stated, "During war, it is natural that people will be killed." Can he clarify this? Now they are shedding crocodile tears. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I will go through the record and if there is anything wrong or unparliamentary, I will expunge it.

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\*Expunged as ordered by the Chair.

DR. ASHOK S. GANGULY (Nominated): Mr. Vice-Chairman, Sir, it is very difficult to match either the voice or the rhetoric of my colleagues who have spoken now. This is not an issue of one political party versus another political party. I stand here as an Indian, as a proud Indian. Now, this is not a problem of the people of Tamil Nadu alone. Their mother-tongue is Tamil. But this is a problem which concerns India. I acknowledge what my previous speakers have said, and it is all a matter of record from which they have quoted. The saddest event which has happened recently is that the Government of Sri Lanka has decided that the National Anthem, which used to be sung both in Sinhala and Tamil, is no longer going to be rendered in Tamil. In India, we have several languages, but we have one National Anthem. To play with the National Anthem is to play with the sentiments of mother tongue and the sentiments of a nation. Never has in the recent history of human right violation in the world is matched by event in Sri Lanka -- whether it is the way the Jews were persecuted during the Second World War or whether the manner in which Yugoslavia broke down with a series of atrocities. Our Tamilian brethren in Sri Lanka have faced huge destruction in the hands of their fellow citizens which has raised emotions of this House. But emotions are not enough; solutions have to be found. Those whose mother-tongue is Tamil will have to live in peace and dignity in Sri Lanka. We have a responsibility towards our neighbours and towards our fellow citizens. When some Indians get ill-treated in Australia, there is a hue and cry. When there is something that happens in a United States campus, we protest. You can protest against a civilized Government. In the case of Sri Lanka, I think it has to be made clear that this country along with the Tamil speaking brethren of Sri Lanka has made huge sacrifices over the years. Our beloved Prime Minister, Rajiv Gandhi, was killed by the agents of the LTTE. One can fling accusations on all sides. We are not looking for accusations, Mr. Vice-Chairman; we are looking for a peaceful solution. The Tamil-speaking people of Sri Lanka have every right as citizens. This is not a game that must be allowed to go on -- where the Chinese are brought in Hambantota; where other people are being drawn into this conflict. This is an international conflict. It is a conflict of national shame. We are in this House gathered together to express our collective solidarity with our fellow citizens in Sri Lanka and to appeal to the international community to recognize the atrocities and bring to trial those who have perpetrated such atrocities, no matter which community they belong to. I am very proud to be able to participate in this debate. I know we

3.00 P.M.

are running short of time. But I have to stand up and share strong feelings, Mr. Vice-Chairman, with the rest of the House so that the strong feelings of this House are unanimous and not partisan. I thank you.

DR. MANOHAR JOSHI (Maharashtra): Sir, I have purposely selected this topic for my speech today for two reasons. Firstly, my Party, Shiv Sena, and the Parties of Tamil Nadu - DMK, AIADMK and others -- are all regional Parties. Secondly, my Party, Shiv Sena, strongly believes that the nation always comes first; then comes the State. This issue is absolutely a national issue and I hope that all political parties will support this issue. I am told that there are two crore Sinhalese and forty lakh Tamils in Sri Lanka. The number of Sinhalese is more than the number of Tamils. But, as I said earlier, the issue is not of Tamils staying in Sri Lanka, but the issue is between India and Sri Lanka. I know for certain that a number of atrocities have been committed and if we really want to stop these atrocities, new measures will have to be found. Sir, I must also admit that India and Sri Lanka have had relations for a very long time.

And the issues for both the countries are almost the same. We have problems of unemployment, terrorism, etc. The same are with Sri Lanka. There are also a number of challenges. Surprisingly, but surely, there are common challenges like unemployment, etc., and there are same opportunities for both countries. The strong stand against Tamils -- according to me, they are also Indians -- taken by the President of Sri Lanka is a matter of grave concern. Therefore, this issue has to be tackled very carefully but with firm hands. I would like to ask the hon. External Affairs Minister: Are you serious on the issue? Sir, when a number of innocent people have been killed, I do not think that the Government is serious about it. I have also seen that if somebody wants his point to be made, the only alternative is to come on the streets. Therefore, I would like to know, who all supported this issue, whether they are prepared to come on the streets for saving our brothers in Sri Lanka. If we do it, I am sure, this Government will surrender. We have experienced it recently; unless the people unite and show their strength, the Government would not surrender. I am sorry to say that, but in this case, the Government takes a stand as if these are the different people of the other country and it cannot do anything. But, I have also read a number of times that if any mistake

happens in any part of India, because of that mistake if any country suffers, that country never keeps silent. It immediately would like to take action. Therefore, I hope, on this issue, a unanimous resolution should be passed. In fact, I am very happy that Shri Raja and my other colleagues brought this issue before the House today.

What are the demands? Sir, the demands are very simple. The armed forces of the Government of Sri Lanka should be withdrawn from the area where people of Indian origin stay. These armed forces have created this civil war. These armed forces have also tried to come in the way of the Tamil people staying in Sri Lanka. The Government must immediately prevent further torture, harassment, rape and killing of Tamils. If this is not done, the day would come when the issue becomes more serious. Do you want this to happen? The agitated Members of Parliament have spoken in their speeches to say that there seems to be no alternative than the Government taking action against those who committed these crimes. They are not allowing us to go there; they are not allowing us to visit those camps; and, therefore, the Secretary-General of the U.N. and other officials visited and they made a number of demands from the Government of Sri Lanka. The killing of Sri Lankans should immediately be stopped. Their objective should be to give assistance on humanitarian basis and the Government of India should take up this matter with the U.N. organisation to declare those found guilty as war criminals. If this is done, I am sure, the MPs who spoke today on this issue would be happy. I have read the Statement made by the hon. Minister of External Affairs in the other House. I think the Government is not in any way interested in helping our brothers and sisters there. Therefore, people from those areas should be saved, their lives should be saved. If that is done, the issue will be resolved. Sir, I am only assuring all my friends in Sri Lanka that with the people from Tamil Nadu, we would like to agitate on this issue all over the country. In Maharashtra, you can be assured that Shiv Sena will be on your side all the times on this issue. Thank you, Sir.

DR. M.S. GILL (Punjab): Mr. Vice-Chairman, Sir, first, I would like to make an observation that, today, we are debating an issue of great national importance. I think, in both the Houses, full work is going on. I think, perhaps, this is being debated there also. It is a motion by all sections of the House and the views, collectively, are also the same. Since we have some excitement outside the House for the last number of days, a thought comes to me, that Parliament today, here and in

the other place, is affirming its central place to India's Constitution and its primacy. Let nobody be confused that they can put it off balance; it is a thought. Sir, as far as this issue is concerned, first, Sri Lanka is our age-old neighbour. We have great cultural, scriptural and every kind of links with them. I know in Punjab, Guru Nanak's travels have been there and we discuss them everyday - where he went and whom he met. Therefore, I have to say that our goodwill, our good feelings for the people and country of Sri Lanka was and will remain. These are aberrations of time. What has happened there is very unfortunate. But, having said that, every body has spoken. I take interest in these matters. I have been reading for a long time and I have followed very closely 20 years of this unfortunate bloodletting. Recently, the Channel 4, the other ones they have referred to and the UN Report, I have gone through them very closely. I think there is no doubt in the House or outside that a terrible kind of a thing has taken place. The Armed Forces have done terrible things to the civil population, citizens of their own country. They have done terrible things. The World - belief of free and democratic people, who value human rights, is there. If that is so, I also see that the Government of Sri Lanka is trying something which will not succeed -- try and push under the carpet, give ostensible acceptance and ostensible actions. But as my friend from the CPM said, "In reality, there is nothing." Even the money which had been given by us is, perhaps, either not being used or not being given to the right people in the right way. So, all these concerns are true. I do want to say, through you, Sir, to the Government of Sri Lanka, with all the goodwill, that this policy, if pursued, will be a wrong one. It will not succeed in the long run. Sir, I am told that there was 24 per cent Tamil population in Sri Lanka. A large number of people have gone as refugees from Southern districts of Tamil Nadu. They are still suffering there. But, even today, there is about 20 per cent population. Sir, nowhere in the world, Palestine or here or any other country I follow, can you really keep the people down? The only way to keep people properly in their place and united in a country is by giving justice, by giving fair and equal treatment. And I think, Sri Lanka Government has to focus on that. Reference has been made to section 13 of the Rajiv Gandhi-Jayewardene Agreement and various other things. Sir, they have to carry them out, and the Government of India must press this hard because unless you have those provinces of the north with their Governors, with their legitimate power for development and looking after their people, as we have in all the States in India, you will not succeed. Sir, I noticed what Mr. Siva said and I do believe, there is a worry there. If you carry on

this kind of a negative policy, you will come to a greater trouble. Mr. Tiwari also said this. You will come back to some such thing which, then, would be difficult for them and difficult for us, because our geography, our neighbourhood and our interests cannot change.

I also see a certain attempt there. The accord with China was referred to by my colleagues. I am aware of the Hambantota Port in the south, which is being totally developed by them and, perhaps, some other economic projects. Reference has been made by our friends from the south. I am aware of that. But India's Foreign Policy since Nehru's times has been a moral and principled one and we cannot be frightened off by any threat of playing one against the other. We are not that kind of a push-over; I hope not. And, if we are in the Security Council and if we hope to be permanently there, then, we have to play roles which are correct and which are principled. And, when it is our own backyard, how can we ignore it?

This is the way I see it and I would hope -- the Foreign Minister is here -- they will take a little more interest in this business. We heard our friends from the south. There is every reason in their passion and I think, we must take note of that. The real politic as a policy never goes wrong. I don't think it succeeds anywhere, nor do we have to be particularly worried about this kind of a thing. We are their friends, as a country; we wish them well and, at the same time, we do insist that justice must be given to the 20 or 25 per cent people. Tamil Nadu cannot hold a large refugee population in perpetuity. A parliamentary delegation, I think, Sir, is a good idea. They should be requested to host one and let us have a good look. Finally, we would all request the hon. Foreign Minister to please take interest in this and push the Rajiv Gandhi agreement and other relevant things so that those people get justice and they are at peace and we are at peace.

SHRI KUMAR DEEPAK DAS (Assam): Sir, I wish to make some points with regard to the Tamil issue in Sri Lanka.

Sir, I am convinced that this is not a problem of Tamil people alone; it is a problem of humanity; it is a problem of restoration of human rights in Sri Lanka.

Sir, I am in support of finding a political solution to the Tamil people's problems and justice to the Tamil people living in Sri Lanka but without having strained relations between India and Sri Lanka because it is an age-old relationship and the relationship became strong when an MoU was signed between Sirimavo Bhandarnaike and late Lal Bahadur Shastri, our former Prime Minister, in the 60's.

Our relations with Sri Lanka are historical, "cultural and traditional and ancient too. But I am sorry to say that the Tamils of Sri Lanka have been living in acute misery and squalor. Sir, the recent estimates that have been reflected in the UN Panel report were that 40000 people were killed in the war. It can easily be calculated that 80 per cent civilians of those 40000 were people who were killed in Sri Lanka under the guise of fighting insurgency. There is a need for an independent and full accounting of the facts in order to ensure that allegation's of abuse are addressed and human rights violation is avoided.

Sir, we have seen the British Documentary aired by Channel 4. It showed horrific images of blood and bodies, photographs of terror and distress of survivors. It was horrible. This is not the problem of Tamils only. It is a problem of human rights. It is fair to expect that \* Government would, at least, relieve the problems of survivors. By all accounts, Tamils of Sri Lanka have been living in acute misery and in squalor.

Sir, on 17th May this year, at the end of the visit of Sri Lankan Foreign Minister, Prof. Peris to New Delhi, the External Affairs Minister, Shri S.M. Krishna, urged the Sri Lankan Government for expeditious implementation of measure to ensure resettlement and genuine reconciliation, including early return of Internationally Displaced Persons (IDPS) to their homes, early withdrawal of emergency regulations, investigations into allegation of human rights violation, restoration of normalcy in affected areas and redress of humanitarian concerns of the affected families.

Has it been done? Has the Ministry of External Affairs reviewed those situations? If yes, what is the outcome? There is a need of new venture from the Government of India for a dignified and honest existence for the Tamils in Sri Lanka.

It is a fact that the Tamil people in Sri Lanka have essentially no future in Sri Lanka except within the narrow confines of what the Government will allow. Therefore, there is a need of immediate steps which must address the underlying cause of conflict -- the situation of Tamil people - and ensure that the Government of Sri Lanka and Tamil people are able to enter in meaningful dialogue on how to resolve the Tamil issue and ensure human rights of Tamil people in Sri Lanka.

With these few words, I conclude my speech. And, I again demand the Government of India to request them to withdraw the Army from Tamilian area immediately. Our Government has good relation with Sri Lankan Government. So, please take up the issue at Government level so that a

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\*Expunged as ordered by the Chair.

political solution can be drawn. If the Government fails to do so and fails to convince the Sri Lankan Government, take up the issue of Tamil people at international level.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Shri Ram Vilas Paswan, not present. Shri Rajniti Prasad.

**श्री राजनीति प्रसाद (बिहार):** महोदय, मैं सबसे पहले तिरुची शिवा को धन्यवाद देना चाहता हूँ और साथ ही उनको भी धन्यवाद देना चाहता हूँ, जिन्होंने उनके भाषण का Interpretation किया। इनका भाषण यह show करता है कि इनके दिल में वहाँ की atrocities के प्रति कितना ज्वालामुखी है। मैं यह भी कहना चाहूँगा कि पूरी दुनिया में जहाँ भी इस तरह की atrocities हुई हैं, वहाँ UNO बीच में आ जाता है और वह उस देश की atrocities का मूल्यांकन करता है।

(श्री उपसभापति पीवासीन हुए)

मूल्यांकन करने के बाद दुनिया में कई ऐसे राजा हुए हैं, जिनको International Court of Justice में सजा भी हुई है। इसके साथ ही मैं यह भी कहना चाहूँगा कि श्रीलंका के ऊपर इस हाऊस में किसी भी तरह का विवाद नहीं है और इस पर सभी लोगों का एक मत है। मैं यह चाहता हूँ कि श्रीलंका में कत्ले-आम हुआ है, atrocities हुई हैं और ऐसा भी war crime हुआ है कि जो लोग सरेंडर करने के लिए सफेद झंडा लेकर जा रहे थे, उनको भी मार दिया गया। मैं Mr. Vaiko जी को भी धन्यवाद देना चाहता हूँ। His name is Vaiko. He has prepared very good clips and cassette. मान्यवर, मैं जब उसको देख रहा था तो मेरी आंखों के आंसू रुकते नहीं थे। उस कैसेट में इतनी atrocities दिखाई हैं, इतना ज्यादा inhuman दिखाया है कि हमारे ख्याले से मि. वाइको का जो कैसेट है, वैसे और भी कैसेट होंगे, हमारे फॉरेन मिनिस्टर साहब को भी उसको देखना चाहिए। मैं यह चाहता हूँ कि उनके पुनर्स्थापन के लिए, विस्थापितों के कल्याण के लिए आप लोगों ने जो कुछ किया है, आपने जो पैसा दिया है, आपने जो सामान दिया है, उसके लिए आप जरूर देखिए कि उसका कुछ हो रहा है कि नहीं हो रहा है। अगर आप इसको नहीं देखेंगे तो जो तमिल people हैं, जिनके लोग वहाँ हताहत हुए हैं, उनके लिए जो सहायता आपने दी है, उसका कोई फायदा नहीं होगा। मुझको यह जानकारी मिली है कि जो आदमी कैम्प में रह रहे हैं, उनको बढ़िया खाना नहीं मिलता, पानी नहीं मिलता, उनको स्वास्थ्य की सुविधा भी नहीं है। मुझको यह जानकारी भी मिली है कि जो लोग कैम्प में रहते हैं, वे लोग कैम्प में डरकर रहते हैं, क्योंकि रात में मिलिट्री के लोग उनसे पूछते हैं कि कहां गए थे, कौन हो, क्या है, आदि। वहाँ के नौजवानों को चुन-चुनकर, उस कैम्प से निकालकर, पिछले एक साल से कहां रखा

हुआ है, यह पता नहीं है। इसलिए मैं अंत में विदेश मंत्री जी से कहना चाहूंगा कि हम लोगों ने बहुत सहायता की है और हम लोगों ने लंका के एक सुपर, एक अनमोल रत्न को भी यहां गंवा दिया है। हमारे यहां एक अनमोल रत्न थे, जिनका नाम आप सभी जानते हैं। आप कुछ ऐसा करिए, जिससे यह समस्या समाप्त हो जाए। अंत में मैं एक बात कहना चाहूंगा कि अगर आपने इसको नहीं सम्भाला तो यह बीज बहुत फैलेगा और हो सकता है कि बाद में एक वटवृक्ष बन जाए और जो समस्या है, वह समस्या उससे भी और आगे बढ़ जाए। धन्यवाद।

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): Mr. Deputy Chairman, Sir, at the outset, I would like to convey my gratitude and thanks to all the Members who have participated in this debate which was initiated by my esteemed friend, Shri D. Raja. And, a number of distinguished Members - Dr. E.M. Sudarsana Natchiappan, Shri S.S. Ahluwalia, Shri Ambeth Rajan, Shri T.K. Rangarajan, Shri Shivanand Tiwari, Shri Tiruchi Siva, Dr. Janardhan Waghmare, Prof. Ram Gopal Yadav, Dr. V. Maitreya, Dr. Ashok S. Ganguly, Dr. Manohar Joshi, Dr. M.S. Gill, Shri Kumar Deepak Das and Shri Rajniti Prasad - have participated in this very important debate. The debate has been one which has been fairly well structured and it has been a very responsible approach to a problem which is very sensitive but, at the same time, very critical and very vital for India. We have an excellent relationship with Sri Lanka, and this is not a development of the recent past. History, civilization has brought both the countries so close together, and, we will have to develop on that cordiality of relationship that exists between two sovereign countries. I am indeed very happy that every Member, who participated in this discussion, was extremely concerned basically about two things, namely, the welfare of the Tamil-speaking Sri Lankan citizens and their relationship with the Sinhalese-speaking people of Sri Lanka. They have to live together and they will have to pursue whatever they have been doing in cooperation with other citizens of Sri Lanka. So, it is in this backdrop that we will have to look at this issue of finding a lasting solution to the problems that the island nation has been facing. For three decades, they have been struck by civil war and killings of scores of innocent people have taken place, which does not bring any credit to any nation.

There are humanitarian questions, there are questions of rehabilitation, and, there are questions of the rightful place that the Tamilians demand within a united Sri Lankan polity. I was myself in Sri Lanka at the invitation of the Foreign Minister of Sri Lanka. I spent five days there. I went to the north, I went to the south, and, I went all over. And, here, I will have to record my deep sense

of appreciation that the Sri Lankan Foreign Minister, brushing aside all his other assignments, kept my company for all the, five days, and, travelled with me throughout my sojourn in Sri Lanka. I was indeed touched, you know. I don't know whether I would have been able to do that when he came here. ...*(Interruptions)*...

DR. V. MAITREYAN: Perhaps, he did not want you to go to unwanted places. ...*(Interruptions)*...

SHRI S.M. KRISHNA: Well, I think, that would be giving a very subjective interpretation of his gesture, which he showed to India, not to me in my personal capacity. But this is the kind of gesture that he showed to India, and, that is the reason why I thought it proper to make its mention here. Yes, there are many unresolved problems. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: During your visit, did you have the chance to visit the camps there? ...*(Interruptions)*...

SHRI S.M. KRISHNA: No, I did not visit the camps but I visited ...*(Interruptions)*...

DR. V. MAITREYAN: That is why, he accompanied you for five days. ...*(Interruptions)*...

SHRI S.M. KRISHNA: I visited the places ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please allow him to reply, and, then, you can speak. ...*(Interruptions)*...

SHRI S.M. KRISHNA: Well, Mr. Deputy Chairman, Sir, I heard the speeches all the time that I was here but the debate is going on in the other House also. That is how I have missed two important speeches, one by Mr. Tiruchi Siva and the other by Dr. Maitreyan. I would have loved to have heard them so that my understanding of the situation would have become clearer. But, nonetheless, let me convey that India will pursue with the Sri Lankan authorities, with the Sri Lankan Government. I will certainly convey the sentiments of this august House to the Foreign Minister of Sri Lanka.

A number of issues have been raised and raised justifiably. When hon. Member Shri Raja was speaking, he spoke with a lot of conviction. He spoke with total commitment, and perhaps all the speakers who spoke today, whether they come from the South or the North or the East or the West,

the degree of commitment that they have brought into this debate and to the plight of the Tamil-speaking Sri Lankan citizens was indeed touching, Mr. Deputy Chairman. I will certainly convey this to my counterpart in Sri Lanka, and, I am sure, they would also be very keenly following the debates in both Houses of Parliament in India.

Mr. Deputy Chairman, the primary objective in all that we are doing in Sri Lanka is to ensure welfare and well being of Sri Lankan Tamils, including the IDPs and to assist the in the development of northern Sri Lanka in particular. I am happy to convey, and it came out in speeches of some hon. Members, that around 2,90,000 internally displaced persons have been resettled.

DR. V. MAITREYAN: That is what I am saying...

SHRI S.M. KRISHNA: And, leaving only around 10,000 according to the reports which we have been able to obtain.

SHRI D. RAJA: This figure is contradicting, Sir. That is why we request you to look into the issue.

SHRI S.M. KRISHNA: Okay. Well, now, I will come to what we can do as Members of Parliament, to a latter part of my response to the debate. But, this is the report that we have and this can certainly be verified, and I will deal with that aspect a little later. The Government of India have announced a package for Sri Lanka. Rupees five hundred crores have been announced for relief and rehabilitation. I think, Mr. Natchiappan mentioned about 2.5 lakh family relief packs which have been provided. 10,400 metric tons of shelter material and 4,00,000 cement bags for the IDPs have been provided. To renew the agricultural activities in northern Sri Lanka, we have gifted about 95,000 agricultural starter packs, seeds and about 500 tractors. A point has been made that some of these tractors have been diverted to somewhere else. I think that again could be verified. ...*(Interruptions)*...

DR. V. MAITREYAN: Sorry to interrupt you, Sir. ...*(Interruptions)*... A major part of what the Indian Government has given to them seems to have been used for organisations of the Sinhalese in the Tamil areas. It has been used only for that purpose.

SHRI S.M. KRISHNA: We have been informed by the representatives of Sri Lankan Tamils that the tractors, seeds, and agricultural implements gifted by the Government of India have greatly

benefited the resettlement of the people and have contributed to lowering the cost of food production in the area. We have also announced that 50,000 houses will be constructed. Construction of 50,000 houses is a huge task. And we are still working out a process or a methodology as to how we can proceed with implementing this assurance which we have conveyed to the Government of Sri Lanka for the benefit of the internally displaced persons. The Government of India has given a line of credit of 800 million US dollars for the restoration of northern railway lines. Apart from all this, India is also assisting in the rehabilitation of Kankesanthurai Harbour, restoration of Duraipappah Stadium, and construction of cultural centre in Jaffna, and a vocational training centre in Batticaloa and Nuwara-Eliya. These have been mentioned.

DR. V. MAITREYAN: You are saying resettlement and reconstruction. What is this?

SHRI S.M. KRISHNA: To the extent that some concerns have been expressed uniformly by every Member who has participated in this debate, they have raised a Report of the United Nations Secretary-General's Panel of Experts on Accountability in Sri Lanka. India has taken note of the Report and we have heard the views of the Sri Lankan Government, including during the visit of the External Affairs Minister to New Delhi in the month of May 2011 and during the meeting of Troika in Colombo June 2011. It may be recalled that the Panel was set up by the UN Secretary-General with the objective of advising him on development in Sri Lanka in the last stages of the conflict. In general, there are still questions on the Report and the issue has not so far come up for discussion in the formal agenda of any of the relevant United Nations Intergovernmental Bodies. We are just waiting for this to come up in any one of the Intergovernmental Bodies the United Nations, so that India can take a position to express its views on that.

To the extent that concerns have been expressed by various quarters on the Panel Report and that Channel 4 Documentary, which has been seen by a large number of people in India and a large number of hon. Members of Parliament, it is for the Sri Lankan Government, in the first instance, to investigate and enquire into them and establish their veracity or otherwise through a transparent process. We know that it is also doing this through its Lessons Learnt and Reconciliation Commission which has been set up in Sri Lanka.

The Government has reiterated, and will continue to reiterate, to the Government of Sri Lanka the urgent and imperative need for taking expeditious steps towards genuine national reconciliation including early return of internally displaced persons to their respective homes, early withdrawal of emergency regulations, investigations into allegations of human rights violations, restoration of normalcy in affected areas, reduction and ultimate elimination of high security zones, accountability for the list of missing persons and redress humanitarian concerns of affected families.

Some Members have also raised questions of safety and protection of the civilians during the conflict. I wish to emphatically state that during the conflict, particularly its last phase, the Government of India repeatedly called upon the Government of Sri Lanka to be mindful of the welfare and safety of civilians caught in the crossfire and consistently emphasised that the rights and welfare of the Tamil community of Sri Lanka should not get enmeshed in the ongoing hostilities.

Members have also referred to a media interview by the Defence Secretary of Sri Lanka. We have noted that some specific comments were made about an elected Chief Minister of a State of India which are without justification and we reject them. If the Chief Minister of Tamil Nadu has made a point about the plight of Tamil-speaking Sri Lankans in Sri Lanka, it is with ample justification. She was just making an appeal to the Union Government, and we eventually would have taken it up with them and it did not befit the Defence Secretary to make that statement.

Members also expressed concerns about the fishermen. This House has debated it a number of times. I have said, and I have very consistently held this view, that it is necessary for the fishermen on both the sides. They are all Tamil-speaking. ...*(Interruptions)*... So, the conflict is between Tamil-speaking Indian fishermen and Tamil-speaking Sri Lankan fishermen. ...*(Interruptions)*... Mr. Deputy Chairman, Sir, we have tried to bring about an understanding. We have encouraged delegations to go to Sri Lanka and then talk with the representatives of the fishermen. ...*(Interruptions)*... But, unfortunately, it has not yielded the desired results. ...*(Interruptions)*... But, nonetheless, we need to keep up this tempo because we are dealing with a sovereign nation. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no. He has not concluded. ...*(Interruptions)*... Why do you seek clarifications in between? His reply to the debate is not yet over. ...*(Interruptions)*...

SHRI T.K. RANGARAJAN: Sir, the Minister is ready to hear. Sir, the Sri Lankan vessels or Sri Lankan fishermen are permitted to pass through the Maldivian waters in Arabian Sea. There is an agreement between Sri Lankan and Maldivian Governments. Why can't we have such an agreement with Sri Lanka about the fishermen fishing in those areas? This is done traditionally. For the past thousands of years, our fishermen are taking catches only in that area. Law cannot violate the traditional things.

SHRI S.M. KRISHNA: Well, the hon. Member knows that there is what is known as the international maritime waters. So, each country will have to confine itself, whether it is fishing or any other business.

MR. DEPUTY CHAIRMAN: This is not a debate.

SHRI S.M. KRISHNA: They have to confine themselves to the international maritime waters, Lakshman Rekha which has been accepted by every country. But none the less, about our fishermen regardless of whatever is the provocation, there is absolutely no justification for killing our fishermen for violating international waters. So, that is an understanding both have now arrived at. Under no circumstances will violence be used. Well, they could be captured, they could be tried and both of us could negotiate. As of now, there is not a single fisherman in Sri Lankan jails. But, on the other hand, we have a number of fishermen who have been taken into custody in India. We are in the process of sorting it out. ...*(Interruptions)*...

DR. V. MAITREYAN: What about killing of Indian fishermen? ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sorry. ...*(Interruptions)*... You are telling about the Sri Lankan fishermen you have apprehended. ...*(Interruptions)*... What is the number of Indian fishermen apprehended by the Sri Lankan Navy. ...*(Interruptions)*...

SHRI S.M. KRISHNA: If you want to go into the numbers, I have the numbers.

SHRI TIRUCHI SIVA: You have already given it. ...*(Interruptions)*...

SHRI S.M. KRISHNA: Yes. I have already given it.

SHRI TIRUCHI SIVA: How many Indian fishermen have been killed by the Sri Lankan Navy? ...*(Interruptions)*...

DR. V. MAITREYAN: We are interested to know about the number of Tamil fishermen killed. ...*(Interruptions)*...

SHRI S.M. KRISHNA: Wait, wait. In 2008, the number of Indian fishermen arrested 1,456, one reported missing and five reported dead. In 2009, 127 arrested, reported missing nil, reported dead nil. In 2010, 34 have been arrested and none missing and one reported dead. In 2011 till August, 164 have been arrested, nobody is reported missing and six are reported to be dead. ...*(Interruptions)*... These are the figures available.

MR. DEPUTY CHAIRMAN: Dr. Maitreyan, the Minister can give the figures which he has got. ...*(Interruptions)*...

DR. V. MAITREYAN: These are wrong figures. What about the IDPs? ...*(Interruptions)*... You are wrongly fed. It is very unfortunate.

SHRI S.M. KRISHNA: Are they questioning my figures?

DR V. MAITREYAN: Obviously.

SHRI S.M. KRISHNA: Obviously! Well, if you have any questions, convey it to me, then, I will certainly take it up.

DR. V. MAITREYAN: We have told you about it. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: This is not the way. ...*(Interruptions)*... Please sit down. You are not allowing the hon. Minister to reply. You are interrupting in between. ...*(Interruptions)*...

DR. V. MAITREYAN: What you have said whether it is IDPs, whether it is your commitment. ...*(Interruptions)*... You are not answering them.

SHRI D. RAJA: It is a fact that the Sri Lankan Government is acting in violation of all international conventions with regard to safety of fishermen on sea. That is what the Minister of External Affairs should take note of. Every day there is a report that Tamil fishermen are being captured and tortured.

MR. DEPUTY CHAIRMAN: Mr. Raja, as the hon. Minister has rightly said, he has the figures which he is giving it to the House. If you have any other information, please pass it on to him, he will look into it.

SHRI TIRUCHI SIVA: When he said that Indian fishermen have been apprehended ...*(Interruptions)*... whereas we have some Sri Lankan fishermen in prison. But we are asking how many Indian fishermen have been killed by the Sri Lankan Navy? But no single fisherman from Sri

Lanka has been killed by our Navy. So, we can't differentiate the number of people who are imprisoned and the number of people who are killed. They are doing it repeatedly. We have raised the same issue several times on the floor of the House. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: The hon. Minister has mentioned that nobody killed them. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: They have been killed. How could they die? How could they miss and die? ...*(Interruptions)*...

DR. V. MAITREYAN: They have been killed themselves. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: If you want to discuss the Sri Lankan fishermen and all that, you give a separate notice. That can be discussed. Now, the debate is on the plight of Tamils in Sri Lanka.

SHRI S. M. KRISHNA: Coming as I do from the neighbouring State of Tamil Nadu, if I don't understand the sentiments, I am sure that nobody else could understand the sentiments. I totally understand the sentiments. But you will have to factor in our own limitations in acting. Well, if you have anything concrete to contradict the figures which I have given, you are free to write to me and correct me. I will certainly take it up with my sources. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Kindly see to it that no fisherman is killed any more.

SHRI S.M. KRISHNA: Now, Mr. Deputy Chairman, Sir, we have been encouraged -- I will be concluding now -- by the existence of a structured dialogue mechanism between the Government of Sri Lanka and Tamil National Alliance. We were concerned with the recent break-down and resulting stalemate, and we encourage both parties to the dialogue to resume purposeful discussions towards a genuine political settlement. The Government of India is of the view that the end of conflict in Sri Lanka provided an opportunity to pursue a lasting political settlement in Sri Lanka within the framework of a united Sri Lanka acceptable to all the communities in Sri Lanka, including the Tamils. It has to be however kept in mind that this is a long-standing issue and Sri Lanka is going through this internal process. The sooner Sri Lanka can come to a political arrangement within which all the communities feel comfortable and which works for all of them, the better. The Government of India will do whatever it can to support this process.

In this context, our emphasis has been to persuade the Sri Lankan Government to move towards a new system of institutional reforms, including a devolution package built upon the Thirteenth Amendment. The Joint Press Statement issued on May 17, after Sri Lankan Foreign Minister visited India, stated this position, "We would continue to impress upon the Sri Lankan Government to pursue these institutional reforms so that Tamil people will have a feeling that they are equal citizens of Sri Lanka and they can lead a life with dignity and self-respect". We will have to also bear in mind the fact that, as per the agreement that we have concluded in 1974, Kachchathivu Island lies on Sri Lankan side as the maritime boundary. This agreement was placed before the Parliament. Therefore, it is not for us...

DR. V. MAITREYAN: It is not ratified by the Parliament. ...*(Interruptions)*...

SHRI S. M. KRISHNA: ... to question that agreement. But there is a process which is going on and we will just await the outcome of that process. ...*(Interruptions)*... During the recent meeting with the Chief Minister of Tamil Nadu in Chennai, the Sri Lankan High Commissioner to New Delhi has conveyed the invitation of President of Sri Lanka to the Chief Minister to Tamil Nadu to visit Sri Lanka.

[THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair]

He has also invited a Parliamentary team not only from Tamil Nadu but also from other areas to visit Sri Lanka, including northern Sri Lanka. The hon. Leader of the Opposition in the Lok Sabha has been invited by the hon. Speaker of the Sri Lankan Parliament to visit Sri Lanka. The Leader of the Opposition has accepted the invitation. She is scheduled to visit Sri Lanka between 16th and 20th of September, 2011. I also welcome the suggestions made by the hon. Members regarding the visit of a Joint Parliamentary Delegation to Sri Lanka to get firsthand information on various developments there. We will work out a suitable timeframe for the visit in consultation with the Sri Lankan Government. Thank you. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I will allow you to ask only one question each.

SHRI D. RAJA: Sir, with due respect to the hon. Minister, Shri S.M. Krishna, I must reiterate my point that the Government of India has failed to take a stand on the UN Panel report. The Government cannot wait for an issue to come up before intra-Governmental or inter-Governmental

organization under the UN. As an independent sovereign Government, what is the stand of our Government, our nation on such a report? This is what I have asked. The Minister could not reply to it.

SHRI S.M. KRISHNA: The Minister did reply.

SHRI D. RAJA: You said, "We will wait". Then on the Kachativu Agreement, he reiterated the earlier stand that Kachativu falls on the Sri Lankan side. Earlier, we used to demand that there was a need to reopen that issue. Now the time has come to revoke that agreement and renegotiate with that Government. Why can't the Government take this stand? We are a sovereign nation. They are a sovereign nation. It does not mean that we should not raise the issue related to bilateral agreements. Why can't India raise it? ...*(Interruptions)*... Sir, I am not at all satisfied with the reply given by the hon. Minister.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): What is your clarification? There is no room for statement.

SHRI D. RAJA: Sir, it is a Short Duration Discussion in which we have put a series of questions. But the Government response has not satisfied us. In fact, the plight of Sri Lankan Tamils is miserable and they are helpless. I find that my own Government stands helpless before the Sri Lankan Administration. I can't understand this position of the Government. Therefore, my Party stages a walkout.

*(At this stage some hon. Members left the Chamber)*

DR. V. MAITREYAN: Sir, the Minister has not taken note of the unanimous resolution passed by the Tamil Nadu Assembly of which his party was also a part. He has not mentioned anything about the pro-active steps our Government is going to take for bringing the war criminals to book. The Minister has not mentioned anything about Gotabaya Rajapaksa's statement regarding the devolution. I am not talking about any other thing. He has ridiculed you. ...*(Interruptions)*... Sir, his answer is not satisfactory. Regarding the IDP camps, you have grossly misquoted the numbers. The actual picture is totally different. Your statement may probably convince people in Sri Lanka, the Sinhalese in Sri Lanka, but it does not convince us. So in protest we are staging a walkout.

*(At this stage some hon. Members left the Chamber)*

4.00 P.M.

SHRI TIRUCHI SIVA: Sir, among the reconstruction projects, the most ambitious project is construction of 15,000 houses.

DR. MANOHAR JOSHI: Sir, we are also staging a walkout.

*(At this stage some hon. Members left the Chamber)*

SHRI TIRUCHI SIVA: Shrimati Nirupama Rao, before her retirement, visited Sri Lanka by the end of July. Her report says that in the first phase, 1,000 houses are to be built. The Indian authorities have confirmed that the first lot of homes, a mere 50, is nearly ready. We are very sorry. Of course, we do not agree with what is going on there and these effective steps are not at all satisfactory.

At least, these things are not being implemented to the level that has been expected. Rehabilitation measures have to be expedited; kindly give us the details. Building of houses, at least, should be very fast. And, keeping in mind all those emergency measures that are being enforced upon these IDPs, I would request the Government to kindly prevail upon the Sri Lankan Government to help these people live peacefully and give them relief from sub-human living conditions. The houses which have been constructed so far are just 50, whereas our ambition is 50,000. When will these be completed? When will they be shifted? Kindly give us the actual details and also do the things quite fast.

SHRI T.K. RANGARAJAN: Sir, we have given Rs.500 crores; we have given 500 trucks, and we have agreed to build 50,000 houses. But not even 50 houses have been built. My point is, -- I had also mentioned it in my speech -- in the 15th Lok Sabha, the External Affairs Minister mentioned, in the Action Taken Report on the Sixth Report, and I read: "It has been carefully chosen to have a maximum impact of rehabilitation, and for the well-being of Internally Displaced People of Sri Lanka, the overall, supervision of each proposal..."

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You are reading out something. Kindly put your question.

SHRI T.K. RANGARAJAN: No supervision has been done. No help has gone to them. I do not know what the External Affairs Minister is doing. The second point which I raised was about the fishermen. Sri Lanka has an agreement with Maldives. Their fishermen are fishing in the Arabian Sea,

in their area. Why is our Government not discussing it with Sri Lanka to protect our fishermen? This is not happening. From 1973 to 1984, when the conflicts were there, after the Agreement between India and Sri Lanka, our fishermen were going there. Still, our fishermen are not able to get justice. So, I am not satisfied with your reply, and I am also walking out.

*(At this stage, the hon. Member left the Chamber.)*

SHRI TIRUCHI SIVA: Sir, though we have expressed our views and sentiments, we are not satisfied with the action taken by the Government of India. So, we are also compelled to stage a walk-out.

*(At this stage, some hon. Members left the Chamber.)*

SHRI VIKRAM VERMA (Madhya Pradesh): Sir, it should be noted that the entire Opposition is not satisfied with the reply of the hon. Minister.

SHRI M. RAMA JOIS (Karnataka): Sir, Sri Lanka is a Buddhist country. When Ahimsa is Paramadharma, why are they indulging in killings? Why don't they invoke Buddhism instead of practising violence against the Tamils?

## GOVERNMENT BILLS

### **The National Council for Teacher Education (Amendment) Bill, 2010**

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now we will take up the National Council for Teacher Education (Amendment) Bill, 2010.

THE MINISTER OF HUMAN RESOURCES DEVELOPMENT (SHRI KAPIL SIBAL): Sir, I beg to move:

"That the Bill to amend the National Council for Teacher Education Act, 1993, be taken into consideration."

The National Council for Teacher Education Act, 1993, came into force, I think, in July 1995, with the intent that since teachers are at the fulcrum of our educational system, it is important for us to formulate a prescription through which quality education can be imparted to our children. As education is in the Concurrent List, we wanted to ensure that, throughout the country, those who impart education to our children should be qualified teachers. And the prescription and qualifications should be laid down by an entity which will impact the recruitment of teachers throughout the