

**Fact Check: Ontario Bill 104, (Alleged) Tamil Genocide Education Week Act, 2019
Analysis of LTTE Tamil Terrorist and their proxies' misinformation
and disinformation on Ontario Bill 104**

Full Text of Daya Gamage's presentation

Dear Friends:

I am Daya Gamage addressing you from the United States. I am a retired Foreign Service National Political Specialist of the United States Department of State, and very closely observed all those years the separatist/terrorist campaign of the Tamil Tigers. I seriously focused on what associated with that Tamil Tiger terrorist campaign, the propaganda campaign the activists of the Tamil Diaspora globally unleashed to influence the policymakers and lawmakers of those countries, and since the defeat of the Tigers, the worldwide disinformation campaign they carried to project Sri Lanka a genocidal state.

Today I join a group of Sri Lanka-Canadian professionals to expose the Tamil Tiger Diaspora canards with cogent facts.

What is Genocide? The Legal definition of Genocide is defined in Article 2 of the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide which states if any of the following acts committed (1) with intent to destroy, in whole or in part, a national, ethnical, racial or religious group (a) killing members of the group (b) causing serious bodily or mental harm to members of the group (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.

Here's what genocide looks like: (1) the mass killing of Armenians by Ottoman Turks between 1915-1920 **(2)** The Holocaust, during which more than six million Jews were killed **(3)** Rwanda, where an estimated 800,000 ethnic Tutsis and moderate Hutus died in the 1994 genocide **(4)** In Bosnia, the 1995 massacre at Srebrenica has been ruled to be genocide by the International Criminal Tribunal for the former Yugoslavia.

What happened in Sri Lanka from late 1970s to May 2009 was that a non-state actor – the LTTE – unleashed an armed struggle terrorizing the entire island of Sri Lanka to forcibly divide the nation to establish a separate independent country which they called 'Tamil Homeland'.

There is a serious misconception – globally well publicized by the agents of the LTTE and activists of the Tamil Diaspora, and some policymakers of western nations in Canada and the United States readily accepting – that the movement and demand for a separate Tamil nation emerged due to the 1956 Sinhala Only Act – a legislation that made the Sinhalese language – spoken by 74 percent of the people - the official language of Sri Lanka.

When was this separate state seed sown?

In 1947 when the minority community Tamils had all the privileges in education and super employment well over the majority Sinhalese community, this is what a Tamil leader S.J.V.Chelvanayakam addressing the First Elected Independent Parliament on 26 November 1947 said (**I Quote**) “If Ceylon is fighting to secede from the British Empire, why should not the Tamil people if they feel like it, secede from the rest of the country?” – This is in the official parliamentary record - The Hanzard.

So you can see the separate state concept did not come in the fifties or sixties, it was sown in 1947 when the minority Tamils had privileged over the majority Sinhalese.

Since the founding of the LTTE in 1976 from where it started an armed/terrorist struggle to divide the country, the Sri Lankan state had a sacred responsibility to safeguard the sovereignty and protect its territorial integrity, and to fulfill that its armed forces were in a battle with the LTTE - which had lethal weapons - to protect the integrity of Sri Lanka.

It was the Tamil Tigers who unleashed genocidal acts when its armed cadre massacred hundreds of praying Buddhist Monks in a most sacred temple premises; mercilessly massacred a bus load of Sinhalese school children; entered two Muslim prayer sessions in their holy Mosques and mercilessly massacre hundreds of Muslims; entered Muslim villages in the North-East, terrorize them brutally killing to eject them from the traditional villages which they did. These are called genocidal acts. Sri Lanka military in fact engaged in a battle with armed non-state actor but never involved in mass-scale massacres – which are called ethnic cleansing - the way the LTTE fighting cadre was involved. The massacres of the Muslims in several villages, terrorizing them, killing them and ejecting them from their traditional land is ethnic cleansing.

No lawmakers in Canada or the United States, and other western nations are told by these propagandists of the Tamil Diaspora that out of the 11.1 percent of Sri Lankan Tamils, 56 percent are domiciled in the southern and western districts among the Sinhalese having gainful employment, having all the rights to buy houses and land with no discrimination or harassment. If the Sri Lanka government or the Sinhalese were involved in ethnic cleansing or genocide, 56 percent of minority Tamils wouldn't have been residing in Sinhalese-majority districts far away from the Tamil-majority districts in north of Sri Lanka.

Now let's go to the specifics: **TAMIL GRIEVANCES**

Western policymakers and lawmakers never made any attempt to understand the socio-economic formation and the demographic structure of Sri Lanka. The agents of separation in the Tamil Diaspora purposely concealed the real truth.

Sri Lanka is 19 percent Urban and 77 percent Rural. All three ethnic communities – Sinhalese, Tamil and Muslims – are domiciled in this Urban Sector which is the most privileged with supreme educational and health facilities, with employment opportunities while all three ethnic communities live in the rural sector which is 77 percent of the Sri Lankan nation.

Here is one glaring example: **Education**. What has been propagated by the agents in the Tamil Diaspora is that the Sinhalese have better educational opportunities over the ethnic Tamils.

The best educational centers in Sri Lanka is the capital city Colombo, northern city Jaffna, Kandy in the central hills, Galle in the deep south, Trincomalee in the Eastern District. All three communities – Sinhalese, Tamils and Muslims are privileged to have a superior education in these urban centers.

Again, all these three communities living in rural sector – both in the north and south – are not provided with the superior educational facilities the urban sector enjoy.

One ethnic group that derives maximum benefit out of this education system is none other than the minority Tamils – which is hidden by the Tamil Diaspora when they interact with western policymakers.

The statistics – official statistics of university education and the opportunities to enter the tertiary education give a totally different picture to that of what the Tamil Diaspora agents are propagating in mostly western nations. We need to apprise the lawmakers and policymakers in the West:

It is a fact that the Tamil minority had the privilege to obtain a larger percentage as over 40 percent in Sri Lankan universities' medical, engineering, applied sciences and liberal arts faculties well above their 12 percent population share in Sri Lanka beating the majority Sinhalese whose population share was 74 percent at the time of Sri Lanka's Independence in 1948.

What has been propagated is that subsequent administrations – according to them controlled by the Sinhalese – had discriminatory practices in their education policies to deny the minority Tamils of opportunities in Sri Lanka universities.

In 1970, the 11.1 percent Tamils had an advantageous position in university admission and for years enjoyed a predominant position in the faculties of science, engineering and medicine at the two most prestigious universities of Peradeniya and Colombo. Tamils gained over 35% of the admission to the faculties of science. In engineering and medicine alone, this figure was high as 45%”.

With the changes in the university admission policy of standardization – similar to the system of Affirmative Action adopted in most western nations - , Professor C.R.de Silva, a leading expert on the subject of the political agitation about the university admission policy in Sri Lanka said “Sri Lankan Tamils, though they constituted just 11.1% of the population, provided about 30 percent of the science students in the secondary schools and the scheme of (media-wise) standardization ensured that this proportion of places in the university accrued

to them”. Even under Media-Wise Standardization the minority Tamils were still assured of 30% of places in the science faculties in Sri Lankan universities.

With the advent of the Jayewardene administration in 1977, university admission policy changed from one of ethnic preferences – or affirmative action - to one of regional preferences in favor of rural areas. As I pointed out earlier, rural areas are both in the north as well as in the south.

Professor K. M. de Silva, another expert on tertiary education who served in the higher education government authority University Grants Commission explains, “From 1979 onwards—stability in terms of ethnic proportions in university admission, with Sri Lankan Tamils share remaining constantly higher than their proportion (11.1%) in the population, and much higher than that in the science disciplines, especially medicine and engineering. They were seldom lower than 35% in these disciplines since 1978.”

The 1978 Constitution gave parity of status to the Tamil language along with Sinhala language during the 1977-1988 Jayewardene administration. And Sri Lanka’s national policy on tertiary education largely benefitted the minority Tamils in university admission. On November 14, 1987, Tamil was raised to the level of an official language, with English given the position of a link language. In India, with the Hindi language speaking percentage is 53 percent and Tamil language speaking percentage is 20 percent, yet Hindi and English are used by the Indian central government as official languages.

Let’s focus on the issue that the activists of the Tamil Diaspora and some western nations raise about disparate treatment or less favored treatment of the Tamil community in Sri Lanka.

The scenario that had developed long before the defeat of the LTTE was the focus on the discrimination against a whole race, the Tamil race, which amounts to ‘disparate treatment or less favored treatment. It has attracted serious international attention—mainly in Western nations where the Tamil Diaspora activists ‘misinformation and diabolical falsehood sustain. Since May 2009 after the defeat of the LTTE, under Tamil Diaspora elements pressure, these western nations exerted pressure on the Sri Lanka to settle on a “political solution,” focusing solely on the “disparate treatment” that they perceived was in existence.

The failure of a proper understanding of the inter-connection and interrelation between demographic factors and ethnicity, with the prevailing economic factors in the Rural Sector - which is 77 percent-, Urban Sector - which is 19 percent - in relation to education, economic, and employment opportunities is the main reason that has led to believe that the Tamil community in Sri Lanka is less favored.

Let's explain what these Urban and Rural Sectors mean and their relations to socio-economic factors in Sri Lanka.

According to the 2012 government census and statistics data, 18 percent of the total population in Sri Lanka lived in Urban Sectors, domiciled by the three ethnic communities – Sinhalese, Tamils and Muslims – enjoying excessive privileges. Not so in the Rural Sector: which is 77 percent, also domiciled by the same three ethnic communities with very much fewer facilities.

We are now talking of privileged and under-privileged sectors in the Sri Lanka society.

While the sole focus and propaganda by the activists of Tamil Diaspora is that the 11.1 percent of Tamils are in a “less favored position”. The reality is that a vast majority of the Sinhalese – which consist of 74 percent of the country's total population - is living in the economically/socially/educationally handicapped, most disadvantageous rural sector. Similarly, a greater proportion of that 11 percent Tamils too are in the similar plight of living in this rural sector, which has not seen much of progressive development in education, employment, and social facilities that the urban sector has enjoy. This reality is what the Tamil Diaspora hides when they interact with policy makers in western nations as done in Canada presenting this so called genocide bill. The reality is different.

The fact that 56 percent of the Tamil population – a 56 percent out of the total 11.1 percent of the Tamil population in Sri Lanka – live away from the Northern and Eastern Provinces among the Sinhalese in the south with gainful employment and absolutely facing no discrimination is concealed – hidden - by the Tamil Diaspora elements, and what our intention is to make western policymakers knowledgeable of these reality.

The vast rural sector in which 75 percent of all three ethnic communities live - the rural sector in both Tamil-majority North-East Provinces and Sinhalese-majority southern districts - is the most disadvantaged and less developed, in which the peasants do not receive reasonable prices for their agricultural produce and inadequate educational and health facilities. Then the country has the 19 percent urban sector in which 18 percent of the country's all ethnic communities live – in both northern Tamil-majority districts and southern Sinhalese-majority district - have preferential treatment at the expense of the rural sector since the country's independence. As much as in the North, the all-Tamil District of Mullaitivu as well as all-Sinhalese Monaragala District in the South , the people have inadequate educational and health facilities. You could see the diabolical lies perpetrated by the onetime agents of the terrorist Tamil Tigers to convince the western policymakers that it is only, and only the ethnic Tamils in Sri Lanka face discrimination, unfavored treatment at the hands of the Sri Lanka administration. This is just not discrimination but government resources have not sufficiently gone to these districts.

The October 2019, 45-page report by the World Bank presents extensive material/data to what I am presenting here. This World Bank study, in fact, negates the arguments of the Tamil

Diaspora that the ethnic Tamils are the most underprivileged ethnic community in Sri Lanka and refutes that the majority Sinhalese enjoy privileged position in the Sri Lankan society.

LET'S TALK ABOUT THE MUCH PUBLICISED CIVILIAN CASUALTIES – AN OTHER FABRICATION OF THE TAMIL DIAPORA

The Tamil Diaspora propagate that during the battle between the Sri Lanka military and the LTTE terrorist cadre that the Sri Lankan military was responsible in killing 40,000 unarmed Tamil civilians during the final stages of the battle – between January and May 2009. The fabricated figure is used to blame the Sri Lankan military that it used excessive and indiscriminate force during the battle, and thereby committed war crimes.

The Bill 104 before the Canadian parliament endeavors to give weight to this unsubstantiated allegation which they are connecting to the genocidal allegation.

Here's the truth:

According to a diplomatic cable from the U.S. embassy in April 2009, which I have seen and disclosed by WikiLeaks, signed by Ambassador Robert Blake, the U.N. had estimated from January 20 to April 6, 2009 civilian fatalities numbered 4164, and the wounded figure as 10,002.

An unpublished report by the United Nations country team in Sri Lanka stated that from August 2008 to May 13, 2009 (six days before the war ended), the number of civilians killed was 7,721. The International Committee of the Red Cross, the only outside agency present in the war zone during the final phase, used various statistical indicators to conclude that the total number of noncombatants killed was around 7000.

On March 9, 2009 – two and a half months before the war ended - the UN Sri Lanka Country Team briefed diplomats in Colombo on the civilian casualty figures it had collected from the UN Humanitarian Convoy 11 which was the only outside presence in the battle zone. According to this briefing, 2,683 civilians had died between 20 January and 7 March 2009, and there had been 7,241 persons injured. But the UN Country Team did not indicate to the diplomats that the vast majority of the civilian casualties were due to government shelling.

This information is found in the 2012 *United Nations, "Report of the Secretary-General's Internal Review Panel on UN Actions in Sri Lanka" on page 11.*

There was some criticism that Sri Lankan forces used excessive force, and especially artillery, indiscriminately; the Tamil Diaspora agents' claim was that Sri Lankan military targeted civilians intentionally. They conveniently hide that the LTTE used unarmed civilians interspersed with Tiger combatants in the battle zone when the Tamil Tigers forced large

numbers of civilians to accompany them as they retreated toward the coast, and used them as shields – human shield - as government forces closed in. There are well documented reports of Tigers shooting civilians who tried to save themselves by swimming away across the lagoon. Given the Tigers’ ruthless treatment of civilians throughout the war, there is even a prima facie case to be made that the LTTE leadership welcomed civilian fatalities as a way of galvanizing foreign powers to press Colombo to declare a ceasefire in the last-ditch fighting that the Tigers were clearly losing.

The LTTE political commissar Puleedevan told some friends in Europe well quoted by Frances Harrison in her 2012-published book *Still Counting the Dead: Survivors of Sri Lanka’s Hidden War* at page 63 as saying “just as in Kosovo if enough civilians died the world would be forced to step in”.

This legal and moral constrains exercised by the Sri Lanka’s military was expressively stated by Jacques de Maio, the Head of the International Committee of Red Cross for South Asia when he met U.S. Ambassador-at- Large for War Crimes Issue – John Clint Williamson for a classified briefing – on July 9, 2009 in Geneva, Switzerland. The ICRC was the only international organization the Government of Sri Lanka allowed in the northern battle field for humanitarian work. The diplomatic cable sent by Ambassador Williamson to Washington – noted International Committee of Red Cross South Asia chief Maio as saying that – **I Quote** - “the Sri Lankan military was somewhat responsive to accusations of violations of International Humanitarian Law (IHL) and was open to adapting its actions to reduce casualties and that the Sri Lanka Army actually could have won the military battle faster with higher civilian casualties, yet chose a slower approach which led to a greater number of Sri Lankan military deaths...”

The American diplomatic cable to Washington said – **And I Quote** - “On the LTTE, de Maio said that it had tried to keep civilians in the middle of a permanent state of violence. It saw the civilian population as a “protective asset” and kept its fighters embedded amongst them. De Maio said that the LTTE commanders’ objective was to keep the distinction between civilian and military assets blurred...”

US Ambassador Williamson had this dialogue with ICRC South Asia Head as he was the only person who could provide a clear picture of the ground situation.

The Tamil Diaspora agents can no longer say that the LTTE was concerned about the welfare and safety of the innocent Tamil civilians because it is evident that the Tigers used civilians as human shield jeopardizing their lives.

The strategy of the LTTE commanders was clearly understood by the Asia Head of the ICRC: If an attack was launched by the Sri Lankan forces despite the presence of unarmed civilians – the human shield the LTTE used – the terrorist outfit would expect the creation of a negative propaganda in Western power centers and the media bringing wrath against Sri Lanka. Had the Sri Lanka military moved into the LTTE trap the images of civilian casualties were to benefit the Tiger outfit which would be seen by the International Community as evidence of

disproportionality. In the words of Puleedevan “*just as in Kosovo if enough civilians died the world would be forced to step in*” – was exactly what the LTTE intended.

Here’s some more evidence:

In the U.K. House of Lords debate on October 12, 2017 on Sri Lanka, Lord Michael Naseby quoted from a confidential report prepared by the Defense Attaché of the British High Commission in Sri Lanka that the 40,000 civilian casualty figures was an exaggeration and dismissed that Sri Lanka deliberately killed Tamil civilians.

Lord Naseby said that the United Nations itself had initially estimated around 7000 deaths and inexplicably upped that figure in later months to 40,000 - and finally, - as Lord Naseby say - that the International Committee of the Red Cross (ICRC) - the only outside agency present in the war zone during the last phase of the war- itself had used various statistical evidence and arrived at the conclusion that a total of 7000 people lost their lives.

This is what Lord Naseby told in the British House of Lords:

I Quote: I have discovered an unpublished report from the United Nations country team, which stated that from August 2008 up to 13 May 2009, the number of civilians killed was 7,721. The war ended six days later, so it cannot possibly have got up to 40,000. Then I looked at what Gordon Weiss, the former UN spokesman said. He produced an estimate in 2009 of 7,000 civilian deaths. He also made the simple observation that, for the Sri Lankan army, it made no tactical sense to kill civilians.

Lord Naseby further said: British defense attaché of the High Commission in Sri Lanka, Lieutenant Colonel Anton Gash, who said to me in January 2009 that he was surprised at the controlled discipline and success of the Sri Lankan army and in particular the care that it was taking to encourage civilians to escape and how well they were looked after, and that certainly there was no policy to kill civilians.

Let me give you another evidence to answer this Tamil Diaspora canard:

The highly decorated British Officer, Maj. Gen. John Holmes, onetime UN’s Under Secretary for Humanitarian Affairs, a military expert, in 2014 report highlighting the casualties including the civilians during the final stage – January 2009 thru May 2009 – disputing many claims of higher casualties. **He says in his report:**

Here I Quote: It is undeniable, though, that had LTTE not driven civilians before them and executed them when they attempted to escape, then civilian casualties would have been significantly lower. A figure of up to 40,000 civilian deaths is much quoted and has been simply

arrived at by subtracting the number of IDPs – Internally Displaced Persons - processed as 290,000 from the UN Secretary General-appointed Darusman estimate of the number of civilians – which is 330,000 caught up in the final months of the war.

The figure of 40,000 civilians killed which has been repeatedly published is, Maj. Gen. John Holmes says, extremely difficult to sustain on the evidence which I have seen.

In his report he says tactical options were stark, but in my military opinion, justifiable and proportionate given the unique situation Sri Lanka Army faced in the last phase. Therefore, on the evidence available to me, he says, taking into account my own combat experience, I do not find, in broad terms that the military and artillery campaigns were conducted indiscriminately, but were proportionate to the military objectives sought.

We present the above facts to dismiss the fabrication of the Tamil Diaspora, their continued misinterpretation of facts that there was no – absolutely no – genocide took place in Sri Lanka since the LTTE unleashed its terrorism from 1976 through 2009.

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