



Fein's Moral Confusion as Human Rights Watch returns to Reality



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Tamilnet announced, just before midnight on Sunday December 14th, that its latest angel of light, Bruce Fein, 'Counsel for a US Tamil Group' as he is described, had prepared a 400+ page model indictment against Sri Lankan officials for genocide against Tamils.

In the course of his interview with TamilNet Mr Fein claimed that the New York-based Genocide Prevention Project has included Sri Lanka as one of the eight "red alert" countries where genocide and other mass atrocities are underway or risk breaking out. Also, the Obama administration was handed a policy report on genocide with specific recommendations from former Secretary of State Madeleine Albright. This is likely to bring Sri Lanka's genocide into U.S. focus.'

Obviously Mr Fein would like to invoke the sacred name of Madeleine Albright, though how her policy report bears on Sri Lanka is not made clear. The GPP, which will be the subject of more thorough analysis, has in a sense made its standpoint clear in including trade openness amongst the criteria used to judge the possibility of genocide.

That report, in including China and Pakistan too amongst countries it worried about with regard to genocide, was a less subtle than usual example of using morality to promote political and economic objectives. Mr Fein of course has never laid claims to subtlety, and his own purposes are quite clear, given his clients. One hopes therefore that the GPP administrators will at least now come to realize how their less than intellectually coherent pronouncements are used, not just by their peers for political gain, but also by terrorists and their apologists for even less attractive goals.

Unfortunately for Fein and his cohorts, one of the supposedly objective authorities he cites for his denigration of 'Sri Lanka's human rights atrocities' came out, just twelve hours later, with its own indictment of the LTTE for crimes against Tamils. Human Rights Watch, though it had been critical of the LTTE previously, had seemed over the last twelve months to aim for some sort of spurious balance in soft-peddalling its criticism of the LTTE whilst engaging in emotional and sometimes totally fraudulent attacks on the Sri Lankan forces.

Now however the suffering to which the LTTE is subjecting Tamils seems to have got the better even of HRW's ambiguities. The latest pronouncement on Sri Lanka says **'Sri Lanka's separatist Tamil Tigers are subjecting ethnic Tamils in their northern stronghold, the Vanni, to forced recruitment, abusive forced labor, and restrictions on movement that place their lives at risk... The LTTE has a long history of forced recruitment. There has been a dramatic increase in the practice of compelling young men and women, including children, to join their forces. The group has recently gone beyond its long-standing "one person per family" forced recruitment policy in the territory it controls and now sometimes requires two or more family members to join its ranks.**

"Trapped in the LTTE's iron fist, ordinary Tamils are forcibly recruited as fighters and forced to engage in dangerous labor near the front lines," said Adams (Asia director for Human Rights Watch).

While increased international pressure and other factors had led to a decrease in its recruitment of children, recent reports indicate that the group has stepped up child recruitment in the Vanni. LTTE cadres have urged 14- to 18-year-olds at schools to join. The group often sends 17-year-olds for military training, apparently calculating that by the time such cases are reported to protection agencies, the youths will have turned 18 and no longer be considered child soldiers.

"Last year they were taking the people born in 1990 – now those born in 1991," a humanitarian official from the Vanni told Human Rights Watch. "They look at the family identity cards and take the young ones. If people of military age go into hiding, they will take younger children or the father, until they get the boys or girls they want."

During the past 25 years, the LTTE has killed large numbers of civilians, committed political assassinations in Sri Lanka and abroad, and carried out suicide bombings. It has systematically eliminated most political opposition within the minority Tamil community and is responsible for killing many journalists and members of rival organizations. In the areas under its control, the LTTE has ruled through fear, denying basic freedoms of expression, association, assembly, and movement.'

Given such categorical condemnation by one of Mr Fein's authorities, it is perhaps possible that, 'once adequate funding for the litigation is secure', to use Mr Fein's phrase about actions he contemplates, he will proceed against the LTTE too. But that might require a return to reality which Mr Fein might find difficult.

As it is, he dreams of interventions that fly in the face of international norms and law. He and his backers, the Tamils against Genocide (who seem however to support the Genocide of Tamils by the LTTE itself) will not he claims 'waver from its exclusive feasible goal of genocide indictments and prosecutions of Fonseka and Rajapaksa in the United States undistracted by a United Nations organized plebiscite on Tamil independence, or a prosecution before the International Criminal Court. TAG has one goal and one goal only.' Clearly the man has no problem about naming non-existent entities as though they were real ('undistracted by a

United Nations organized plebiscite' indeed), which one hopes will not be a characteristic of the new Democratic administration.

Fein may see himself as an expert on pressing the right buttons, but TAG should rethink squandering its funds on such characters. Certainly it could use the money it collects from Tamils all over the world much more fruitfully if it were to support Tamils in Sri Lanka who are joining with the government to promote investment and better opportunities in the North than were permitted under the 'iron fist', as HRW puts it, of the LTTE.

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