Political victimisation of SEP member in Sri Lanka

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On September 26, the Supreme Court of Sri Lanka granted Socialist Equality Party (SEP) member T. Subramaniam leave to proceed with a Fundamental Rights Application (FRA) regarding his unfair dismissal by the management of North Sea Ltd, formerly Cey-nor, on August 18. The court also ordered the company to allow Subramaniam to work and receive pay until the next hearing on November 21.

The sacking is a case of political victimisation. Subramaniam is a longstanding SEP member who is well known in the northern Jaffna peninsula for his principled defence of the interests of the working class. He opposed the war waged by the Sri Lankan armed forces to suppress the rights of the country's Tamil minority while at the same time insisted that the Liberation Tigers of Tamil Eelam (LTTE) offered no way forward for workers.

Subramaniam has worked as a storeman at the North Sea factory, a state-owned enterprise, since 1977 and has been active as a trade unionist in defending jobs and conditions. He retired officially at the age of 55 last November. Under Sri Lankan law, however, an employee can remain in a job after the age of retirement by obtaining an extension of service.

Subramaniam reported to work on August 15 after few days of leave, which he took officially, only to be given a dismissal notice by management dated July 31. The letter claimed that he had "neither obtained any further extension nor made any attempt to obtain an extension service" after May 25, 2003 and instructed him to hand over any assets belonging to the company. He was officially terminated on August 18.

The reason given for the dismissal is a concoction. In September last year, Subramaniam applied in writing for an extension of service to the age of 60. He was informed last November that he had a three-month extension. He applied again in February for a one-year extension and was given a further three months. At the same time, he was informed in writing that the board of directors would consider his application for a further extension. The company chairman K. Suntharalingam later told him by phone that he was permitted to work to the age of 57—as per government policy contained in a new circular.

Management gave Subramaniam no indication that he was not considered employed in the factory. He was paid his regular monthly salary and other benefits up to July. When he asked for leave it was approved officially. None of this would have taken place if he had been considered a retired person as of May 25.

His dismissal followed a sharp clash with T. Maheshwaran, who is Minister of Hindu Religious Affairs in the present United National Front (UNF) government and directly involved in the supervision of the enterprise. The factory is one of the few operating in the war-torn northern province.

On July 25, Subramaniam approached general manager Kugarjan to ask why workers had not received their monthly pay, which was due on that day. Subramaniam is local branch president of the Ceylon Mercantile, Industrial and General Workers Union (CMU).

What followed was an outburst from Maheshwaran when he visited the North Sea on August 5. He challenged Subramaniam for asking about the pay and yelled "to keep your union activity outside the factory." The minister then accused Subramaniam of giving fishing nets worth 600,000 rupees ($US6,349) to Douglas Devananda—a minister in the previous Peoples Alliance government and the leader of the Eelam People's Democratic Party (EPDP).

The accusation is a crude political slander. The

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EPDP's armed thugs are widely despised in the north for their close collaboration with the Sri Lankan army during the war. The SEP has fundamental political differences with the EPDP and a record of opposing their policies and methods. In early 2000, EPDP thugs on Kayts Island attempted to kill SEP members fighting to defend the rights of local fishermen.

In his Fundamental Rights Application, Subramaniam stated that he believed his dismissal note had been backdated and that the real reason for terminating his job was the dispute with Maheshwaran. The date had been deliberately changed to July 31 to give the appearance that the clash had not provoked the dismissal. The attempt to politically smear Subramaniam is precisely because of his long and principled record.

Cey-nor was established in early 1970s to make fishing nets and boats. The company used to employ about 1,500 workers in two factories but from the mid-1970s there have been continuous cutbacks. Today there are only about 30 workers—four permanent employees, who were retained when Cey-nor was transferred to North Sea in July 2001, and the remainder casuals.

Subramaniam has opposed these cutbacks and the treachery of the union leadership for more than two decades. He is widely known for his intransigent defence of the workers' interests.

In 1976, a coalition government led by the Sri Lanka Freedom Party (SLFP), but also including the Lanka Sama Samaja Party (LSSP) and Communist Party, had 22 workers detained for leading a strike of 6,000 employees at the Thulgiriya factory in the south of the island.

The Revolutionary Communist League (RCL)—the SEP's forerunner—launched a defence campaign and held meetings, including in Jaffna. At Subramaniam's initiative, Cey-nor workers contributed a substantial amount of money to the Thulgiriya strike fund. The donation not only helped financially but it struck a blow at the poisonous communalism being stirred up by the government: Cey-nor workers were mostly Tamils, those at Thulgiriya were mainly Sinhalese.

In 1991, the RCL and Subramaniam played the central role in opposing plans by the United National Party government to shut the Cey-nor factory and axe 100 jobs. The CMU and the Ceylon Engineering Workers Union affiliated to the Communist Party refused to fight to defend the jobs and instead collaborated with management to try to tie workers to a so-called voluntary retirement scheme involving a pitiful payout of 20,000 rupees.

A delegation of Cey-nor workers travelled to Colombo and demanded to speak to the CMU leadership. They insisted that the attack on their jobs was bound up with the broader issues of the civil war and the demands of international finance for economic restructuring. As a result of the stand by workers, the management was forced to backtrack and retain some of the workforce.

Whatever the immediate pretext for the sacking, it is a sharp warning that the management is preparing to make a new assault on the workforce. The UNF government is broadly involved in implementing far reaching economic restructuring measures demanded by the IMF and World Bank, which includes drastic downsizing and privatisations throughout the public sector. At North Sea, management obviously regards Subramaniam as an obstacle and is seeking to remove him prior to making any changes.

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