



SRI LANKA:  
True Picture of  
National Harmony,  
Reconciliation and  
Human Rights





SRI LANKA:  
True Picture of  
National Harmony,  
Reconciliation and  
Human Rights

# Contents

- 
- Pg **5** Winds of change in Jaffna  
**Dr. Noel Nadesan**
- 
- 10** UN acknowledges 'considerable achievements' in resettlement of IDPs in Sri Lanka  
**Sugeeswara Senadhira**
- 
- 22** Reconciliation: A Challenging Prerequisite for Tamils and Sinhalese for a Shared Future in Sri Lanka  
**Dr. Shanthikumar Hettiarachchi**
- 
- 40** Harmony Centres and Clubs to Promote Sustainable Peace in Sri Lanka  
**Nirekha De Silva**
- 
- 48** Canada let Toronto Tamil Diaspora hijack foreign policy  
**Dilan Mohotti**
- 
- 65** It's Time to Link Human Rights Priorities to Economic Factors  
**Dr. Kalinga Seneviratne**
- 
- 72** UNHRC: Sri Lanka should move a counter resolution to probe human rights violations, crimes against humanity and possible war crimes since 1975  
**By Raj Gonsalkorale**
- 
- 77** Current Trends in International Relations and the UNHRC SAGA  
a Submission in Defence of Sri Lanka  
**Dr. Telli C. Rajaratnam**
- 
- 88** Role of Sri Lankan Universities in Promoting Harmony  
**Nirekha De Silva**



# Winds of change in Jaffna



## Dr. Noel Nadesan

A Sri Lankan Tamil veterinary surgeon domiciled in Australia.

---

**T**he war radicalized Jaffna and it was inevitable that we could never again return to the good old Jaffna we knew. There were signs of a new Jaffna emerging imperceptibly even during the war years. I have visited Jaffna 13 times in the last five years. But nothing signified the change better than the international symbol I saw in Jaffna when I visited the place last in January 2014. For the first time ever I saw one of the best international symbols in the heart of Jaffna. It was the face of the bearded Colonel of Kentucky Fried Chicken. It was a giant leap for Jaffna to abandon the traditional “*porichci koli*” and go for KFC. To me it was like our people abandoning betel and opting for chewing gum. This to me is the ultimate symbol of Jaffna breaking away from the feudal past and arriving at last in the 21st century.

What confirmed this change was the shock I got next. I walked in with my family and ordered the usual fare. There was a delay in delivering the order. We got our meals after about fifteen minutes. Knowing the ways of Jaffna I took it as a business as usual. Then I got the shock of my life. The young guy who served us apologized for the delay. That is something I had never heard in Jaffna. Not for a delay in delivering orders. I was convinced then that the winds of change had really hit Jaffna for good.

Talking of climate change one cannot feel it better than in Sri Lanka. We travelled from north to south and east to west. There is a palpable change that you can feel and see. Just not the roads but the attitude and the new spirit that is visible in the faces and the attitudes.

One bright evening, as I was walking with my wife on a narrow street in Wellawatta, Colombo, -- a predominantly Tamil suburb -- I received a mobile call from a young widow in Kilinochchi. I have sponsored her for last three years. I was to meet her on the way to Jaffna. She rang to regret that she would not be able to meet us at Kilinochchi as she had begun teaching voluntarily at a local school. She thanked me profusely for the financial help to raise her family. She informed me that her children were doing well at school. I was happy to learn of her progress which I took as a general indicator of the progress made by the twelve other widows who had lost their husbands during the war. I have been helping them for the last three years.

The widow who spoke to me was Lakshmi. She has two children below the age of ten. Just a year after the war I saw her in a rebuilt house, which was built with government assistance, but did not have any door. She did not have any money to install a door. Nor was any financial support forthcoming. With the backing of a local friend I was able to organize some help to her family and I was happy to learn that the domestic situation had improved.

In March 2009, I went to Colombo with likeminded 25 expatriate Tamils from Europe and North America on the invitation of the government. It was a critical time when the war had reached a climactic moment. The goal was to engage the Lankan government to help the Tamil people who were taken by LTTE as human shields for the protection of LTTE leaders. We were in discussions for two days with some of the key government officials, though our mission

was a failure due to LTTE obstructions and obstinacy. We were not involved in the politics of the time. We were continuously engaged with government in rehabilitation of post-war situation such as us regularly visiting refugee camps and submitting our observations to the government for improvement.

There are many important facts that need to be put on record. Thirty years of terror and violence perpetrated by the LTTE were brought to an end by President Mahinda Rajapaksa. Whether we like him or not we have to concede to this hard fact. Ending of a war is a defining moment which opens up new possibilities. This is not a small achievement. Ending a war proved to be as difficult as waging a war. The frustrated Tamil Diaspora who financed Prabhakaran's futile war decided to pursue the war through other means. They went on the war path from abroad. They decided to fight from the safe shores knowing that it was the Sinnatambay and Sinakka in the northern villages who would have to fight the battles on the ground. After financing all the violations of international humanitarian law committed by Prabhakaran they became human rights champions overnight. When they lost the war which they thought could never be lost they became Gandhians like the so-called non-violent saints who passed the Eelam Resolution that declared war against all peoples – including the Tamils. It was the war in which more Tamils were killed by our "liberators" than all others put together.

Considering the suffering, the death and destruction caused by the futile war of LTTE and his "liberators" the attempt of the Diaspora to carry on as if nothing has changed is as futile as the war. We have to recognise the gains of peace if we are to move forward. Politics can cloud the issues and make us easily forget the bloody past. If our

short-sighted politics drags us back to Vadukoddai in 1976 where the violence began with the declaration of war in the Vadukoddai Resolution then we deserve all what we get from unleashing violence.

The choice before us is simple: it's either politics or economics. If we opt for politics we are going back to Eelam which we lost. If we opt for economics we have a chance of regaining the future we lost in May 2009. Historical examples justify this. Take, for instance, the case of the Germans. If after losing the war, had they returned Hitler's fascist politics where would Germany be today? It was because the pragmatic Germans opted for economics and buried their politics for good that they were able to rise from the ashes of defeat.

LTTE was not a small outfit. It claimed that it had defeated the world's fourth largest army when it forced the IPKF out of Sri Lanka. LTTE claimed that it had a state with an army, navy and air force not only to threaten the Government of Sri Lanka but even to kill the Indian Prime Minister as well. But in the end they lost everything. During the last days of the war, knowing the inevitable military defeat, the LTTE took cover behind 353, 400 Tamil civilians hoping to raise an international cry. Taking cover behind unarmed civilians is a shameful act not worthy of our so-called heroes. It was a cowardly act. The "liberators" gave cyanide pills to the brains-washed youth and they took cover behind the civilians. They shot the Tamil civilians running away from them. In addition, they killed all the captured army personnel. The Sri Lankan army not only defeated LTTE but also rescued all these captured people. Of the displaced people 95% were able to resettle within three years and infrastructures were rebuilt in the Northern Province. Almost 95 % of active LTTE cadres were rehabilitated and released in the society.



Our big political issue was the language policy. But that issue is no longer there. I agree there are a few areas that still need remedial measures that could speed up the process of reconciliation among the communities. But our political Tamil leadership is bankrupt. For this the entire blame is to borne by LTTE for eliminating not only political leaders but also potential social leaders in the last thirty years.

What we need is a new leadership that can read the sign of KFC in Jaffna and move with the times. Going back to confrontational politics can only lead us tortuously to political turmoil again. What we need is a pragmatic leadership that brings relief to the war-weary people of the north and east. Our people cannot live on a diet of politics forever. We need economics to raise our heads from the depths of misery. We have to postpone politics for the time being. With politics we will be forced to spill only blood. With economics we can move forward to regain what we lost during the past 30 years in useless politics.

The Germans and the Japanese won all what they lost in their futile wars. We can do better than them if we can get our politics right.



# UN acknowledges 'considerable achievements' in resettlement of IDPs in Sri Lanka

**Sugeeswara Senadhira,**

Consultant Director (Data & Information), President's Office

---

In Sri Lanka has made considerable progress in the resettlement of Internally Displaced Persons (IDPs) in the North and the East and the post-settlement assessments have confirmed that they are secure and free, having access to adequate living standards as well as access to livelihoods. The vast majority of those resettled have reunited with their families and they have access to effective remedies and justice as well as access to personal documentation without discrimination.

The above conclusions are from a report published by the United Nations High Commission for Refugees (UNHCR) after a comprehensive survey conducted by the organization. (*A Protection Assessment of Sri Lankan Internally Displaced Persons who have Returned, Relocated or are Locally Integrating - "Tool Three" UNHCR*).

The 'Assessment Report' was prepared after a survey conducted from November 2012 to March 2013 by UNHCR undertaking 'a sampling exercise of Sri Lankan Internally Displaced Persons who had returned

to their places of origin or had been relocated elsewhere or appeared to be locally integrating’.

The preamble of the ‘Assessment Report’ points out that ‘the purpose of the exercise is to assess the current situation of these households according to the global standard - the Inter Agency Standing Committee (IASC) Framework for Durable Solutions for Internally Displaced Persons. As stated within the IASC Framework, a durable solution is achieved when former IDPs no longer have specific assistance and protection needs that are linked to their displacement and such persons can enjoy their human rights without discrimination resulting from their displacement. Mere physical movement, namely returning to one’s home, moving to another part of the country or choosing to integrate locally often does not amount to a durable solution, in particular after conflict.

A total of 917 such households were individually visited as a representative sample of the over 138,651 households (of 463,924 individuals) in the Jaffna, Kilinochchi, Mullaitivu, Vavuniya, Mannar and Trincomalee Districts. The UNHCR field staff Interviewers used a standardized set of more than 100 questions for each household.

In its summary of findings, the UNHCR Report commenting on Safety and Security concludes, “**Considerable progress has been achieved**, but work remains to be done to achieve this theme. Most respondents reported **no restrictions on freedom of movement, no serious crimes, and a high confidence in the police**”. The assessment showed that only 41% of households interviewed in Jaffna district had to undergo military registration.

On access to livelihoods, the Report states that unemployment for respondents is only 0.4 percent more than the national average of 3.9%. In other words, more than 95 percent of the resettled persons are employed.

With regards to access to remedies and justice, the Report confirms total accessibility. 'Except in land restoration issues, there seems to be no impediment to accessing justice,' the Report concludes.

On access to personal and other documentation without discrimination, the Report says, 'Generally Achieved.' There appear to be no discriminatory barriers to access civil documentation by IDPs and former IDPs. However, according to the report, a significant minority currently remains without civil documentation, and the capacity of authorities to issue such documentation remains limited in some areas, the Report stated. However, this has been remedied after the civil administration was restored when the first-ever Northern Provincial Council was established after the elections in September 2013.

According to the UNHCR Report, another significant area of progress is 'Participation in Public affairs'. Considerable progress has been achieved under this theme. Most households (95%) have been able to register as local residents and adults to register to vote, the Report stated.

A significant majority of the resettled IDPs (93%) were satisfied with the long standing and durable solution together with the choice of return, relocation or local integration with their households, the Report concluded.

It is surprising and most unfortunate that the United Nations Human Rights Council (UNHRC) failed to take note of the positive report submitted by its sister organization, the UNHCR.

Impartial analysts are surprised over the practice of refusal by some segments of the UN system in the application of accepted global standards on Sri Lanka. Accordingly, there is a highly selective and subjective approach towards Sri Lanka, which is disturbing.

Following are some excerpts from the UNHCR Report:

### **Safety and Security:**

Considerable progress has been achieved, but some work remains to be done to achieve this goal. The results are a mixture of positive and negative information, including:

Almost no respondents (1%) reported experiencing a serious security incident against a member of their family since arrival at the place of return, relocation or local integration

Respondents also state a high level of confidence in local civilian law enforcement, with a significant majority of respondents (89%) saying that if a serious crime was committed against their family, they would report it to the police (65%) or local civilian government (24%), contrasting to the few (5%) who would report it to military. Furthermore, 22% of respondents reported having visited a police station in the past year. 75% of these respondents were Satisfied or Highly Satisfied with the police response.

The vast majority of respondents (96%) reports that no restrictions were enforced on their freedom of movement in and out of their village.

A similar majority of respondents (97%) reports that their current community treats them as equals though they had previously been IDPs. There is some difference amongst returnees, relocated and locally integrating persons in these responses, with 9% of relocated and 8% of locally integrating IDPs stating that their communities do treat them differently, compared to only 1% of returnees.

86% of the respondents state that their area is free of landmines/UXOs.

A positive note about military presence is that the military is involved in settling disputes while also helping people to build houses together with development activities in the villages.

### **Enjoyment of an Adequate Standard of Living without Discrimination**

IDPs who have achieved a durable solution enjoy, without discrimination, an adequate standard of living, including a minimum shelter, health care, food, water and other means of survival. The Summary Results are as follows:

83% of the respondents have access to safe drinking water.

87% of the respondents are satisfied with the quality of education

Food security seems to be a concern. Only 65% of the respondents feel that they have sufficient food. 14% of the respondents did not receive the WFP food ration.

37% of respondents do not have their own toilet facilities.

## Access to Employment & Livelihoods

IDPs who have found a durable solution also have access to employment and livelihoods. Employment and livelihoods available to IDPs must allow them to fulfill their core socio-economic needs, in particular where these are not guaranteed by public welfare programs.

### *Summary Results:*

Access to employment and livelihoods:

There are a few obstacles faced by the Government to accessing employment and livelihoods. However a considerable amount of work remains to be done to improve average low incomes, reduce reliance on infrequent daily work, and reduce high household debt for most respondents.

Data also may indicate that unemployment for respondents is higher than the national average. The result is a mixture of negative information regarding current stability and extent of household income and employment, though balanced by the positive information from a very few.

### **The average household monthly income Rs. 9,010.**

Locally integrating respondents are more likely to be engaged in a livelihood different from that practised before displacement (59% compared to 29% of returnees and 38% of relocated).

“What are the major impediments or problems (if any) to restoring your desired livelihood?” There was a wide range of responses out of which over half, centered on the lack of capital to purchase equipment or to start/expand small businesses. Apparently official restrictions to livelihoods did not seem a problem.

## Restoration of Housing, Land & Property

IDPs who have achieved a durable solution have access to effective mechanisms for timely restitution of their housing, land and property, regardless of whether they return or opt to integrate locally or settle elsewhere in the country.

### *Summary Results:*

Though the fact that 20% do not live on their own land is a negative factor, the positive factor is that 80% of those IDPs do possess a deed, permit or grant or other document for their land.

While 94% have applied for documents for lands, it is disheartening that many are still waiting, indicating that the waiting processing time is long. We cannot however predict how many of these applications eventually get approved and having made an application does not indicate a positive result.

Only 32% of respondents have a permanent house, while the majority, 57% live in transitional or emergency shelters and 6% live with relatives/friends.

## Access to Personal and Other Documentation without Discrimination

IDPs who have achieved a durable solution have access to the personal and other documentation necessary to access public services, reclaim property and possessions, vote or pursue other purposes linked to durable solutions.

In any displacement situation, individuals often lose or damage during flight their key personal identification documents such as birth,



marriage and death certificates, national identity cards and school records. When seeking to re-establish themselves, such IDPs are hampered by requirements to present such documents prior to obtaining formal employment, or accessing state services.

In the Sri Lankan context, essential civil documentation includes birth certification as well as (for adults) a National Identity Card ("NIC"). These documents are necessary to access state education, health care as well as many other state services. Additionally, where relevant family members require to furnish death certificates for deceased as well as documents for family members missing due to the former armed conflict in order to ascertain the legal rights in property matters.

Within this assessment, UNHCR asked questions regarding the possession of these documents, as well as any constraints in accessing new or replacement documents, where relevant.

#### *Summary Results:*

Access to personal and other documentation without discrimination has been generally Achieved.

There appear to be no systemic discriminatory barriers on access to civil documentation by IDPs and former IDPs. However, a significant minority remains currently without civil documentation, while the capacity of authorities to issue such documentation too remains limited in some areas.

Respondents had in their position most of the essential civil documentation with 94% of individuals in respondent households possessing birth certificates.

Of those persons without documents, no respondent reported that they were denied a Sri Lankan birth certificate, NIC or other essential civil documentation because they were a returnee, relocated or locally integrating IDP.

10% of the respondents report that a family member had died since April 2006, but of these only approximately 2/3rds have obtained a death certificate. Amongst the 1/3rd who have not, a variety of reasons are given but no respondents reported that they had applied and had been refused due to discrimination. However, among persons not having a birth certificate, 21% of them are children.

### **Family Reunions**

IDPs who wished to reunite with family members from whom they had been separated were able to meet each other in order to seek a durable solution together. A Family separated by displacement should be reunited as quickly as possible, particularly when children, older persons or other vulnerable persons are involved.

86% of the respondents stated that their entire families accompanied them to the current location. Out of 48% of the respondents whose family members did not accompany them, gave different reasons for their inability to get together as a family. E.g. ; Missing, in detention, lack of proper housing, for being to retain family unity.

### **Participation in Public Affairs without Discrimination**

IDPs who have successfully reached a lasting solution are able to exercise the right to participate in public affairs at all levels on the same basis as the resident population. This includes:

- i) the right to associate freely/participate equally in community affairs
- ii) the right to vote and to stand for election, as well as
- iii) the right to work in all sectors of the public service.

We asked questions from the IDPs regarding voter registration, to identify if respondents had encountered any difficulties, mainly leading to follow up questions to voter registration. We urged caution in implying any cause to the low voter registration rates without considering the results of such supplementary questions.

Through several drafts and considerable difficulty, we arrived at a question regarding the perception of freedom of participation in public affairs and also to draw out one's political views. We considered, but in the end did not expressly or impliedly request responses regarding a respondent's specific political opinion or political party membership or attendance at political rallies. We also did not attempt to distinguish discussions of political views with neighbors versus in large groups. After design discussions and testing, we concluded with a simple and open question "How do you feel about discussing your political views in public?", with the choices "At Ease", "Not at Ease" or "No Answer". A subsequent open question regarding any "additional remarks about public affairs" seemed effective in eliciting a variety of views.

### *Summary Results:*

#### Participation in Public Affairs without Discrimination:

Considerable progress has been achieved, but some work remains to be done to achieve this theme. Most households have been able to register as local residents (95%). Most adults have registered to

vote, with little statistical difference in non-registration rates of men (10.5%) to that of women (9.5%).

Out of these non-registered persons, a few stated that they have been refused voter registration. However, half of the respondents stated they were "Not at Ease" discussing their political views in public.

The great majority (95%) of all respondents reported that their household is registered as local residents at their current location.

There appears no sex-bias in the rate of voter registration, with 89.5% of adult males in respondent households registered to vote, compared to 91.5% of adult females in these households.

Half of the respondents stated that they were "Not at Ease" in discussing their political views in public.

This rate of unease is higher in Kilinochchi (65%), Mullaitivu (61%) and Jaffna (59%), and lowest in Trincomalee (28%).

## **Access to Effective Remedies & Justice**

IDPs who have been victims of violations of international human rights or humanitarian law, including arbitrary displacement, must have full and non-discriminatory access to effective remedies and access to justice, including, where appropriate:

- i) access to existing transitional justice mechanisms
- ii) reparations and
- iii) information on the causes of violations.

### *Summary Results:*

The majority of respondents (65%) indicated a high level of trust in the police when it comes to the response to crime.

At that 50% of the respondents considered that relations between the police and communities are good.

78% of respondents visited police for various reasons recently and the vast majority of them (74%) were satisfied with the services provided.

## **Access to Assistance and Reintegration**

### *Summary Results:*

The vast majority of respondents (93%) are satisfied with their decision to return to their original villages / homes.

89% of respondents are planning to stay in their current places of residence including 83% of those who have been relocated

84% of all categories of respondents received NFIs from UNHCR. 76% of respondents received shelter grants assistance. 42% of assessed beneficiaries used the grant to cover everyday expenses and only 34% used the grant for house repair.

Those respondents who are planning to move elsewhere indicated that the main reason is the lack of livelihood opportunities at their current places of residence.

# Reconciliation: A Challenging Prerequisite for Tamils and Sinhalese for a Shared Future in Sri Lanka



## Dr. Shanthikumar Hettiarachchi

Received his PhD in majority-minority ethnic and religious conflict, from Melbourne College of Divinity, at the University of Melbourne. A Specialist in Religion, Conflict and Social cohesion he worked extensively with community groups and social movements in Sri Lanka and studied them in-depth both at community and post graduate levels.

---

### What is Reconciliation?

**R**econciliation is a word abundantly used across social, political, cultural and community settings but thoroughly misunderstood as to what it really means in many circles. Most records indicate that a fourth century etymological development hails from a Latin root word *reconciliāre*, to bring together again, from *re + conciliāre*, to make friendly or become friendly with someone who has been estranged or to re-establish friendly relations between parties, to settle a quarrel or difference, to make (two apparently conflicting things) compatible or consistent with each other. Christians, particularly Roman Catholics, observe and participate in what they call the 'sacrament of reconciliation' with which they intend to reconcile with God, with neighbour and with oneself, because theologically each dishonourable act in Roman Catholic doctrine is a transgression of all three, hence requires reconciliation with each. Of late this word got familiarised itself in popular parlance with the South African formation of the 'Truth and Reconciliation Commission' (TRC) and its execution among the conflicting parties at the end of the infamous apartheid regime where the majority suffered under the White minority rule.

## Processing Reconciliation

The process of reconciliation is a long, difficult and a painstaking path, those who wish to travel on it are few, and those who rubbish it are many. Both those that travel the path and rubbish it must know that the end result is not about who won and lost, but about authentically comprehending the stubborn human cruelty and the levels of human magnanimity. Both aspects must be adequately dealt with to ascertain the truth, hence it was called the 'Truth and Reconciliation Commission' by the pioneering South Africans to focus on their plight. It helped all sides to recognise that human beings are bound to fail, but able to rebound with tenacity of honesty and noble aspirations for a shared future. However, it remains the only hope for the formation of a decent and right relationship within a citizenry that has been in conflict and voraciously repulsive towards each other. Some such emotions are real while some others could be politically generated. But the animators and facilitators must dissect what is what and handle all matters with great sensitivity and diplomacy. It is imperative for states and other civil society bodies to engage in these acts as part of building community resilience especially in post conflict situations.

## What is on the Plate?

This discussion is about how all communities might wish to envisage reconciling among themselves, because there is evidence that every community in Sri Lanka has been socially and politically fractured due to wanton violence executed by one group against the other both at individual and institutional levels. Muslims and other communities have been part of this island nation's social fabric, they too have to be equal partners in the process of reconciliation.

However this paper focuses on the two main actors of the conflict and they primarily must now become the two major players of reconciliation. Most conversations revolve around what the majority should do for reconciliation. No serious discussion has been held as to how the Tamil community itself had become a victim of the dominant armed group and its wilful execution of terror and violence. This psychological domination by a single narrative of violence and suspicion within the Tamil community has caused tremendous victim vicissitude which must be addressed. Everything non-Tamil cannot be bad and evil, as it has been portrayed by an inordinate terror promulgating itself in an Orwellian fashion.

It was depicted in no uncertain terms in the despotic outfit calling itself as the 'sole representative of the Tamil people,' creating an irreconcilable fault line in the history of South Asian politics. Tamil people knew that it was not true and no single group, especially a terrorist group, can be representative, as it prefers the bullet to the ballot. This is what the victim-perpetrator terror outfit dramatized for such a long time. The worse scenario is that this outfit managed to display itself both as a victim and hid its perpetrator-instinct at the same time to the outside world which also has the habit of relying on the media flooding their living rooms with 'shocking' and 'believable images'. The Tamil tigers unequivocally declared with a calculated enemy-eliminating spree by over-estimation of an utopian invincibility mingled with a foolhardiness that brought their own self-annihilation by 2009. By then as a result of the suffering undergone by the Tamil people saw a transition from 'freedom-boys to abductor-killers,' about which they felt ashamed. This was revealed by the many who surrendered, who later participated in rehabilitation and who are now back in their communities as regular citizens of Sri Lanka.



## Diaspora's 'Displacement Syndrome'

The (in)famous Sri Lankan Tamil Diaspora too displayed itself as perfect victims of 'Sinhala aggression'. The real and actual 'Tamil aggression' on its own population was side-lined. Western politicians were blinded by the lobby-intoxicated who continue to believe the lobby-data with less interest and the 'cannot-be-bothered instinct' on the other half of the data package. Today's mandated Tamil leadership in the Northern Province has an epochal role if their interest is in the real issues of the people. Perhaps they need to redirect their energy to rally people to understand and rise above their mono-ethnic ideology and evoke a perspective which would help them to opt for a path of reconciliation themselves. The mandated Tamil leadership is a challenge to the Diaspora if it is willing to renounce their shameful proxy syndrome. Some argue that they act as a proxy for the Tamil tigers, since some of them were close to its ideology. While yet at another time they act as proxy for the Diaspora, also seeking advice and looking up to Tamil Nadu's Vaiko-Jayaram political role models (who represent the Tamil political parties, MDMK and AIADMK respectively). Sri Lankan Tamil leadership in the past never looked to Tamil Nadu politicians for their political survival. Current Tamil leadership seems suffer from a scenario in which they fall between two stools which is an unhealthy political behaviour. Some commentators describe this as a severe schizophrenic behaviour with a political 'in-betweeness' by some of them. Instead they must become true representatives of reconciliation which is the mandate they received in September 2013 after 30 years of complete neglect of any form of democracy in the Northern and Eastern provinces of Sri Lanka.

The mandate is not to fight for a separate state which is proven as futile, but to help them develop their lives and get back to normality

and to work towards a shared future. The Tamil politicians must be true to this political will of the people and not be carried away at the whim and fanciful ideological roots of a terror outfit which they too feared immensely in its hey day of assassinations and suicide treachery.

This Diaspora cannot move on because they are stuck in history, a history of a fallen ideology, infertile ideas of governance and dysfunctional attitudes towards the 'other' who is different. Sociologically, the ideas of most Diasporas, even if they live in the West, remain more conservative and archaic than the ideas of their compatriots back in their 'home countries'. Diaspora members in any given country have adopted to live very clear parallel lives. Usually they live in secluded communities, self-segregated, and prefer to live with nostalgia. They are often vociferous bodies that seem to help their vulnerable members within to thrive financially, and hobnob socially with the rank and file. They might feel betrayed in their land of birth and now in their adopted lands as well when social, cultural and other demands are made on them.

Reconciliation is an imperative to the Tamil Diaspora as well to come out of its unreal world to the real and actual situations on the ground. It is a sheer waste of their next generation of youth to groom and burden them with an ideology of separatism untenable in modern development of governance and rule of law. In most Diasporas, their dilemma is real - a clear identity crisis: "Where do we belong"? "What do we have here as ours"? "Are we here or there"? "Where is home"? "Is this a home away from home"? The second, third and fourth generations are no longer a Diaspora in sociological terms. They would be speaking the language of the place where they were born, educated and live. Their parents' customs, languages

or religious affiliations will be strange, and associating with them may not help them to establish their identity. It is in fact a sign of a typical 'displaced people' struggling to be 'native', aiding and abetting political projects of the land of origin. This is bad news for the 'host country' because these obviously drain their own social fabric and new set of problems emerge to be nationally tackled. Entire Europe is going through this specific (mal) adjustments. So fighting for an ideology in the Diaspora to be established could be self-fulfilling, but not necessarily be a liberation struggle on behalf of a people who no longer wish to be betrayed 'back home' in the name of a dream state in the mind of a megalomaniac.

### **The West's Civic Duty**

The political corridors of Capitol Hill, Number Ten Downing Street and Delhi need to reassess their stance towards the Tamil and Sinhalese and other inhabitants of this island nation: they need a reconciling heart and not a punitive mind. Their assessment must help Tamils, Sinhalese and others who live in Sri Lanka to grow now into a nation without violence. Theirs is a civic responsibility as part of the international voice to promote reconciliation and not to further dissension.

It is an unrealistic and laughable matter to invite only one side to participate in reconciliation, and for them alone to be under pressure for reconciliation, when history records that both sides were in conflict with one another. The Tamil Tigers were not a bunch of hermits who opted for a non-violent resistance movement on behalf of their people. Hence, both sides require an enormous effort of reconciliation, each of them for authentic healing and to work for a shared future. As noted before, the people of the Northern Province recently experienced an oasis of freedom to choose their

Provincial Council members after years of siege under the wrathful outfit, a sign that a new life is in their hands now. The elected members should also be mindful that a grievance agenda based on a claim for justice cannot be argued on a mere nationalist basis: because the nationalists, of both the majority and of the terror-ridden outfit, created the conflict in the first place. This is what happened in Sri Lanka and is a proven recipe for dissension and conflict.

The International community (whatever that means) cannot treat or take an attitude to do 'something' just because they too are under pressure to do so. This would mean also a gross violation of the sovereignty of the people of Sri Lanka. Solutions can be adopted from world scenarios, but it must know that such cannot be imposed on an unwilling people. Because the same international community was almost disinterested and so distant from the people of Sri Lanka at the peak of violence, people had the feeling that they might have thought that it was an internal matter and that the Sri Lankans should resolve it on their own soil. However, a new interest in a solution for Sri Lanka to be proposed by the once slumbering nations is what worries the people of this island nation. Theirs is a history dominated by the West's most powerful colonial powers and their collective historical memory is still fresh in terms of interference when the international community wants such and such, or otherwise negligence at its whim and fancy. This will not be tolerated by the people - a conditional reconciliation, a push and pull political pressure to bend and bow to certain stipulations. Asian, African and Latin American experiences of these blueprints of the West and its allies are mostly treated as hypocritical, fallacious and dishonest. Hence, whether it be Geneva, New York or London, the people of Sri Lanka, Tamil, Sinhalese and others also ask for transparency and accountability on the part of the International community (to be principle-centred, not lobby-obsessed).

Such a moral compass cannot be one way traffic. The West must learn to treat others on principles that are universal, equal and just. The global south will resist measurements, yardsticks and criteria being used in a discriminative manner. It is a simple civic duty and an ethic: treat others the way one wishes to be treated. Today's power is not measured by superiority of fire power: statesmanship is not judged by a country's GDP. Instead, the powerful are respected for their civic credibility displayed among the League of Nations. Hence, the West needs to work hard to gain this respect and honour, failing which the smaller nations will move in their own direction: many have taken that liberty already. Global coherence as a family of nations also depends on this same civic duty. If the South is neglected by the rich North, then there is a natural compensation for it. Examples are so numerous. The West must know that the South does not solely depend on them. It is interdependence that prospers each nation although they may independently pursue prosperity. This is what they demand as a sovereign right.

### **Majority-Minority Fault line**

Majority-minority tribal, ethnic, language, national, religious, cultural and political issues are not new to our society. Humans have dealt with them differently and have succeeded in some instances, while there have been failures as well. Sri Lanka's conflict too has many implications related to the above litany of issues and concerns. Who was right? What should have been done? Who made the first mistake? Which steps should have been taken to avert disaster? These questions indicate yet another litany of a blame game that does not help the future of any people whether they are a majority or a minority.

Sri Lanka's thirty-year-old violent conflict which fractured the two main communities initially over power sharing, eventually led to an unbendable separatist power struggle within the minority community. The assassination of Alfred Duraiappah the then incumbent elected Mayor of Jaffna, in July 1975 up to the then incumbent internationally known foreign minister of Sri Lanka, Lakshman Kadirgamar, in August 2005, 30 years later, indicates a shameful elimination of individuals with charisma, alternative political views and a vision for the Tamil people. These created years of internal fights in which the Tamil tigers annihilated every single group to prove their political supremacy and domination over and above any other. It was very clear that the 'grand finale group' that executed enormous atrocities against their own people, and declared themselves as the invincible liberators of the Tamil people, could not fit into any form of governance, except with and through violence. This slogan: "governance via violence" was politically untenable in any decent citizenry and social adjustment programmes of communities.

The political obstinacy of this perspective made it a 'persona non grata' outfit by over 30 countries as a terrorist organisation. But by then certain Western nations purposely considered phraseology like 'de facto state', and even declared Killinochchi (a Northern town) to be the 'capital city of the state' (a state within a state notion). All avenues were in place for the inauguration of a geopolitical state for which the so called liberation struggle was first launched, (with a flawed concept of a Nation state), but not necessarily with authentic power-sharing. Hope for the Tamil minority was indeed high, even though it was to be gained at a terrible human cost within. The Tamil resistance which had well begun in the fifties over constitutional reforms, was ruthlessly highjacked and cocoonised into a single

narrative of a violence-ridden group activity against one's own. For anybody who raised opposition the end result was a violent death. Hence reconciliation is imperative for both the majority and the minority of Sri Lanka's conflict and the fault lines could be accepted and dealt with political maturity, through the perspective of rights and responsibilities.

### **Tamil Masses and Reconciliation**

Reconciliation is not a one way traffic plan. It contains a multiplicity of approaches to realign, revisit, readjust and repair those broken relationships. Reconciliation is not a reconstruction of a dam swept away for monsoonal rain, neither is it a matter that a vociferous Diaspora could control remotely, nor a matter an international vote can achieve in a coercive manner. It is sad that some think in that way.

Some Western and International Non Governmental Organisations' (INGOs) problem resolution strategists have grand plans of getting communities that have had no contact for years, who have lived parallel lives, to befriend instantly and to be eating and drinking together overnight. The very same 'reconciliation preachers' and 'forgiveness gurus' perhaps in their own environment do not even know who their next door neighbour is. Reconciliation is not a commodity to be bought from a grocery because we are talking about loss of lives, murders and assassinations, hatred and suspicion. These emotive incidents cannot be merely resolved by those preachers and gurus alone, rather people to people encounter is what makes reconciliation realisable. This is no miracle, the impatient world must know that no country ever resolved these by imposition. It was very easy for the Tamil tigers to destroy a public transport system and its civilian population with a suicide

bomber who was not even aware of what she/he was being asked to do, kill the Prime Minister of India (R. Gandhi) and the President of Sri Lanka R. Premadasa, (ironically both of them supported the Tamil tigers) but it will certainly not be easy to make reparation for these heinous crimes against humanity.

Tamil and Sinhala masses at large may not be fully aware of the full extent of violence that took toll of the country, but what they are aware of is that their children should be spared any kind of repetition of violence and armed conflict. This is what all parties must agree to, to avoid which includes the UN bodies and the other International actors. Sri Lankans want these actors and players to learn the lessons of their politically motivated delays and pre-emptive intervention and non-intervention of the Hutu-Tutsi massacres of thousands in Rwanda, and similar events in the Congo, Iraq and Afghanistan, then revisit how they wish to treat this sovereign nation. The belated Rwandan intervention cost was unbearable, Iraq will never be the same. Afghanistan remains the West's pricked conscience, while stunted intervention in Syria is recorded as a historical counter-balancing of world powers. The International interventionist mode by its players and actors in Sri Lanka has already jeopardised many approaches to reconciliation now deployed by the ordinary citizens and groups of concerned people. Reconciliation preachers and forgiveness gurus do not realise this at the ground level. They must take stock of their behaviour.

## **UNHRC and Reconciliation**

Reconciliation has never happened in any history of modern post conflict scenarios in a miraculous manner. It took decades for the allied nations to reconcile with post conflict Germany. Germany was



for a long time considered a 'rogue state' and a pariah and there are still some Nazi residual effects haunting the minds of Western Europeans about their neighbour. What is strange here is that UNHRC has been turned into 'a judgement delivering body' by the lobby groups. They must know that UNHCR is primarily a body that has to provide a conducive environment for reconciliation. It has absolutely no mandate to take over either the role of the Security Council or the International Criminal Court (ICC). These are institutions that belong to the entire international community, not a selective group of so called powerful countries. In March 2014 UNHRC must act not as a self-appointed policeman instead it must become a body that knows its limitation for litigation because it must realise its role as a promoter of human rights and reconciliation.

Reconciliation happens both within each community and between different communities, especially those that have been in the conflict. In the case of Sri Lanka, Tamil people in the North and the East were severely affected due to their areas being used as direct locations for propaganda, intimidation, recruitment and combat operations. However, terrorism affected the nation as a whole. The fear psychosis infested every nook and corner of the island, as the most lethal form of assassinations were conducted, using innocent Tamils, mostly women, to attack people in all walks of life including civilian targets, setting them apart as eternal enemies of each other.

Reconciliation therefore is a double mission both for Tamils and Sinhalese and can be difficult to execute if both parties are not willing. Neither can the pressure groups, foreign or local political parties push for reconciliation unless they too are willing to understand the complexity of the problem that Sri Lanka underwent

for 30 long years, the life time of a young adult. The parties in conflict must also partake in the post-conflict efforts to understand the parties that led the conflict. UNHRC and other bodies must facilitate, not aggravate.

Reconciliation is a process and a movement, hence is not led by one single individual, group or organisation. It is a collective activity that happens at different levels with different organisations and bodies. A simple act of meeting former suspiciously separated parties for a shared meal demands a great deal of ice-breaking and the removal of unfounded fears and hatred. Tamil political parties too must take the lead in this. Religious bodies, especially the Catholic church of the North and the East when speaking and engaging, must not only just talk about the rights of their own ethnic group or 'our flock' with the power of their 'cassock', alone, but also about the responsibilities of people in a citizenry. Helping the people to reconcile with their violent past linking with the romantic Diaspora dynamics of instigation of the same old futile separatist dream might be untenable.

### **UNHRC and other Ethnic Sri Lankans**

How would UNHRC wish to assess the grievances of the other ethnic groups in Sri Lanka? Its information, data and analysis would be proved flawed if they have not equally studied at depth and documented the human rights situation and related issues of other ethnic groups in Sri Lanka. The Council will not beget the international community's trust if it is led by politically motivated hearings and deliberations.

In the March 2014 deliberations, the international community also may wish to find out,

- i) UNHRC's response to the arming of militia by the West, led by the United States, as if justifying a 'war for peace agenda', including Assad's violation of human rights as well as the West's instigation and violation of the human rights of the people of Syria.
- ii) The human rights of all those who were massacred by the Tamil tigers, including the rights of Rahul and Sonia Gandhi whose father and husband was assassinated alongside thousands of other political leaders of the Tamil, Sinhala and Muslim communities of Sri Lanka.

These two issues will prove the UNHRC's credibility as a UN body that is capable of offering a 'comprehensive approach' to a global issue while not isolating smaller and weaker countries.

The UNHRC no doubt has a difficult task, hence my argument is that it must work within its UN mandate and focus on a comprehensive approach and not something to be pre-empted by the US State department or by No. 10 Downing Street and their Canadian counterparts. They all know that bad things take place in difficult circumstances. The people of Sri Lanka profusely refuse to accept the position of the very countries that have tabled the resolution for the 25th Session of the UNHRC as their own front yards are also full of such 'discreet country secrets'. UNHRC cannot be allowed to be taken for a ride by the ideologically separatist Tamil Diaspora that viciously wishes to disrupt the lives of the Tamil people in Sri Lanka. The other ethnic groups want the UNHRC to drive a 'comprehensive approach' and not be politically motivated in their March 2014 deliberations. They want to believe that the UNHRC is a body of non-partisan monitoring and a recommender of good governance to the states and governments.

## Reconciliation Stride

Some argue that speedy and accelerated programmes of development processes would transform the way people think about each other and the past. Some others propose that the provision of equal rights and equal opportunities would soften the deeply entrenched views and perspectives of a formerly divided people. The former cadre population of over 11,000 has gone through a process of reconciliation under a general amnesty, which is now recognised by the beneficiaries themselves as reconciliation, not just with the other party that was in conflict, but also reconciling with their own violent past and moving on as citizens of a nation.

They have accepted that they were disastrously misled into acts of violence. A callous social stigma is attached to the lives of young men and women, who now find it hard to find partners as ones who have lived in the jungle and in the bunkers with no religious, cultural or family attachments and as ones who have exposed themselves to unorthodox relations with men and women. A crucial realm of reconciliation is required within the caste-conscious, conservative and patriarchal segments of the Tamil community itself, which has also undergone political assassinations, child conscriptions and extrajudicial killings within the rank and file. They have witnessed atrocities by the warring factions inflicting untold hardships and causing immense trauma. This is no secret to any student of sociology, psychology, ethnology, criminology or forensic anthropology. Because there are Tamils and tamils, those from Jaffna, Batticaloa, Wannai, Up country, those that lived in Colombo, and those that were born and lived abroad, think and operate differently. Tamils are also not a homogenous community. There are socio-cultural tensions, chaotic disparities among them as well. A good example would be how the

Jaffna Tamils would see the Eastern, and Wannu Tamils and the Up country Tamils. Class, caste and use of language create internally discriminatory interactions and behaviour. This is also part of a post-conflict reconciliation, as important as reconciling with the Sinhala community, whom they were taught was their first enemy. It is noteworthy to mention that Tamil-tiger-terrorism destroyed its 'linguistically near neighbour', that is, the Muslims of Sri Lanka, basically through ethnic cleansing of the Northern Province, rid Jaffna of all other ethnic groups. This created the second enemy. The creation and evolution of this notion of a double enemy (Sinhalese and Muslims) was on the basis that Northern and Eastern provinces must be for Tamils only. The historical grievances (as if other communities did not have them) of the Tamil population was to be prioritised by the Tamil tigers. This fatally driven single narrative ended in destruction and violated the Tamil aspirations and their authentic rights and citizenship. Today most live as a fractured people, their aspirations abducted by their own – as Samuel Beckett demonstrates in his play, *Waiting for Godot* (Grove Press, 1949) – an inability to discover meaning and sense. Therefore they are stuck, waiting amidst nothing. Tamil citizens cannot be left in the hands of a Diaspora and a leadership that is also stuck in the past and a timeless, meaningless, senseless ideology of separatism in this tiny nation of Sri Lanka: like *Waiting for Godot*. This is why our people refuse to compare their country with Kosovo, South Sudan or East Timor, a model where regional political units lead to divided countries on ethnic or religious lines.

When the Tamil tigers highlighted its enemies, like the Nazis or Al Qaeda, all the social impediments, cultural taboos and other internal issues within the Tamil community moved onto the back burner as if it were an issueless community. It would then be easy to demonise an enemy out there whereas the real enemy is very near and within.

In fact their real near enemy, as most would observe, is the caste system imbedded in the social psyche infused with other cultural taboos of 'dos and don'ts'. Their far enemy might be the nationalist institutions of the majority and not necessarily the Sinhala and Muslim general public as some might imagine.

### **A Concluding Snippet**

The challenge for the big players of the Tamil community of Sri Lanka, is to make some serious and responsible choices. Running to Delhi, Chennai, South London, Scarborough or to Oslo proves a lack of political vision and strategy and indicates an inner lethargy for dealing with issues among their constituents at home and resolving them tactically. Reconciliation is providing support to their people to settle down after years of trauma and fear. It is only fair to them that the Tamil political, religious, and other leadership, other agencies and their foreign counterparts heed to a reasonable grievance material and relevant propositions without deceiving the people yet again. They too require reconciliation to face the new challenges and opportunities ahead of them, because most Tamil political leaders were hiding in fear. They too need a few more years to practise mature adult politics that was previously infested with violence perpetrated by the Tamil Tigers. The dire need of the hour is Tamil leadership itself, wanting to acknowledge a violent past, where their own political comrades were selectively assassinated one by one. If this is neglected, then there will be a historic loss by the incumbent leaders of both the North and the South of Sri Lanka.

It is imperative for the UNHRC's member nations that they do not embark on a coercive or punitive style and later regret decisions rushed under pressure. Surely they can avoid empty apologies for mistakes made to a people struggling to foster peace after years of

agony. UNHRC has a global responsibility not as a judge but as an arbiter to hear the reasonableness of various voices with insight and honesty. Let the sublime core of the UNHRC not be judged by history as a body that failed its principles of structural justice. It should never portray itself as a punitive agency which in fact is not its mandate from the United Nations. Tamils, Sinhalese and others in Sri Lanka eagerly want the peace-keeping processes that they have now volunteered to maintain intact. Their earnest hope is that a body like UNHRC will not jeopardise their own processes of reconciliation and nation building.

# Harmony Centres and Clubs to Promote Sustainable Peace in Sri Lanka



**Nirekha De Silva**

PhD Candidate at Griffith University and Research Officer at SAARC Cultural Centre Australia

---

Recovering from thirty years of conflict, the greatest challenge Sri Lanka was facing in 2013 was to maintain the peace and stability it has achieved. Although political violence ended in Sri Lanka in May 2009, the ideologies of communalism and sectarianism remained in the fringes of Sri Lankan society. The Harmony Centres and clubs concept was introduced in Sri Lanka with the understanding that taking peace for granted and failure to invest in social harmony will return Sri Lanka to social unrest and conflict; and recognizing community initiatives are imperative in advancing the spirit of reconciliation as social harmony cannot be achieved by the directives of the state alone.

The mission of the Harmony Centres and Clubs is to promote interethnic, intercultural, and interreligious understanding and interactions and provide holistic education for conflict transformation in contributing towards the development of a trusting and resilient nation.

The aims of the Harmony Centres include,

1. To build and sustain the in-house research capacity and



capabilities of the Harmony Centres by conducting research and training programmes to equip members with the necessary knowledge and skills.

2. To provide educational resources and facilities for learning for community members and school Harmony Club members with an enhanced understanding of:

(i) the different ethnicities, cultures, and religious groups of Sri Lanka and the world

(ii) the Sri Lankan conflict, global issues and other conflicts of the world, Peace Education, and subjects which facilitate successful entry into the national economy

3. To conduct cultural and educational programmes to engage and educate the local community in diverse cultures and harmonious living and encourage collaboration and interaction between communities and schools in different parts of Sri Lanka.

4. To conduct sports and entertainment programmes to encourage collaboration and interaction between communities and schools in different parts of Sri Lanka and facilitate the cultivation of genuine friendships between individuals of diverse communities.

5. To assist the development of Harmony Clubs in schools in the district and assist local communities in other meaningful ways to contribute to the national reconciliation process.

6. To build an online platform for collaboration and interaction between different universities and diverse communities and an online repository of research, knowledge, and information generated by the different programmes of the Harmony Centre.

A Harmony Centre is to be created in each of the 25 districts of the 9 provinces of Sri Lanka. The district Harmony Centres are to be independently managed by the Director and Coordinators of each Harmony Centre in consultation with the District Advisory Committee of Harmony Centres. To achieve its objectives the Harmony Centre of each community is to formally and informally educate and connect the local community through its eight core programmes: (1) Research and Training, (2) Resource Centre, (3) Cultural Programmes, (4) Educational Programmes, (5) Sports and Entertainment, (6) Community Assistance, (7) Health and Wellbeing, and (8) the Online Harmony Centre.

### **Research and Training**

The Research and Training unit functions to build in-house research capacity and expertise of the Harmony Centres. The Research and Training unit will implement and manage research projects, training courses, conferences, seminars, and workshops and review literature in the areas of Peace Education, Conflict Transformation, and Sri Lankan Studies as well as conduct training programmes for members in language training, research skills, and communication skills. The development of the Research and Training unit is required to effectively conduct the other programmes of the Harmony Centre. The Research and Training unit will also collect, classify, process, and deliver knowledge and information in print and electronic forms on subjects promoting peace and reconciliation. Engagement with the media is also an attribute of the Research and Training programme as it is to disseminate research and knowledge gathered to the Sri Lankan public. The Training programmes will focus diverse groups of people including Judges, Officials in Forces, Police, Teachers, Academics, Lawyers, Doctors, Government Administrative Officers, Humanitarian Workers, Private Sector Workers, Bankers, University, School and Pre-School Students, Politicians and the Community.

## Resource Centres

In order to develop in any form of activism, there should be information. The Harmony Resource Centres will provide very useful information on education opportunities, how to conduct a job search, available job opportunities, various forms of traditional work, leadership skills, management skills, history and politics, current trends in the country (in agriculture, industries, social, political, economic), visual and performing arts, etc... The Harmony Resource Centre facilitator with the support of other trainers will guide the people on how to use the information and how to promote activism. It will also link with online training programmes, various education options and employers. The Harmony Resource Centre will be crucial to give guidance and direction for the community. It will make people more independent, creative and open in decision making.

All Resource Centres will be networked and interlinked with the university libraries, public libraries, and the Civil Society Network for Information Sharing and will be equipped with state of the art technology for enhanced learning and collaboration between communities and schools. In addition to books and journals in print and electronic forms, each Harmony Centre library is to have films, documentaries, and other audio-visual educational material which promote harmony and conflict resolution as well as intercultural, interethnic, and interreligious understanding. The Resource Centre is to provide access to online databases of scholarly research publications, policy papers, project reports, and other forms of knowledge and information on subjects related to harmony, reconciliation, and conflict resolution. The Harmony Resource Centre will be a people-friendly, interactive, and progressive space, designed and decorated in keeping with local Sri Lankan architecture and taste to promote local industries.

## Cultural Programmes

Through cultural programmes, the Harmony Centres can bring diverse ethnic and religious communities and leaders together. The Harmony Centres will organize cultural programmes to celebrate attributes of each other's unique heritage so as to remove ingrained and acquired prejudices that may exist among individuals and communities. The cultural programmes will include cultural festivals, artist camps and training programmes, photographic and artist exhibitions and competitions, dance and drama festivals and competitions, and film screenings. The cultural programmes will especially aim to revive the traditional arts of the diverse communities of Sri Lanka. The cultural programmes will be conducted within universities, with other universities, and with invitation to the public as a forum to unite all communities. The Cultural Programmes are also meant to engage local communities in a manner that embraces and preserves their unique heritage.

## Educational Programmes

Educational programmes will provide the public with knowledge and understanding into the subjects related to interethnic, intercultural, and interreligious understanding. The Harmony Centres can create multiple interfaces for learning and engagement between diverse communities by conducting a series of talks, seminars, and conferences on subjects promoting conflict transformation and communal harmony. These educational programmes are to host and bring together experts in such subjects as peace-building and gender studies, social activists and religious and community leaders. The Harmony Centre Educational Programmes are also meant to reach out to local schools.

## **Sports and Entertainment**

Sports and entertainment programmes are to be conducted in collaboration between Harmony Centres of the different districts to encourage interaction between communities and travel across the island. The revival of traditional team sports with members from diverse communities as well as traditional martial arts are attributes of this programme. The Sports programmes can work closely with the Ministry of Sports and the Ministry of Youth Affairs in developing physical fitness and peace and harmony through sports. Entertainment programmes are meant to be creative and interactive and may take many forms such as satirical theatre, stand-up comedy, fashion shows, carnivals, or outdoor film screenings.

## **Community Assistance**

The Harmony Centre is to establish Harmony Clubs in a targeted number of schools in the district every year. The Harmony Centre is to also extend its assistance and leadership in promoting harmony in communities by conducting Community Assistance projects by networking and collaborating with humanitarian agencies and relevant government agencies. One such annual project promoting reconciliation is to be undertaken by each Harmony Centre (a project proposal to be presented to the District Advisory Committee with objectives, timeline, and other details). Community Assistance projects are to be undertaken in diverse communities to strengthen inter-communal relationships.

## **Health and Wellbeing**

The Health and Wellbeing programme will cater to the physical, mental, and spiritual health of local communities. This programme is to help revive the traditional forms of healing and health practices in

the university community. The Health and Wellbeing unit will organize a range of programmes such as traditional healing clinics, workshops on health and well-being, seminars on indigenous medicine and new discoveries in Western medicine, general physical fitness classes, recreational activities, talks and counseling sessions by professional mental health practitioners, and also meditation and yoga classes conducted by expert teachers. The Health and Wellbeing unit will work with the Ministry of Indigenous Medicine and Ministry of Health in fulfilling its objectives.

### **Online Harmony Centre**

The Online Harmony Centre is an online repository of all research, knowledge, and information generated by the different programmes of the Harmony Centre (research and training, resource centre, cultural programmes, educational programmes, community assistance projects, and health and wellbeing programmes). It is also fundamentally a platform to share research, resources, and news and interact and collaborate with other universities and communities easily and cost-effectively, as the Online Harmony Centre is to link all University Harmony Centres, District Harmony Centres, Harmony Clubs in schools, and Harmony Centre online libraries. The Online Harmony Centre of each university will also webcast selected activities live and also facilitate educational programmes in the form of seminars and other online educational and discussion forums with other universities and communities. The Online Harmony Centre programme functions also to create awareness of Harmony Centre programmes and activities and promote peace and reconciliation through social networking interfaces. The Online Harmony Centre has the potential to connect all communities of Sri Lanka with each other.

Through Harmony Centres at the district-level communities across Sri Lanka can engage actively in initiatives in reconciliation by developing

the central concepts, strategies, and models to promote diversity and coexistence and prevent future conflict in Sri Lanka. The Harmony Centre is to cultivate a work environment of professionalism, integrity, and performance, and ensure that these characteristics are reflected in the programmes it will undertake. A mandate of the district Harmony Centre is to help establish a Harmony Club in each school in the respective district. Currently Pilot District Harmony Centres have been established and are in operation in Killinochchi and in Jaffna.

Harmony Clubs are to be established in schools as we are obliged to produce intellectually developed and morally responsible young people who are well-adjusted to the multicultural and multiethnic dynamics and heritage of the nation and the world. Although the specific nature and design of programmes undertaken by a Harmony Club will be wholly directed by the school management, Harmony Clubs will be linked to the district Harmony Centre so that Harmony Clubs can benefit from the guidance and resources of the respective community Harmony Centre. The Harmony Centres and Clubs aim to provide programmes which empower individuals and students to become meaningful contributors to the national reconciliation process as well as provide the stage and space necessary to build authentic relationships of trust and respect between individuals of diverse groups. Harmony Centre programmes are designed to educate and connect individuals so that the elements of hate, prejudice, suspicion, or mistrust that may remain are removed from the hearts of individuals. The community Harmony Centres and school Harmony Clubs are to create platforms at the level of the community and the school respectively to better understand the nation's challenges and contribute actively towards the nation's peace and stability and building a harmonious Sri Lanka.



# Canada let Toronto Tamil Diaspora hijack foreign policy

Sinhala voters are totally ignored; Hunger for votes shaping parties' decisions risking national security

**Dilan Mohotti**

Toronto, Canada

---

**T**ORONTO - The desperate cameo staged by Sri Lanka-born Canadian MP Rathika Sitsabaiesen during a controversial visit to Jaffna recently indicates the emerging trends in the Toronto Tamil Diaspora politics.

Sitsabaiesen, elected to parliament from the New Democratic Party (NDP), is facing a formidable challenge from a local councillor, Logan Kanapathi, who is from a suburb less than half an hour's drive from Scarborough, the heartland of Tamil Diaspora politics. He too holds some sort of record like her. He is the first Tamil to be elected to a city council.

Sitsabaiesen fell out of grace with the Tamil Diaspora after she refused to attend a conference on Tamil People's Rights on March 2, 2013 on the sidelines of the Geneva-based UN Human Rights Council session. Serious rifts between Sitsabaiesen and the Tamil lobbyists were seen after the NDP MP was prevented from attending an event in Toronto on May 18 last year to remember the LTTE war-dead.



Some of her 'Tamil nationalist' shenanigans may have also angered the new NDP leader Thomas Mulcair. She lost her position as the party's spokesperson on higher education and universities soon after he took over the leadership in 2012. Canada is not a place for Third World politics that Sitsabaiesan is engaged in to win the hearts of her community.

Tamils who take their caste system seriously have an aversion to Sitsabaiesan as her family belongs to a lower caste. Though LTTE chief Velupillai Prabhakaran became the defender of Tamil nationalism later, initially some sections of Tamils in Jaffna revolted against him as he hailed from a lower social strata. A major policy in his violent agenda was the annihilation of upper class Tamils to destroy caste-based politics. He achieved this aim quite successfully with guns and bombs. A large number of Tamil MPs elected to parliament during 1960s and 1970s hailed from the Vellala community, considered to be the superior class, consisting of rich and well educated Tamil politicians who formed ad-hoc alliances with the Sinhala governments of that era for personal gain. They were nothing more than lip-synchers of Tamil nationalism.

Supporters of Sitsabaiesan view Kanapathi as a 'parachutist' planted by the Liberals, the party that held her Scarborough-Rouge River riding until the NDP swept into power becoming the main opposition in the federal parliament. Due to the recent redemarcation of electoral ridings in Scarborough some of her loyal voters have been dispersed to other seats. She was disappointed when the Electoral Boundaries Commission for Ontario split her riding in a redistribution to give Scarborough six complete federal districts.

Sitsabaiesan and Kanapathi both say they want to run in the new federal riding of Scarborough North in 2015 elections. The Tamil Diaspora is backing Kanapathi and Sitsabaiesan's days as an MP are numbered.

She has said 'her heart sank' when she knew the results of the new demarcation lines affecting her power base. Sitsabaiesan may even be forced to withdraw her candidacy if the Diaspora feels two Tamils for one riding might split votes allowing a third party to cross the finish line.

The miraculous surge of support of the NDP which propelled the party to the position of the main opposition winning 103 seats as compared to 29 in 2004 elections was termed as the Orange Wave, the colour of the party. It was the result of a protest vote by Liberal supporters disenchanted with their party's rudderless existence without a forceful leader and a sympathy vote for NDP leader Jack Layton, who died of cancer. A large number of newly-elected NDP MPs, like 32-year-old Sitsabaiesan, were young rookies without real political experience.

The Liberals are now gaining a solid foothold in Canadian politics under the leadership of young, charismatic Justin Trudeau, heir apparent of former Prime Minister Pierre Elliot Trudeau, heading for a landslide at the next election. That will be the end of Sitsabaiesan's brief career as the torchbearer of Tamil Diaspora politics in the Canadian parliament. The rising star is Jaffna University economics graduate and former Toronto insurance agent Kanapathi though, in some ways, it is not a secret that he lacks the charisma of firebrand Sitsabaiesan. But he has the blessings of the Diaspora kingmakers who have successfully muffled moderates in the community.

Personal qualities or experience don't mean much here. Someone capable of playing to the gallery is a better bet and Kanapathi's future seems bright as a Liberal Party Tamil candidate.

Sri Lankan authorities handled the Sitsabaiesen's recent debacle quite intelligently. Confining the NDP MP to house arrest would have been a blessing in disguise to shore up her sagging popularity among her compatriots here. By deciding to travel to her native island on a tourist visa she may have anticipated such an outcome. In my brief encounters with Sitsabaiesen she has impressed me as a street smart politician whose political savviness extends beyond her years, and is capable of winning over any Diaspora heavyweight in a no-holds barred bout.

The Sri Lankan-born politician's victory at the polls was not without its controversies. She was able to garner only 41 per cent of the votes, the lowest in Toronto and the seventeenth lowest in Canada, and there were credible reports of improper voting.

Tamil immigrant waves to Canada fall into five categories: Those affected by the 30-year hostilities between the Sri Lankan governments and the Liberation Tigers of Tamil Eelam (LTTE); Victims of violence between the IPKF (Indian Peace Keeping Forces) and the LTTE; Those who had nowhere to turn to when the LTTE frequently unleashed violence on the Tamil population; Those affected by the bloody infighting among Tamil militant groups; The Tamils who were affected in the violence in 1982 which was attributed to a radical Marxist party by the then government.

The negative image projected by the powerful Eelam lobbyists to the outside world is that all the Tamil-Hindus who had come to

Canada as refugees are the victims of 'violence perpetrated by Sinhala-Buddhist security forces.' That was enough for Stephen Harper to shed a tear in the name of human rights violations in Sri Lanka while at the same time cheering and giving high-fives to its greatest friend Israel, engaged in massacring and maiming the Palestinians on a daily basis.

Harper who went to Israel in January this year with a delegation of six cabinet ministers, 250 business people and community leaders, became the first Canadian prime minister to address the Knesset — Israel's parliament. This is quite a record in Canadian political history and a feather in the cap of the Jewish Diaspora numbering about 375,000 in Canada.

Harper who famously boycotted the Commonwealth Summit in Sri Lanka over allegations of human rights violations by the Mahinda Rajapakse regime is well known for vacillations, retreats and ducking in his foreign policy which has been described by Former Prime Minister Joe Clark as 'a one-man show' in which his foreign ministers are 'treated as clerks carrying out his orders'.

"...the seven years of the Stephen Harper government has exposed the authoritarian workings of the Prime Minister's Office. Nowhere has his tight control been more ruthless than in the execution of foreign policy, his one-man show in which his foreign ministers are treated as clerks carrying out his orders and reading speeches and 'talking points' written in his office," former Conservative prime minister Joe Clark says in his newly-published book *How We Lead*.

He further adds: "It's a damning critique of how Harper has changed Canada's image in the world, from a nation admired for its sophistication in mediating, peacekeeping and working

co-operatively in multilateral institutions to one that's belligerent, divisive and dismissive of the United Nations and other international institutions, such as Commonwealth, La Francophonie (French-speaking countries) and the Organisation of American States".

Another former prime, Brian Mulroney, also criticised Harper's stand on the summit saying that he should not have boycotted the Commonwealth meeting in Sri Lanka.

In an interview with respected Toronto daily National Post, Mulroney says: "If you were going to boycott the Commonwealth because of illustrations of improper government or abusive treatment of people within some of the member countries, some days you wouldn't have too many people around that Commonwealth table for tea." Mulroney said the 53-nation Commonwealth is a powerful group and Canada should work within it to make a statement. For example, he pointed to the accomplishments of former prime minister John Diefenbaker who, at the 1961 Commonwealth leaders' meeting, denounced South Africa's apartheid policy and joined forces with Asian and African government leaders to push through a resolution making racial equality a condition of Commonwealth membership. South Africa subsequently withdrew from the Commonwealth and was not re-admitted until its apartheid regime ended in the 1990s. Prime Minister Harper has said he did not attend the Commonwealth summit due to the lack of accountability for alleged war crimes committed during the final phase of the Sri Lankan separatist conflict, as well as evidence of ongoing human rights abuses. He also bunched the issue of the impeachment of the Chief Justice in the same bundle of rights abuses though this issue has no connection whatsoever to the Tamil community.

The final days of the war bore the brunt of errors, gross miscalculations and parochial politics favoured by governments before President Mahinda Rajapakse. The leaders who were in power since the 70s could have brought the war to an end decades ago. They had the resources and manpower, but the previous leaders used the conflict as a cover to prolong their own short-term objectives to stay in power, amassed wealth by way of lucrative arms import deals and settled scores among their Sinhalese political rivals. The LTTE thrived under such conditions.

President Rajapaksa's strategy was quite different. He took over the difficult task of spearheading the political leadership to end the war to stop the nation's slide into anarchy, taking on the sole responsibility of facing any regional or international repercussions arising out of his decision to stop the war at any cost, braving the well oiled Tamil Diaspora juggernaut that provided massive funds to the LTTE to bomb and kill innocent Tamil and Sinhala civilians in the name of Tamil nationalism.

If the 30-year war continues today Sri Lanka would have been something like Liberia a decade ago. The end of the war too paved the way for peace in the South Asian region. The LTTE has been accused of killing former Indian Prime Minister Rajiv Gandhi while some Tamil groups were involved in a violent coup attempt in the neighbouring archipelago of Maldives Islands. In the past there were reports of some Socialist Tamil groups trying to export the revolution to southern India to break away from the Centre which made India jittery and take evasive action affecting the sovereignty of Sri Lanka.

The terrible aftermath of the 30-year-old war is hard on both Sinhalese and Tamils and it is unreasonable to expect the government to solve the problems it inherited from centuries-old deep-seated historical, cultural, religious, ethnic and linguistic divisions overnight. The main problem, according to a political scientist, is that Sri Lanka has a minority that thinks like a majority and a majority that thinks like a minority. It is not easy to change such a complex mindset in the immediate aftermath of a war. It needs time. The present generation of Sri Lankans is war babies who never knew peace and are also unaware of the peaceful co-existence of Sinhalese and Tamils before the 80s.

It is unreasonable to impose rules based on solutions adopted in many other ethnic wars in the Third World. For example Rwanda, the violent crisis between the Hutu and Tutsi communities that put the security of many African states under threat, was easily resolved because it was only an ethnic problem. In the case of Sinhalese and Tamils roots run deeper. It is a problem based on religious, ethnic, linguistic, historical, political and cultural differences.

Any solution between the Sinhalese and Tamils also has to take into consideration the sensitivities of the other minorities in Sri Lanka: Muslims, Malays and Burghers (the descendants of Dutch, Portuguese and British rulers).

Before Harper put on stage his soliloquy about rights violations in Sri Lanka he should look back to see what his ancestors have done to the Native Americans in Canada. Think of those residential schools meant to take the wildness out of the aborigines who owned the land, and countless incidents of massacres and rapes that brought a proud ancient nation to its knees. Today the Native Americans of

Canada are confined to shabbily constructed settlements, trying to find solace in drugs and alcohol. Tamils in Sri Lanka today lead better lives than them.

I will try to give a hypothetical example in an attempt to explain what happened in Sri Lanka, to some Canadians who cannot tell a Sinhala name from a Tamil one.

Let us imagine there is a locally based terrorist group unleashing violence in Canada. What if the suicide bombers are blasting trains, buses, and buildings and engaged in killing and maiming people in Toronto? Will the Canadian security forces wrap their arms around their chests and watch the fun in the name of protecting human rights?

Though this is a hypothetical example there had been some worrying threats to security of the country in the recent past.

The promotion of ethnic diversity in Canada is partly a creation of politicians to win the immigrant vote. This has dangerously compartmentalized the communities into different groups signaling dire consequences in the future.

Already there had been an attempt to bomb a train in Toronto last year. In 2006 an Ontario terrorism case referred to the plotting of a series of attacks against targets in Southern Ontario, and the June 2, 2006, counter-terrorism raids in and around the Greater Toronto Area that resulted in the arrest of 18 people (the "Toronto 18") inspired by a foreign terrorist organisation. They planned to detonate truck bombs in at least three locations, and open fire in a crowded area. They also made plans to storm various buildings such as the Canadian Broadcasting Centre and the Canadian Parliament



building, and take hostages. Law enforcement authorities identified other targets, including the CSIS (Canadian Security Intelligence Service), Parliamentary Buildings and power grids as well.

Unlike the USA, Canada does not have even a semblance of an alternate culture to offer to new immigrants. Nobody knows what kind of culture we have here. Is it Scottish, Irish, Italian, Greek, Ukrainian, German, English or Eastern European? The failure to offer an alternative makes immigrants withdraw into their own shells. If there is a way out of this quagmire, Diaspora politics may not have played such a negative political role in Canada.

Here I quote a speech from Prime Minister Julia Gillard of Australia (Edited): "Those who want to live under their own laws should get out of Australia. IMMIGRANTS, NOT AUSTRALIANS, MUST ADAPT. Take It Or Leave It. I am tired of this nation worrying about whether we are offending some individual or their culture. This culture has been developed over two centuries of struggles, trials and victories by millions of men and women who have sought freedom. We speak mainly ENGLISH, not Spanish, Lebanese, Arabic, Chinese, Japanese, Russian, or any other language".

She is not criticizing the immigrants. What she emphasizes is the immigrants' wanton disregard for the Australian cultural, religious and social values.

I don't think any leader in Canada has the guts to make such a brave statement for the sake of the unity within Canada, preventing the Diaspora from causing disharmony within the Canadian borders and in other countries. The reason: Canadian politicians need immigrants' votes at any cost.

It is no secret that Harper's decision to boycott the summit was clearly engineered to win the sympathy of the Sri Lankan Tamils who hold the key to several ridings in Scarborough. His party that is on the brink of a huge loss needs new seats. But the problem he will face here is that the Tamils are traditionally aligned with the Liberals, the immigrant-friendly party led by Justin Trudeau.

The Tamils won't forgive Harper for what he did in 2009 by cold-shouldering 76 Tamil refugees who arrived off the shores of British Columbia, and another 492 in 2010. His attitude alienated whatever little faith the Tamils had for the Harper's Conservative government. That time there were no speeches by the Prime Minister condemning the lack of human rights in Sri Lanka. Instead, these refugee claimants were demonized as terrorists, carriers of disease, abusers of Canadian refugee programs and summarily locked up.

Today Harper's attitudes towards Tamils have changed and he went to the extent of boycotting the Commonwealth summit obeying the Tamil Diaspora wishes.

The Tamil Diaspora's powerful position in Canada does not augur well for any future harmony between the Tamils and Sinhalese, either in Canada or in Sri Lanka. Their agenda is based on a vendetta or settling scores with a government that finished off the LTTE. Even parties like the Liberals or the NDP won't be interested in any radical shift from the present Tory policy with regard to their policy towards Sri Lanka. Every party needs votes.

According to government figures, there are about 350,000 Tamils in Canada. The majority is located in urban centres in

Toronto, Montreal and Vancouver. Approximately 200,000 live in Toronto while about 70,000 of that live in Scarborough. The rest of the population is scattered in Toronto and fast developing suburbs bordering the city.

The major LTTE front groups in Canada, according to the U.S. State Department, are the World Tamil Movement and the Federation of Associations of Canadian Tamils, the major umbrella organization for pro-LTTE groups. According to the Canadian-based Mackenzie Institute, these two pro-LTTE groups dominate Canadian Tamil life whereas the front organisations for other terrorist groups, like those supporting Islamic extremist groups or Sikh terrorist groups, do not exert the same level of influence on and control over the lives of the members of the particular ethnic community.

Since Canada doesn't have a law akin to Denmark's policy of dispersing asylum seekers, the Tamils are clustered around Greater Toronto areas, particularly Scarborough. The early asylum seekers settled in this suburb due to cheaper rents, easy transport facilities and the availability of industrial jobs. On the other hand they felt comfortable living among the Caribbean immigrants who traditionally chose Scarborough as their home. Some Tamils who have become successful in life have begun moving to more affluent areas of Mississauga and Brampton, about 45-minute drive from Toronto.

According to a Tamil business directory the majority of more than 3000 Tamil-owned businesses like supermarkets, business complexes, restaurants, filling stations, convenience stores, franchise restaurants like Tom Hortons, Burger King and McDonald, Pizza parlours, real estate businesses, law firms, medical clinics,

educational institutions, private financial institutions, car dealers and kovils are based in Scarborough. There are more than 10 Tamil language newspapers and eight radio stations and two 24-hour TV channels.

In comparison there are only two half-hour Sinhala TV broadcasts per week. A few years ago Tamil and Sinhala businessmen in Scarborough got together to form an ambitious credit union with much fanfare, but after a few months it went bust mysteriously.

The attendance at events like Heroes' Day commemorating the fallen LTTE cadres, are filled beyond capacity. Tamil business establishments are closed on these days while many participants take leave from their work. It is nothing short of a general strike. The regional or federal government never bothers to address the issue and see how many man-hours are lost in the process, and the damage caused to the economy.

According to latest figures there are around 25,000 Sinhalese living in Ontario, a majority of them are spread in Toronto and fast developing suburbs around the city. Many of them have arrived in Canada under qualified worker category and hold responsible jobs in the government and business sector. A small minority has come as refugees. The Sinhalese move in closely-knit groups and maintain active cultural links with their native land and adapt themselves to the Canadian way of life faster than the Tamils. The Sinhalese try to avoid brushing shoulders with the Tamil community as much as possible.

One debacle the Sinhalese face during elections is which party to vote. They obviously try to shun any party that works against the

sovereignty of their motherland. No mainstream party in Canada has paid attention to the Sinhala voters. The Canadian politicians are quite unaware of such a community or they just don't care about such a minority vis-a-vis the vociferous Tamils.

There are four major Sri Lankan temples serving the Buddhists in Toronto and Greater Toronto Areas. One was badly damaged during the feverish protests in Toronto when the war was in its last stages.

Some of my Tamil friends privately praise the post-war achievements of Sri Lanka. Many of them visit their former homeland every year unlike the days when the LTTE called the shots. Some Tamils who escaped as refugees did not do so merely because of Sri Lankan security forces. They wanted to protect their children from the LTTE who were replenishing their cadres with child soldiers. A Tamil friend of mine has a harrowing tale. The eldest of his three children who was a 13-year-old boy was kidnapped by the LTTE while the child was on his way home from school. Weeks later the LTTE came to his house and informed that his son had been martyred in the war and took the second son who was only 12. He has no idea of what happened to him. He is here with his youngest daughter who is studying engineering at a Toronto university.

One spoke on glowing terms about the new highways that enable a five-hour car drive from Colombo to Jaffna, a journey which easily took nine hours in the past. (please check facts here) He is not happy about the rising cost of living, though Tamils in foreign countries help their relatives to ease the financial burden.

Is there any chance of Diaspora help to invest in development projects in the north? Many don't see any possibility of that

happening without a guarantee from the government to accept a separate identity of the Tamils as frequently expressed by Tamil hardliners. Anything lesser than that is not worth considering according to them.

A sizeable clientele of the groceries are Sinhalese and many Tamils who work in these places speak Sinhala quite well as a result of spending time in Sinhala areas of Sri Lanka. Tamils, Sinhalese, Muslims, Burghers and Malays who hail from Colombo schools have formed old boys' associations providing a platform to meet regularly in functions like anniversaries and dinner dances. Some Diaspora diehards resist even such grass root level contacts among Sinhalese and Tamils. Several community projects launched in Sri Lanka by a Toronto youth organization comprising of young Sinhala, Tamil and Muslim university students have been reviled as a waste of time. Such attitudes show that diehard Tamil Diaspora in Toronto is a law unto itself, just like the LTTE in their heyday. The difference in Toronto is they have the blessings of mainstream Canadian political parties.

Reports compiled during the 30-year-war shows that the LTTE drew significant financial and political support from the Canadian Tamil community. The Sri Lankan government estimates that the LTTE raises about \$120 million a year, up to a quarter of this amount from supporters in Canada. According to Canadian police and intelligence agencies, the LTTE raised money in Canada through donations, organized crime and LTTE front organizations. LTTE supporters in Canada were suspected of involvement in a number of illegal activities such as drug trafficking, human smuggling and passport forgery and fraud. They have also been a major factor in spawning Tamil street gangs in Toronto.

According to the Mackenzie Institute, the LTTE fundraising machine in Canada is "arguably the most sophisticated of any terrorist organization being undertaken on Canadian soil." Donations are both voluntary, through regular contributions, and coerced, through extortion and intimidation.

According to Dr. Amarnath Amarasingam, a respected Tamil intellectual says: "The LTTE was operating like both a multinational firm and an intelligence agency... out of the main centres of its global network in London, Toronto, New Jersey, and Norway".

He says the LTTE utilizes the vast resources extracted from the Tamil Diaspora and from its illegal and legal enterprises to influence policymakers, media, academia, and other influential sections in the state and Non-Governmental Organisation (NGO) sectors within the international community.

"It was also evident that the Tamil Diaspora, for the most part, did not have an enviable reputation in governmental and policy circles, and is widely believed to have been overly radical and fundamentally corrosive to the prospects for peace in Sri Lanka", he adds.

The threat of the LTTE remnants trying hard to destabilize Sri Lanka's post war peace seems real. The LTTE's global establishment is still active and what better than being powerful as a voting bloc to hijack foreign policy of Canada to further their own agenda of revenge against Sri Lanka that finished off the Tigers, a group which the whole world, except the Sri Lanka security forces, believed was invincible. The Tamil Diaspora still finds it difficult to come out of the shock. They cheered and applauded as the poor farmers' sons who

had no money or had no relatives to sponsor them to Canada perished in the fight for a separate homeland. As the fight unto death raged in the last phase of the war the Diaspora in Toronto staged mass protests and blocked highways trying hard to convince the Canadian politicians and global organisations like the UN to intervene and ferry LTTE chief Veluppilai Prabakharan to a safe destination to fight another day. But no one seemed to be interested.





# It's Time to Link Human Rights Priorities to Economic Factors

**Dr. Kalinga Seneviratne**

Journalist, Media Analyst and Lecturer, Singapore

---

**T**he preamble to the Universal Declaration of Human Rights (UDHR) proclaimed on 10th December 1948 says “human beings shall enjoy freedom of speech and belief and freedom from fear and want as the highest aspiration of the common people”.

While this is valid today as it was in 1948 when the world was traumatized by the barbarism of the second world war, especially in Europe, the time has come for us to take these principles a step further keeping in mind the global spread of neo-liberal economic structure that are threatening peoples’ human rights.

A new wave of colonialism camouflaged as globalization is today threatening the hard fought freedom of people around the world from European colonialism. The UDHR’s focus on individual rights needs to be revised to view human rights as collective rights of communities, societies and nations from this onslaught of neo-liberal economic model.

In Asia, emanating from its own philosophical groundings there has traditionally been a higher focus given to social and community harmony. Economic models that exploits the poor, the marginalized

and the vulnerable in order to make corporations and the rich richer, is a violation of both the poor's human rights as well as threatening the society's social harmony.

Social ethos that makes it okay for governments to bailout rich bankers who have indulged in criminally fraudulent practices, but, its bad economic policy to subsidise poor farmers, protect small businesses and market vendors, and treat migrant labourers as a commodity rather than human beings, are all human rights issues that need to be tackled as priorities on a global scale.

The UN declarations such as the International Covenant on Economic, Social and Cultural Rights adopted by the UN General Assembly in 1966 and the UN Declaration of the Right to Development (UNDRD) adopted in 1986 have ideas that could be adapted to address modern human rights issues created by this onslaught of neo-liberal economics.

The UNDRD calls on member states to recognize an individual's rights to work, for fair wages that would ensure a decent living, and a healthy and safe working environment; the fundamental right for everyone to be free from hunger; the right for everyone to an education; the right to proper health standards and so on.

In 2011, on the 25th anniversary of its adoption, in a blunt assessment of its progress, UN Secretary General Ban Ki-Moon argued that the UNDRD is good on paper but in practice it has languished. "Economic growth and material wealth were mistaken for true development. Visible, accountable hands in government ceded too much to the invisible, unreliable hands of the market. Human rights were too often subverted for financial gain," he said.

In a keynote remarks delivered to an UN Working Group on Sustainable Development Goals in December last year, UN Human Rights Commissioner Navi Pillay echoed similar sentiments, when she argued, that many leaders have abdicated their responsibilities to the current generation.

“Food, water, healthcare, education, housing and access to justice are not merely commodities for sale to the few, but rather they are rights to which all are entitled without discrimination” she noted, and in an obvious reference to the European economic crisis, Mrs Pillay added that, “today, to those at the top, it may appear that the crisis is over – as stock markets reach new highs, property prices escalate ever upward and the wealthy get ever richer. But those at the bottom know better. Those at the bottom see clearly how our model of development is failing”.

“People have lost confidence in the dominant economic model. They are calling for a new paradigm for development, one that places human rights in the centre” argued Mrs Pillay.

The question is whether the UN Human Rights Commission (UNHRC) is doing enough to mobilise the international community to plan a fairer development path? Can they promote this with a passion so that it will attract the attention of the world’s leaders, especially those in richer countries?

UNHRC has often pointed fingers at governments for restricting media freedom, but, it has failed to acknowledge the lack of freedom in the global – mainly Anglo-American media – for access to voices of trade unions and other peoples’ movements that are opposed to the type of neo-liberal economics both Mr Ban and Mrs Pillay referred to above.

How this global media ridiculed and gave almost no access to the voices that represented the “Occupy Wall Street” movement at the height of the banking crisis in the US and Europe is a good example. If their voices were given access to the global mainstream media, it would have led to a strong human rights movement worldwide for social justice and a fairer economic order.

The media was supposed to perform a role - according to western libertarian media model – as a fourth estate that will protect the citizens from the abuse of power by governments. “The fourth power no longer has this power. With the advent of globalisation, global companies now have a more important role to play than countries. This has produced a transformation of the media. The media now more and more belongs to companies which have global economic interests” noted Professor Ignacio Ramonet of the University of Paris in a keynote address to the World Social Forum in Porto Alegre in 2003. “The fourth power is now exploiting and oppressing the populations (for their own profits). How can we tackle this power, which has transformed from friends of the citizenry to its enemy?” he asked.

When the global media hailed the so-called “Bali Agreement” of the WTO recently saying it will add \$1 trillion dollars to global trade, there was hardly any discussion with grassroots voices on how it could help to lift the world’s poor out of poverty. Similarly, the Trans-Pacific Partnership Agreement (TPPA) which the US is trying to force through in the Asia-Pacific region, an agreement that would make it possible for foreign investors to sue host governments, again there is no discussion reflecting civil society voices in Asia that are opposed to it, on how such an agreement will infringe on the human rights of people – when governments are sued and have

to fork out millions of dollars to rich foreign investors, it will be the people who will suffer when their subsidies and public services are cut by governments.

The international human rights agencies face a serious challenge today, when a new wave of colonialism is gathering steam. Would they act like the Christian missionaries 500 years ago who accompanied the European colonizers and facilitated exploitation in the name of “civilizing the natives”?

Pointing fingers at small nations for human rights violations, when the governments are unable to provide for the rising aspirations and demands of their people, while ignoring the fact that the global economic system hinders it, may make the modern human rights campaigners no different to the old missionaries.

I would like to point out another very serious violation of human rights on a global scale that threatens to take us back to those bad colonial days. It is the issue of migrant labour that has become a 21st century slavery trade. This needs immediate attention of the UNHRC and other international human rights bodies.

According to International Labour Organisation (ILO) estimates, the amount of remittance that is sent by migrant workers to their home countries is about US\$100 billion annually, which is far greater than the amount of foreign “aid” they get. .

The human rights issue arises in the domination of private employment agents in the recruitment, transport and placement of migrant labour across the world. Laws are lacking to protect the migrant worker, opening up avenues for their exploitation

and abuse. The workers – both men and women - are treated as commodities and not as human beings. They are charged hefty placement fees, paid a lot lower than local workers and often not protected by labour laws or workers insurance policies, they have no union rights and no rights to speak up if they feel exploited or abused. If they do, they are usually sent back by the agents and the workers go back home in debt and worse off than before going overseas.

The media often turns a blind eye to these abuses and so are most international human rights agencies. There is no talk about the workers having the rights to sue host governments under an international treaty.

Migrant labour flows could become a win-win situation for both receiving countries that are able to fill labour gaps and sending countries that receive the remittances, if the middlemen who act as recruitment agents could be eliminated or controlled tightly. This will not happen, unless and until, international bodies like UNHRC and ILO look at this issue more seriously and take initiatives to draft a binding international treaty to regulate this flow of labour.

Corruption is also a very important human rights issue. Again, this cannot be tackled by pointing fingers, or threatening developing country governments. The rich countries also have to take some responsibilities and make some sacrifices if this scourge of modern societies is to be controlled.

They have to monitor their investment flows and should not allow their companies to write off commissions (bribes) as business expenses in their tax returns. They will also have to put stringent monitoring devices into foreigners opening bank accounts, buying real estate and making other investments, and sending their children

to universities and expensive colleges, as a lot of the money from corrupt politicians and business people in developing countries are being spent or parked safely in the West, and western governments have often welcomed it with open arms. If such stringent controls could be introduced to stop terrorist funding, why cannot it be adopted to address the scourge of worldwide corruption?

Since UDHR was negotiated and adopted by an United Nations where most countries of Asia, Africa, the Middle East and Latin America did not have the freedom to speak at the time, this is an opportune time to bring these voices into the process of reviewing the international human rights instruments.

Yes, civil society could also come into this process along with governments, but, one must be certain that these civil society groups are genuine voices of the people and not self-appointed spokes people who say what their donors from the West like to hear, so that they keep on getting funded.

In this process, the over emphasis given to individual rights such as freedom of speech and public demonstrations may have to be balanced with a more consultative model of grassroots participation and dialogue on economic and development issues, that are needed to protect social and community harmony. This process need to consider as major human rights violators, those who promote neoliberal economic models that exploit the poor and impact on community harmony, rather than merely blaming governments in developing countries. New human rights instrumentalities need to apply to non-government actors as well.



UNHRC: Sri Lanka should move a counter resolution to  
**probe human rights violations,  
crimes against humanity and  
possible war crimes** since 1975

**Raj Gonsalkorale**

Holds an MBA from Macquarie University. An independent procurement and supply chain management expert with over 20 years experience in USAID, AusAID, World Bank, WHO and Global Fund financed projects in the health sector in several developing countries.

---

**M**ost Sri Lankans, especially the Sinhala majority of the country would applaud the government if it moves a counter resolution at the UNHRC in March this year to probe possible human rights violations, crimes against humanity and possible war crimes since 1975, the year that the first political murder related to the subsequent armed conflict was committed by the terrorist leader Prabakaran.

If any Sri Lankan Armed Forces personnel, government officials, or political leaders are to be identified as having been directly or indirectly responsible for any of these violations, so should those directly and indirectly responsible for any violations on the opposite side also be identified for equal treatment during such a probe.

This means that LTTE leaders living or dead, those who supported them financially and who still are doing so, and those who supported them in other ways, should also be identified in such a probe.



Peace is a fragile thing. It takes courage to secure it. It takes wisdom to maintain it – Former New Zealand Prime Minister Jenny Shipley

It does not stop there. Any country which directly or indirectly supported the LTTE should also be identified as much as any country that supported Sri Lankan governments should also be identified as all these countries, and their leaders at the time, and present leaders who still are supporting them too should be identified as they all may be regarded as complicit, directly or indirectly, in any violations that may have occurred.

Amongst those who supported the LTTE, two countries stand out. India and Norway. India trained and supplied arms to the LTTE in the early eighties. Recent communications released in the UK under the freedom of information Act shows the extent to which Mrs Indira Gandhi, then Prime Minister of India went to support the LTTE.

India's role with the so called Indian peace keeping force also needs to be probed as many have claimed the human rights violations they committed, including many instances of rape of helpless women. Their action against the LTTE too has to be probed to see whether they committed human rights violations and crimes against humanity.

Norway's action also needs to be probed as to how they may or may not have assisted the LTTE especially during the period of the Ceasefire.

This too is not the end. In Sri Lanka, leaders from Mrs Sirimavo Bandaranaike to the current President also have to be included in such a probe as they all were the Commanders in Chief of the Armed Forces since 1975.

Internationally, particularly in Western nations like the US, UK, EU countries, the incursions made by LTTE sympathisers into the major political parties and the links to campaign contributions to these parties and even directly to some of the leaders of these parties also have to be probed, as in doing so, they have supported organisations and individuals who supported the LTTE.

No wonder the Secretary to the President of Sri Lanka, Mr Lalith Weeratunga said the opening of old wounds with an enquiry into the last days of the war against the LTTE would be very “messy”. He probably meant that any counter actions Sri Lanka might choose to take would make the situation very messy.

Indeed it will be, but if a section of the international community wants a sanitized, one sided version of events probed, then, Sri Lankans have an absolute right to ask for an unsanitised, unbiased and balanced probe to identify violations since 1975 considering they didn't start and end during the last days of the war. 1975 was the beginning of the armed conflict and it is the right point to start an investigation.

Sri Lanka must persist with such a resolution with the help of countries that have had to face the double standards of some of the countries that are stated to be sponsoring a resolution probing only the last days of the war. This is an absolute must as Sri Lanka, as a Sovereign nation, should stand up to the machinations of a few who still want to dominate the world with their double standards, and whose actions can only hurt the fragile peace between the Sinhalese and the Tamils in Sri Lanka.

As it took only a handful of thugs to cause so much destruction of human life and property in 1983, it will require only such a handful

even today. That event in 1983 caused such a schism between the Tamils and the Sinhalese, and it still persists. Rightly, in the minds of many Tamils, they feel they cannot trust a Sinhala dominated government.

Since the defeat of the LTTE Terrorists, the current government has managed to work their way towards a fragile peace between all communities, and to their credit, and all governments since 1983, Sri Lanka has had an unprecedented level of community harmony despite very major challenges thrown in their way by the LTTE.

Their atrocities need to be published again and again, to remind many within Sri Lanka and sections of the international community, all of whom seem to have erased memories of the years of agony in the hands of the LTTE.

The UNHRC resolution that is to be moved in March is against peace and reconciliation. It is so because it is one sided and it is biased. It is so because its intention is to punish Sri Lanka for geo political reasons and not because the sponsors love the Tamils or are aggrieved by what they say is their plight. If this were so, Tamils themselves should ask these countries where they were when their leaders were being murdered by the LTTE. 19 Parliamentarians were assassinated by the LTTE.

They should ask where they were when thousands of children were being dragged away from their homes and their wailing parents by the LTTE to be conscripted as cannon fodder soldiers. They should ask where they were when the LTTE ruled some areas of Sri Lanka under an iron fist and summarily executed Tamils after cases in Kangaroo courts set up by the LTTE.

These countries have woken up to attack Sri Lanka and destroy its fragile peace achieved so painfully and at such a huge cost because they do not like the expanding influence of China in this region. A peaceful Sri Lanka, a prosperous Sri Lanka, that has the financial, political and moral support of China is against the strategic interests of these countries, and of course that of India.

As Mrs Indira Gandhi did in the late seventies and early eighties, when she acted to destabilize Sri Lanka because she thought Sri Lanka was getting too close to the Western, US, influence when she was a strong member of the Soviet Block, today, a stable, peaceful and prosperous Sri Lanka which has a solid friendship with China, is an irritant to these countries, and therefore their single minded desire is to destabilize the country by disturbing its fragile peace and its post war recovery efforts.

The Tamil Diaspora has given these countries a tool to attack Sri Lanka with, knowing full well that Tamils living in Sri Lanka are being used as scapegoats and fodder by them while knowing that a political solution in Sri Lanka will be their death knell and an end to their self-styled governments and the soirees they enjoy with the money given to them by members of the Diaspora, willingly or unwillingly.

Sri Lanka has to face these machinations and challenges with equal force. They must push for a counter resolution that will be justifiably broad-based and one that will identify those who committed human rights violations and crimes against humanity and possible war crimes, and those who aided and abetted those who did. Sri Lankans must use their wisdom to preserve what they have managed to achieve at such a human and material cost.

Too bad if it is going to be messy.

# Current Trends in International Relations and the UNHRC SAGA a Submission in Defence of Sri Lanka



## Dr. Telli C. Rajaratnam

LL.B(SL), LL.M(Lond), Ph.D(Lond) has practiced in Tasmania, New South Wales and Melbourne as a Barrister & Solicitor of Australia, in England & Wales as a Solicitor, in Sri Lanka and the USA as Attorney at Law. He is also a visiting Lecturer in Law & International Relations and has authored 14 books on Law, Philosophy and Politics.

---

I shall confine my submission to the current trends in international affairs relating to Sri Lanka with the war against terrorism and how the world look at us owing to the accusations made against us by vested interests with particular emphasis to the UN and whether we have overcome the difficulties and convinced the world that we were justified in doing what we had to do.

## Sovereignty, Territorial Integrity & Political Independence

We are a people created equal, free to think and worship as we feel. We are no longer colonists. Our destiny would **not be determined for us** but **our destiny will be determined by us**. We must take effective measures to safeguard the legitimate rights and interests of the developing nations and work towards a new international political and economic order that is fair and rational. First, it is imperative to promote democracy in international relations, to respect the sovereignty, territorial integrity and political independence of all countries and resolve internal conflicts. The affairs of each and every country should be left to its own people to decide. Global challenges should be tackled through international cooperation and co-ordination.

All countries should foster a new security concept featuring mutual trust, mutual benefit, equality and cooperation and fully respect the diversity of world civilizations, and should seek consensus through dialogue, co-operation through consultation and development through exchanges.

### **The Role of the UN and the Integrity of Sri Lanka. The Obligation of the UN to focus at the LTTE as Human Rights Violators**

It is imperative to work towards stability and development of the developing nations. World peace hinges on stability of the developing nations, and global prosperity rests, on growth of the developing nations. Complicated as they are, many of the issues today may have their roots found in development. Development should be the top priority of governments of all developing nations in their efforts to govern and build up their countries. It is imperative to ensure a full play of the UN's important role in international affairs. As the most important inter-governmental organization in the world today, which represents the fundamental interests of all member countries and the aspirations of all peoples in the world, the United Nations has a lot to do and accomplish under the new situation. Therefore, it is our common responsibility and is in everyone's vital interests to strengthen its role, safeguard its authority, increase its efficiency and promote its reform.

History tells us that solidarity means strength, progress and success. Peace, co-operation, development and progress are what the entire international community is hoping and striving for.

The developing nations must continue to work closely together in the spirit of solidarity and co-operation and raise their voice and

strengthen their position in international affairs if they are to secure their fundamental interests.

One of the magnificent achievements of the UN has been the transformation that has taken place in global opinion on the relationship that should obtain between the governing and the governed, between the government and the citizen. It was on the basis of the moral authority of the General Assembly's Universal Declaration of Human Rights and the determined endeavors of the Commission on Human Rights, that this transformation was achieved. The dignity of the individual has now, largely as a result of United Nations leadership in the field of human rights, been placed, as it should be, amongst the primary priorities of national and international attention.

The Universal Declaration on Human Rights is not limited in scope to ensuring the observance of human rights by Governments alone. The Declaration has a far wider purpose: the observance of human rights by all governmental and non-governmental alike.

Article 3 of the Universal Declaration, which requires that everyone has the right to life; and the provisions of article 30 of the Declaration prescribes that: "Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein".

An act of terrorism by a non-governmental entity against civilians is surely a violation of the human rights of its victims and, surely, a crime against humanity as well.

We know the horrific consequences of terrorism: the horror; the thousands of unsuspecting innocent lives lost or maimed the

thousands of families then left to grieve; the countless personal tragedies that terrorism leaves. The horrors of Terrorism has devastated the country and have cast a heavy burden on successive Governments and the Nation including all of us and on humanity as a whole. There are also the larger disruptions of national stability and order as well: of the economy and the customary ways of life.

We remember the bombing of the Central Bank, the adjacent Buildings, the Temple of the Tooth Relic and other Temples, the buses and trains in Sri Lanka where numerous people of all communities were killed, injured, the numerous innocent civilians who were killed and each of us would have a story to tell about the injuries sustained or the deaths of our loved ones. The assassination of President Premadasa, Indian Prime Minister Rajiv Gandhi, Presidential Candidate Gamini Dissanayake, Cabinet Minister Jeyaraj Fernandopulle, Dr. Neelan Tiruchelvam and Foreign Minister Lakshman Kadirgamar are some of the many victims. However, during the 30 years of Tamil Terrorism not one Tamil Terrorist Leader was killed by the Terrorists. This reveals that there was conspiracy between the Eelam Militant Groups who conveniently registered their organizations in the same name of their militant Groups as Political Parties but recent history and present observation reveals to us they never changed their attitudes. They convinced those around them that they hated the LTTE and even had suicide cadres to display attempted assassinations. All Tamil Militants have terrorized their own people. They never changed – They earned money and still are marketing the ultimate objectives of Terrorism by slandering the Government. We will always be affected by the memories of the damage caused by the Terrorists- we shall carry with us for as long as we live.



The Terrorism of the eleventh of September, in the USA gave rise to a “coming-together” of the people, in the finest traditions of humanity. On the twelfth of September, the Security Council and the General Assembly convened to express: their collective condolences; an unqualified condemnation of the terrorism: a determination that those responsible should not go unpunished; and firm concurrence that terrorism threatened the foundations of human society and order and would need to be, and must be, globally removed.

We have to revive and resuscitate the morale of the people affected by the war, and their relatives all over. Let us get together and support them. The Government is doing everything possible to help them. Let us hope that such a deep sense of the “togetherness” of all of humanity will continue to be pervasive. Development to revive and resuscitate the whole Nation is in progress and these trivial war crimes allegations against a legitimately constituted Government will affect the Nation.

Terrorism is, sadly, very familiar to Sri Lanka. We, in Sri Lanka know terrorism, unfortunately, only too well. We have shown that we could eradicate it but the process is not over.. Have we eradicated Terrorism or the LTTE? Were all these terrorist activities carried out by the LTTE alone or was there a conspiracy between the other Tamil militant groups who pay lip service to democracy? The US State Department Report on Human Rights 2008 suggests that great number of Tamil militants in Colombo and beyond have been responsible for abductions, extortion and murders.

Lakshman Kadirgamar is remembered to have said **“A criminal organization – whether involved in rebellion against a State or not – must depend for its sustenance outside the law. For its massive**

operations and massive weaponry, massive collections of funds are continually required. As funds available for criminal activities within a State, especially a developing State, are inevitably small, and the monitoring of their collection and disbursement relatively simple, fund collection for such activities is carried out abroad – through international criminal networks, of course – and also, as in all criminal enterprises, through knowing or unknowing front organizations or other entities that now proliferate in many forms, in many countries – often in the guise, sadly, of charitable groups or groups ostensibly concerned with human rights, ethnic cultural or social matters..... The many disparate forces for international terrorism do not come together in one monolithic whole. They are variously interconnected in numerous ways and their international networks are extensive. They are mutually supportive and communicate through the global underworld of crime when special missions are afoot. If international terrorism is to be ever removed from our midst, we must begin with the recognition that international terrorism is a form of global criminality. We must not let ourselves be deceived by the artfully crafted cloaks of false pretensions. It is the method of terrorism as in the murder of innocent civilians and the defiance of the sanctity of life – that defines terrorism.”

We should therefore not be surprised that allegations of civilian casualty in the present times generated from certain corporate interests involved in international terrorism and their complex trade beneficiaries. These allegations may continue as the Tamil Political Parties who consist of various militant groups and Parties which supported the LTTE at some stage are due to contest the local authority elections in the North and they would have their own reasons to make allegations.

President Mahinda Rajapaksa, as the Commander in Chief of the Armed Forces took a patriotic and bold decision as he is morally and legally bound to protect the nation from all forms of terror. Military Intervention was a necessity in the interests of the Nation.

It is in this connection that the President has liberated the Tamil people. The Exodus was like Moses giving freedom to the Jews from Egypt. But the difference is that the Tamil people were liberated by President Rajapaksa, whilst the some of our friends overseas have from time to time been misled by those marketing terrorism for their own corporate interests.

In Sri Lanka the popular belief is that, No country has any moral or legal right to interfere or intervene in the internal affairs of Sri Lanka. We have from time to time seen the invitations extended to former terrorists to join the democratic scheme but recent history reveals that they have not changed at all. Instead they have been allowed to legalize their Militant Terrorist Groups as legitimate Political Parties and they enjoy continuing their criminal activities with ease enjoying the perks of a democratic society as a democratic party with state protection which undermines the very norms of democracy.

Over thirty years or more we have not been able to solve this problem. We require a balance between the need to achieve a military victory and the needs of humanity. In this sense, necessity has been viewed as a limitation to unbridled barbarity. The application of the doctrine of military necessity makes use of the principle of proportionality as a mechanism for determining the positioning of a fulcrum between these competing poles. Using proportionality thus gives effect to the recognition that the choice of methods and means of conducting war or armed conflict are not unlimited.

The means and methods of conducting war operate to achieve a particular military objective, which consequently assists in achieving a larger political objective.

While necessity might determine the legitimacy of the armed attack, proportionality determines the amount of force that might be used. In a sense, necessity operates at a macro level, while international humanitarian law operates at a micro level, though both might lie on the same continuum given the difficulties in the transition. This difficulty is most apparent when the principles of necessity and proportionality have been incorporated into conventional international law, particularly international humanitarian conventions. The development of these conventions and the application of these principles require some consideration if one is to arrive at an understanding of their application in a modern armed conflict. The distinction in the Sri Lanka situation is that it is within our territory.

Military necessity has been described as “a basic principle of the law of war, so basic, indeed, that without it there could be no law of war at all.” the acceptance that, while the object of warfare is to achieve the submission of the enemy, which may require the disabling of as many enemy combatants as possible, this should only be achieved in a manner that does not cause any unnecessary suffering or damage. This limitation to the means of waging war is not, however, necessarily humanitarian in nature, and much of the early restraints were based on economic, political, and military considerations. However, the need for a balance between the considerations of humanity and the military actions necessary to win a war is regarded as defining the very nature of international humanitarian law, making military necessity a central principle in this balance.

Military necessity admits of all direct destruction of life or limb of armed enemies, and of other persons whose destruction is incidentally unavoidable in the armed contests of the war; it allows of the capturing of every armed enemy, and every enemy of importance or of peculiar danger to the captor; it allows of all destruction of property, and obstruction of the ways and channels of traffic, travel, or communication, and of all withholding of sustenance or means of life from the enemy;

The 'principle of distinction' is fundamental to humanitarian law, but its precise content varies according to the kind of conflict. In national liberation struggles — and international armed conflicts — the distinction is between 'civilians' and 'combatants.' Combatants have no right to life under humanitarian law. Every individual is classified as either a combatant or as a kind of protected person, such as a prisoner of war (a captured combatant) or a civilian. An individual's rights change when his classification changes. A civilian has the right not to be targeted for attack and the right to receive some protection from attack. If the civilian joins the armed militants, he exchanges the rights of a civilian for the rights of a combatant. A combatant has the right to take part in hostilities.

We look for diplomacy. But there is no diplomacy with some of those opposed to us. We do not consider them opponents but they oppose every conceivable move we make to develop the country. Sometimes, there is no compromise with such people, no meeting of minds – no point of understanding – so we would have a just choice -defeat it or be defeated by it. This is where there was a necessity for military intervention. We learnt that however much we strive for peace, we need a strong defence capability where a peaceful approach fails. Whatever the dangers of the action we take, the dangers of inaction are far greater.

Laws will have to be changed not to deny the basic liberties but to prevent their abuse and protect the most basic liberty of all – freedom from terror. The people are terrorized by certain vested interests in their vile pursuits for power committing crimes and targeting a reflex scenario as if the Government was responsible. Some Patriotic citizens suggest that all Tamil Political Parties with the name “eelam” should be banned forthwith and all Tamil Militant Groups should be disarmed and tried for their crimes against humanity.

We are a community of people, whose self interest and mutual interest at crucial points merge and that it is through a sense of justice that community is born and nurtured. This is the moment to bring the faiths closer together in understanding of our common values and heritage a source of unity and strength.

By the strength of our common endeavor we achieve more together, than we can alone. We must reach beyond our fears and our divisions to a new time of great and common purpose. Let us trace the roots of affirmative action. Let us determine what it is and what it isn't. Let us see where it has worked and where it hasn't and ask ourselves what we need to do now.

Private media freedom is running amok. The news that millions of people in this country including foreign correspondents who convey news overseas receive each night is determined by a handful of men responsible only to their corporate employers. The State should have control not to permit abuse of the freedom of the Press.

### **External Interference**

Many of these conflicts have been complicated by the involvement of external actors who often justify their actions under the fig leaf of

humanitarian intervention. Some of the many consequences of ethnic conflict have included the break-up of states and destabilizing border changes. Ethnic conflict, whether in Africa, Asia, or in the Balkans has also tested the effectiveness of international institutions and has given rise to new missions by organizations like NATO, the OAU, the UN and the EU. The innocent victims of civil conflict are adding to the ranks of refugees and the forcibly displaced persons seeking safety and new opportunities away from their home countries. Humanitarian organizations struggle to provide basic relief in places like Darfur because, despite international rhetoric, only limited humanitarian assistance reaches the victims of civil conflict. Key members of the international community often employ double standards in addressing the sources and the perpetrators of such conflicts. This raises questions about their real motives. States, like the United States, have often allowed their strategic interests to define their response to ethnic conflict.

## Conclusion

We must not permit a contaminated moral environment. Let us not negotiate out of fear, but let us never fear to negotiate. We cannot restore peace unless we can find some way to bring the nation close together. We must be Patriotic. We must uphold and defend the Constitution and the Head of State-the President. We owe allegiance to the President and the Constitution as Citizens of Sri Lanka. We must uphold the norms of the Constitution apprehend and prosecute those who terrorize us by their actions and threats, then economic prosperity will follow suit. Our destiny lies in our hands. We shall overcome the UNHRC saga which is unjust, unfair and not within the norms what the UN stands for and stands united.

# Role of Sri Lankan Universities in Promoting Harmony



**Nirekha De Silva**

PhD Candidate at Griffith University and Research Officer at SAARC Cultural Centre Australia

---

Understanding the need for creative intervention of the academic community in creating emotional, social and intellectual harmony, Sri Lankan Universities play a significant role promoting harmony in the Country. The paper highlights the role of the University Grants Commission in Coordinating University Harmony, the initiative of creating Centre for Excellence in Harmony and establishing University Harmony Centres, to promote harmony.

## **University Grants Commission Role in Coordinating University Harmony**

The University Grants Commission of Sri Lanka (UGC) convenes the Advisory Committee and Steering Committee meetings and coordinates the funding and establishment of Harmony Centres in universities in consultation with the Vice-Chancellors of the Universities. The UGC also extends administrative assistance in coordinating inter-university activities of the University Harmony Centres.

### ***UGC Advisory Council on Harmony***

The Advisory Council for the University Harmony Centres provides the strategic framework for the Harmony enterprise, by developing



policies and guidelines for the University Harmony Centre programmes, providing management and policy advice to the Directors of the University Harmony Centres. The Council also provides the strategic guidance and assistance to ensure resources for the creation of University Harmony Centres.

The Advisory Committee for the University Harmony Centre programmes is Chaired by Prof. Kshanika Hirimburegama. The Vice Chair of the Advisory Council will be Prof. Ranjith Senarathne. Members of the Advisory Council will include all Vice Chancellors of Sri Lankan Universities and four outsiders, namely, Prof. C. G. Weeramantry, Prof. Rohan Gunaratna, IGP N. K. Illangakoon and Army Commander Gen. Daya Ratnayake.

### ***UGC Steering Committee on Harmony***

The Steering Committee on Harmony carries the Harmony Centre initiative forward based on the Advisory Council's guidelines. The Steering Committee is chaired by Prof. Ranjith Senarathne, The Members of the Steering Committee will include all DVC's, likely leaders of the University Harmony Centres and Nirekha De Silva.

While the UGC Advisory Council and Steering Committee guide the Harmony enterprise, the Harmony Centre of each University is also supported by University Advisory Council and University Steering Committee established at the University level. This gives a significant autonomy for each of the University Harmony Centres.

### ***National Conference on the Role of Higher Education in Reconciliation***

On 13-14 June 2013, the University Grants Commission with the University of Jaffna organized the inaugural National Conference

on the Role of Higher Education in Reconciliation in Jaffna, a platform for the university community to come together to discuss the present challenges of the nation and contribute to the national reconciliation process.

### **The Centre for Excellence in Harmony**

The Centre for Excellence in Harmony will be established in University of Peradeniya as an affiliated institute of the University Grants Commission. This Centre will be the intellectual hub for all the Harmony Centres established in Universities.

The Vision of the Centre for Excellence in Harmony is to promote reconciliation and transitional justice for sustainable peace by conducting research and training and providing accurate and up-to-date information. In the Mission's work is included - to conduct research on Peace and Transitional Justice; to conduct academic training programmes on Peace and Transitional Justice; to create awareness and share information on the International and Sri Lankan agenda for peace and transitional justice, through the web page, social media tools, web portal, academic journal and publications; and to establish a well-resourced resource centre (physically and online) with information on peace and transitional justice.

Themes that will be covered include, Peace and Conflict Transformation; Laws and Policies related to Reconciliation and Transitional Justice; Reconciliation; Diaspora's Role in Peace and Transitional Justice (Refugees, Migrants); Transitional Justice ( for war affected i.e, War Orphans, War Widows, Differently Abled Persons, Ex-Combatants, Displaced Persons); Ethnicity and Identity; Religion and Identity; and Institutional Role in Peace and Transitional Justice.

The Activities of the Centre for Excellence in Harmony will include:

1. Post-Doctoral Fellowships (Research/ Teaching) Facilities could be arranged for Sri Lankan and International Universities to use the Centre as a place for research and to conduct lectures/ courses on various aspects of Peace and Reconciliation;
2. PhD Programme (For International and National Scholars. The Scholars could be provided facilities to do their work based at the Institute. They could be offered a joint Phd with IIPTJ and a Sri Lankan University);
3. Masters Programme (One year taught Masters Courses or Research based Masters Courses);
4. Post-Graduate Diploma/ Diploma/ Certificate Courses (Short- Term Academic Training Programmes on Peace and Transitional Justice);
5. Curriculum modules on peace and transitional justice for Undergraduate University students. This can be a residential programme and a novel experience for the students;
6. Internship Programme;
7. International Journal on Peace and Transitional Justice;
8. Publications on Peace and Transitional Justice;
9. Resource Centre on Peace and Transitional Justice;
10. Website, Web Portal and Social Networking.

### **The University Harmony Centres**

The University Harmony Centre programmes are to reflect principles of diversity, inclusivity, and humanity in all aspects of their design, implementation, and management. In preventing future conflict, Harmony Centres seek to celebrate the diverse heritage of Sri Lanka, contribute towards developing sustainable conflict transformation models, and promote holistic education and the spirit of

egalitarianism to create a nation of empowered individuals equipped to navigate the turbulence and dynamism of the modern global society. The staff and members of the University Harmony Centre are ambassadors for peace, justice, and goodwill within the university community and local community. The University Harmony Centre is to cultivate a work environment of professionalism, integrity, and performance, and ensure that these characteristics are reflected in the programmes it will undertake.

### ***Research and Training***

The Research and Training unit functions to build in-house research capacity and expertise of the University Harmony Centres. The Research and Training unit will implement and manage research projects, training courses, conferences, seminars, and workshops and review literature in the areas of Peace Education, Conflict Transformation, and Sri Lankan Studies as well as conduct training programmes for members in language training, research skills, and communication skills. The development of the Research and Training unit is required to effectively conduct the other programmes of the Harmony Centre. The Research and Training unit will also collect, classify, process, and deliver knowledge and information in print and electronic forms on subjects promoting peace and reconciliation. Engagement with the media is also an attribute of the Research and Training programme as it is to disseminate research and knowledge gathered to the Sri Lankan public.

### ***Resource Centre***

All University Resource Centres will be networked and interlinked with the university libraries, public libraries, and the Civil Society Network for Information Sharing and will be equipped with state of the art technology for enhanced learning and collaboration between

universities and communities. In addition to books and journals in print and electronic forms, each University Harmony Centre library is to have films, documentaries, and other audio-visual educational material which promote harmony and conflict resolution as well as intercultural, interethnic, and interreligious understanding. The Resource Centre is to provide access to online databases of scholarly research publications, policy papers, project reports, and other forms of knowledge and information on subjects related to harmony, reconciliation, and conflict resolution. The Harmony Resource Centres will be a people-friendly, interactive, and progressive space, designed and decorated in keeping with local Sri Lankan architecture and taste to promote local industries.

### ***Cultural Programmes***

Through cultural programmes, the University Harmony Centres can bring diverse ethnic and religious communities and leaders together. The Harmony Centres will organize cultural programmes to celebrate attributes of each other's unique heritage so as to remove ingrained and acquired prejudices that may exist among individuals and communities. The cultural programmes will include cultural festivals, artist camps and training programmes, photographic and artist exhibitions and competitions, dance and drama festivals and competitions, and film screenings. The cultural programmes will especially aim to revive the traditional arts of the diverse communities of Sri Lanka. The cultural programmes will be conducted within universities, with other universities, and with invitation to the public in as a forum to unite all communities. The Cultural Programmes are also meant to engage local communities in a manner that embraces and preserves their unique heritage.

### ***Educational Programmes***

Educational programmes will provide the public with knowledge and understanding into the subjects related to interethnic, intercultural, and interreligious understanding. The University Harmony Centres can create multiple interfaces for learning and engagement between diverse communities by conducting a series of talks, seminars, and conferences on subjects promoting conflict transformation and communal harmony. These educational programmes are to host and bring together experts in such subjects as peace-building and gender studies, social activists, and religious and community leaders. The Harmony Centre Educational Programmes are also meant to reach out to local schools and communities as well as help create Harmony Clubs in schools and community Harmony Centres.

### ***Sports and Entertainment***

Sports and entertainment programmes are to be conducted in collaboration between universities to encourage interaction between communities and travel across the island. The revival of traditional team sports with members from diverse communities as well as traditional martial arts are attributes of this programme. The Sports programmes can work closely with Ministry of Sports and Ministry of Youth Affairs in developing physical fitness and peace and harmony through sports. Entertainment programmes are meant to be creative and interactive and may take many forms such as satirical theatre, stand-up comedy, fashion shows, carnivals, or outdoor film screenings.

### ***Community Assistance***

The University Harmony Centre is to extend its assistance and leadership in promoting harmony in communities by conducting Community Assistance projects by networking and collaborating with humanitarian agencies and relevant government agencies. One such

annual project promoting reconciliation is to be undertaken by each University Harmony Centre (a project proposal to be presented to the Vice Chancellor with objectives, timeline, and other details for every academic year). Community Assistance projects are encouraged to be undertaken in diverse communities to strengthen inter-communal relationships. Such projects will also develop student confidence in implementing action-oriented social programmes and commitment towards peace as well as enhance their social and professional network.

### *Health and Wellbeing*

The Health and Wellbeing programme will cater to the physical, mental, and spiritual health of students and local communities. This programme is to help revive the traditional forms of healing and health practices in the university community. The Health and Wellbeing unit will organize a range of programmes such as traditional healing clinics, workshops on health and well-being, seminars on indigenous medicine and new discoveries in Western medicine, general physical fitness classes, recreational activities, talks by and counseling sessions with professional mental health practitioners, and meditation and yoga classes conducted by expert teachers. The Health and Wellbeing unit will work with the Ministry of Indigenous Medicine and Ministry of Health in fulfilling its objectives.

### *Online Harmony Centre*

The Online Harmony Centre is an online repository of all research, knowledge, and information generated by the different programmes of the University Harmony Centre (research and training, resource centre, cultural programmes, educational programmes, community assistance projects, and health and wellbeing programmes). It is also

fundamentally a platform to share research, resources, and news and interact and collaborate with other universities and communities easily and cost-effectively, as the Online Harmony Centre is to link all University Harmony Centres, district Harmony Centres, Harmony Clubs in schools, and Harmony Centre online libraries. The Online Harmony Centre of each university will also webcast selected activities live and also facilitate educational programmes in the form of webinars and other online educational and discussion forums with other universities and communities. The Online Harmony Centre programme functions will also to create awareness of Harmony Centre programmes and activities and promote peace and reconciliation through social networking interfaces. The Online Harmony Centre has the potential to connect all communities of Sri Lanka with each other.