

OPINION

Colombo risks squandering Sri Lanka's hard-won peace

Brahma Chellaney
Japan Times

IF Sri Lanka is to become a tropical paradise again, it must build enduring peace. This will only occur through genuine interethnic equality, and a transition from being a unitary state to being a federation that grants provincial and local autonomy.

Yet even in victory the Sri Lankan government seems unable to define peace or outline a political solution to the long-standing cultural and political grievances of the Tamil minority, which makes up 12 percent of the 21.3-million population.

A process of national reconciliation anchored in federalism and multiculturalism can succeed only if human-rights abuses by all parties are independently investigated. United Nations Secretary General Ban Ki Moon has acknowledged that civilian casualties were "unacceptably high," especially as the war built to a bloody crescendo.

The continuing air of martial triumph in Sri Lanka, though, is making it difficult to heal the wounds of war through three essential "Rs": relief, recovery and reconciliation.

In fact, the military victory bears a distinct family imprint: President Mahinda Rajapaksa was guided by two of his brothers, Gotabaya, the defense secretary who authored the war plan, and Basil, the presidential special adviser who formulated the political strategy. Yet another brother, Chamal, is the ports minister who awarded China a contract to build the billion-dollar Hambantotta port, on Sri Lanka's southeast.

In return, Beijing provided Colombo not only the weapon systems that decisively tilted the military balance in its favor, but also the diplomatic cover to prosecute the war in defiance of international calls to cease offensive operations to help stanch rising civilian casualties.

Through such support, China has succeeded in extending its strategic reach to a critically located country in India's backyard that sits astride vital sea-lanes of communication in the Indian Ocean region.

Sinhalese nationalists now portray Rajapaksa as a modern-day Dutugemunu, a Sinhalese ruler who, according to legend, vanquished an invading Tamil army led by King Elara more than 2,000 years ago.

But four months after the Tamil Tigers were crushed, it is clear the demands of peace extend far beyond the battlefield. What is needed is a fundamental shift in the government's policies to help create greater interethnic

equality, regional autonomy and a reversal of the state-driven militarization of society.

But Rajapaksa, despite promising to address the root causes of conflict, has declared: "Federalism is out of the question." How elusive the peace dividend remains can be seen from Colombo's decision to press ahead with a further expansion of the military.

Not content with increasing the military's size five-fold since the late 1980s to more than 200,000 troops today, Colombo is raising the strength further to 300,000, in the name of "eternal vigilance." Soon after the May victory, the government, for example, announced a drive to recruit 50,000 new troops to help manage the northern areas captured from the rebels.

The Sri Lankan military already has more troops than that of Britain or Israel. The planned further expansion would make the military in tiny Sri Lanka larger than the militaries of major powers like France, Japan and Germany.

By citing a continuing danger of guerrilla remnants reviving the insurgency, Rajapaksa, in fact, seems determined to keep a hyper-militarized Sri Lanka on something of a war footing. Yet another issue of concern is the manner the nearly 300,000 Tamil civilians still held by the government in camps where, in the recent words of U.N. High Commissioner for Human Rights Navi Pillay, the "internally displaced persons are effectively detained under conditions of internment."

Such detention risks causing more resentment among the Tamils and sowing the seeds of future unrest. The internment was intended to help weed out rebels, many of whom already have been identified and transferred to military sites. Those in the evacuee camps are the victims and survivors of the deadly war. To confine them in the camps against their will is to further victimize and traumatize them.

Sri Lanka's interests would be better served through greater transparency. It should grant the U.N., International Red Cross and nongovernmental organizations at home and abroad full and unhindered access to care for and protect the civilians in these camps, allowing those who wish to leave the camps to do so and live with relatives and friends. Otherwise, it seriously risks breeding further resentment.

Then there is the issue of thousands of missing people,



Continuing to keep Tamils in camps and deny them basic rights like freedom of movement, while at the same time increasingly militarising the country, will only pose a challenge to lasting peace on the island

mostly Tamils. Given that many families are still searching for missing members, the government ought to publish a list of all those it is holding - in evacuee camps, prisons, military sites and other security centers. Even suspected rebels in state custody ought to be identified and not denied access to legal representation.

Authorities should disclose the names of those they know to be dead - civilians and insurgents - and the possible circumstances of their death. Also, the way to fill the power vacuum in the Tamil-dominated north is not by dispatching additional army troops in tens of thousands, but by setting up a credible local administration to keep the peace and initiate rehabilitation and reconstruction after more than 25 years of war.

Any government move to return to the old policy of settling Sinhalese in Tamil areas is certain to stir up fresh problems. More fundamentally, such have been the costs of victory that Sri Lankan civil society stands badly weakened and civil liberties curtailed. The wartime suppression of a free press and curtailment of fundamental rights continues in peacetime, undermining democratic freedoms and creating a fear psychosis.

Public meetings cannot be held without government permission. Sweeping emergency regulations also remain in place, arming the security forces with

expansive powers of search, arrest, detention and seizure of property. Individuals can still be held in unacknowledged detention for up to 12 months. For the process of reconciliation to begin in earnest, it is essential the government shed its war-gained powers and accept, as Pillay says, "an independent and credible international investigation . . . to ascertain the occurrence, nature and scale of violations of international human-rights and international humanitarian law" by all parties during the conflict.

Pillay has gone on to say: "A new future for the country, the prospect of meaningful reconciliation and lasting peace, where respect for human rights and fundamental freedoms can become a reality for all, hinges upon such an in-depth and comprehensive approach."

Unfortunately, Colombo still seeks to hold back the truth. Those who speak up are labeled "traitors" (if they are Sinhalese) or accused of being on the payroll of the Tamil diaspora.

Last year, a Sri Lankan minister accused the U.N. undersecretary general for humanitarian affairs, John Holmes, of being on the rebels' payroll after Holmes called Sri Lanka one of the world's most dangerous places for aid workers.

The media remains muzzled, and a host of journalists have been murdered or imprisoned. Lawyers who dare to take up sensitive cases face threats. Recently,

a well-known astrologer who predicted the president's ouster from power was arrested. And this month, the U.N. Children's Fund communications chief was ordered to leave Sri Lanka after he discussed the plight of children caught up in the government's military campaign.

Rather than begin a political dialogue on regional autonomy and a more level-playing field for the Tamils in education and government jobs, the government has seen its space get constricted by the post-victory upsurge of Sinhalese chauvinism opposed to the devolution of powers to the minorities.

The headline constituency argues that the Tamils shouldn't get in defeat what they couldn't secure through three decades of unrest and violence. Indeed, such chauvinism seeks to tar federalism as a potential forerunner to secession, although the Tamil insurgency sprang from the state's rejection of decentralization and power-sharing.

The looming parliamentary and presidential elections also make devolution difficult, even though the opposition is splintered and Rajapaksa seems set to win a second term.

Reversing the militarization of society, ending the control of information as an instrument of state policy and promoting political and ethnic reconciliation are crucial to postconflict peace-

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OPINION

Missing the enemy?

Paikiasothy Saravanamuttu
Daily Mirror

IS the Rajapaksa regime caught in the grips of the ME Syndrome? - Missing the Enemy, that is. Over the last two weeks, the leading lights of the regime have warned of conspiracies to destabilize the regime and even to replace it and have used the state controlled media as well as the defence ministry website to launch propaganda attacks against alleged conspirators, this columnist included.

It is the dirty nasty imperialist West and their local hirelings who are at the bottom of this. They tried to save the LTTE and failed. Now, they are determined to ensure regime destabilization and change. The extension of the GSP Plus concession, the report on war crimes to the US Senate, the Pascoe visit and continuing international concern about the plight of the IDPs are all elements of this dastardly plan. It is only the love of country of the mass of patriots, in the south in particular, their political savvy and courage that can stop this insidious plan in its tracks, whether it be through a resounding mandate for the regime in the provincial elections or through entirely suitable and grisly punishment of those identified as traitors.

The regime clearly misses an enemy. It seems to be dangerously unsure of itself in the absence of one. The emperor of yore was unaware of his nakedness. What would have happened if he were aware?

What is especially worrying is that these accounts of conspiracies to stabilize the regime and change it emanating from the heart of the regime are destabilizing in themselves. They suggest that the war in effect is not over and that Sri Lanka has no choice but to embark on a collision course with an influential section of the international community, which has traditionally been an ally of this country. What is the hard evidence for this?

It would seem to be the case that the report of the EU investigators in the context of the extension of the GSP Plus concession, has served as a catalyst for conspiracy theories. The GSP Plus trade concession was based on the ratification and effective implementation of some twenty-seven international human rights instruments and labour standards. In the Sri Lankan case, as per the terms of the concession, the EU decided to instigate into the ratification and effective implementation of the International Covenant on Civil and Political Rights (ICCPR), the Convention Against Torture (CAT) and the Convention on the Rights of the

Child (CRC). The findings of the investigation will feed into the decision on whether to extend the concession to Sri Lanka. The concession was granted in the aftermath of the tsunami.

Media reportage of the report of the investigation and a public statement to this effect by a ministry secretary, indicate that it is negative and that the crux of the issue is human rights. Human rights, underpins the US Senate request for a report on war crimes from the State Department. Accountability in respect of human rights violations was flagged by the UN High Commissioner for Human Rights on a number of occasions and as far back as March of this year. It was also mentioned in the communiqué issued after the visit of the UN Secretary General at the end of May in which the point was made that this was best dealt with nationally. The issue also featured in the visit to Sri Lanka by the UN Under Secretary General for Political Affairs Lyn Pascoe. It further features in the controversy over the Channel 4 video and the comments on the investigation into it conducted by the regime, which concluded that the video was a fake. Philip Alston, the UN Secretary General's Special Representative on Extra Judicial Killings has called for an independent investigation into the authenticity of the video.

This week, Walter Kaelin, the UN Secretary General's Special Representative on the Human Rights of IDPs will visit Sri Lanka and yet again human rights issues will be highlighted. Indeed, the fate of the IDPs encompasses many of the dimensions of the human rights issue and constitutes the litmus test for peace, reconciliation and national unity. The central concern here is that of the freedom of movement of IDPs - Sri Lankan citizens who are being detained in camps without any legal basis and in violation of international human rights and humanitarian norms.

The onset of monsoonal rains has alerted the regime to an impending humanitarian catastrophe, a foretaste of which was produced by rains in August. Consequently, there were announcements of action on the assurance given that 80 per cent of the IDPs would be returned in 180 days. IDPs, it was announced could go and live with relatives once the latter were screened and it clearly established that they were not LTTE supporters or

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Civilians held behind wire fences justify the continuing need for a highly militarised state

Colombo's paranoid secrecy

Prof Kumar David
Lakbima

WHAT Ranil, Mangala and Manoj Ganesan said on 3 September at a Platform for Freedom Press Conference on the IDP issue was fairly widely covered in the print and electronic media, but three other contributors, Siritunga Jayasuriya, Nimalka Fernando and Herman Kumara failed to attract coverage. They were more sharp and interesting, but not being parliamentarians, I guess, less news worthy. I will focus on them to redress this imbalance. But first a Mangala snippet which was both catchy and accurate: he defined the Vanni interns as FDPs (Forcibly Detained Persons) insisting that calling them internally displaced persons (IDPs) was simply not true.

First, let me have my say. It is my view that it is the FDP issue that will have more severe repercussions on the relationship between the Tamils and the government and on Sinhala-Tamil relations than the hotly canvassed political package uproar.

Astute folks are pretty well reconciled that nothing will happen in the foreseeable future about devolution, thirteen plus, minus or zilch, and home-grown solutions. It's going to be the same old unitary state and constitution, with or without some superficial tinkering, until and unless something dramatic happens, such as the change to a left government; and that's not on the cards.

But between two and three hundred thousand people of one community, held in indefinite and illegal detention by the hegemonic state of another community, well that's tertiary stage cancer and its repercussions are going to

be far, far more serious than people seem to realise. I give it three more months and if the FDPs are not all released from forcible detention, then the gulf will again widen to distrust similar to the post 1972-Constitution, post Vattukottai Resolution, or intensifying LTTE periods. The gulf will become unbridgeable again. In a word, it's the FDPs stupid, not the package that will hinge, or if you prefer uninge, Tamil consciousness.

Siritunga's take on it:

For those who need some background, Siritunga is the leader of the United Socialist Party (USP), a non government left party and as presidential candidate in 2005 he polled 36,000 votes, certainly much more than I expected.

I have been closely associated with him politically from 1970 when he was a key leader in the Vama or left tendency in the LSSP which matured into the NSSP in 1977. He parted company with us on the Indo-Lanka Accord and 13th Amendment which he opposed while we (the majority in the NSSP) gave these measures our conditional support.

Nevertheless, he and I have remained personal friends. The USP has fraternal ties with international Marxist currents in many countries but I am not aware what its active membership within the country is.

As a Sinhalese Marxist he expressed shock at the inadequate response in the South to the fact that such a large number of Tamils could be held in illegal detention for over 100 days.

"Imagine the uproar in the country if two to three lakhs of ordinary Sinhalese people had been held behind barbed wire like this". How much longer is this going to continue he inquired? And this inquiry continued to the heart of the matter.

"These people have lived under LTTE Administration for nearly two decades. Of course a large number of them or a family member would have worked in that Administration, many would have associated with the LTTE, and to be perfectly frank, most would have supported or been sympathetic to the LTTE point of view".

This goes to the heart of the government's conundrum; if the government intends to hold everybody who is or was sympathetic to the LTTE indefinitely, then it will have to hold some hundreds of thousands of people forever. The real problem is not a few thousand ex-cadres, the problem is hundreds of thousands who, come on be sensible about it, must have been pro-LTTE.

I think it is inevitable that he comes to the same conclusion as I have done in my third paragraph, but from an inside the camps perspective. I asserted that the FDP issue is destined to be the crucible in which the fires of broad ethnopolitical conflict will light up again. Siritunga says "If you hold people like this you are operating a farm for breeding the next generation of LTTEers, by whatever name they sprout. Is the government trying to breed another one lakh of terrorists?"

Insensitivity, secrecy:

Nimalka introduced a women's and welfare perspective as one would expect from a person

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