

Ed Davey Interview Transcript

TG interviewer:

So, Ed Davey, you have been a long-time supporter of the Tamil community and have spoken on several occasions about the ongoing struggle for justice, accountability and equality for Tamils in and from the island. In recent months, we've seen the return of the Rajapaksa regime, which was essentially the same regime that oversaw the massacres at Mullivaikkal during 2009. How do you envisage the path forward in obtaining justice for Tamils on the island?

Ed Davey:

Well, it's extremely bad news that the Rajapaksa family are back in charge in Colombo. And I'm not surprised if Tamils on the island Sri Lanka and the whole Tamil diaspora are extremely alarmed by this development. One, I have to say, can't be as hopeful as one would have wanted to be it. And you can't pretend otherwise, this is a bad development, the way the Rajapaksas have behaved in the past to the Tamil community has been appalling. Worse than that, and, you know, we somehow have to find a way of bringing them to justice and to actually do the right thing. Clearly, the international community has a role to play in it. And whether it's the United Nations Human Rights Council, whether it's on other bodies, we need to send a very strong signal. My concern at the moment is that with the UK leaving the EU, we lose influence in that important environment. We don't know the outcome of the US elections. I sort of believe that if Biden wins, that will be a good thing for the Tamil people. I think he's much more likely to care about human rights. But I think fundamentally, there's an issue about how we persuade policymakers, particularly in Beijing, to look again and put pressure on Rajapaksa.

TG interviewer:

So do you believe then that the return of the Rajapaksa regime has put us a step back in obtaining this justice or has made it more difficult to attain justice?

Ed Davey:

The evidence of the past is that the Rajapaksa will be a block to justice. So I wish I could give a more positive message, but I'm afraid I can't. What I think that drives those of us who care passionately to get that justice, and get that human rights and get the peace and equal treatment is that we've just got to find ways that the international community can put pressure on. And at the moment, not just because of the pandemic, a lot of the the international tensions are pre pandemic, you've seen an international community that's unable to work together on many things, let alone try and put pressure on Rajapaksa. So, again, I'm afraid I'm not as optimistic as I often like to be. And we should work very, very hard and more broadly, to reduce that fracturing in the international community, and more pacifically go to those regional players who have frankly sided with the Rajapaksa family to try to get them to change their their position. And, you know, that can be looking at everywhere, from Beijing to New Delhi, to Tehran to a whole range of different capitals, where regional players have not been helpful.

TG interviewer:

Yeah, I definitely agree. And Sri Lanka itself has repeatedly refused to prosecute its soldiers who were accused of war crimes. And recently as you know, they've also pulled out of the UN resolution at the Human Rights Council. This was a co-sponsored resolution that was aimed at investigating war crimes. Do you support a referral to the International Criminal Court or an alternate international tribunal?

Ed Davey:

Either of those are options that should be seriously considered. I think the withdrawal of Sri Lanka from its commitments that it gave, in public, committed to them at the UNHRC, I think is an appalling step. And, you know, let's be honest, they made those commitments, and we're not honouring them. Whether it's, you know, displaced and disappeared peoples. And, you know, the, the complete nonsense that they went through on the Office of Missing Persons where they failed to give them any money, put blocks in the way, refused to properly allow investigations of mass graves. You know, they, even when they were at the UNHRC and making those commitments, they weren't honouring them. Now they've moved away from them. They're making themselves in my view, a pariah in the face of the UN and the UN has got to take a stand. And that could be a tribunal of some sort. It could be referenced to the court, but I don't think I don't think the UN can just stand by and do nothing.

TG interviewer:

Yeah, thank you. And so, as well as stopping any investigations from going forward, they have constantly, since 2009, denied the occurrence of genocide. However, the previous Lib Dem leader Jo Swinson stated that Sri Lanka's actions should be recognised as genocidal. What will your party do to move towards recognising the genocide of the Tamil people?

Ed Davey:

Well, Joe certainly recognised it. I've recognised it for a number of years now. The evidence of what happened in 2009 is so clear now. I've seen evidence after evidence, film, photographic evidence, witness accounts. It's difficult, impossible, I think, to come to any other conclusion that there was a genocidal actor. And therefore, we've got to be a part within the UK, and the international community of raising that. And genocide is a very, very serious accusation, of course, one of the most serious accusations that could ever be levelled against the government. And that's why I repeat, the UN can't just turn away from this, it has to find a way of holding to account these political leaders who are still there. It's not like they've gone away. They're still there. They're now back in power. And I think for the international community to turn a blind eye is unacceptable.

TG interviewer:

Yeah, I agree. The UK recently passed Magnitsky-style legislation, which placed sanctions on individuals from Myanmar, Saudi Arabia and Russia who accused of war crimes. Would you support placing Sri Lankan war criminals on this list?

Ed Davey:

Yes.

It's a no brainer. I mean, I've long discussed with friends and colleagues, and many of my friends in the Tamil community, the need to take sanctions against individuals. This legislation gives us a stronger vehicle for doing that, and therefore I welcome it. And, you know, if global Britain is going to mean anything, and if we're going to rescue our reputation, which is frankly, not very strong at the moment, we have to stand up for these. My real fear is, I have to tell you, is I think the government is so desperate to make trade deals, as we leave the EU, that it won't consider these sorts of measures, except in extreme circumstances, like the Russians and the Iranians. And I don't know, I hope I hope I'm wrong. I hope the government will stick to its stated policies on human rights, it's stated policies on Sri Lanka, but they may need quite a lot of pressure on them.

TG interviewer:

So do you think then that's the reason behind Sri Lankan individuals not already being placed on that list may be due to trade?

Ed Davey:

Maybe, I don't know. Frankly, I don't have the evidence on that. I mean, the government has been so distracted both by its own debates over Brexit and now its own flailing around over managing the pandemic. I'm not sure if they're thinking strategically about much else, if I'm honest with you. One of the real, real tragedies of a situation like you see in Sri Lanka, it's never given the prominence and priority that it deserves. It's always an afterthought. And that's, that's wrong. And I worry that we could be in that situation where trade comes first. I mean, when I was trade minister, between 2010 and 2012, I fought off an attempt to give back to Sri Lanka GSP plus trade benefits, which were taken away after the end of the war. And there were various forces in the UK and in the EU, trying to pressure me, as the UK trade minister, to give back those trade benefits to Sri Lanka. I held out and said absolutely no, because Sri Lanka then was in breach of so many of the international conventions that you are supposed to adhere to, to be able to get those GSP plus privileges. And I was pretty cross in, I'm not sure when it was, 2016 or 2017, when the Conservative government pushed the EU, and parts of the EU very happy to do so, regrettably, to give those GSP plus trade benefits back to Sri Lanka. I've actually been with the British Tamil forum to Brussels, I think it was two years ago now, to lobby the commission to try to get the GSP plus benefits taken back off Sri Lanka. I had two meetings trying to make that argument. And I still feel, and I've argued this on the All Party Parliamentary Group for Tamils here in Westminster, that frankly, Sri Lanka is in breach of the many conventions that it's supposed to adhere to to get those trade benefits. So I give you that sort of history. To show that I am pretty worried that there is too much leniency in certain circles towards Sri Lanka, and they don't use the rules and tools and instruments that we've got.

TG interviewer:

Yeah, definitely. And, and in terms of the Magnitsky style, legislations? Are there any specific Sri Lankan individuals that you would like to see placed on that sanctions list right now?

Ed Davey:

That's a great, tempting question. Listen, before you should name an individual, you would need to have a proper research and analysis. And I'm not, I can't pretend that I've had that level. And you need to look at the act and make sure they applied. Put it like this, I'd be surprised if there wasn't quite a number that would pass those tests and would deserve to go on that list. But I'm not going to name names now.

TG interviewer:

Okay. And so the UK searches for trade deals post Brexit? And what will your party do to ensure that human rights concerns are placed at the centre of these deals?

Ed Davey:

Argue time and time again, during negotiations, when any proposals come to Parliament. Our policy is really clear, human rights considerations must be a key part of those discussions, we argued that when Britain was in the EU. We were part of a number of political parties and movements who've got human rights considerations attached to trade deals. I think, you know, we have relatively few tools in any nation to try to help people who are oppressed and have suffered, you know, things like genocide, and therefore, we need to use them when we can. And, you know, the idea that trade should be put above some of these basic human rights I think, is not right. And you've got to use these instruments to get progress. And you know, progress may not be the exact level of progress you want. You've got to sort of make sure that there's a path going the right direction, but you've got to be clear that you're not being hoodwinked, and we've seen this Sri Lankan government hoodwink the international community time after time, and you know, I surprised anyone believes anything they say.

TG interviewer:

Yeah, definitely. And in terms of Tamils within Britain, some asylum seekers have been fleeing genocide and have found great difficulty in finding shelter and safety within Britain. How will your party ensure that Tamil asylum seekers will be treated with respect and granted sanctuary in the UK?

Ed Davey:

Well, first, let me say I've dealt with individual cases in my constituency that fall into that precise category. And worked very, very hard with the individuals concerned and their families, trying to get the home office and ministers to accept that sending people back would be extremely serious and,

frankly, illegal. So I've seen in practice how some of those individual cases work. As a party, we have a pretty strong set of policies when it comes to respecting asylum seekers, both in terms of ensuring that their cases are properly heard and not just sort of processed as if they're just numbers, but that their real human stories are properly heard, with proper rights of appeal. But also, actually when they're here in the UK, to give them a chance to contribute and to have a better standard of living. So I have led the campaign, Christine Jardine, my Liberal Democrat colleague has been a pretty strong voice in this. It's not just for Tamil asylum seekers, but asylum seekers generally, that they be allowed to work. Once they've gone through the initial tests and security tests, they should be allowed to work from three months of being here, and that would dramatically transform some people's lives. They are some of the most marginalised people in our society when sometimes they are not allowed to work until they get refugee status, which sometimes can be years.

TG interviewer:

Yeah. And speaking of their contribution to society, despite all these challenges faced by the Tamil community, they have been thriving in the UK. As a last question, what message do you have for them?

Ed Davey:

Well, I think the British Tamil community is one of the most amazing communities I've ever had the privilege to serve and work with and get to know. In Kingston we've got an amazing Tamil community. I've got some very close Tamil friends, we've got two Liberal Democrat councillors here, Yogan Yoganathan and Thay Thayalan, and they've taught me an awful lot. I've, you know, in my own constituency, we have Kingston Institute of Tamil culture. There's quite a lot of cricket played. There's the Hindu temple I go to visit when I'm invited, and the vibrancy of the community here is just fantastic. And the contribution in all walks of life is amazing. And I think it's recognising that and showing how positive it is, and we should actually feel privileged. And given many of the people, not all, but many people who've come to the UK from Sri Lanka who are Tamils have had shocking experiences, I think it's a very good thing that we're able to bring them into our country and our society. And I just sometimes think that's not appreciated enough.

TG interviewer:

Okay, thank you. And that concludes our interview for today.