**Responses for the Video Interview by Viruben of Tamil Guardian**

1. **You have previously stated the possibility of achieving greater devolution under the Wickremesinghe administration. What conversations have you had with the Presidency concerning this?**

Response – I had handed over a request letter to him when he was facing the election to Presidency on the next day. He had said he was examining the Pondicherry and Goa models in India giving the impression that devolution was in his mind. But I believe Pondicherry and Goa would not be close to the internal self deterination that we were expecting. But the fact Ranil was interested in looking for solutions to our problem was a positive aspect of my meeting him.

Earlier when he came into Parliament as sole representative of the UNP, Ranil was almost ostracised.He would be seated along the corridor all alone. I had had occasion to speak to him when he was so seated. I felt he had visions for Sri Lanka. He was talking of all of us getting together to pull the Country out of the impasse that it had got into, both economically and politically. Maybe Ranil knew his stars were going to be good and he was getting ready!

Of course I have had problems with Ranil earlier. I had met Ranil with Sambandan and Sumanthiran at Malik Samarawickreme’s residence two days after the election of Maitripala Sirisena as President on the 8th of January 2015. We discussed many matters.

When I met the Press in South India soon thereafter on my visiting Chennai,I had occasion to say certain things positively to the Indian Journalists in favour of Ranil saying he was discussing our problems and that we met recently at Malik’s residence. When Ranil went to India he was asked about Sam, Sumanthiran and Self meeting Ranil in Colombo. Ranil totally denied and said he never met us. In fact he said I had lied. Sam and Sumanthiran did not come to my aid. They kept silent.But the fact was Ranil did meet us.

Yet I understood Ranil. He was scared what the Sinhalese would think if he accepted that he met the Tamil representatives. **This is a weakness among Sinhalese Politicians**. They feel that any attempts by them to solve Tamil problems would show them in bad light among the Sinhalese. But **the aragalaya** I thought would have changed their attitude. There seems no pointer towards that still. But I still have faith in Ranil because he is Western oriented, an Anglophile and conscious of human rights due to his legal background.Though he cannot empathise with us, the Tamils, due to the racist conditionings he got from the time JR was President, he knows that the settlement of the ethnic question is a *sine qua non* for this Country to prosper and progress.

1. **India has once again called for the implementation of the 13th amendment. What are your views on this?**

**Response –** India feels they should ensure the continuity of something already in hand. They probably feel that one in hand is better than two in the bush. The only official rights’ document the Tamils have today is the Thirteenth Amendment however insufficient and ineffective it may be. Since the Elections under the Thirteenth Amendment has been continuously postponed until now, the Government, its Departments and its racially partial Sinhala Officers have been able to expropriate large areas of land within the North and East (The Tamil Homelands). We had an International Conference on Land Grabbing last year which exposed what the Government was doing to demographically change the population spread in the North and East.If the Provincial Council was in existence we could have checked to a great exctent such land grabbing. Even though we stand for a Confederation in the Tamil Speaking North and East with a Unit for the Muslims, as an immediate measure we welcome the full implementation of the Thirteenth Amendment. Provincial Council Elections must atleast be held in the North and East soon.

1. **What are your thoughts on the draft resolution?**

**Response** – It is no doubt insufficient. It has not called upon the powers that be to hand over Sri Lanka to the ICC.The latest draft has diluted the earlier draft in favour of Sri Lanka. For example in Para 5 earlier it said the Human Rights’Council” remains concerned at the continued militarisation of civilian government functions”. Now it says HRC “stresses the importance of preserving civilian government functions from militarisation”. The earlier statement was positive. The present wording is hazy. Former Para 19 has been now deleted.Government seems to have done its homework rather belatedly to dilute the draft Resolution.But each year the Resolution is getting closer to bringing justice to our people. Those who committed severe War Crimes, Crimes against humanity and genocide are not going to avoid the Sword of the Damocles falling on them.

1. **What are your thoughts on the calls for an ICC referral? Should Sri Lanka ratify the Rome Statute? Should international aid be contingent on Sri Lanka ratifying the Rome Statute?**

**Response –** Certainly! Sri Lanka must be referred to the ICC. The Rome Statute established four core International Crimes – Genocide, Crimes against Humanity, War Crimes and the Crime of Aggression. Under the Rome Statute, the ICC can only investigate and prosecute the four core international crimes in situations where states are "unable" or "unwilling" to do so themselves; the jurisdiction of the court is complementary to jurisdictions of domestic courts. The court has jurisdiction over crimes only if they are committed in the territory of a state party or if they are committed by a national of a state party; an exception to this rule is that the ICC may also have jurisdiction over crimes if its jurisdiction is authorized by the [United Nations Security Council](https://en.wikipedia.org/wiki/United_Nations_Security_Council). Ranil was responsible for our not ratifying the Rome Statute. He will now take steps to ratify if Internationl Aid be made contingent on Sri Lanka ratifying the Rome Statute.

**Justice C.V.Wigneswaran M.P.**