International Rights Intervention in Sri Lanka

What is the issue?

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- Recently, the UN Human Rights Council (UNHRC) unanimously gave Sri Lanka **two years' extension to implement the September 2015 resolution** on ethnic reconciliation and accountability for alleged war crimes.
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- Eight years since the Sri Lanka's Civil War ended, it has only become clear how **irrelevant current human rights campaigns are** to the war-torn people and their struggles.
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What is 2015 UNHRC resolution?

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- The September 2015 signalled a departure from the Council's earlier antagonistic stand, with **Sri Lanka itself co-sponsoring the resolution** to address war-time accountability.
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- The resolution calls for wide-ranging reforms and a domestic accountability mechanism with international involvement.
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- It wanted Colombo to **establish a credible judicial process,** with the participation of Commonwealth and other foreign judges, defence lawyers and authorised prosecutors and investigators, to go into the alleged rights abuses.
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- The Office of the U.N. High Commissioner for Human Rights (OHCHR) will continue to assess the progress in the implementation of its recommendations and other processes related to reconciliation, accountability and human rights.
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- The OHCHR is to present a comprehensive report at the 34th session (March 2017).
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What happened in March 2017 meeting?

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- Now, as per the new timetable, the OHCHR would give a comprehensive report at the 40th session in March 2019.
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- The new resolution requests the government to fully implement the measures identified in the resolution of 2015.
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- UN rights council had called for international judges to help investigate possible war crimes to guarantee impartiality.
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- However, **Sri Lankan govt has resisted the call** by UN Human Rights chief to set up an international hybrid court.
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What has international engagement really achieved?

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- The answer is, it resulted in reports and counter-reports, as well as multiple resolutions in the UNHRC.
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- If the spotlight could be turned towards the ground situation, it will make evident the emptiness of these campaigns.
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- These **campaigns hardly address the economic deprivation** of the missing people's families and the predicament of the landless.
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- Furthermore, the rights of women, fisherfolk, workers, oppressed castes and the northern Muslims seldom figure in popular human rights narratives.
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- The deteriorating rural economy and the political marginalisation of the war-torn people continues and they are asked to await the verdict of

human rights gods.
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- Geneva has become a **convenient cover for the state's failings,** the Tamil nationalists' hollow politics and the international donors' questionable agendas.
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- While the government rightly claims that the constitutional political solution is the priority over war-time accountability, **it has done little to take forward** that constitutional process over the past year.
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Was there any meaningful activism before?

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- The human rights movement had a different character during its early decades.
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- The Civil Rights Movement emerged after the brutal state repression of the 1971 JVP insurrection, an uprising by rural Sinhala youth, and **took up the legal cases of those in custody**.
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- Some years later, a membership organisation with a significant presence in Jaffna, **mobilised people against state repression** of Tamil youth during the early years of the armed conflict.
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- These organisations placed political critique and the **mobilisation of people at the heart of their work**.
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- However, the targeting of activists and increased political repression by the state and the LTTE, curtailed the democratic space for such work.
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- Over the last decade, human rights engagement backed by powerful western interests **deviated the broad set of rights and justice** concerns onto war crimes investigation in Geneva.
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What is the way forward?

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- **The state is at the core** of the historical problems, whether it is repressive militarisation, the reinforcement of majoritarian interests or the centralisation of state power in Colombo.
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- But reforming the state requires direct challenges by its citizenry, rather than flight to international forums.
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- **Recognising the hollowness of narrow, donor-driven human rights engagement** that happily coexists with dangerous nationalist politics, is a necessary starting point for envisioning a broader social justice movement.
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- Such political rethinking and the forging of progressive movements is a priority to address the challenges facing post-war Sri Lanka.
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Source: The Hindu

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