

Coming Back Home to a Truth more Dangerous than Fiction

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This columnist spent the last two weeks in the UK and the US speaking to opinion and policy makers on the human rights and humanitarian situation in Sri Lanka. In these conversations he pointed out that sadly and tragically, Sri Lanka was one of the worst places in the world for civilians caught up in armed conflict and that human rights protection in Sri Lanka urgently required an international dimension in the form of a field based presence of the Office of the UN High Commissioner for Human Rights since no local institution or institutions commanded the respect, trust, confidence or resources to fulfill this basic task of the state in a functioning democracy- the human rights protection of all its citizens. He also pointed out that the much vaunted Commission of Inquiry (COI) and the International Independent Group of Eminent Persons (IIGEP) were mandated to deal with past violations dating back to August 2005 and not the daily and mounting occurrence of human rights violations. Furthermore, he pointed out that the establishment of the COI and IIGEP have not had an inhibiting effect, leave aside a deterrent one on continuing violations and that in any event, as pointed out at the time these bodies were set up with much fanfare and enthusiasm, there are structural impediments to their effective functioning – all arising from the intrusive nature of the state with regard to the plethora of presidential commissions down the decades – that are fast becoming apparent.

In support of these arguments this columnist cited the figure of 300,000 IDPs created by the war since last April and swelling an already existing figure of some 200,000. He also made reference to the charges leveled against the LTTE and Karuna in respect of child conscription as well as the allegations of complicity on the part of sections of the security forces in this abominable practice, the LTTE's use of civilians as human shields and restrictions on access on the ground placed on humanitarian actors by the GOSL and the LTTE. The culture of impunity, the challenge of victim and witness protection and the statement by the secretary to the COI regarding the "fear psychosis" that prevented people from coming forward to give evidence to it as well as the Minister Badurdeen's confirmation of forced resettlement were also cited. The paucity of the SLFP's proposals to the APRC and the cynical slap in the face they constituted to Tamil allies and strategic assets of the government were also referred to along with the climate of pseudo patriotism nurtured against all dissent and the targeting of the media and Tamil media in particular.

The overarching argument made was that made repeatedly in this column, that there is no military solution to this conflict and that at present both the government and the LTTE are mirror images of each other in their belief in the military option and in their scant disregard for human rights protection and humanitarian norms. Consequently, the CFA, the COI, the IIGEP and the APRC are more about buying time and diverting critical attention than they are about human rights protection and making a constructive and enduring peace with democracy and dignity.

Most, if not all of this was known by opinion and policy makers in London, Washington and in New York. In quite a few instances, the comparison was made with the Darfurs, Iraqs and DRCs of this world and that our current travails afflict us despite an elected government in office and a history of electoral democracy, reinforced our plight. There is sympathy and support for a fight against terror but concern in greater measure for the manner in which that fight is currently being carried out. There is also incredulity at the pursuit of a military option without strong and complementary measures for a political settlement.

This columnist must confess though that he did not make the point made by our chief executive about the disappeared reappearing in the UK and Germany and of them disappearing in the first instance because of domestic problems. He did not have the imagination or audacity to suggest that Professor Raveendranath may well be in London or Berlin in self imposed exile to teach his poor, bereaved family a lesson or that the body of Father Jim Brown washed ashore on the banks of the Thames or Rhine. Neither did he mention, it must be further confessed, the well synchronized conspiracy to discredit the president through human rights violations finely timed to coincide with his visits abroad. He missed all of this along with the weeping and wailing of the families of the disappeared when the chief executive apprised them of these despicable, treacherous acts. I am sure, he may well agree, that we live in different countries.

And then when this columnist returned to the Sri Lanka he knew, he heard of the abduction and slaying of the two Red Cross volunteers, the second set of murders of humanitarian workers in our country in ten months. And as with the disappeared, there will be a commission – the third or fourth ? – to deal with human rights violations since His Excellency became just that. In the meantime, the LTTE goes its bloody way with killing innocents in the capital and Karuna and Pillayan do likewise in the fight to be the better strategic asset and/or king of the east. And whatever officialdom may pronounce, the reaction to LTTE terror in the capital as far as the lodges and their occupants is concerned is blatantly discriminatory and inhuman adding fuel to the fire of LTTE propaganda. If it is to be the case that Tamils from the northeast cannot stay in Colombo because they are a security threat and therefore must return to the northeast, is it not the case that officialdom is designating the northeast as their sole habitat, leave aside homeland ? And what of the contrast between the state's reaction to bombing and to disappearances and killings ?

The Rajapaksa regime, the stewards of the Sri Lankan state cannot escape responsibility for human rights protection of all Sri Lankans and the breakdown of the rule of law in the country by blanket denials, imbecilic allegations and crass offensiveness. At issue is complicity, commitment and competence.

Either there are sections of the regime that are downright rotten and availing themselves of the culture of impunity that has come to characterize human rights protection under the regime or it is simply unconcerned and not committed to energizing itself in respect of this basic duty. Alternatively, it is concerned and committed, the denials of disappearances notwithstanding, but just not competent enough to handle issues ranging

from custodianship of the rule of law and human rights protection. In the dastardly murders of the Red Cross workers, the police are quoted as saying that they suspect that vehicle used in the abductions belonged to the Karuna faction. The question also arises as to how two persons were abducted and transported from the Fort to Kiriella without a single security check of the vehicle in this time of multiple security checks ? This parallels the incidence of abductions in Jaffna during curfew hours.

This columnist has been accused of being a traitor and a LTTE sympathizer in his criticism of the state of human rights under this regime. He has also been accused of grim fantasizing in order to attract funds from Western donors for the non governmental organization he works for.

All he can say in his defence is that he returned home and found that truth is indeed not so much stranger than fiction, but more dire, dangerous and damning.

Must things get much worse before they get even a little bit better ?