

Whither human rights in Sri Lanka? - International human rights intervention versus local human rights movement

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The singular focus on international rights intervention is killing a once-vibrant local rights movement.

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From the time Sri Lanka's civil war ended in 2009, international actors have infused narratives of the war with stories of human rights abuses. Eight years since, it has only become clear how irrelevant current human rights campaigns are to the war-torn people and their struggles.

This is not for the lack of inhuman wrongs done by the state and others — there are plenty of them in Sri Lanka as in the rest of the world. Rather, it is the singular focus on international human rights intervention that is killing a once-vibrant local human rights movement in the country.

Notes from Geneva

Sri Lanka was again in the limelight at the United Nations Human Rights Council (UNHRC) in Geneva this month. The September 2015 resolution, adopted months after regime change in Sri Lanka, signalled a departure from the Council's earlier antagonistic stand, with Sri Lanka itself co-sponsoring the resolution to address war-time accountability.

The new resolution, on March 23, co-sponsored by the United States, Sri Lanka and other countries, accedes to Sri Lanka's request for an extension of two more years to fulfil its commitments on accountability.

The Tamil nationalist campaign, including that by many Tamil politicians, was predictably about opposing such an extension. In the island's Sinhala-majority south on the other hand, the debate centred on whether any future justice mechanism for accountability should include foreign judges or not.

That Sri Lanka will get its extension, that foreign judges will never be allowed to enter the country and that the U.S. will shield Sri Lanka at the UN, are political realities that escape those firmly pursuing this prolonged engagement in Geneva.

This reality check begs the question: What has eight years of international human rights engagement really achieved? [1]

The record is one of reports and counter-reports by the human rights community, the Sri Lankan state and the Tamil nationalist lobby, as well as multiple resolutions in the UNHRC. If only the spotlight on Geneva could be turned towards the ground situation, it will make evident the emptiness of these campaigns. While the state has been rather slow to address the issue of disappearances and military land grabs, these campaigns hardly address the economic deprivation of the missing people's families and the predicament of the landless. Furthermore, the rights of women, fisherfolk, workers, oppressed castes and the northern Muslims seldom figure in popular human rights narratives.

Shift in the movement

This was not always the case. The human rights movement had a different character during its early decades.

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. Some years later in the context of the Prevention of Terrorism Act of 1979 and a state of Emergency, the Movement for Inter-Racial Justice and Equality, 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. Some of the trade unionists who organised the general strike of 1980, which was crushed by the J.R. Jayewardene-led regime, went on to form the Movement for the Defence of Democratic Rights to resist the authoritarian attacks on democracy.

With the war in the late 1980s, the University Teachers for Human Rights (Jaffna) tried creating space for the university community to monitor the various armed actors, including the Sri Lankan military, the Tamil armed movements and the Indian Peace Keeping Force. Their work also addressed the disastrous political developments engulfing the Tamil community.

These organisations placed political critique and the mobilisation of people at the heart of their work. However, the targeting of activists and increased political repression by the state and the LTTE, curtailed the democratic space for such work, particularly in the north and the east. The growing international attention on the protracted conflict and increasing donor funding for non-governmental organisations (NGO) in Colombo, brought about the shift of appealing to international forums.

Over the last decade, with the cataclysmic end to the war and the intransigent authoritarianism of the Mahinda Rajapaksa-led regime, human rights engagement backed by powerful western interests deviated the broad set of rights and justice concerns onto war crimes investigation in Geneva. In effect, the international human rights community, national NGOs and the Tamil nationalist lobby, all placed their bets on internationalisation, without considering the political space that was opening after the war.

War-time accountability

In this context, the deteriorating rural economy and the political marginalisation of the war-torn people continues even as year after year they are asked to await the verdict of human rights gods. Indeed, Geneva has become a convenient cover for the state's failings, the Tamil nationalists' hollow

politics and the international donors' questionable agendas. Together, these actors have made a real mess of post-war reconstruction.

The media in Sri Lanka dramatises the proceedings in Geneva, as if Sri Lanka is at the centre of the world. The geopolitical changes with the crisis in Syria, the populist racism of the Trump Presidency and anti-immigrant xenophobia in Europe are rarely considered [2]. The Tamil nationalist fringe continues to forge fantastic demands, such as Sri Lanka's referral to the International Criminal Court, which even the Northern Provincial Council plays up. For the current Sri Lankan government, defending the country and its military in Geneva has become a selling point to its Sinhala constituencies. 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. The government has not even communicated to the public its vision nor steps towards a constitutional solution.

The months before and during the Geneva sessions, result in a bluster of statements, reports and documentaries. Indeed, human rights work has increasingly become about the perverse parading of victims and their families in front of powerful international actors, and dispatching statements signed by NGOs and individuals to the UN.

Engaging the state

The earlier human rights movement with a left perspective valued international solidarity, for example with Palestine, which necessarily entailed a critique of imperialism. Today's campaigns have become dependent on western donors. This apolitical variant of human rights activism has no qualms accommodating, or even endorsing, rabid Tamil nationalists who are at the forefront of the campaign for accountability, while remaining silent on the LTTE's grave crimes. The convergence of the human rights and Tamil nationalist campaigns, both beholden to the West and determined by the geopolitics of forums such as the UNHRC, provides further fuel to the chauvinist fire of the Sinhala Buddhist nationalists.

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. But reforming the state requires direct challenges by its citizenry, rather than flight to international forums. However, that depends on a broad political movement and a domestic process consisting of all the communities, such as the one that threw out the Rajapaksa regime.

If the unravelling international order may finally end the internationalisation of Sri Lanka, the tremendous loss of credibility within the country with such internationalisation may make it impossible to revitalise the human rights movement. However, 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. Such political rethinking and the forging of progressive movements is a priority to address the tremendous challenges facing post-war Sri Lanka.

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Footnotes

[1] <http://www.thehindu.com/news/international/Civil-war-probe-UN-human-rights-chief-arrives-in-Sri-Lanka/article14064395.ece>

[2] <http://www.thehindu.com/books/'Trump-makes-sense-to-a-grocery-store-owner'/article17109351.ece>