



# Sri Lanka: Tamil Leadership Can't Express Their Political Aspirations Fully – Visvanathan Rudrakumaran

*TGTE leader Visvanathan Rudrakumaran speaks to The Sunday Leader.*

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Tamil Leadership Can't Express Their Political Aspirations Fully – Visvanathan Rudrakumaran

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Excerpts of the interview: TGTE leader Visvanathan Rudrakumaran speaks to The Sunday Leader.

By Easwaran Rutnam

Q: How can you convince someone who feels what you are doing is not good for the Tamils in Sri Lanka?

A: We do not believe that the political aspirations of the Tamils inside the island of Sri Lanka and the Tamil diaspora are different.

However, our brethren inside the island as well as the domestic Tamil leadership can't express their political aspirations fully, but can only express their feelings within the parameters, namely the 6th Amendment to the Constitution, which criminalizes peaceful advocacy for a free and independent state.

However within this parameter, our people, whenever they are given an opportunity, have expressed their aspirations as much as they can within these parameters.

The TNA parliamentary and provincial election victories are proof of that. If the Sri Lankan government has political courage and political honesty, we challenge them to hold a referendum similar to the Scottish referendum to be held next week. However, we the Tamils, also know that it is too much to ask from the Chauvinist Sri Lankan Politico establishment. In this connection, we would also like to note the new High Commissioner's pledge to widen the democratic space in various countries.

We don't believe acquiescence of oppressive policies will either result in the elimination of oppression or the promotion of rights. Resistance to those policies and practices is part of a progressive democratic exercise.

It is not congratulatory, but it should be recognized that the diaspora also plays an important role along with the other members of the human rights community for the international investigation.

We will continue to do so until justice is served for our people.

Q: Would a visit to Sri Lanka by Prince Zeid Ra'ad Al Hussein, five years after the war, give him first hand information on what the Tamils faced during and soon after the conflict?

A: The TGTE wants the new High Commissioner to visit Tamil areas in the island as soon as possible and meet the thousands of family members whose loved ones have been killed, tortured, or disappeared. There are 90,000 Tamil war widows in the North East of the island and he should meet them as well to understand the gravity of abuses committed. Similar to the visit of Navi Pillay, his visit will also definitely give him an opportunity to get first hand knowledge of the plight of the Tamils and what they are going through.

Q: Heads of foreign governments have extended support to Sri Lanka for the progress they have seen first hand following the war. So how will you be able to convince them otherwise?

A: On the contrary, the Japanese Prime Minister is reported as having said that a resolution of the ethnic conflict in Sri Lanka is crucial to the future of the country. The report says that the Japanese PM welcomed the continuing association of the Government of Sri Lanka with the UNHRC. We know that these are code words for the lack of cooperation and the need for the Sri Lankan government to be more cooperative. It is pretty obvious that the world's leaders are tired of advising Sri Lanka. It is normal for visiting leaders to say a few pleasant things about the country they visit. No one should read too much into this since this is part of diplomatic protocol.

Q: In the attempt to ensure the protection of witnesses, the Government has introduced a witness protection bill. Isn't this a step in the right direction?

A: Protection and punishment provisions in the draft bill are somewhat adequate on paper. The problem in Sri Lanka is not the absence of legislation, but the culture of impunity and the racist environment. Sri Lanka is a party to the Convention Against Torture and has also enacted legislation to implement the convention. However, according to the US State Department Report among others, the situation is otherwise. Similarly, Sri Lanka is a party to the Convention on the Elimination of all forms of Discrimination Against Women, but reality is different.

Also, in addition to the politicization of the judiciary intensified by the passage of the 18th Amendment to the Constitution (2010) and the impeachment of the Former Chief Justice (2013), the judiciary is not ethnically neutral. It is well known that the North East is heavily militarized and many human rights violations were taking place there. Yet there has not been any adequate response by the state apparatus including the security personnel and the judiciary. In such circumstances, according to the provisions leaving this same state apparatus in charge of the protection of witnesses and victims would only increase the risk to Tamils. Many Tamils would continue to fear giving evidence.

This is especially so after the reports of intimidation by the military of Tamil persons who were willing to give evidence and appear before the Presidential Commission on Disappeared Persons appointed last year. I would also like to point out that according to the fact-finding report of the International Bar Association of Human Rights Institute (IBAHRI), "Tamils are unprotected under a deteriorating Sri Lankan justice system". Furthermore, the most recent US State Department Report stated, "serious human rights problems included unlawful killings by paramilitary groups, often in predominantly Tamil areas." The report has also said year after year, that "a disproportionate number of victims of human rights violations were Tamils."

I would also like to point out that according to the UN Expert Panel, the primary reason for an international investigation is the absence of a political and legal environment in the island of Sri Lanka to mete out justice. Thus, any new bill or new commissions are questionable moves by the government of Sri Lanka to deceive the international community. It also shows the panic of the government of Sri Lanka but as I stated earlier, it's too late, the train has already left the station.

Q: What is your opinion about the new UN High Commissioner for Human Rights, Prince Zeid Ra'ad Al Hussein, and what message would you look to give him?

A: Based on his impressive credentials in the human rights sphere, we sent the new UN High Commissioner a felicitation message expressing our confidence that he will be the 'conscience of the world' in the coming years. His maiden speech at the UNHRC reaffirmed that confidence. His emphasis that 'courage is the first human virtue' and his acknowledgement that the UN is 'often slow' to recognize human rights violations, foretells that he will take bold actions in the protection of human rights.

Also, given the recent robust interactions between the Security Council and the OHCHR, his plan to have a ministerial level meeting on the 25th of September on the need for 'a code of conduct to be adapted by the permanent members of the UN Security Council regarding the use of the veto, in situations where atrocities are ongoing' makes us believe that transgressions of UNHRC resolutions will have meaningful repercussions in this context. I would also like to mention that in our felicitation message to the High Commissioner, we asked him to request the UN Security Council to seize the matter of the protection of witnesses in Sri Lanka.

His expression of alarm at threats currently being levelled against the Human Rights community in Sri Lanka along with his comments on Syria, Iraq, Libya, Ukraine, Central African Republic, South Sudan, Congo, and North Korea, gives us the impression that he understands the real situation in the island of Sri Lanka. Also his observation that "Navi Pillay was... one of the most able, formidable commissioners for human rights" and it humbles him to know that he will follow the course that Navi Pillay and her predecessors have mapped out for the OHCHR and his emphasis on accountability, strengthen our belief that the UN investigation will bring justice to the victims.

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