



Media and Reconciliation: Press Coverage on Sri Lanka's Progress as Outlined during the 40th Session of the UNHRC

Quarterly Report February – April 2019

ACKNOWLEDGEMENTS

The Media Research Team of Verité Research compiled this study. The report was written by Stephanie Nicolle, with support from Rochel Canagasabay. The list of illustrations was compiled by Rochel Canagasabay. Overall research and editorial guidance was provided by Anishka Arseculeratne and Deepanjali Abeywardana.

Verité Research aims to be a leader in the provision of information and analysis for negotiations and policy making in Asia, while also promoting dialogue and education for social development in the region. The firm contributes actively to research and dialogue in the areas of economics, sociology, politics, law, and media, and provides services in data collection and information. Email comments to: mediaservices@veriteresearch.org.

CONTENTS

ACKNOWLEDGEMENTS	1
EXECUTIVE SUMMARY	3
1. INTRODUCTION	5
2. METHODOLOGY	7
3. SRI LANKA'S PROGRESS AS OUTLINED DURING THE 40 TH SESSION OF THE UNHRC	9
4. CONCLUSION	17
LIST OF ILLUSTRATIONS	
Exhibit 1: Newspapers Monitored	7
Exhibit 2: Sinhala Press Coverage	10
Exhibit 3: Tamil Press Coverage	10
Exhibit 4: Articles in Sinhala newspapers with and without bylines	11
Exhibit 5: Articles in Tamil newspapers with and without bylines	11
5. ANNEXURE OF NEWSPAPER SUMMARIES	18

EXECUTIVE SUMMARY

This report was produced by Verité Research (VR) for the International Research and Exchanges Board (IREX). It is part of a series of reports that examine both Sinhala and Tamil language press coverage on Transitional Justice and Reconciliation, Women, and Minorities. For the period 16 February to 30 April 2019, VR in consultation with IREX selected coverage on, ‘Sri Lanka’s Progress as Outlined during the 40th Session of the United Nations Human Rights Council (UNHRC)’. Press coverage for this report included editorials, feature articles, opinions articles and interviews in order to produce an in-depth analysis of press perceptions on the selected topic.

Sri Lanka’s progress on post-war accountability is widely discussed both locally and internationally during the UNHRC sessions. Under the former Rajapaksa government, Sri Lanka adopted a position of confrontation and resistance towards the UNHRC’s recommendations. By contrast, the 2015 *yahapaalanaya* (good governance) government adopted an approach of cooperation in agreeing to co-sponsor Resolution 30/1. The recently concluded 40th Session of the UNHRC yet again triggered reportage on Sri Lanka’s progress and overall perceptions towards the UNHRC’s recommendations.

- In total, 178 editorials, opinions, interviews and feature articles discussed the selected topic. 92 of these articles (48 per cent) were in the Tamil press while 86 articles (52 per cent) were in the Sinhala press. The comparable volume of coverage on this issue between the Sinhala and Tamil press signifies the interest of both the Sinhala and Tamil press on the selected topic.
- The inclusion or exclusion of bylines in these articles was taken into consideration in order to note the compliance of newspapers with accepted standards of media ethics. 05 articles in Sinhala and 41 in Tamil, i.e., 46 out of 178 articles, did not include bylines.
- The report classified press reportage into two categories: ‘similar issues’, which captures issues featured commonly in the Sinhala and Tamil press, and ‘dissimilar issues’, which captures issues that were discussed in only the Sinhala press or only the Tamil press. From the issues classified as ‘similar issues’, the two issues that received the highest traction were: (1) Sri Lanka’s commitment to co-sponsor Resolution 40/1 and (2) Sri Lanka’s accountability on alleged war crimes. From the issues classified as ‘dissimilar issues’, none of the issues gained a high level of traction.

- The topic of Sri Lanka’s commitment to co-sponsor Resolution 40/1 received the highest coverage in the Sinhala and Tamil press. Two areas emerged in press discussion: (1) the content outlined in Resolution 40/1 and (2) the implementation of these commitments. The first area received minimal traction and was advanced by the Sinhala alternative newspaper *Ravaya* and the Tamil state newspaper *Thinakaran*. The second area saw blame apportioned to the government for poorly managing the commitments on accountability in the domestic context. However, the government was positively characterised for securing a certain extent of international confidence in terms of its ability to oversee the implementation of the commitments.
- Sri Lanka’s accountability on alleged war crimes was discussed within an overarching debate between contested concepts of sovereignty as (1) absolute and (2) malleable. The first concept of sovereignty as absolute was only presented in the Sinhala mainstream press. Within this debate, several Sinhala newspapers sought to deny the commitment of alleged war crimes by the military and negate any such allegations of war crimes by discrediting the accusers. Meanwhile, the Tamil press presented the view that sovereignty is malleable. As per this view, the Tamil press called for greater international intervention in issues related to accountability.
- Other minor areas covered in both the Sinhala and Tamil press included: perception on the state’s progress in implementing Resolution 30/1, perception on the UNHRC, replacement of the Prevention of Terrorism Act (PTA) with the Counter Terrorism Act (CTA), views on the establishment of a domestic or international judicial mechanism of justice and sentiment on the report on Sri Lanka’s accountability and reconciliation measures presented by United Nations High Commissioner for Human Rights Michelle Bachelet on 20 March 2019.

1. INTRODUCTION

This quarterly report was produced by Verité Research (VR) for the International Research and Exchanges Board (IREX). It analyses both Sinhala and Tamil language newspapers to identify the role of print media in fostering national-level reconciliation. The report also contributes towards IREX's Media Empowerment for a Democratic Sri Lanka (MEND) programme by providing journalists with a comprehensive picture of reporting related to reconciliation. Moreover, it identifies ethical practices that could assist journalists and improve the overall quality of journalism. To do this, it incorporates findings from VR's online platform, Ethics Eye, in relation to unethical press reporting on women and minorities. The findings from the platform are included where necessary and applicable.

This report belongs to a series of reports that monitors the following topics and subtopics:

1. Transitional Justice and Reconciliation – press coverage under this topic focuses on several subtopics such as the United Nations Human Rights Council (UNHRC), Office on Missing Persons (OMP), Enforced Disappearances Act, land-related issues, devolution of power, and constitutional reform.
2. Minorities – press coverage under this topic focuses on subtopics pertaining to justice between the state and minorities, such as ethnic and religious violence/discrimination.
3. Women – press coverage under this topic focuses on subtopics pertaining to justice between the state and women, such as female electoral quotas, political participation, labour force participation, and maternity leave.

Previous Media and Reconciliation reports analysed coverage on the Office on Missing Persons (OMP) and the devolution of power; the October 26 political situation in Sri Lanka; and the drafting of a new constitution under the tenure of the 2015 *yahapaalanaya* government.¹ For the reporting period 16 February to 30 April 2019, VR in consultation with IREX selected the topic of 'Sri Lanka's Progress as Outlined during the 40th Session of the United Nations Human Rights Council (UNHRC)'. As agreed by IREX and VR, this topic was mainly selected due to three reasons: (1) the high volume of coverage and press interest it received during the monitoring period; (2) polarised

¹ Verité Research, *Media and Reconciliation: Media Coverage of the Office on Missing Persons and the Devolution of Power* (2018); Verité Research, *Media and Reconciliation: Media Coverage of the October 26 Political Situation in Sri Lanka in relation to Minorities* (2018); Verité Research, *Media and Reconciliation: Press Coverage on the Drafting of a New Constitution during the Tenure of the Yahapaalanaya Government* (2019).

press views on the UNHRC's involvement in Sri Lanka's post-war context and (3) Sri Lanka's commitment under the *yahapaalanaya* government to transitional justice, reconciliation and accountability vis-à-vis the recommendations in Resolution 30/1.

The structure of the report is as follows. Section 2 provides a description of the methodology followed. Following this, Section 3 analyses Sinhala and Tamil press reportage on the selected topic: 'Sri Lanka's Progress as Outlined during the 40th Session of the UNHRC'. Finally, Section 4 presents a general conclusion containing the key observations identified in the report.

2. METHODOLOGY

Press articles on ‘Sri Lanka’s Progress as Outlined during the 40th Session of the UNHRC’ were monitored from 16 February to 30 April 2019. A total of 178 articles were selected from the Sinhala and Tamil press. 20 newspapers, including the daily and weekend editions, were monitored for this purpose (see Exhibit 1).

Exhibit 1: Newspapers Monitored

Sinhala Daily Newspapers	Sinhala Weekend Newspapers	Tamil Daily Newspapers	Tamil Weekend Newspapers
<i>Lankadeepa</i>	<i>Lankadeepa</i>	<i>Virakesari</i>	<i>Sunday Virakesari</i>
<i>Divaina</i>	<i>Divaina</i>	<i>Thinakkural</i>	<i>Sunday Thinakkural</i>
<i>Lakbima²</i>	<i>Lakbima</i>	<i>Thinakaran</i>	<i>Thinakaran Vaaramanjari</i>
<i>Mawbima</i>	<i>Mawbima</i>	<i>Tamil Mirror</i>	
<i>Dinamina</i>	<i>Ravaya</i>		
<i>Ada</i>	<i>Anidda</i>		
	<i>Lanka</i>		

The above newspapers were selected based on readership data for the year 2017 by Kantar Lanka Market Research Bureau (Kantar LMRB).³ *Lankadeepa* and *Virakesari* have the highest readership of the Sinhala and Tamil newspapers, respectively. Certain Sinhala alternative newspapers such as *Ravaya*, *Anidda* and *Lanka* were included

² *Lakbima* announced on 30 November 2018 that it would temporarily suspend publication of its daily edition.

³ Kantar Lanka Market Research Bureau, *National Demographic and Media Survey* (2017).

despite the absence of their readership data as their content generally differs from coverage in the mainstream press, and can therefore be considered as providing alternative insights into events. The group of selected newspapers includes both state-owned and privately-owned print publications. The privately-owned print publications comprise both mainstream and alternative publications (see the Media Ownership Monitor Sri Lanka in order to obtain comprehensive information on the media ownership and political affiliations of these newspapers).⁴

The content on ‘Sri Lanka’s Progress as Outlined during the 40th Session of the UNHRC’ that has been chosen for consideration from these Sinhala and Tamil language newspapers is analysed through the lens of media parochialism. In the context of this report, media parochialism refers to the differences in reporting between the Sinhala and Tamil press, particularly when the content considered to be of relevance is featured in the press of only one of the local languages. This lens could give insight into: (1) the gaps in coverage of certain issues, (2) varying nuances in coverage of the same issue, as well as (3) any differences in the perspectives presented in reporting. This lens is therefore useful to understand Sinhala and Tamil press reporting as the Sinhala and Tamil press cater to two distinctive ethno-linguistic demographics. By using this lens, the analysis can determine whether a particular news item features bias that may stem from reporting towards or against a certain ethnic/religious/linguistic community in Sinhala/Tamil language newspapers. The newspaper summaries that were used in the analysis are chronologically listed in the annexure of this report.

LIMITATIONS

- Time – The methodology of this report limits the analysis to press reportage within the specific timeframe from 16 February to 30 April 2019.
- Sample – The sample selected for analysis focuses on print media in the Sinhala and Tamil languages, as opposed to other forms of media (e.g. television). Print media was selected due to its nationwide reach and importance in shaping public thinking. Moreover, the sample only includes editorials, opinions, feature articles and interviews—as opposed to general news articles—in order to provide an in-depth analysis into press perceptions on the selected topic.
- Perspective – The report utilises the lens of media parochialism and perspectives related to transitional justice and reconciliation, as opposed to other lenses and perspectives such as a gendered perspective. However, a gendered perspective is adopted where necessary and applicable. For instance, the findings of Ethics Eye on women and minorities are featured in the quarterly reports if they are available and relevant to the topic chosen for the report.

⁴ Media Ownership Monitor Sri Lanka. <http://sri-lanka.mom-rsf.org/en/>.

3. SRI LANKA'S PROGRESS AS OUTLINED DURING THE 40TH SESSION OF THE UNHRC

Sri Lanka's progress on post-war accountability and reconciliation becomes a salient topic of discussion in the international arena during the UNHRC sessions. While the UNHRC has introduced several resolutions on Sri Lanka, the nation's stance on enacting the resolutions has largely been contingent on the government in power.⁵ For instance, in the aftermath of the armed conflict there was limited progress on accountability and reconciliation measures.⁶ This limited progress stemmed from the former Rajapaksa government's position of confrontation towards the resolutions on the grounds of national sovereignty. Post 2015, there was optimism expressed towards Sri Lanka's commitment to implement accountability and reconciliation measures. This stemmed from the 2015 *yahapaalanaya* government, which seemed to adopt a position of cooperation in agreeing to co-sponsor Resolution 30/1.

In the past, Sinhala and Tamil press coverage has featured polarised views on the resolutions and the UNHRC.⁷ Sinhala press coverage has often oscillated between a nationalist position that views the intended outcomes of the resolutions with suspicion and a pragmatic position that calls for strategic management of the resolutions.⁸ Meanwhile, the Tamil press has repeatedly underscored the importance of implementing the resolutions, especially by justifying this position with reference to the interests of the Tamil minority.

Recent Sinhala and Tamil press discussion on the UNHRC was triggered by the commencement of the council's 40th session on 25 February 2019 and the presentation of the report on Sri Lanka by the UN High Commissioner for Human Rights Michelle Bachelet on 20 March 2019. During the monitoring period, a total of 178 editorials, opinions, interviews and feature articles presented views on the 40th session of the UNHRC. Of these 178 articles, 86 articles were published in the Sinhala press, while 92 were published in the Tamil press. As with the previous report, the comparable volume of coverage on this issue between the Sinhala and Tamil press indicates the overall significance of the topic across the press of both languages.⁹ A breakdown of Sinhala and Tamil press reportage is given in Exhibits 2 and 3. *Divaina* and *Lankadeepa* provided the highest coverage on the topic in the Sinhala press, while *Sunday Thinakkural* and *Virakesari* provided the highest coverage on the topic in the Tamil press.

⁵ For the complete list of resolutions on Sri Lanka see: <https://www.mfa.gov.lk/upr/human-rights-council/resolutions-on-sri-lanka/>

⁶ Verité Research, *Sri Lanka: LLRC Implementation Monitor Statistical and Analytical Review No.4* (2016). p.03. https://www.veriteresearch.org/wp-content/uploads/2018/05/Verite-Research-LLRC-Implementation-Monitor-No4_June-2016.pdf

⁷ The Media Analysis, Vol.07, #09; The Media Analysis, Vol.07, #10; The Media Analysis, Vol.07, #12; The Media Analysis, Vol.05, #09.

⁸ Ibid. The nationalist position perceives the UNHRC as undermining Sri Lanka's sovereignty by interfering into the country's domestic affairs.

⁹ Verité Research, *Media and Reconciliation: Press Coverage on the Drafting of a New Constitution during the Tenure of the Yahapaalanaya Government* (2019).

Exhibit 2: Sinhala Press Coverage on Sri Lanka’s Progress as Outlined during the 40th Session of the UNHRC

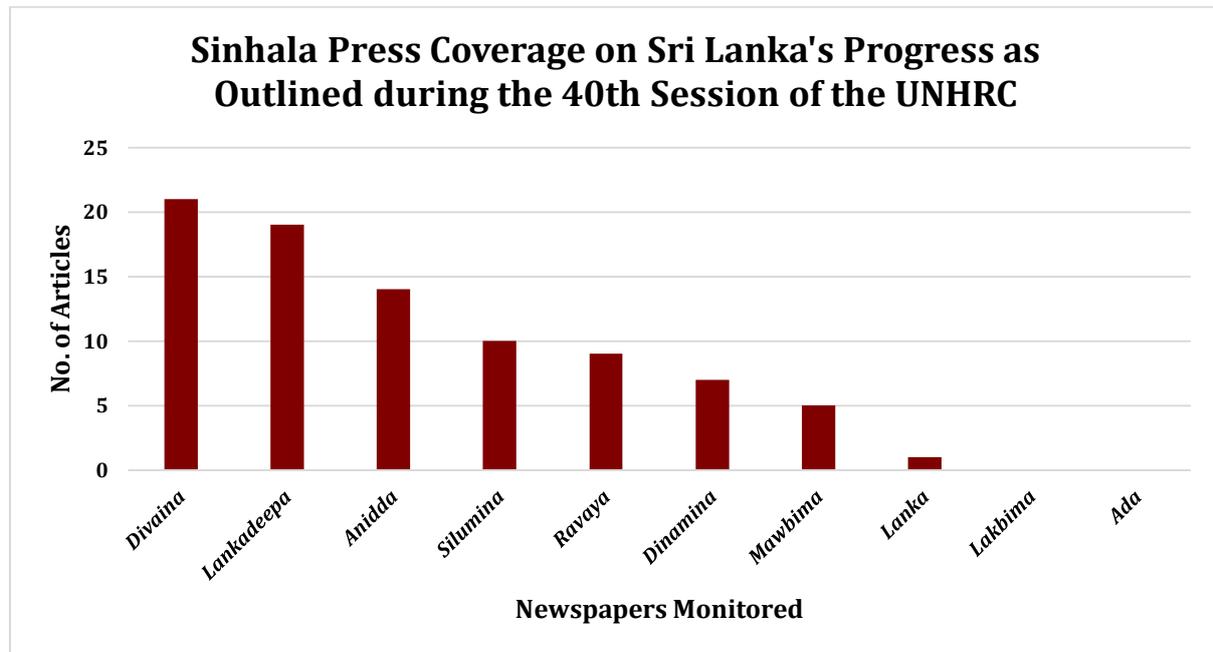
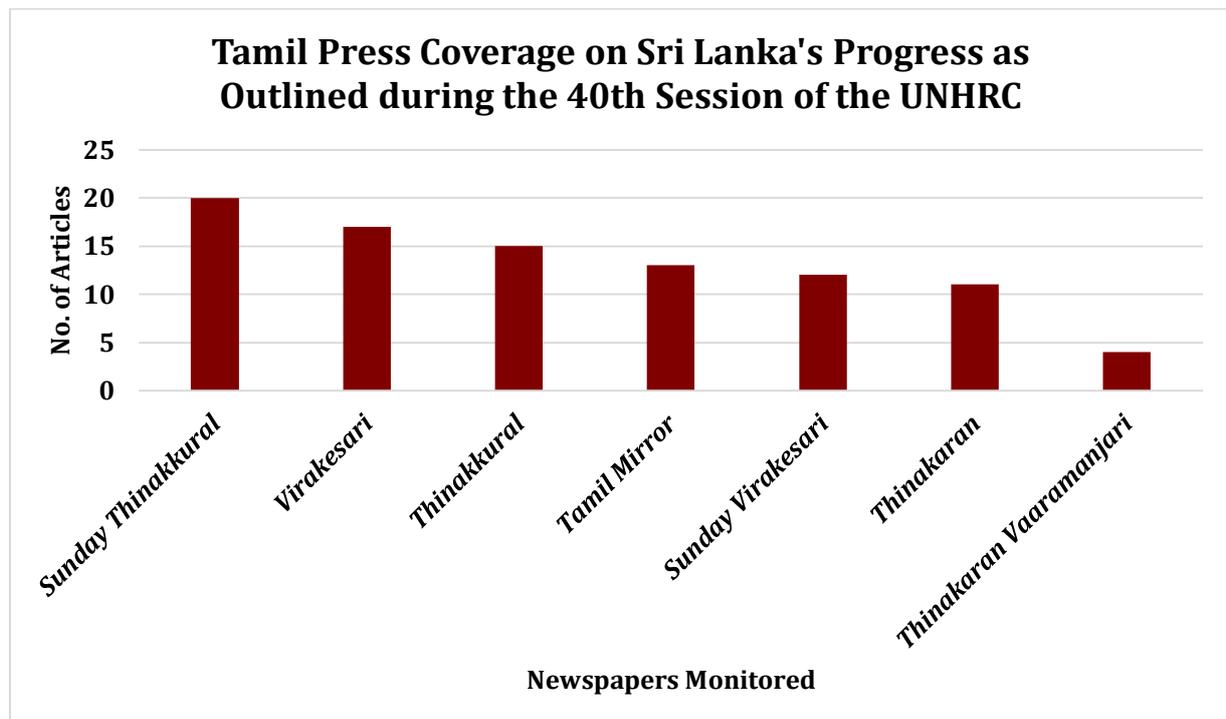


Exhibit 3: Tamil Press Coverage on Sri Lanka’s Progress as Outlined during the 40th Session of the UNHRC



Inclusion/Exclusion of Bylines

The bylines of these articles were also taken into consideration due to the importance of bylines from a media ethics perspective. As outlined in previous reports, the inclusion of bylines reflects ethical reporting practices such as transparency and accountability, while also providing due credit to journalists responsible for the content.¹⁰ From the total reportage, 05 articles from the Sinhala press and 41 articles from the Tamil press did not include bylines. The number of Sinhala and Tamil newspapers with and without bylines is depicted below in Exhibits 4 and 5.

Exhibit 4: Articles in Sinhala newspapers with and without bylines

Sinhala Newspapers	Byline not Included	Byline Included	Total No. of Articles
<i>Anidda</i>	2	12	14
<i>Silumina</i>	2	8	10
<i>Lankadeepa</i>	1	18	19
<i>Divaina</i>	0	21	21
<i>Ravaya</i>	0	9	9
<i>Dinamina</i>	0	7	7
<i>Mawbima</i>	0	5	5
<i>Lanka</i>	0	1	1
<i>Lakbima</i>	0	0	0
<i>Ada</i>	0	0	0
TOTAL	5	81	86

Exhibit 5: Articles in Tamil newspapers with and without bylines

Tamil Newspapers	Byline not Included	Byline Included	Total No. of Articles
<i>Virakesari</i>	12	5	17
<i>Thinakkural</i>	10	5	15
<i>Tamil Mirror</i>	8	5	13
<i>Sunday Thinakkural</i>	6	14	20
<i>Sunday Virakesari</i>	3	9	12
<i>Thinakaran</i>	1	10	11
<i>Thinakaran Vaaramanjari</i>	1	3	4
TOTAL	41	51	92

¹⁰ Verité Research, *Media and Reconciliation: Media Coverage of the October 26 Political Situation in Sri Lanka in relation to Minorities* (2018); Verité Research, *Media and Reconciliation: Press Coverage on the Drafting of a New Constitution during the Tenure of the Yahapaalanaya Government* (2019).

With respect to the content featured, the coverage was categorised under the following areas: (1) similar issues and (2) dissimilar issues.

(1) Similar Issues

This area covers issues that were commonly featured in both the Sinhala and Tamil press. However, the nuances and viewpoints seen in the Sinhala and Tamil press coverage of these issues may differ.

The following issues were prominently featured in the Sinhala and Tamil press and were chosen for analysis in this report:

- (i) Sri Lanka's commitment to co-sponsor Resolution 40/1; and
- (ii) Sri Lanka's accountability on alleged war crimes.

Issues that received lesser coverage included:

- (i) Perception on the state's progress in implementing Resolution 30/1 – Sinhala press coverage on this topic mainly featured positive views on the government.¹¹ The government's cooperative approach with the UNHRC was discussed against the previous Rajapaksa government's confrontational approach. This juxtaposition served to characterise the government as taking ownership over the narrative on Sri Lanka's accountability measures and projecting a favourable image of the country in the international arena. Tamil press perceptions on the government varied. Some sections of the press considered the government's continued commitment to overseeing Sri Lanka's accountability measures as positive.¹² Another section of the Tamil press conveyed the Tamil community's collective lack of faith in the government to oversee all the commitments outlined in Resolution 40/1.¹³
- (ii) Perception on the UNHRC – overall Sinhala press sentiment on the UNHRC was largely negative. In particular, the press considered the UNHRC's treatment of Sri Lanka to be severe and 'hypocritical', as opposed to its 'lenient' treatment towards western countries, and called for Sri Lanka's withdrawal from Resolution 30/1.¹⁴ By adopting an ethnicised lens, the Tamil press expressed its disappointment towards the UNHRC for failing to secure justice for the Tamil population.¹⁵

¹¹ *Dinamina*, 09 April 2019, p.04, *Silumina*, 17 March 2019, p.08, *Anidda*, 31 March 2019, p.12, *Dinamina*, 29 March 2019, p.04, *Lankadeepa* and 17 March 2019, p.12.

¹² *Thinakaran Varamanjari*, 31 March 2019, p.09, *Thinakaran*, 28 March 2019, p.07 and *Sunday Virakesari - Current Politics*, 24 March 2019, p.08.

¹³ *Thinakaran - Arangam*, 22 March 2019, p.i and *Tamil Mirror*, 13 March 2019, p.07.

¹⁴ *Dinamina*, 29 March 2019, p.04, *Lankadeepa*, 24 March 2019, p.04, *Silumina*, 17 March 2019, p.12, *Mawbima*, 12 March 2019, p.06.

¹⁵ *Thinakkural*, 24 February 2019, p.31, *Virakesari*, 25 February 2019, p.04, *Virakesari*, 27 February 2019, p.04, *Virakesari*, 06 March 2019, p.04, *Sunday Thinakkural*, 17 March 2019, p.25, *Sunday Thinakkural*, 24 March 2019, p.27, *Virakesari*, 27 March 2019, p.18 and *Sunday Virakesari - Current Politics*, 24 March 2019, p.01, 08.

- (iii) Views on the establishment of a domestic or international judicial mechanism of justice – coverage related to this topic debated whether (a) a domestic judicial mechanism, (b) an international judicial mechanism or (c) a hybrid court including local and international judges, is required to hear cases on alleged war crimes. The Sinhala press mainly presented views on the constitutionality of establishing a hybrid court.¹⁶ Meanwhile, the Tamil press argued that a hybrid court was constitutional.¹⁷ Moreover, the Tamil press justified calls for an international judicial mechanism by highlighting the lack of an effective domestic judicial mechanism for ethnicised issues.¹⁸
- (iv) Sentiment on the report on Sri Lanka's accountability and reconciliation measures presented by UN High Commissioner for Human Rights Michelle Bachelet on 20 March 2019 – Sinhala press coverage on this topic was led by *Divaina* and received minimal traction. *Divaina* perceived the report to be a misrepresentation of Sri Lanka's progress.¹⁹ It also considered the recommendations outlined in the report to be detrimental to Sri Lanka's sovereignty.²⁰ By contrast, the Tamil press highlighted the seriousness of the allegations levelled against Sri Lanka in Bachelet's report and the importance of continued international pressure on Sri Lanka.²¹
- (v) Replacement of the Prevention of Terrorism Act (PTA) with the Counter Terrorism Act (CTA) – Views on replacing the PTA with the CTA converged in the Sinhala and Tamil press.²² While the press of both languages agreed that the PTA was a 'draconian', 'oppressive' piece of legislature, they saw the provisions in the CTA as further undermining the fundamental rights and freedoms of citizens.²³ Notably, Sinhala press views on this issue were featured in only the *Ravaya* and *Lanka* newspapers.

(2) Dissimilar Issues

This area covers the issues of discussion that were either largely featured or only featured in the press of one of the local languages. During the monitoring period, no salient issues related to the topic of 'Sri Lanka's Progress as Outlined During the 40th Session of the UNHCR' were featured exclusively in the Sinhala or Tamil press.

¹⁶ *Lankadeepa*, 08 April 2019, p.04, *Lankadeepa*, 14 March 2019, p.09 (II), *Anidda*, 07 April 2019, p.13 and *Anidda*, 07 April 2019, p.12.

¹⁷ *Virakesari*, 01 April 2019, p.04.

¹⁸ *Sunday Thinakkural*, 31 March 2019 and *Tamil Mirror*, 29 March 2019, p.08.

¹⁹ *Sunday Virakesari - Current Politics*, 31 March 2019, p.09, *Sunday Thinakkural*, 31 March 2019, p.29, *Sunday Virakesari - Current Politics*, 31 March 2019, p.01 and 09, *Virakesari*, 28 March 2019, p.04, *Thinakkural*, 26 March 2019, p.13, *Virakesari*, 20 March 2019, p.04 and *Thinakaran Varamanjari*, 17 March 2019, p.04.

²⁰ *Divaina*, 24 March 2019, p.13 and *Divaina*, 22 March 2019, p.08.

²¹ *Divaina*, 24 March 2019, p.13.

²² *Virakesari*, 11 March 2019, p.04, *Thinakkural*, 12 March 2019, p. 14, *Tamil Mirror*, 12 March 2019, p.06 and *Thinakkural*, 22 March 2019, p.14.

²³ *Ravaya*, 10 March 2019, p.14, *Lanka*, 24 February 2019, p.05, *Thinakaran*, 20 March 2019, p.01 and 12, *Sunday Thinakkural*, 17 March 2019, p.06 and *Thinakkural*, 25 February 2019, p.14.

²⁴ *Thinakkural*, 25 February 2019, p.14 and *Lanka*, 24 February 2019, p.05.

(i) Sri Lanka's commitment to co-sponsor Resolution 40/1

With 28 articles on the issue, Sri Lanka's decision to co-sponsor Resolution 40/1 was the most widely covered issue in the Sinhala and Tamil press. Resolution 40/1 was presented by the Core Group on Sri Lanka, which agreed to the country's request for a two-year extension to reaffirm the commitments in Resolution 30/1.²⁴ Two areas of discussion emerged in the press with respect to this issue: (1) the **content** of Resolution 40/1 and (2) the **implementation** of Resolution 40/1.

The content of Resolution 40/1

Press discussion in this area focused on the content in Resolution 40/1. This area gained minimal traction. Press discussion seemed to adopt a position of principle-based endorsement in relation to the resolution. This position was advanced by the Sinhala alternative newspaper *Ravaya* and the Tamil newspaper *Thinakaran*.²⁵ In particular, journalist Sunanda Deshapriya in the *Ravaya* newspaper argued that despite the existence of competing views on Resolution 40/1, it is imperative for Sri Lanka to fulfil the conditions under the resolution to achieve transitional justice.²⁶

The implementation of Resolution 40/1

Press discussion in this area focused on Sri Lanka's implementation and management of its commitments. This area was widely discussed in the Sinhala alternative press and the Tamil press. Overall, the Tamil press adopted an ethnicised perspective in underscoring the efficacy of Resolution 40/1 for the Tamil minority.²⁷ Two types of management in relation to Sri Lanka's commitments were highlighted in the Sinhala and Tamil press: (a) domestic management and (b) international management.

(a) Domestic management

In light of the two-year extension requested by the government, both the Sinhala and Tamil press apportioned blame onto the government for failing to fulfil Resolution 30/1.²⁸

²⁴ The core group on Sri Lanka comprised the UK, Canada, Germany, Montenegro, North Macedonia and Northern Ireland. For more information on Resolution 40/1 see: www.ft.lk/news/Core-group-led-by-UK-presents-resolution-on-Sri-Lanka-at-UNHRC/56-674538.

²⁵ *Ravaya*, 24 March 2019, p.04, *Ravaya*, 03 March 2019, p.13 and *Thinakaran Vaaramanjari*, 24 March 2019, p.06.

²⁶ *Ravaya*, 24 March 2019, p.04 and *Ravaya*, 03 March 2019, p.13.

²⁷ *Thinakaran - Arangam*, 01 March 2019, p.i, *Sunday Thinakkural*, 24 March 2019, p.31, *Tamil Mirror*, 19 March 2019, p.06, *Thinakaran - Arangam*, 29 March 2019, p.i, *Sunday Virakesari - Current Politics*, 24 March 2019, p.06, *Sunday Thinakkural*, 24 March 2019, p.06, *Sunday Thinakkural*, 24 March 2019, p.06, *Sunday Thinakkural*, 31 March 2019, p.06 and *Sunday Thinakkural*, 31 March 2019, p.30.

²⁸ *Anidda*, 17 February 2019, p.15, *Anidda*, 07 April 2019, p.12, *Anidda*, 24 March 2019, p.12, *Thinakkural*, 05 April 2019, p.14, *Thinakaran Varamanjari*, 31 March 2019, p.14, *Sunday Thinakkural*, 24 March 2019,

(b) International management

A small section of the Sinhala and Tamil press pointed to the state's international credibility in securing a time extension via Resolution 40/1.²⁹ As per this view, the government was praised for maintaining a cooperative approach with the UNHRC and being able to obtain a time extension due to this approach.

(ii) Accountability on alleged war crimes

Press reportage also focused on allegations of war crimes reportedly committed by the military during the armed conflict, as well as the UNHRC's involvement in Sri Lanka's post-war accountability. This issue took place within an overarching debate between two competing concepts of state sovereignty: (1) sovereignty as absolute and (2) sovereignty as malleable.

The concept of sovereignty as absolute broadly refers to the authority of the state to govern its own affairs. In relation to accountability on alleged war crimes, states that subscribe to the concept of sovereignty as absolute have a tendency to be "antithetical to any global commitments to individual rights"; this allows the "state to do as it wishes to persons within its borders and not be held accountable to external moral judgements".³⁰ Meanwhile, the concept of sovereignty as malleable perceives the state to be an actor within a global arena of actors with shared values and laws. States that perceive sovereignty to be malleable would typically warrant international monitoring on accountability as they would consider sovereignty to be constituted by an international legal order.³¹

Proponents of sovereignty as absolute were solely featured in the mainstream Sinhala press. Within the concept of sovereignty as absolute, the Sinhala press adopted a line of reporting that sought to: (1) deny the military's involvement in alleged war crimes, (2) deflect blame on accusations of war crimes onto the Liberation Tigers of Tamil Eelam (LTTE) and (3) discredit those who accused the military of allegedly committing war crimes. Only *Dinamina* and *Ravaya* claimed that the military may have engaged in war crimes.³² The state-owned newspaper *Dinamina* highlighted that as per the UNHRC's functions, it has the right to point out human rights violations in member states. The newspaper further explained that Sri Lanka too has a right to uphold human rights and investigate such allegations. Meanwhile, *Ravaya* perceived the Prime Minister's

p.31, *Tamil Mirror*, 19 March 2019, p.06 and *Thinakaran - Arangam*, 01 March 2019, p.i, *Sunday Virakesari -Current Politics*, 24 March 2019, p.04 and *Virakesari*, 02 April 2019, p.04 and 08.

²⁹ *Ravaya*, 24 March 2019, p.04 and *Thinakkural*, 05 April 2019, p.14.

³⁰ Kok-Chor Tan, *Toleration, Diversity and, Global Justice* (2000).p.82.<https://books.google.co.id/books?isbn=0271038594>

³¹ Robert Cryer, 'International Criminal Law vs State Sovereignty: Another Round?', *The European Journal of International Law* Vol. 16 No.05 (2006), p.982.

file:///C:/Users/Ultrabook/OneDrive/IX01%20Report_SN/Q04/int%20law%20va%20sovereignty.pdf; Samantha Besson, 'Sovereignty', *Max Planck Encyclopedia of Public International Law* (n.d.).
<https://opil.ouplaw.com/view/10.1093/law:epil/9780199231690/law-9780199231690-e1472>

³² *Dinamina*, 22 March 2019, p.09, *Dinamina*, 28 February 2019, p.04 and *Ravaya*, 03 March 2019, p.14.

statement on war crimes being committed during the war to be a ‘progressive’ statement by a politician. However, the newspaper also considered the statement to be a disingenuous political manoeuvre to appease the UNHRC and avoid investigations into war crimes.

Positive representations of the military served to demonstrate the points outlined in (1) and (2). The military was characterised as “talented”, “hero[ic]” and subject to being “hunted” and placed in a “guillotine”, as opposed to the “ruthless” LTTE.³³ Notably, this characterisation of the military was mainly featured in the *Divaina* newspaper. With respect to point (3), the Sinhala press sought to discredit the Tamil diaspora, Tamil National Alliance (TNA), UNHRC and the United National Party (UNP). By adopting an ethnicised lens, the Sinhala press characterised the Tamil diaspora and TNA as “separatists” who supported the LTTE and were therefore, inclined to treat the military with suspicion.³⁴ Criticism was levelled at the UNHRC for facilitating and furthering the ‘separatists’ agenda’ within the international agenda, and interfering in domestic affairs.³⁵ The UNP, especially Prime Minister Ranil Wickremesinghe, received criticism for maintaining a symbiotic relationship with the TNA. As per this relationship, the UNP was seen to be accommodating the TNA’s push for war crimes investigations in exchange for the TNA’s support to secure political power.³⁶

Proponents of sovereignty as malleable were mainly featured in the Tamil press. Under this view, the Tamil press claimed that the military had engaged in war crimes and called for international involvement in advancing Sri Lanka’s accountability measures. The Tamil press’ emphasis on the state’s inefficient accountability measures—including allegedly fostering a culture of impunity in failing to conduct investigations, and establishing ‘ineffective’ bodies such as the Office on Missing Persons (OMP)—and seeking international intervention may explain the reason as to why sovereignty was perceived to be malleable in the Tamil press.

³³ *Divaina*, 24 February 2019, p.15, *Divaina*, 07 April 2019, p.04, *Divaina*, 27 March 2019, pg.14, *Divaina*, 21 March 2019, p.08, *Lankadeepa*, 28 February 2019, p.05, *Divaina*, 24 February 2019, p.10 and *Divaina*, 24 February 2019, p.18.

³⁴ *Divaina*, 17 March 2019, p.05, *Divaina*, 24 February 2019, p.18, *Lankadeepa*, 31 March 2019, p.10, *Divaina*, 24 February 2019, p.18 and *Divaina*, 24 February 2019, p.10.

³⁵ *Divaina*, 17 March 2019, p.05 and *Divaina*, 27 March 2019, p.14.

³⁶ *Lankadeepa*, 28 February 2019, p.05 and *Divaina*, 24 February 2019, p.18.

Past criticism on the Tamil diaspora, TNA, UNHRC and UNP has been on similar grounds. See for instance: Verite Research, *Media and Reconciliation: Press Coverage on the Drafting of a New Constitution during the Tenure of the Yahapaalanaya Government* (2019).

4. CONCLUSION

This section lists the key findings and notable observations identified in the analysis of this report. A quantitative analysis in terms of the volume of coverage pointed to the comparable relevance of the topic in both the Sinhala and Tamil press: the difference between the number of articles in the Sinhala press and the number of articles in the Tamil press (06 articles), which was marginal. This indicated the lack of a significant gap in terms of the volume of coverage in the press of each local language.

However, a qualitative analysis of views presented on topics that were commonly discussed in the Sinhala and Tamil press revealed patterns of polarised and ethnicised reporting. For instance, the Sinhala press denied the military's involvement in alleged war crimes and sought to delegitimise actors who made such allegations. By contrast, the Tamil press accepted that the military had engaged in alleged war crimes and called for greater accountability measures. This polarity in views between the Sinhala and Tamil press could also be seen in press discussions on several other topics including: the judicial mechanism most suitable for alleged war crimes committed in Sri Lanka (i.e. a domestic, international or hybrid mechanism); and conceptualisations of Sri Lanka's sovereignty.

This report also noted points of convergence between the Sinhala and Tamil press. Both the Sinhala and Tamil press shared similar negative views on the replacement of the PTA with the CTA. Importantly, Sinhala press views on this topic were presented by the alternative press.

Overall, the division of views between the Sinhala and Tamil press, coupled with the ethnicised nature of reporting, may warrant improvement in providing balanced coverage on issues of national significance discussed in the press.

5. ANNEXURE OF NEWSPAPER SUMMARIES

TAMIL PRESS

1. Amnesty and Geneva | *Tamil Mirror*, 19 February 2019, p.06 | By K. Agaran

Justice delayed is justice denied. The delay in granting justice is a common issue in Sri Lanka. The demand made requesting justice for war crimes has gradually decreased since it has been ten years after the end of the war. The attention of Tamil politicians on this matter is not satisfactory. The progress on achieving the commitments made through the Geneva resolution has been slow. The politicians only visit the North and East and concern themselves with the problems of the war victims when the Geneva sessions are near.

Several problems continue in terms of land release and resettlement. Particularly, the Keppapilavu land victims are still struggling to get their lands back. Also, the relatives of the missing persons have been protesting in Kilinochchi for more than two years. 18 people from among the protestors have died during the protest. In this context, two different claims are advanced with regards to the Geneva sessions. One side highlights the need for a time extension while the other side opposes it. The question arises as to who gave courage to the Prime Minister to speak about amnesty when even the truth is not told. The Tamil representatives who were present at the occasion when the Prime Minister made the statement on amnesty remained silent without opposing the Prime Minister's statement. However, they justified their silence by stating that they remained silent to maintain discipline. In this context, future calls for justice is questionable.

2. War crimes investigations and justice for Muslims | *Tamil Mirror*, 19 February 2019, p.07 | By Mohammad Thambi Maricar

The recent acknowledgment made by Prime Minister Ranil Wickremesinghe on war crimes committed by military resulted in huge criticism among the Sinhalese. While the Sinhala community criticised Wickremesinghe's statement as a form of betrayal, the Tamil community welcomed the move as an acknowledgement made by the government for war crimes even after ten years. However, the Tamil leaders made statements saying that they are not ready to grant amnesty to the atrocities committed by the military. They demanded an international investigation into war crimes. In this context, another affected community of the war, namely the Muslim community, is completely forgotten as usual. 140 Muslims were killed by the Liberation Tigers of Tamil Eelam (LTTE) inside the Kattankudy Mosque on 03 August 1990. It is reported that in 1990 alone, more than 700 Muslims were killed by the LTTE within the Eastern Province. In addition, 600 Muslim police officials who surrendered to the LTTE were killed in 1990. The Lessons Learnt and Reconciliation Commission (LLRC) recommended investigations into the killing of Muslims. Though Muslims were not

directly involved in the war, as a third party, they suffered injuries and harm from both the military and the LTTE. This includes the forceful eviction of Muslims from the Eastern Province within 48 hours by the military in 1990. Substantial property damages and demolition of Muslim places of worship were inflicted following the displacement of Muslims. However, in 2002, Anton Balasingham who was representing the LTTE, publicly apologised for the wrong doings committed against Muslims and requested amnesty. Muslim leaders should demand justice for the atrocities done by LTTE akin to how the Tamils demand justice for the atrocities committed by the military.

3. Ranil asks to forget and forgive | *Tamil Mirror*, 20 February 2019, p.06 | By Purujoththaman Thangamayil

Prime Minister Ranil Wickremesinghe recently made a statement on amnesty in Kilinochchi. He requested all victims to forget and forgive the past atrocities and move forward. Though forgiveness is a good quality that every community desires to have, how can it be forgiven by a community which continuously refuses to accept their wrong doings? The demands made for justice is forced to disappear in the request for amnesty. The crimes that are listed are not ordinary crimes, but they are crimes against humanity. However, the voices of Tamils who seek justice are always ignored. It is similar to the manner in which Tamils voices were ignored when they strived to save the lives in Mullivaikkal during the latter stages of the war. The question arises as to who gave courage to the Prime Minister to speak about amnesty when even the truth is not told. The mothers of missing persons are still protesting and looking for their sons. It has been four years since 2015, when the resolution was passed in Geneva with the co-sponsorship of Sri Lanka. Although, a two-year time extension was granted, nothing has been done in terms of accomplishing the commitments under the resolution. This is apart from establishing the Office on Missing Persons (OMP). The victims have completely lost hope in a domestic mechanism of investigations based on past failures to provide justice. It is expected that another time extension will be provided in Geneva this time as well. But no one is clear about the future steps.

4. “We should move forward by forgetting and forgiving the past atrocities” – Ranawaka | *Tamil Mirror*, 20 February 2019, p.08 | No Byline

During an exclusive interview with *Tamil Mirror*, Minister of Megapolis and Western Development Patali Champika Ranawaka stated that there is no system, mechanism or a practice in Sri Lanka to discriminate or neglect the Tamil community. He stated that some Tamils in Jaffna thought that they were superior to the Sinhalese and that led to several problems. He stated that in order to solve the problems of the Tamils, Tamil political parties should join with the national government, instead of being in the opposition, and get involved in development projects. He stated that people in the North should fight for their development. Furthermore, he refuted the accusations on Sinhala

colonisation and Buddhistisation in the North. Ranawaka emphasised that all Tamil political prisoners and detained military officials should be released. He emphasised that there is no point in dealing with the past as it will further hurt the existing wounds. He stated that as a country we should move forward by forgiving and forgetting all past atrocities.

5. War allegations were staged by both parties | *Tamil Mirror*, 21 February 2019, p.06 | By Kanagalingam Gobikrishna

The recent activities of the President and the Prime Minister reflect their concerns on the North. The statement made by Prime Minister Ranil Wickremesinghe sounds like he accepts the fact that both parties, namely the military and the Liberation Tigers of Tamil Eelam (LTTE), committed war crimes. Furthermore, Wickremesinghe submitted a proposal to establish the Truth and Reconciliation Commission (TRC). Commenting on Wickremesinghe's statement, Tamil National Alliance (TNA) MP M.A. Sumanthiran stated that they should accept the fact that both parties committed war crimes. Further, he stressed that wrongdoings should be forgotten and forgiven and that they should move forward towards reconciliation. Similarly, former President Chandrika Bandaranaike Kumaratunga also explicitly accepted the involvement of both parties in committing war crimes. In addition, reports and findings of international organisations also stressed on war crimes being committed by both parties. Resolution 30/1 urges investigation into the crimes committed by the LTTE. In this context, it is not acceptable that people from the South state that soldiers from the military cannot be punished even if they committed war crimes. Similarly, it is also not acceptable for the people from the North to state that investigations cannot be conducted on members of the LTTE even if there is evidence to support it. Justice should be granted at every instance. However, the crimes committed by both parties cannot be equalled since the military committed more serious crimes. At the same time, the question remains as to whether the military, a legalised institution, should be considered equal to the LTTE, which is labelled as a banned terrorist organisation. However, wrongdoings cannot be forgiven and forgotten unless the victims know the truth. Hence, forgiveness would be meaningful only when the truth is revealed.

6. Kilinochchi and Geneva: forget and forgive | *Thinakkural*, 24 February 2019, p.27 | By Sudanraj

Is Sri Lanka on the path to establishing its own Truth and Reconciliation Commission (TRC)? While speaking recently at a meeting in Killinochi, the war time capital of the Liberation Tigers of Tamil Eelam (LTTE), Prime Minister Ranil Wickremesinghe suggested that setting up the TRC was now a priority—the aim being to establish a process and mechanism to ‘tell the truth related to the war’, ‘expressing regret for the past’ and ‘asking forgiveness in order to establish genuine reconciliation’. With the next UNHRC session in Geneva nearing, this announcement is designed to keep the international community at bay over demands made by them to demonstrate progress in achieving accountability for alleged war crimes.

7. Will Tamils gain anything useful by trusting Geneva? | *Thinakkural*, 24 February 2019, p.31 | By P. Partheeban

There is strong disappointment among the Tamil community that there is very little progress on achieving accountability and transitional justice. It has been ten years since the war ended, and three years since Sri Lanka co-sponsored Resolution 30/1. The United Nations (UN) High Commissioner for Human Rights Michelle Bachelet’s report to the United Nations Human Rights Council (UNHRC) accurately describes this unfortunate reality with statements such as: ‘the minimalist initiatives taken by Sri Lanka... have yet to produce concrete benefits for individual right holders’, ‘such slow progress in establishing meaningful transitional justice measures has engendered mistrust among victims and other stakeholders’ and that ‘Sri Lanka has failed to seize the opportunity provided by the UNHRC to establish a trustworthy domestic mechanism to address impunity.’ Therefore, the burning question among the victims and the Tamil community is as to what difference another resolution is going to make considering that this is the seventh UNHRC resolution within the decade following the end of the war. The dismal performance by the Sri Lankan government and the increasing frustration of the victims UNHRC has resulted in calls for Sri Lanka to be referred to the UN Security Council for further action. Resolution 40/1 seriously falls short of required action. Some drawbacks include: Sri Lanka’s abject failure and delay in implementing its key commitments, the continued suffering of the victims and their families, the need to accelerate progress on constitutional reform for the devolution of power and the Resolution’s lack of a timeline to guide and monitor progress.

8. UNHRC and the Tamils | *Virakesari*, 25 February 2019, p.04 | No Byline

Relatives of the missing persons have organised a huge rally and a hartal in the North, in light of: the 40th session of the United Nations Human Rights Council (UNHRC) beginning today (25th) as well as the completion of two years of the protest in Kilinochchi, which sought the truth regarding missing persons. Though the relatives of the missing persons have been staging several protests, the government is yet to provide them with answers as to what happened to their loved ones. The families, along with several organisations, have been demanding the truth for nearly ten years. However, they still have not been provided with a positive answer. Resolutions have been passed against Sri Lanka at the UNHRC since 2012. But none of the resolutions were implemented properly as former President Mahinda Rajapaksa's government did not desire to implement such resolutions. Also, the Rajapaksa government did not cooperate to hold investigations as suggested by the UN after the war. Soon after the government for good governance came into power in 2015, the government co-sponsored the resolution at the UNHRC in October 2015. However, the expectations for international investigations increased due to the government co-sponsoring the resolution. The leaders of the government including President Maithripala Sirisena expressly said that they will not allow international investigations to be conducted. Despite this, people hoped that at least a domestic investigation will be held to investigate war crimes. The two year time extension was accepted by the people, based on the people's trust on the government. However, the government has still not done anything to grant justice to the victims. Currently, people lack trust in the government. Only the Office on Missing Persons (OMP) was established amidst delays and criticisms. Despite the slow progress, nothing else was done and people have lost hope. The final hope for victims remains with the UNHRC. The victims demand the UNHRC to facilitate justice for them.

9. Objections to the Counter Terrorism Act (CTA) | *Thinakkural*, 25 February 2019, p.14 | No Byline

It was committed under Resolution 30/1 in 2015 that the Sri Lankan government will replace the 40 year old Prevention of Terrorism Act (PTA) with another act that is in compliance with international standards. In response to this commitment, the Sri Lankan government drafted the Counter Terrorism Act (CTA) to replace the PTA. The proposal of the CTA was submitted to parliament on 09 October 2018 by Minister of Foreign Affairs Tilak Marapana. However, human rights activists, civil society organisations and various other stakeholders have raised their voice against the proposed CTA. These stakeholders state that the proposed CTA is not in compliance with international standards and furthermore, that it may undermine the human rights of an individual to a significant extent. Recently, a protest was held in Batticaloa against the enactment of the CTA. The protestors stated that the laws in Sri Lanka were sufficient to address terrorist-related issues. Hence, they protested by stating that there is no need for the PTA nor the CTA. The PTA has been described as a draconian piece of

legislature. Particularly, it was used as a tool to stage atrocities against the Tamils in the past. It facilitates torture, sexual abuse, wrongful detention, arbitrary arrest, detention and sometimes even extra-judicial killings. Experts say that the CTA has such equal draconian provisions as the PTA and that the CTA would play the same role as the PTA. Experts predict that this act may even ban the reasonable and lawful strikes staged by workers. It is fruitful to review the proposed CTA to ensure democracy in Sri Lanka.

10. The human rights issue of Sri Lanka remains unanswered | *Thinakkural*, 25 February 2019, p. 14, 15 | No Byline

Sri Lanka had to face allegations of war crime at the end of its 30 year civil war. The victims are continuously fighting for the release of political prisoners. The resistance of the political leaders of the South to allow a truth mechanism to be established in Sri Lanka has added to the frustration experienced by the victims. The victims do not have any answers about missing persons and about their surrendered children. Who will provide answers for them? In this context, the 40th session of the United Nations Human Rights Council (UNHRC) commences today (25th) and will continue until 22 March 2019. It is expected that serious attention will be paid on Sri Lanka's human rights issues during this session. Also, it is expected that the Core Group on Sri Lanka comprising Canada, Germany, North Macedonia, Montenegro and the United Kingdom will submit a resolution against Sri Lanka. They will do so with the intention of promoting reconciliation and human rights in Sri Lanka and hold the Sri Lankan state accountable for war crimes. A resolution in Geneva is crucial to maintain international supervision on Sri Lanka's accountability issues. Though the government of Sri Lanka has taken a few steps to implement the commitments made under the 2015 resolution, critics view these steps as something that has been done to merely tick a check list. There is some positive progress from the side of the Sri Lankan government in establishing the Truth and Reconciliation Commission (TRC). However, the lack of political knowledge on the establishment's mechanism remains a barrier.

11. Sri Lanka seeks truth and reconciliation | *Thinakkural*, 26 February 2019, p.14, 15 | No Byline

At least the recent statement made by Prime Minister Ranil Wickremesinghe recognising the need to establish a Truth and Reconciliation Commission (TRC) gives hope that Sri Lanka is committed to provide the truth to victims. He cited South Africa as an example to establish the TRC in Sri Lanka. However, the moves taken to establish the TRC is seen as a strategy to escape from the Geneva sessions. The then Minister of Foreign Affairs Mangala Samaraweera, when speaking in Geneva in 2015, emphasised the importance of establishing the TRC as one of the main mechanisms in the transitional justice process. The other commitments that were made were the establishment of an Office on Missing Persons (OMP), the Office for Reparations (OR)

and the establishment of a special court. Samaraweera requested an 18 month time period to implement the commitments. However, after the 18 month period, Sri Lanka had only achieved little progress with no improvement on the establishment of a special court. The OMP consulted the victims and released an interim report. However, no further progress was achieved by the OMP. It does not provide the truth which the victims have been longing for. Though the act necessary to establish the Office for Reparations passed in parliament in October 2018, it was criticised on the grounds that it would not be independent from the government. The process on establishing a hybrid court or a hybrid judicial mechanism has been completely halted. Also, the commanders of the tri-forces used to deny the occurrence of war crimes. In this context, discussions on establishing an OR and the TRC are insincere steps taken to convince Geneva and escape from the pressure exerted to implement transitional justice in Sri Lanka. Respecting justice is a crucial factor in transitional justice. Justice should be granted to the victims. However, the political will needed to implement the transitional justice process is also an important factor that needs to be considered.

12. What is the alternative solution that can be given by Geneva? | *Virakesari*, 27 February 2019, p.04 | No Byline

The victims affected by war have continuously staged protests and demanded for justice. The protest that started in 2017 in front of the Kanthaswamy temple in Kilinochchi by the relatives of the missing persons marked its second year anniversary recently. A massive protest and a hartal were staged in the North on 25 February 2019 to demand justice for the missing persons. The protesters called for the state and the international community to reveal the truth regarding their missing relatives. Commenting on the protest, former Chief Minister of the Northern Provincial Council (NPC) C.V. Wigneswaran stated that since the President stated that he will not implement any of the commitments under the resolution passed in Geneva, including the commitment to hold accountability through war crimes investigations, it is pointless to grant a time extension to Sri Lanka. He added that by taking into account the grievances and painful sentiments of the Tamil community, the United Nations Human Rights Council (UNHRC) should propose alternative solutions to grant justice to the victims. He emotionally stated that Geneva will cheat itself if it grants a further time extension to Sri Lanka.

Wigneswaran stated that the issue regarding Sri Lanka should be handled by the UN Security Council and if not, the UNHRC should propose other alternative mechanisms based on international laws and standards. Further, he stated that despite the availability of ample evidence, the Sri Lankan government opposes any international investigations into war crimes. He alleged that the victims of war are disappointed yet again; first they were disappointed that the UN and the international community failed to rescue them during the last stages of the war; they are now disappointed due to the time extension that will be granted to Sri Lanka, which will slow progress on

accountability. He alleged that the Sri Lankan government has misused the flexibility given by the UNHRC.

Wigneswaran also commented on the Office on Missing Persons (OMP). He claimed that the establishment of the OMP was mere eyewash as the activities of the OMP have halted. He outlined that the victims had accused the OMP of trying to conceal war crimes committed by the government forces.

The coalition parties of the Tamil National Alliance (TNA) emphasised the need to refer Sri Lanka to the UN Security Council. However, the main party of the TNA, the Illankai Tamil Arasu Kadchi (ITAK) will support the resolution that will be passed in Geneva, as long as it exerts pressure on the government to implement the commitments listed in Resolution 30/1.

The need to conduct investigations for human rights violations and war crimes has been continuously requested since 2012. However, former President Mahinda Rajapaksa did not wish to hold any investigations. After the *yahapaalanaya* government came to power in 2015, a resolution was passed at the UNHRC stating that domestic investigations, including the participation of foreign judges, will be held. However, the government did not take any steps to conduct domestic investigations even after it was provided with another two-year time extension in 2017. Accordingly, the two-year time extension is about to end now. Therefore, Sri Lanka's matter will continue to be under review only if another resolution is passed against Sri Lanka at the UNHRC. Though the Tamils request Sri Lanka to be referred to the UN Security Council, it is impossible to do so. Hence, the only way is for the UN to exert pressure on the government. All Tamils should unite for this cause.

13. The rule of law that enables accountability | *Thinakkural*, 27 February 2019, p.14 | No Byline

The proposed Counter Terrorism Act (CTA) says that the confessions made to the security forces are not acceptable under the law. Though the CTA is better than the Prevention of Terrorism Act (PTA), it has not been submitted to parliament yet. However, the draft of the CTA has been criticised as it may facilitate terrorism and pave the way for the violation of human rights.

The government has only established one of its commitments, namely, the Office on Missing Persons (OMP). The OMP contributed to the excavation work in Mannar. Similarly, the government has passed the Office for Reparations Act in October 2018 to grant reparations to aggrieved persons. Only 59 MPs voted in favour of the Act. In addition, during the debate on this Act in parliament, concerns were raised as to whether the members of the terrorist group will be granted compensation.

Meanwhile, the draft Act to establish the Truth and Reconciliation Commission (TRC) has not yet received the approval of the President. Through the TRC, South Africa also

granted amnesty to the perpetrators. However, international law prevents granting amnesty for certain crimes such as war crimes and crimes against humanity. When Prime Minister Ranil Wickremesinghe explained the establishment of the TRC in Kilinochchi, he requested all parties to forget and forgive past atrocities. The affected individuals can forget and forgive the perpetrators. However, as a government, it has the responsibility to hold the perpetrators accountable. In light of this, the Prime Minister has a responsibility to clarify what his recent statement meant on forgoing accountability.

14. The transitional justice process in Sri Lanka drags | *Thinakkural*, 28 February 2019, p.14 | No Byline

A hartal was staged in the North on 25 February 2019 to demand justice for the missing persons. Realising the pain of the missing persons, all the districts in the Northern Province extended their full support to the hartal. Politicians also extended their support for the protest and the hartal. In this context, the commitments made under Resolution 30/1 remain as mere commitments. Only the Office on Missing Persons (OMP) has been implemented from four commitments made under the transitional justice mechanism. The remaining mechanisms are yet to be established. The victims demanded the UNHRC not to provide another time extension to Sri Lanka. However, the UK along with other foreign countries are planning to bring a new resolution against Sri Lanka which will pave the way for a time extension. It is expected that this time extension will be provided to Sri Lanka. Amnesty International (AI) stated that more than 60,000 individuals disappeared during the war. Though the OMP has been established, the progress of the office is very slow. The government for good governance did not take any concrete action to implement the commitments it made at the UNHRC.

15. Matters pertaining to Sri Lanka up for debate | *Thinakaran - Arangam*, 01 March 2019, p.i | By Sarangan

Disregarding the continued appeals made by victims of the war, Geneva is preparing to grant a time extension to Sri Lanka. These victims have been opposing the granting of a time extension to Sri Lanka due to the need to ensure justice for the war affected victims and protect their rights. Sri Lanka is yet to completely implement commitments on truth, justice, accountability and reconciliation made at the UN four years ago. War affected Tamils with no faith in the government have been waiting for nearly a decade for global powers to help deliver. In 2017, Sri Lanka was granted its first extension despite opposition by victims. However, instead of implementing commitments on truth, justice, accountability and reconciliation made at the UN four years ago, Sri Lanka is planning on seeking more time until 2021 to implement these pledges and proposals.

A draft resolution circulated by Britain, Germany, Canada, Montenegro and North

Macedonia in Geneva, where the UNHRC is having its 40th session, calls to extend the time given to Sri Lanka, again. The five countries are known as the 'core group'. They have appreciated the human rights record of the government during its term. The draft recommends the UNHRC to request, "the Office of the High Commissioner to continue to evaluate progress on the implementation of its recommendations and other relevant processes related to reconciliation, accountability and human rights in Sri Lanka, and to present a written update to the Human Rights Council at its 43rd session, and a comprehensive report, followed by a discussion on the implementation of Resolution 30/1, at its 46th session." At the commencement of the 40th Geneva sessions, the mothers of the missing together with several other Northern and Eastern organisations appealed to the UN Human Rights Chief against granting more time to Sri Lanka.

"Giving any more time to Sri Lanka is a non-starter and will further embolden the security forces to continue their abuses against us and cover-up and destroy vital war crime related evidence," said the appeal addressed to High Commissioner Michelle Bachelet. They had urged in their appeal to present Sri Lanka before the International Criminal Court and appoint a special UN representative to the country who would report to the UN every six months. However, the Core Group believes that Sri Lanka has made progress in terms of protecting human rights. The progress made with regard to land release and establishment of the Office on Missing Persons (OMP) and the appointment of its commissioners and the assumption of its work to fully implement its mandate, was welcomed by the resolution. War affected Tamils seeking justice for nearly a decade have urged the High Commissioner as well as the diplomatic community to commit Sri Lanka to a time frame if the government is granted an extension. The Core Group seems to have taken note of the request. "Noting other steps taken by the government of Sri Lanka to implement Resolution 30/1, including progress towards establishing an Office on Reparations and the submission of a concept paper on a bill to establish a Truth and Reconciliation Commission; the proposed repeal of the Prevention of Terrorism Act (PTA) 1978 and the preparation of a draft Counter Terrorism Act (CTA), while reiterating in this context the need for further significant progress and encouraging in this regard the adoption of a time-bound implementation strategy," says the draft resolution. The final draft is scheduled to be tabled for vote on 22 March 2019. High Commissioner Michelle Bachelet is expected to present her report on Sri Lanka's human rights to the UNHRC next week, while the debate is expected to take place on 20 March 2019.

16. Resolution 30/1 and different opinions | *Thinakkural*, 03 March 2019, p.06 | By Ilayatambi Tambiah

Ambassador Samantha Power addressed the event to mark Minister Mangala Samaraweera's 30 years in Parliamentary Politics. She claimed that Samaraweera's role in ensuring that the government co-sponsored Resolution 30/1 helped to facilitate democracy and reconciliation in Sri Lanka. However, Sinhalese extremists criticised Samaraweera's move and perceived him to be a traitor to the country. It was widely alleged by several individuals, including President Maithripala Sirisena, that Samaraweera co-sponsored the resolution without the permission and knowledge of the President and the cabinet.

Nevertheless, soon after co-sponsoring the resolution, he was praised for saving the country from international pressure. It is expected that a two-year time extension will be granted during the current sessions in Geneva. It is also expected that another new resolution by the UK, Montenegro, German, Canada and North Macedonia will be passed against Sri Lanka this time. The Geneva session is the platform where the rights of the Tamils can be ensured. Therefore, steps should be taken to make these sessions meaningful.

17. The new resolution at the UNHRC | *Virakesari*, 04 March 2019, p.04 | No Byline

Another resolution against Sri Lanka is to be submitted at the United Nations Human Rights Council (UNHRC) by the UK, Canada, German, Montenegro and North Macedonia. The draft of a new resolution was submitted to the UNHRC on 28 February 2019. The first discussion on the resolution is to be held on 04 March 2019. The new resolution urges Sri Lanka to completely implement the commitments in Resolution 30/1. The draft of the new resolution requires Sri Lanka to submit a progress report on Resolution 30/1 at the 43rd session of the UNHRC, which will be held in March 2020, and also to submit a detailed report on the implementation of Resolution 30/1 at the 46th session of the UNHRC in 2021. It implies that another two-year time extension will be granted by the new resolution to implement the commitments under Resolution 30/1.

In this context, 106 individuals in the diaspora submitted three requests to the UNHRC: (1) the UNHRC should not grant a time extension to Sri Lanka as doing so will be equal to denying justice; (2) Sri Lanka should be referred to the International Criminal Court (ICC) or to any international criminal investigation tribunal; (3) a commissioner should be appointed from the UN to monitor activities on human rights and accountability mechanisms in Sri Lanka and to report on the same to the UN once in every six months.

Former Chief Minister of the Northern Provincial Council C.V. Wigneswaran stated that there is no point in granting a time extension to Sri Lanka. In addition, six Tamil political parties gathered on 02 March 2019 and drafted a proposal to the UNHRC requesting not

to grant time extension to Sri Lanka. Though the Tamil National Alliance (TNA) claims that it will support the new resolution, TNA MP Mavai Senathirajah stated that he opposes the time extension to Sri Lanka.

Addressing the UNHRC session on 01 March 2019 United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Fionnuala Ní Aoláin, urged Sri Lanka to uphold accountability for the human rights violations and war crimes committed in the past. She stated that Sri Lanka has received an opportunity to deal with the past and it should correctly utilise this opportunity. It is a fact that if the time extension is not given or a new resolution is not brought at the UNHRC, Sri Lanka's matter will disappear from the UNHRC's agenda.

18. The President's influence obstructs proceeding with Sri Lanka's situation | *Thinakkural*, 04 March 2019, p.15 | No Byline

Another resolution against Sri Lanka is to be submitted at the United Nations Human Rights Council (UNHRC) by the UK, Canada, German, Montenegro and North Macedonia. The draft of a new resolution was submitted to the UNHRC. The new resolution urges Sri Lanka to completely implement the commitments undertaken in Resolution 30/1. Foreign sources say that debates on Sri Lanka's issue will be more sensitive.

The President's stated that Sri Lanka should withdraw from a co-sponsoring Resolution 30/1. The Global Tamil Forum stated that Sri Lanka randomly implemented a few commitments. It also stated that the recent statement by Prime Minister Ranil Wickremesinghe on amnesty is dangerous towards accountability. The United Nations Human Rights Council (UNHRC) should keep Sri Lanka in its agenda until Sri Lanka implements all the commitments in Resolution 30/1 and 34/1.

19. Opposition party accuses the United Nations Human Rights Council | *Virakesari*, 06 March 2019, p.04 | No Byline

The Sri Lanka Podujana Peramuna (SLPP) alleged that the United Nations Human Rights Council (UNHRC) acts in a biased manner. Chairperson of the SLPP G.L. Peiris alleged that it is completely wrong that the UNHRC prioritises the opinions of western countries that make allegations against the military.

He stated that the ruling party should refrain from comparing the military, who saved the country from terrorism, with the terrorists. He alleged that members of the terrorist organisation committed a significant number of crimes in the North and South and killed thousands of persons. He alleged that the Liberation Tigers of Tamil Eelam (LTTE) forcefully recruited members. He stated that the UNHRC is biased and does not consider the crimes committed by members of LTTE. Minister of Megapolis and Western Development Patali Champika Ranawaka stated that all war crimes should be

forgiven without conducting further investigations. However, the affected Tamils are yet to enjoy justice.

20. Sri Lanka prepares for the Geneva sessions | *Thinakkural*, 07 March 2019, p.15 | By Colonel R. Hariharan

President Maithripala Sirisena seriously explores the consequences that can arise after the withdrawal of Resolution 30/1. Though Sirisena did not willingly agree to the resolution in 2015, for some reason he had to give his consent to the then Finance Minister, Mangala Samaraweera, to co-sponsor the resolution. However, at the last stage of the resolution the US agreed to remove the requirement of foreign involvement in judicial process. The resolution emphasises that a domestic mechanism on judicial process should include foreign judges and investigators. Sirisena maintains a stand that the military did not commit any war crimes. In terms of the foreign involvement in judicial process, India also supports the claim of the Sri Lankan government. Though India cosponsored Resolution 30/1 in 2015, it emphasised that Sri Lanka should allow to handle its own issues and the sovereignty of the country should be respected. Indian Prime Minister Narendra Modi who represents India still maintains this stand.

21. Sri Lanka and co-sponsorship | *Tamil Mirror*, 08 March 2019, p.10 | No Byline

Sri Lanka plans on co-sponsoring a rollover resolution during the 40th session of the United Nations Human Rights Council (UNHRC), which is currently underway. Issuing a joint press release, the Ministry of Foreign Affairs, the Prime Minister's office and the Department of Government Information notes that Sri Lanka will continue to demonstrate its commitment and determination towards a steady and long-lasting reconciliation process through the new co-sponsored resolution which seeks an extension of the timeline of Resolution 30/1. The resolution calls for a two-year extension of the timeline.

The release notes that this initiative will further attest to Sri Lanka's ownership of the implementation process and to its continued policy of constructive engagement and dialogue with the UN and bilateral partners. It adds that this strategy will prevent international war crimes allegations from being continuously levelled against Sri Lankans through strengthened ownership of the implementation process.

The release also noted that the draft rollover resolution recognizes the strong role played by the democratic institutions in the peaceful resolution of the political situation that arose in Sri Lanka from October to December last year, which is a strong testimony to the independence, credibility, and resilience of the national institutions. Allegations made against the co-sponsoring of the rollover resolution by the government, according

to the release, is part of a campaign to mislead the public and gain undue political advantage.

It further reads that with the withdrawal of the US from the UNHRC, the UK has taken the lead in the Core Group on Sri Lanka in the council and notes that Sri Lanka will join hands with the UK to co-sponsor this resolution.

22.No need of having a conflict regarding co-sponsorship | *Virakesari*, 08 March 2019, p.04 | No Byline

Information has been received that there is a conflict between President Maithripala Sirisena and Prime Minister Ranil Wickremesinghe regarding the new resolution on Sri Lanka to be presented at the United Nations Human Rights Council (UNHRC). The United National Party (UNP) government under Prime Minister Ranil Wickremesinghe has ignored the stance taken by President Maithripala Sirisena and has decided to co-sponsor a rollover resolution at the ongoing 40th session of the UNHRC. President Maithripala Sirisena had requested the government not to co-sponsor the resolution. However the Foreign Ministry said on 06 March that Sri Lanka will continue to demonstrate its commitment and determination towards a steady and long-lasting reconciliation process through a co-sponsored resolution, and will seek a timeline extension. Meanwhile, the President has planned to send a three-member delegation to represent him in Geneva. The conflict between the President and the Prime Minister over the resolution is not going to benefit the country in any way. Therefore both factions should work together in such a way so as to adjust with the international community and regain justice for those affected. The President should fulfil the commitments made to the people bearing in mind the promises made to them.

23.“The state should be responsible for the disappeared persons” – S. Shritharan | *Thinakaran Varamanjari*, 10 March 2019, p.07 | By Vasuki Sivakumar

During an exclusive interview given to *Thinakaran Vaaramanjari*, Parliamentarian S. Shritharan stated that the relatives of the disappeared persons still believe that their sons and husbands are alive. He affirmed that a few people who had settled in foreign countries had given testimonies to the effect that disappeared persons are still alive and they saw them in the prisons. He asserted that it is widely believed that disappeared persons were alive at least until June 2015. The rulers of the previous regime might have killed them after the regime change, he suspected. He asked as to how the state could claim that it does not know the whereabouts of the disappeared persons since the disappeared persons were handed over by their relatives directly to the military. He stated that the victims oppose the Office on Missing Persons (OMP) since it does not have a mandate to grant justice. The main objective of the OMP is to grant compensation that is mere eyewash. He alleged that the OMP does not have any experts in it. He

asserted that the Tamil National Alliance (TNA) desires to extend international supervision for another two years to monitor the progress of Sri Lanka and push Sri Lanka to hold accountability. He stated that they cannot accept the statement of the Prime Minister on amnesty. He stated that the Prime Minister cannot compare Sri Lanka with South Africa as these two countries have different contexts.

24. Why is international supervision crucial? | *Virakesari*, 11 March 2019, p.04 | No Byline

The report that was released by the High Commissioner for Human Rights Michel Bachelet gives little comfort to the victims of war. The report raised a tense situation in the South as well. While the Tamil National Alliance (TNA) welcomed the report, the likes of former President Mahinda Rajapaksa condemned the report. Chairperson of the Sri Lanka Podujana Peramuna (SLPP) G.L. Peiris alleged that the United Nations Human Rights Council (UNHRC) does not have any rights to interfere into the domestic affairs of Sri Lanka and that this was confirmed by former Human Rights Commissioner Zeid Ra'ad Al-Hussein. Further, Peiris stated that since the United States withdrew from the UNHRC by highlighting its political bias, the UNHRC does not have any right to interfere into the domestic affairs of Sri Lanka.

UN High Commissioner for Human Rights Bachelet warned about the delays and inaction of the Sri Lankan government in implementing the resolution. Meanwhile, Tamil National Alliance (TNA) MP M.A. Sumanthiran stated that the TNA does not request for a time extension but rather for the supervision of the UNHRC for another three years. He stated that this supervision is crucial to push Sri Lanka to meet its commitments.

25. Referring Sri Lanka to the Security Council is impossible | *Virakesari*, 11 March 2019, p. 07 | By P. Akinthan

Addressing a media brief held on 09 March, Tamil National Alliance (TNA) MP M.A. Sumanthiran explained the impossibility of referring Sri Lanka to the Security Council. He highlighted that the TNA does not prevent Sri Lanka from being referred to the Security Council, but the opportunity to do so is very rare. He stated that if anyone could refer Sri Lanka to the Security Council, the TNA will pledge its complete support towards it. Further, he stated that the Northern Province Governor who will represent the President at the 40th session of United Nations Human Rights Council (UNHRC) cannot speak on behalf of the Northern people. He claimed that if the Governor represents the victims, action will be taken regarding it.

**26. Double interference will lead to a decrease in international pressure |
Thinakkural, 12 March 2019, p.14 | By Jehan Perera**

The report of the UN High Commissioner for Human Rights clearly indicates the lack of progress on commitments related to transitional justice and accountability under the resolution. The report highlighted a few positive steps taken by the government thus far. The report also appreciated that Sri Lanka was working with the United Nations Human Rights Council (UNHRC). The opposition party states that the UNHRC seeks to weaken the sovereignty of the state with the Tamil diaspora.

While Sirisena is ready to send a three-member delegation to request UNHRC to allow Sri Lanka to handle its own issues, the Ministry of Foreign Affairs claims that Sri Lanka will co-sponsor the new resolution. The dual message from Sri Lanka will send a message to the international community that the Sri Lankan government cannot be pushed to a greater extent due to the internal disputes in Sri Lanka.

The High Commissioner underscored that the recent constitutional crisis resulted in further delays in the implementation of the recommendations made under Resolution 30/1. The two controversial issues of the report that are criticised by the opposition and media are: the call for universal jurisdiction and the call for a hybrid court. Both the President and Prime Minister Ranil Wickremesinghe have said that they will not allow foreign judges to interfere into Sri Lankan matters.

**27. Double interference will lead to a decrease in international pressure |
Virakesari, 12 March 2019, p.06 | By Jehan Perera**

The report of the UN High Commissioner for Human Rights clearly indicates the lack of progress on commitments related to transitional justice and accountability under the resolution. The report highlighted a few positive steps taken by the government thus far. The report also appreciated that Sri Lanka was working with the United Nations Human Rights Council (UNHRC). The opposition party states that the UNHRC seeks to weaken the sovereignty of the state with the Tamil diaspora.

While Sirisena is ready to send a three-member delegation to request UNHRC to allow Sri Lanka to handle its own issues, the Ministry of Foreign Affairs claims that Sri Lanka will co-sponsor the new resolution. The dual message from Sri Lanka will send a message to the international community that the Sri Lankan government cannot be pushed to a greater extent due to the internal disputes in Sri Lanka.

The High Commissioner underscored that the recent constitutional crisis resulted in further delays in the implementation of the recommendations made under Resolution 30/1. The two controversial issues of the report that are criticised by the opposition and media are: the call for universal jurisdiction and the call for a hybrid court. Both the President and Prime Minister Ranil Wickremesinghe have said that they will not allow foreign judges to interfere into Sri Lankan matters.

28. The recommendations of the report of the High Commissioner of the Office of Human Rights | *Thinakkural*, 12 March 2019, p.14 | No Byline

The Commissioner of the Office of the High Commissioner for Human Rights Michelle Bachelet released her report on promoting human rights and ensuring accountability in Sri Lanka last week. Bachelet underscored the Sri Lankan government's lack of will to implement the resolution in the report. Bachelet noted several good recommendations in the report. However, the future of the justice demanded by the Tamils depends on what extent the new resolution at United Nations Human Rights Council (UNHRC) includes the recommendations of Bachelet. She recommends inviting special rapporteurs to Sri Lanka and to end the culture of impunity. She also recommends Sri Lanka to enact legislations to criminalise war crimes. Most of the recommendations in the report contain the same contents as Resolution 30/1.

29. Sri Lanka waives its accountability obligation | *Tamil Mirror*, 12 March 2019, p.06 | No Byline

Addressing the United Nations Human Rights Council (UNHRC), the Commissioner of Office of the UN High Commissioner for Human Rights highlighted that Sri Lanka is unwilling to fulfil its accountability commitments. Further, she recommended for strong action to be taken against Sri Lanka for not fulfilling these commitments. Sri Lanka is struggling to accept the recommendations. Prime Minister Ranil Wickremesinghe stated that they can't run the government if it earns bad name in the UNHRC. President Maithripala Sirisena sent a group of representatives to the UNHRC to request not to exert pressure on Sri Lanka. Some Tamil political representatives also opposed the time extension granted to Sri Lanka. This should not be viewed as a time extension but as the continuance of international supervision. The new resolution was co-sponsored to relieve the country from high-level international pressure.

30. Tamil victims lost hope on receiving justice | *Thinakkural*, 13 March 2019, p.14 | No Byline

Tamils have been waiting for justice for decades. Though death is a natural part of life, unexpected and unjustified deaths are more painful. Thus, if a person disappears and the whereabouts of the person is unknown for decades, it is more painful than the demise of a person. The Sri Lankan government which is committed to address the grievances of the Tamils and agreed to Resolution 30/1, did not take any concrete action to grant justice to the Tamils. The denial of justice for a long period leads victim to lose their hope in justice.

31. Raghavan will represent the President; not the victims | *Tamil Mirror*, 13 March 2019, p.06 | No Byline

The 40th session of the United Nations Human Rights Council (UNHRC) is currently happening in Geneva. Different stakeholders have sent different groups to represent them at the UNHRC. The President has appointed a three-member group which includes Governor of the Northern Province Dr. Suren Raghavan to represent the government in Geneva. For the first time, Raghavan asked people to submit reports to his office to submit at the UNHRC. However, since the Governor is a representative of the President, he is required to do what the President says. Therefore, he does not have the power to represent the victims at the UNHRC. Raghavan is playing a dual game.

32. The 52 days incident prevented the government from implementing its commitments | *Tamil Mirror*, 13 March 2019, p.07 | By M.S.M. Iyoof

The President and Prime Minister have different opinions on the resolution at the United Nations Human Rights Council (UNHRC). Therefore, this will lead the UNHRC to think there are two governments in Sri Lanka. The Prime Minister's office and Ministry of Foreign Affairs stated that the Sri Lankan government will co-sponsor the new resolution to support sustainable reconciliation in the country. In the report it was stated that the recent constitutional crisis that started on 26 October 2018 prevented the activities of the government, which was the reason for requesting a time extension. The good governance government was granted more than three years to implement the commitments, but now it claims that it could not implement the commitments due to the constitutional crisis which affected the activities of the government for 52 days only. Since the Rajapaksa government explicitly rejected the UN resolution, Maithripala Sirisena's government implicitly rejected it by requesting for a time extension. The one and only commitment that was fulfilled is the establishment of the Office on Missing Persons (OMP) during the last four years. Now it is very clear that though the government implements any commitment, it will not establish a judicial court to investigate war crimes.

33. CTA undermines civil rights | *Sunday Thinakkural*, 17 March 2019, p.06 | By Ilayatambi Tambiah

The proposed Counter Terrorism Act (CTA) undermines the civil rights of the citizens of Sri Lanka. It is very clear that though the provisions of the Prevention of Terrorism Act (PTA) targeted one particular community during the emergency situation in Sri Lanka, to some extent, the PTA affects each and every community in Sri Lanka. The provisions of the CTA would undermine the democratic rights of any citizen. Importantly in the past, the PTA paved the way for all atrocities and even to war crimes. The definition of terrorism in the proposed CTA is wide. According to it, rulers can decide if a person is a terrorist if she/he engaged in any activity that is against the government. Also, the CTA

provides power to ministers to ban any organisation, civil society and union upon the recommendation of the Inspector General of Police, which contradicts civil rights. The CTA has been enacted according to the commitment of Sri Lanka to repeal the PTA under Resolution 30/1.

34. “The TNA maintains a double stance” – Sivasakthi Ananthan | *Sunday Thinakkural*, 17 March 2019, p. 07, 11 | No Byline

During an interview, Parliamentarian Sivasakthi Ananthan alleged that the Tamil National Alliance (TNA) takes double stance regarding the time extension that is to be given to Sri Lanka. He alleged that the TNA supports the notion that a time extension should be given to Sri Lanka and it argues that indeed, it is not a time extension but rather the continuance of international observation. He questioned as to why the TNA supports the protest of university students on 16 March, which demanded not to grant a time extension to Sri Lanka at the United Nations Human Rights Council (UNHRC). He stated that the TNA supports the Office on Missing Persons (OMP) that has been rejected by the victims. He alleged that due to the double stance of the TNA, Tamil political parties gradually lost their political bargaining power.

35. Does the UN monitor Sri Lanka? | *Sunday Thinakkural*, 17 March 2019, p.25 | No Byline

While the Tamils have been requesting for reparative justice for genocide and atrocities against the Tamils, the United Nations Human Rights Council (UNHRC) offered Tamils transitional justice. The question arises as to whether the UNHRC is inherently committed to implement the transitional justice process in Sri Lanka. If so, does it maintain a time frame work to complete the commitments outlined? The next question is, if we consider the “time extension” as “international supervision”, is there any mechanism of the UN to supervise the activities of Sri Lanka?

The UN resolutions are usually based on the politics of the UN. However, the UNHRC does not have powers to interfere into the domestic affairs of a country, if the particular country is not willing to permit it. The power to interfere without the consent of the state is vested in the Security Council of the UN. Tamils should move towards universal politics beyond Geneva to get justice.

36. Report of the High Commissioner for Human Rights on Sri Lanka | *Sunday Thinakkural*, 17 March 2019, p.27 | By S.V.Kirubakaran

The report of High Commissioner for Human Rights Michel Bachelet was released on 08 March with a taut sound to Sri Lanka. The report contains 15 pages with 72 paragraphs. The report says that altogether eight special UN special rapporteurs have visited Sri

Lanka since 2015. The report includes 41 paragraphs on accountability and political solution. Further, the report acknowledges the frustration of the victims due to the constant failure of the government to progress on transitional justice. Further, Bachelet acknowledges that victims don't trust the Office on Missing Persons (OMP). The report sounds that president and prime minister of Sri Lanka reject the international judges and international assistance. While it acknowledges 75 percent of land returns, it emphasises the problems related to resettlement. The report includes 86 key profile cases. The report also features the demand of victims to refer Sri Lanka to International Criminal Court (ICC).

37. The 13th Amendment and Geneva | *Sunday Thinakkural, Pudhiya Panpadu*, 17 March 2019, p.iv | No Byline

The 13th Amendment was the result of the Indo-Ceylon Accord that was made in 1987. In the political history of Sri Lanka, the full implementation of the 13th Amendment was demanded at several occasions. In the aftermath of the war, President Mahinda Rajapaksa pledged to the then Indian Prime Minister, Manmohan Singh, that he will consider the 13th Amendment as a solution for Tamils. Why are the Tamil leaders who went to court to uphold democracy during the recent constitutional crisis silent about the non-implementation of provisions in the 13th Amendment? However, Minister Ranjith Madduma Bandara who visited the Asgiriya and Malwatte Chapters pledged that even if the 13th Amendment is completely implemented, the land and police powers will not be given to provinces, particularly to the North and East. In this context, now the government seeks to explore the full implementation of the 13th Amendment through a committee. Should this be seen as a new strategy relating to the 40th session of the United Nations Human Rights Council (UNHRC)?

38. "The International Criminal Court is the only solution for Tamils" – Wigneswaran | *Thinakaran Varamanjari*, 17 March 2019, p.04 | By Sumithi Thangarasa

Talking to *Thinakaran* during an interview, Former Chief Minister of the Northern Provincial Council C.V. Wigneswaran stated that the report of the High Commissioner for Human Rights signals a solution for Tamils. He alleged that the new Resolution 40/1 will not change the expectations of the Tamils as it does not have any time frame. He alleged that the Tamil National Alliance (TNA) acts with selfishness and is not concerned about the problems of the Tamils. He stated that Tamils should continue their protests and Tamil youths should not go abroad for jobs. He stated that if Tamils migrate, the strength of their protests will reduce. He stated that the ultimate solution for the Tamils is the International Criminal Court.

39. People's protest to increase international pressure | *Tamil Mirror*, 19 March 2019, p.06 | No Byline

The people in the North continuously stage protests in the wake of the 40th session of the United Nations Human Rights Council (UNHRC). They demand the UNHRC not to grant a time extension to Sri Lanka. Sri Lanka's matter will be taken up at the UNHRC on 20 March. In this context, representatives of the government and victims visited Geneva to attend the UNHRC session. It is alleged that the Tamil National Alliance (TNA) supports the time extension. However, the TNA claims that it requests only the extension of international supervision. While granting a time extension will not undermine the problems of Tamils, Sri Lanka should realise its obligation on accountability.

40. International observance is affirmed | *Virakesari*, 20 March 2019, p.04 | No Byline

During a special interview given to *Virakesari*, Tamil National Alliance (TNA) MP M.A. Sumanthiran stated that international supervision on transitional justice activities in Sri Lanka would end in 2019 since Resolution 34/1 would expire. He affirmed that a new resolution was needed to enable international supervision on Sri Lanka's transitional justice process.

Sumanthiran affirmed that the government had agreed to co-sponsor a new resolution. He stated that international supervision as per the new resolution will enable at least minimal progress. He emphasised that the President was not willing to co-sponsor the resolution as the President was concerned with attracting the votes of the South by taking the next presidential election into account. He stated that a few Tamil parties had made erroneous claims on the time extension. He claimed that these parties should understand that a time extension would enable international pressure, which would enable the commitments to be met. He said that the TNA continuously emphasises on the need to address the issue of disappearance persons immediately.

41. The JVP opposes the CTA and the executive presidency | *Thinakaran*, 20 March 2019, p.01, 12 | By Tharaka Wikramasekara

During an interview with *Silumina*, Janatha Vimukthi Peramuna (JVP) MP Sunil Watawala stated that the JVP will oppose the Counter Terrorism Act (CTA) which undermines the fundamental rights and freedoms that are enshrined in the constitution of Sri Lanka. Further, he stated that the JVP will strive to abolish the executive presidency. He stated that it is better to give more powers to parliament. Commenting on the Geneva sessions, he stated that it is like a disease which comes only for a season and then disappears. He emphasised that previously, former President Mahinda Rajapaksa had this disease and it disappeared after a certain period. He alleged that

Mavai Senathirajah questions the credibility of the carbon test results on human skeletons found at the Mannar mass grave for his short-term political gains.

42. Will Sri Lankan victims get a solution through the new resolution? | *Virakesari*, 21 March 2019, p.04 | No Byline

A new resolution is to be passed during the 40th session of the United Nations Human Rights Council (UNHRC). 25 member states co-sponsored the new resolution. In this context, all parties are keen on learning as to whether the resolution will grant justice to the victims. Indeed, the new resolution features the same contents as Resolution 30/1. Resolution 40/1 emphasises that Sri Lanka should work collaboratively with the UNHRC to ensure accountability, justice, and providing reparation.

The new resolution requires Sri Lanka to submit a progress report on Resolution 30/1 at the 43rd session of the UNHRC and to also submit a detailed report on the implementation of Resolution 30/1 at the 46th session of the UNHRC. Tamil parties have two different opinions in relation to the new resolution. One party claims that a time extension should not be given and Sri Lanka should be referred to the International Criminal Court (ICC); another party claims that a time extension should be granted as it will enable international supervision. In view of this, the new resolution and the supervision of the international community are crucial for Sri Lanka.

43. The future of Resolution 30/1 | *Thinakkural*, 21 March 2019, p.15 | By Ismayil Mahrif

The recent Geneva sessions resulted in disputes and turmoil among communities in the North and South. While the Northern people demanded for international investigations, the Southern people demanded for the withdrawal of the resolution. While the Northern people demanded for the referral of Sri Lanka to the International Criminal Court (ICC), the Southern people claimed that the military did not commit any war crimes.

Sri Lanka's stance towards the UNHRC changed in 2015 with the good governance government. However, President Maithripala Sirisena, who did not see anything wrong with international pressure or with the resolution during his 'honeymoon period' with Prime Minister Ranil Wickremesinghe, now strictly resists international pressure and seeks to withdraw from the resolution. This reflects his political motives.

Though a few steps were taken by the good governance government, nothing was happened in relation to a mechanism on accountability. This was because politicians did not want to lose the votes of the Southern people who strongly opposed measures on accountability. The Southern people alleged that the government betrayed the country by co-sponsoring the resolution. However, they should understand that the resolution will inevitable be passed at the UNHRC.

44. Geneva and the strategy of Sri Lanka | *Thinakkural*, 21 March 2019, p.18 | By Prof. Ramu Manivannan

Former Human Rights Commissioner of the UNHRC Navaneetham Pillay recently expressed her disappointment over Sri Lanka's tactic to delay in meeting its commitments. Anyone who believes that Sri Lanka will ensure accountability if continuous pressure is exerted should note that the Sri Lankan government is yet to implement the provisions of the 13th Amendment nearly three decades following its enactment.

Sri Lanka uses three tactics to escape from international obligations: first, it demolishes the UNHRC process by validating Sinhala nationalism and defending war crimes by citing arguments pertaining to national sovereignty. This argument is generally presented by former President Mahinda Rajapaksa and subsequently by the current President Maithripala Sirisena.; the second tactic is delaying. Sri Lanka buys time by co-sponsoring the new resolution; the third tactic is to keep balancing Chinese interests and western pressure through strategic bargains in the Indian Ocean and the South Asia region. All three strategies of the government contribute to the denial of justice to the victims. International investigations or the International Criminal Court (ICC) should look into the matters in Sri Lanka since the domestic mechanism is not workable due to the "Sinhala Only" notion.

45. Was a knock received at the UN Council? An analysis related to the UN report | *Tamil Mirror*, 22 March 2019, p.08 | No Byline

In the present report, the Office of the United Nations High Commissioner for Human Rights assessed the progress made by Sri Lanka in implementing Resolution 30/1. As per the report, Sri Lanka has made "virtually no progress" on the investigation of war crimes. The report also raised concerns over on-going reports of abduction, torture and sexual violence, institutional failures within the criminal justice system, ongoing harassment of human rights defenders since 2015 and the military's continued occupation of civilian land. In light of these, the High Commissioner called upon the government to demonstrate sustained commitment and leadership and urged the UNHRC to continue to monitor Sri Lanka.

46. The issue of the Tamils that only resonates with Geneva | *Thinakaran*, 22 March 2019, p.i | By Sarangan

It is almost ten years since the Eelam war ended with the defeat of the Liberation Tigers of Tamil Eelam (LTTE), but there are divided opinions on how its final outcome was achieved. Sri Lanka maintains that it did not systematically engage in war crimes but the Eelamist lobby claims otherwise and demands an international inquiry. These matters usually get discussed once a year when the sessions of the United Nations Human Rights Council (UNHRC) are underway in Geneva. In Sri Lanka, a serious disconnect is manifesting as activists and core constituencies lose faith in the ability of the Sirisena-Wickremesinghe administration to deliver on its promises and heal the wounds of war. If the government is losing the narrative in Sri Lanka where it really counts, what does it matter if it wins the world?

47. Warning given by the UN Human Rights Commissioner | *Thinakkural*, 22 March 2019, p.14 | The Editorial

The United Nations (UN) High Commissioner for Human Rights warned Sri Lanka that it could slip back into conflict unless it addresses the worst crimes during the final stages of its ethnic war. Michelle Bachelet told the UN Human Rights Council (UNHRC) that Sri Lanka was yet to set up the special judicial mechanism as promised four years ago to take war criminals to trial. Resolving these cases, and bringing the perpetrators of past crimes to justice is necessary to restore the confidence of victims from all communities. A contributing factor to the delays appears to be the lack of a common vision among the country's highest leadership.

48. Heavy pressure in Geneva for an international inquiry | *Thinakkural*, 22 March 2019, p.14 | No Byline

During discussions related to promoting reconciliation, accountability and human rights in Sri Lanka, many of the council's member countries including Norway, Montenegro, Croatia, Iceland, the Asian Forum for Human Rights Development and Franciscan International emphasised resolving the issue related to Sri Lanka's accountability.

49. Geneva puts Tamils into trouble again | *Sunday Virakesari - Current Politics*, 24 March 2019, p.01, 08 | By Subathra

Although the Sri Lankan government accepted the hybrid court under Resolution 30/1, this time the Sri Lankan government explicitly refused to establish a hybrid court in Sri Lanka due to the interference of President Maithirpala Sirisena. Minister of Foreign Affairs Tilak Marapana stated that the establishment of a hybrid court is not possible as per the constitution. Why were these impediments not noted in 2015 when the Sri Lankan government agreed to establish a hybrid court?

Former High Commissioner for Human Rights Zeid Ra'ad Al Hussein stated in his report that the Sri Lankan judicial system requires the support of the international community. This was owing to the lack of will to end impunity and the fear to take action against the forces in the country. However, Minister of Foreign Affairs Tilak Marapana reiterated at the UNHRC that the forces fought with a banned terrorist group and not with any ethnic group. He also claimed that there is no evidence to prove that war crimes took place. Though several countries urged Sri Lanka to implement the commitments in Resolution 30/1, none of the states raised its voice when the main commitment of the resolution was rejected by the Sri Lankan government.

Though the Tamil parties insist on a time frame to fulfil the commitments and establish an Office of the High Commissioner for Human Rights (OHCHR) in Sri Lanka, the government rejects these requests. The Tamils have lost their space in the UNHRC.

50. Sri Lanka should not cheat the international community | *Sunday Virakesari* - *Current Politics*, 24 March 2019, p.04 | No Byline

The new resolution against Sri Lanka was passed at the United Nations Human Rights Council (UNHRC) without voting. A period of two years has been given to implement the recommendations under the resolution. Several states requested Sri Lanka to implement the recommendations without further delay. The resolution was co-sponsored by 33 countries including Sri Lanka. Both Tamil and Sinhala communities opposed the time extension for different reasons. While the Tamil National Alliance (TNA) considers the time extension as a form of international supervision, other Tamil political parties allege that the TNA maintains a double stand. The Sri Lanka Podujana Peramuna (SLPP) and Mahinda Rajapaksa's group criticised the new resolution by saying that it was a form of betrayal to the country. Justice delayed is justice denied. Therefore, whichever government comes to power should implement the recommendations under new resolution within two years.

51. Co-sponsoring the resolution is a success for the Tamils | *Sunday Virakesari* - *Current Politics*, 24 March 2019, p.06 | By Ram

Talking to *Virakesari*, Tamil National Alliance (TNA) MP M.A. Sumanthiran stated that he had requested to include a time frame to implement the commitments under the new resolution. He stated that it was a success for the Tamils that the government agreed to co-sponsor the resolution. He stated that though the victims are not aware about the benefits for Tamils, these benefits will be realised by the victims when time comes. He stated that apart from his own belief, the international community has a responsibility to ensure the implementation of the commitments since the government has given its written consent.

He stated that Sri Lanka's failure to implement the resolution will not contain any immediate repercussions. He said that if Sri Lanka fails continuously, then it will have to face certain consequences. He stated that if the resolution was not passed at the United Nations Human Rights Council (UNHRC), Sri Lanka's matter would have disappeared from the international community's agenda.

Sumanthiran affirmed that they are willing to refer Sri Lanka to the International Criminal Court (ICC). However, the immediate possibility to refer Sri Lanka is impossible. He stated that South politicians do not wish to punish perpetrators from the military as they need to save their votes. Nevertheless, he stated that accountability will be achieved at least through slow progress.

52. "The state should not withdraw from its obligation on accountability" – Suren Surendran | *Sunday Virakesari - Current Politics*, 24 March 2019, p.08 | No Byline

Talking to *Virakesari*, Media Spokesperson of the Global Tamil Forum Suren Surendran stated that since Sri Lanka agreed to co-sponsor the resolution, it cannot waive its obligation to oversee accountability. He stated that some diaspora groups have different opinion and demand not to extend the time given to Sri Lanka. He stated that nothing was done in Sri Lanka in terms of accountability. He stated that Sri Lanka will be compelled to inform the United Nations Human Rights Council (UNHRC) after two years its progress on accountability. He stated that though Sri Lanka rejected the report of the High Commissioner for Human Rights, it co-sponsored the new resolution. Foreign countries also seek to exert pressure on Sri Lanka to ensure that the country maintains its obligations. He stated that it is evident from past experiences that though justice is delayed it can be achieved one day.

53. New resolution and changes | *Sunday Virakesari - Current Politics*, 24 March 2019, p.09 | By S. Srikajan

Resolution 40/1 was passed at the United Nations Human Rights Council (UNHRC) without a vote. A few important things regarding the 40th session of the UNHRC should be highlighted. Resolution 40/1 contains nothing new as it contains the same commitments under Resolution 30/1. However, under 30/1 though the word hybrid court was directly inserted, the hybrid court was demanded by including the participation of foreign judges. Resolution 40/1 does not require any international participation on a judicial mechanism for accountability. Minister of Foreign Affairs Tilak Marapana explicitly rejected the establishment of hybrid court. Also, he refused to accept the recommendation of establishing an Office of the High Commissioner for Human Rights (OHCHR) in Sri Lanka.

Furthermore, the new resolution does not feature the report by High Commissioner for Human Rights Michelle Bachelet. While highlighting Sri Lanka's failures, the report also noted three main things: 01) alternative ways to ensure accountability; 02) establishing a hybrid court; and 03) establishing the OHCHR in Sri Lanka. However, these recommendations are not included in the resolution. The UNHRC yet remains as a solution for the Tamil polity.

India's stance regarding Sri Lankan Tamils is notable. India recommended to implement the 13th Amendment completely and required Sri Lanka to grant justice to the Tamils. The Tamils should ensure that both tasks are undertaken by the government.

54. The Sri Lankan government and the Geneva resolution | *Sunday Thinakkural*, 24 March 2019, p.06 | No Byline

The Sri Lankan government has co-sponsored a new resolution at the United Nations Human Rights Council (UNHRC). Indeed, the resolution has the same features of as 30/1. The resolution was passed at the UNHRC without a vote since every member state agreed to the new resolution. Unlike in the past, the government was able to express its stance explicitly at the UNHRC. The head of delegation, Minister of Foreign Affairs Tilak Marapana, stated that Sri Lanka will not agree to international investigations or a hybrid court. Also, he stated that Sri Lanka will not hold investigations against military commanders. Therefore, international supervision or a time extension will not be useful for Tamils as the government is clear about its stance that it will not punish military commanders or agree to international investigations. However, member of the Tamil National Alliance (TNA) M.A. Sumanthiran stated that if Sri Lanka does not fulfil the commitments under the new resolution, he will take action to refer Sri Lanka to the International Criminal Court.

55. The UN resolution and the Tamils | *Sunday Thinakkural*, 24 March 2019, p.06 | By Ilayatambi Tambiah

Sri Lanka mutually agreed with the United Nations (UN) to take action and ensure to uphold accountability and reconciliation in the aftermath of the war. However, since Sri Lanka did not take any relevant action to address post-war problems, a resolution was passed against Sri Lanka in 2012 by the US. The resolution was passed against Sri Lanka due to the pressure exerted by the diaspora community and Tamil parties. The UK and the US supported the resolution against Sri Lanka as these countries have political interests in Sri Lanka. India took a double stance on the resolution, while China and Russia did not support the resolution.

Though there were several instances when a large amount of Sinhalese supported the political aspirations of the Tamils, currently this circle of Sinhalese has narrowed. Only a few Sinhalese raise their voices for the Tamils. Therefore, the United Nations Human

Rights Council (UNHRC) has been the only refuge for the Tamils. Although the Tamil diaspora and human rights activists campaign hard to refer Sri Lanka to the International Criminal Court (ICC), Ilankai Tamil Arasu Kachchi (ITAK) supports the time extension given to Sri Lanka. ITAK needs to maintain a good relationship with the United National Party (UNP). Therefore, ITAK will not recommend any strong action against Sri Lanka at the UNHRC.

TNA MP M.A. Sumanthiran asserted that if Sri Lanka did not fulfil its commitments as per the new resolution, Sri Lanka will be referred to the ICC. However, politician Gajendrakumar Ponnambalam stated that Sri Lanka cannot be referred to the ICC for the next two years. At the UNHRC, Minister of Foreign Affairs Tilak Marapana stated that the constitution does not contain any impediments to international investigations. However, Sinhalese extremists describe co-sponsoring the resolution as an act of 'betrayal' to the country. Nevertheless, the Tamils should protest continuously to win their rights.

56. "International investigations will harm the sovereignty of the state" – Dayasiri Jayasekara | *Sunday Thinakkural*, 24 March 2019, p.07 | By Y. Tharmaraj

Talking to *Thinakkural* reporters, Secretary of the Sri Lanka Freedom Party (SLFP) Dayasiri Jayasekara stated that since the Sri Lankan judiciary is independent, international investigations are unnecessary. He stated that international investigations will harm the sovereignty of the state. He claimed that Sri Lanka should withdraw from the United Nations Human Rights Council (UNHRC) similar to the manner in which the United States withdrew. He stated that getting a time extension was erroneous. He stated that they cannot accept that Sri Lanka has agreed to co-sponsor the resolution. He stated that people believe in the government but individuals like member of the Tamil National Alliance (TNA) M.A. Sumanthiran blows things out of proportion.

57. Tamils in Geneva | *Sunday Thinakkural*, 24 March 2019, p.25 | By Nilanthan

The United Nations Human Rights Council (UNHRC) is the space for states. Tamil parties do not have a state so they cannot be officially recognised as a party with a voice. However, civil societies can submit shadow reports to the UNHRC. Apart from this, the UNHRC is a space for states and all decisions will be taken by these states.

Two resolutions that highlighted that genocide was staged against the Tamils in Eelam were passed at the Tamil Nadu legislative assembly and the Northern Provincial Council. Since the two bodies govern a large number of Tamils, these resolutions have some political, democratic and legal power. The resolutions can be the tools to push Sri Lanka to the next stage. To handle the UNHRC, Tamil parties should work outside of the UNHRC. However, Tamil parties lack infrastructure to meet this purpose.

While Sinhala extremists take part as a state at the main event of the UNHRC, the likes of Sarath Weerasekara act at the side events of the UNHRC against Tamil parties. Meanwhile, Tamil parties also have varying opinions. These varying opinions affect the unity of the Tamil collective population. While the Tamil National Alliance (TNA) justifies the time extension by seeing it to be an extension of the time provided for international supervision, a few Tamil political parties oppose the time extension. Though the diaspora community has a similar intent, their operational methods to achieve their intentions differ.

58. Geneva cannot be forgiven or forgotten | *Sunday Thinakkural*, 24 March 2019, p.27 | By Suthanraj

The Geneva resolution was an injustice to the Tamils who have been longing for justice for decades. Western countries protected the Prime Minister Ranil Wickremesinghe's government and allowed for a two year time extension. Since the Tamils do not have a state, the justice for Tamils is denied at the United Nations Human Rights Council (UNHRC). The affected Tamils requested the UNHRC to refer Sri Lanka to the International Criminal Court (ICC) since it did not fulfil any of its commitment properly during the last four years.

However, the request of the Tamils was rejected and the UNHRC gave Sri Lanka another two years to meet its commitments. While the report of the UN High Commissioner for Human Rights comforted the Tamil victims, the new resolution seemed to disappoint the Tamils.

59. "A separate state for Eelam is the one and only political solution" – Uruthirakumaran | *Sunday Thinakkural*, 24 March 2019, p.27 | No Byline

During an interview with Jaffna journalists, Prime Minister of the Transnational Government of Tamil Eelam Uruthirakumaran stated that a separate state for Eelam is the one and only political solution for the prevailing political problem. He stated that a referendum should be held to know the Tamils' opinion on a separate state. However, he alleged that Sinhala leaders are not mature, democratic thinkers to hold a referendum to learn the Tamils' opinion on a separate state. He stated that the Tamil Diasporas will continuously fight for a separate state. He stated that the ethnic cleansing of Tamils will happen under any government although the form of ethnic cleansing is varied. He stated that justice for the genocide of Tamils at Mullivaikkal cannot be granted by the United Nations Human Rights Council (UNHRC), which is just a starting point of Tamils. He stated that they demand for the referral of Sri Lanka to the International Criminal Court (ICC).

60. Tamils are again disappointed with the UNHRC | *Sunday Thinakkural*, 24 March 2019, p.31 | By Roshan Nagalingam

While speaking to *Thinakkural*, Leader of the Eelam People's Democratic Party (EPDP) Suresh Premachandran alleged that the time extension was a strategy of the government to escape from international pressure. He alleged that Tamils had lost hope in the government and as such, they want to refer Sri Lanka to the International Criminal Court. He said that the Ilankai Tamil Arasu Kachchi (ITAK) seemed keen to protect the government by enabling a time extension. He stated that since the Sri Lankan government refused to accept foreign judges and establish a time frame to setup the Office of High Commissioner for Human Rights (OHCHR), Sri Lanka will not implement its commitments.

61. The new resolution benefits all communities | *Thinakaran Vaaramanjari*, 24 March 2019, p.06 | No Byline

The new resolution was passed in 2015 at the United Nations Human Right Council (UNHRC) against Sri Lanka. During the last two months, protests were staged and criticism was raised in the South against the Geneva sessions. Some racists spread racism by saying that the Geneva resolution will only benefit the Tamils. The question raised here is as to why the Tamil victims approach the international community. The constant inaction and failure of the government to grant justice to Tamil victims led them to believe in the international community. Former President Mahinda Rajapaksa and Vasudeva Nanayakkara approached Geneva to claim justice for affected persons during the Janatha Vimukthi Peramuna (JVP) insurgencies. However, when Tamils approach Geneva for justice, they view it as a betrayal to the country. Foreign Minister Tilak Marapana stated that the current constitution does not allow the participation of foreign judges in the judicial process, however, member of the Tamil National Alliance (TNA) M.A Sumathiran stated that the constitution does not contain such impediments. Prime Minister Ranil Wickremesinghe affirmed that no investigation will harm the sovereignty of Sri Lanka. Sri Lankans should understand that the new resolution does not only benefit the Tamil community but all communities of Sri Lanka.

62. Tamils are treated as aliens in their own country | *Thinakaran Vaaramanjari*, 24 March 2019, p.06 | By Ravi Rathnavel

The Sinhala extremists allege that the Tamils try to impede the sovereignty of Sri Lanka by requesting justice for the Tamils. But the same Sinhala extremists requested justice from Geneva when they were affected by the 1988 insurgencies. Tamils are treated as aliens in their own country. The possibility of obtaining justice has been a questionable issue for the Tamils. However, sending Northern Province Governor Suren Raghavan to attend the United Nations Human Rights Council (UNHRC) sessions was a positive course of action as he understands the real problems of Tamils.

63. Controversy continuous | *Virakesari*, 25 March 2019, p.04 | No Byline

Sri Lanka has co-sponsored three resolutions since 2015 that requires the establishment of a hybrid court. Despite the resolutions, government leaders claim that they will not allow for the establishments of a hybrid court in Sri Lanka. Yet the victims of war have been demanding a hybrid court for a long period of time. Foreign Minister Tilak Marapana stated at the United Nations Human Rights Council (UNHRC) that the Sri Lankan constitution does not permit the participation of foreign judges. Refuting this argument, member of the Tamil National Alliance (TNA) M.A. Sumanthiran stated that the constitution does not bar the participation of foreign judges. He said that if the government did not establish a hybrid court, he will take action to refer Sri Lanka to the International Criminal Court. Sumanthiran stated that at previously, United National Party (UNP) MP Wijeyadasa Rajapakshe claimed that investigations can be conducted by foreign judges into the impeachment of former Chief Justice Shirani Bandaranayake.

64. Delayed justice equals to denied justice | *Thinakkural*, 26 March 2019, p.13 | No Byline

The war that resulted in pains and scars ended in 2009. Since Southern politicians oppose international investigations and co-sponsoring a new resolution, the Tamil National Alliance (TNA) stated that it will take action to refer Sri Lanka to the International Criminal Court (ICC) if the government does not facilitate international investigations. According to the statics of the United Nations, more than 40,000 people were killed during the war. The Tamils believe that accountability can be ensured only through international investigations. The current leaders completely refuse international investigations and request the victims of war to forgive. Minister of Foreign Affairs Tilak Marapana stated at the United Nations Human Rights Council (UNHRC) that the participation of foreign judges is not allowed under the current constitution, and added that it will require a two-thirds majority in parliament. TNA MP M.A. Sumanthiran pointed out that the current constitution does not have any barriers to have foreign judges. Further, he stated that if Sri Lanka does not have a hybrid court, he will take action to refer Sri Lanka to the International Criminal Court. Resolution 40/1 contains a clause that says that the UN should take action with the consent of Sri Lanka. It is expected that this clause will be used to justify the failures of Sri Lanka. However, everyone should consider that delayed justice equals to justice denied.

65. “Accountability or military hunting?” | *Virakesari*, 27 March 2019, p.04 | By ‘Needhiyin Kural’ Krishna

Southern people look at Resolution 30/1 as a tool to hunt the military whereas the Northern people look at it as a tool to give them justice. Both parties fail to understand a few important points. Resolution 30/1 does not require the military to be punished but instead, seeks the perpetrators of war crimes to be punished. Only in such circumstances where the military committed war crimes will they be punished. As correctly pointed out by the Secretary of Defence of the country, a murderer cannot have the label of a war hero. Southern people should realise this. At the same time, the resolution requires accountability related to the crimes committed by the Liberation Tigers of Tamil Eelam (LTTE). Though the LTTE leaders are not alive, the Tamil community should remember that 12,000 ex-cadres were rehabilitated and reintegrated to the society. They may be charged for war crimes such as the recruitment of child soldiers. Though it is true that Tamil society cannot forget and forgive, it should remember that accountability is not only for the military but also for ex-LTTE cadres.

66. “Geneva resolution: Who won?” | *Virakesari*, 27 March 2019, p.18 | By P. Manikkavasagar

Both the government and representatives of the Tamils claim that the new Geneva resolution is a success. The new Geneva resolution is described as a win-win settlement for the government. But indeed, the resolution is a failure for the Tamils as once again the United Nations Human Rights Council (UNHRC) denied justice for the Tamils by giving further time extension. The Tamils long for international investigations as they completely lost their trust in the domestic mechanism.

Though the Sri Lankan government cosponsored three resolutions that require the establishment of a hybrid court, the leaders of the government explicitly stated that they will not allow international investigations or a hybrid court. Surprisingly, no one questioned Minister of Foreign Affairs Tilak Marapana at the UNHRC when he stated that Sri Lanka will not agree to establish a hybrid court after co-sponsoring the resolution that requires the establishment of a hybrid court.

Sri Lanka’s matter at the UNHRC reflects that the UNHRC handles rights-related matter with a political perspective and not a rights-based perspective. All the things that happen in the UNHRC have a political intention and are driven by mere politics. The member states at the UNHRC act according to their political benefits and not for the victims.

67. The importance of international pressure | *Virakesari*, 28 March 2019, p.04 | No Byline

There are strong debates after Sri Lanka co-sponsored the new resolution at the United Nations Human Rights Council (UNHRC). While the affected people demand for a credible investigation process with the participation of foreign judges, Southern politicians strongly oppose the participation of foreign judges. This strong opposition is problematic for the justice sought by the Tamils. Janatha Vimukthi Peramuna (JVP) MP Bimal Rathnayake stated in parliament that while we cannot permit the participation of foreign judges, we should find the reasons as to why the victims demand international participation. As pointed out by Rathnayake, those in authority should think as to why the victims demand international investigations. United People's Freedom Alliance (UPFA) MP Sarath Amunugama, who was a member of the Sri Lanka delegation at the UNHRC, stated that a time frame cannot be accepted and added that Sri Lanka will not punish the military. However, United People's Freedom Alliance (UPFA) MP Mahinda Samarasinghe had a different approach towards the UNHRC sessions. He stated that Sri Lanka has a tendency to forget the promises it gives. He claimed that this time, Sri Lanka should deliver on its promises. As pointed out by Samarasinghe, the victims should be granted justice.

68. "The government protected national sovereignty at the UNHRC" - Karunarathna Paranawithana | *Thinakaran*, 28 March 2019, p.07 | By Gamini Banadaranaike

Responding to a question posed by a *Silumina* reporter, Deputy Minister of Skills Development and Vocational Training Karunarathna Paranawithana alleged that the opposition tries to induce racism with respect to the United Nations Human Rights Council (UNHRC) sessions. However, he claimed that the government has been able to protect Sri Lanka's national sovereignty at the UNHRC since 2015. He stated that the government protects and promotes human rights for the sake of Sri Lanka and not for the UNHRC. He affirmed that no terrible human rights violations happened after 2015.

69. Is the president's view correct? | *Tamil Mirror*, 29 March 2019, p.08 | No Byline

President Maithripala Sirisena dropped a bombshell when he addressed a public meeting after declaring open a new building for the Meegahathenna Police Station in the Kalutara District. He expressed two important views in his speech:

1. The country's United Nations representative gave Sri Lanka's consent to the resolution without informing Sirisena's or the Minister of Foreign Affairs. He said that this resulted from "wrong decisions by sections of the government". This statement was

a reference to Prime Minister Ranil Wickremesinghe, with whom he has a tense relationship.

2."The president is responsible for the foreign affairs of the country, not anyone else". Where the first view is concerned, a statement was issued by the Ministry of Foreign Affairs with regard to this on 06 March, and as for the second view, it is not in line with the duties of the President as mentioned under Article 33 of the constitution.

70.The constitution and the UN resolution | *Tamil Mirror*, 29 March 2019, p.08 | No Byline

President Maithripala Sirisena had stated that the implementation of the recent UN resolution would violate *Sri Lanka's constitution*. Although he had not specified how it violates the constitution, it is widely believed that he is referring to the appointment of a foreign tribunal that falls under this resolution. What should be remembered is that there is no objection in the constitution with regard to the appointment of foreign judges.

71.UN Human Rights Commissioner rejects claims | *Virakesari*, 29 March 2019, p.04 | No Byline

Issuing a communique, UN High Commissioner for Human Rights Michelle Bachelet said that she stands behind the report and the oral statement she made when presenting it to the United Nations Human Rights Council (UNHRC), and that she believes that it fairly and objectively reflects the situation in Sri Lanka. She added that she is deeply disappointed by the spin that has been put on her discussion with the Sri Lankan government's delegation. She noted that news outlets in Sri Lanka were also misrepresenting the UNHRC's process in Geneva.

72.The Geneva carnival that concluded with an extended time period of two years | *Thinakaran - Arangam* , 29 March 2019, p.i | By Sarangan

The United Nations Human Rights Council (UNHRC) ended last week, tying Sri Lanka to another resolution that offered two more years to implement its human rights undertakings. Despite the opposition's warnings against co-sponsoring, a resolution was moved by five member states. Sri Lanka put on record the ground realities and the need to address Sri Lanka's post conflict challenges with a domestic approach. The Sri Lankan delegation also brought to the attention of the council the need for the Office of the High Commissioner to engage closely with local independent institutions and government agencies to seek 'verified data' on the domestic situation. The delegation pointed out that some facts in the final report of the Human Rights High Commissioner were incorrect.

The Tamil National Alliance (TNA) lamented over the lack of progress on reconciliation front and the preparation of a new constitution to give equal rights to the Tamil people. TNA MPs M.A. Sumanthiran and S. Sridharan and former Provincial Councilor M.K. Shivajilingam were in Geneva on separate missions. While Shivajilingam wanted to handover a petition to the UN and plead not to grant Sri Lanka an extension to fulfil its pledges, Sumanthiran said that they supported the continued scrutiny proposed under the latest resolution, despite its extended time.

73. The deceptive drama to keep people in an illusion | *Thinakaran - Arangam*, 29 March 2019, p.iv | By Karunakaran

Since 2015, the Tamil population has displayed an increasing level of civil activism, from women's marches to commemoration ceremonies over fallen victims, to more overt protests. For more than 600 days, mothers of those who disappeared in the final stages of the war have been silently protesting in Northern Sri Lanka and demanding for news of their loved ones. Since the end of the war in 2009, the Tamil National Alliance (TNA) managed to unify many of the previously discordant groups. They managed to do so by moderating extremist demands, building alliances, and forging closer ties across Tamil communities in the North and east in particular. The most meaningful steps towards reconciliation and conflict resolution have been taken outside of formal politics by Tamil activists and by Tamil moderate parliamentarians. The TNA, notwithstanding its weaknesses, has the opportunity to offer the most inclusive, reconciliatory, and promising vision for both the Tamil people and Sri Lanka as a whole by requesting for an extended time period at the 40th sessions of the UNHRC this year. Whether its leaders manage to resist pressure to disintegrate and build a broad alliance with civil political activists will be decisive for the future of the Tamil communities in Sri Lanka.

74. Hybrid court and Black July | *Sunday Virakesari - Current Politics*, 31 March 2019, p.01, 09 | By N. Kannan

The statement of Minister of Foreign Affairs Tilak Marapana at the United Nations Human Rights Council (UNHRC) that Sri Lanka will not permit a hybrid court disappointed the Tamil National Alliance (TNA). TNA MP M.A. Sumanthiran stated in parliament that if a hybrid court is not established in Sri Lanka, he will refer Sri Lanka to the International Criminal Court (ICC). Sumanthiran's statement was severely criticised in the South. President Maithripala Sirisena stated that Sumanthiran and the TNA act in contradiction to the constitution.

United People's Freedom Alliance (UPFA) MP Dilan Perera stated that the establishment of a hybrid court will lead to another Black July. He implied that if the Tamils demand a hybrid court, another violent incident against the Tamils will be staged. Black July, which was equal to an ethnic cleansing of the Tamils, resulted in significant number of deaths, displacements and property damages of Tamils. After Black July, the rulers were

afraid to create another Black July given the results and consequences. Dilan Perera made the threat of Black July to forcefully shut down the demands for a hybrid court. Though the judiciary was independent during the recent constitutional crisis, it will not be independent when ethnic factors are taken into consideration during war crime investigations. That's why Tamils demand a hybrid court and international investigations for war crimes.

75. Double stance regarding Geneva | *Sunday Virakesari - Current Politics*, 31 March 2019, p.04 | No Byline

The new resolution against Sri Lanka was passed at the United Nations Human Rights Council (UNHRC) without vote as Sri Lanka co-sponsored the resolution. Despite co-sponsoring the new resolution, the government and politicians released controversial statements regarding the implementation of the resolution and the establishment of a hybrid court. United People's Freedom Alliance (UPFA) MP Sarath Amunugama, Minister of Foreign Affairs Tilak Marapana stated that a hybrid court cannot be established. While the President stated that he is unaware of the contents of the new resolution, UPFA MP Mahinda Samarasinghe stated that they should not forget the promises given to the UNHRC. He said that they should establish a domestic judicial mechanism to implement the resolution. Northern Province Governor Suren Raghavan stated that international investigations would be in violation of Sri Lanka's sovereignty. Also, he stated that High Commissioner for Human Rights Michelle Bachelet agreed that the contents of her report were wrong. Refuting the statement of Ragavan, Bachelet stated that she is confident about the validity of the contents in her report. In this context, it is clear that Resolution 40/1 will not be implemented properly. Implementing the resolution would be slow.

76. Does the TNA really warn the government? | *Sunday Virakesari - Current Politics*, 31 March 2019, p.04, 11 | By Kapil

Since the Southern politicians oppose the establishment of a hybrid court, the Tamil National Alliance (TNA) has cautioned the government. TNA MP M.A. Sumanthiran warned Sri Lanka that if it fails to establish a hybrid court, he will take action to refer Sri Lanka to the International Criminal Court (ICC). Meanwhile, Leader of the TNA R. Sampanthan warned that Sri Lanka will have to face serious consequences if it fails to implement the recommendations within a specific time frame. While Southern politicians view the warnings of the TNA as a means of controlling the government and as acts of treason, Tamils question the validity of the warnings. Tamils question the validity as they believe that the TNA always supports the government. Another question that can be raised here is, what is the negative impact that Sampanthan refers to? Tamils question as to whether the TNA really warns the government or does it pretend that it is warning the government to protect its political existence at the next elections.

77. Michelle Bachelet refutes the allegations against her report | *Sunday Virakesari - Current Politics*, 31 March 2019, p.07, 09 | By Hariharan

Recently, Northern Province Governor Suren Raghavan stated that UN High Commissioner for Human Rights Michelle Bachelet had acknowledged that her report contained wrong information and she had warned her two officials to be more careful in the future. Though it is very common for Sri Lankan politicians to criticise the report of the High Commissioner, this time Bachelet responded to Raghavan's allegation by considering it to be an allegation from the government. This was because Raghavan was one of the members of official delegation to United Nations Human Rights Council (UNHRC).

Bachelet responded by saying that she was disappointed as Raghavan had fabricated her statement. She stated that she strongly believes in her report and refutes the allegation that the contents of the report were wrong. This is the first time that a High Commissioner responded to the allegations levelled by the Sri Lankan government. This signals that Sri Lanka cannot maintain its double stance with Bachelet. However, Raghavan responded to Bachelet's response by claiming that his statement was misinterpreted by the media.

78. War crimes investigations in Sri Lanka | *Sunday Virakesari - Current Politics*, 31 March 2019, p.09 | By Subathra

Despite the Sri Lankan government co-sponsoring Resolution 40/1 at the United Nations Human Rights Council (UNHRC), Minister of Foreign Affairs Tilak Marapana stated that Sri Lanka will not allow a hybrid court. All political parties except the Tamil National Alliance reject the idea of establishing a hybrid court. While the United National Party (UNP) rejected the establishment of a hybrid court by stating that the constitution will not permit the participation of foreign judges, other parties including the Janatha Vimukthi Peramuna (JVP), Sri Lanka Freedom Party (SLFP) and Sri Lanka Podujana Peramuna (SLPP) stated that establishing a hybrid court will impede the sovereignty of Sri Lanka. However, as correctly pointed out by JVP MP Bimal Rathnayake and United People's Freedom Alliance (UPFA) MP Mahinda Samarasinghe, the failure of a credible domestic mechanism resulted in the demand for international investigations.

Though the Tamils reject a domestic mechanism as they don't have trust in it, if a credible domestic mechanism is established to investigate war crimes, the Tamils will not be against it. The question remains as to whether the Sri Lankan government is able to hold credible domestic investigations. The fact that Sri Lanka at least agreed to a domestic mechanism should be considered a success that was made possible by international pressure.

79. Who benefits from the Geneva resolution? | *Sunday Thinakkural*, 31 March 2019, p.06 | No Byline

Resolution 40/1 was merely a renewal of Resolution 30/1. Minister of Foreign Affairs Tilak Marapana rejected the recommendation to establish a hybrid court at the United Nations Human Rights Council (UNHRC). In this context, Tamil National Alliance (TNA) MP M.A. Sumanthiran gives hope that the Sri Lankan constitution does not bar the participation of foreign judges. If he believes the same, why did Prime Minister Ranil Wickremesinghe not refer the same question to the Supreme Court by using his influence to get a solid answer on this question? Since Marapana rejected a few other important features of the resolution, the new resolution has zero value. However, Tamils still long for international investigations over war crimes.

80. “Split between Tamils was the reason for the failure” – Sivajilingam | *Sunday Thinakkural*, 31 March 2019, p. 07 | By Roshan Nagalingam

Talking to the *Thinakkural* reporters, the Former Member of Northern Provincial Council and the Chairman of Tamil Eelam Liberation Organisation (TELO) Sivajilingam stated that though Sinhalese temporarily win at United Nations Human Rights Council (UNHRC), the final victory will be owned by Tamils. He alleged that the new resolution at UNHRC did not include the demands of Tamils. However, he added that the High Commissioner for Human Rights Michel Bachelet indicated in her report that Tamils demand Sri Lanka to be referred to International Criminal Court (ICC). Further, she had urged Sri Lanka to sign the Rome statute. He stated since the Tamil parties did not have one unanimous opinion on investigation method, they could not acquire the victory at UNHRC.

81. Referring Sri Lanka to the International Criminal Court | *Sunday Thinakkural*, 31 March 2019, p. 29 | By Suthanraj

Discussion on the Geneva resolution reflects the racism in the Sinhala community. Minister of Foreign Affairs Tilak Marapana stated at the United Nations Human Rights Council (UNHRC) that Sri Lanka will not allow any hybrid court or foreign judges. Northern Province Governor Suren Raghavan stated that referring Sri Lanka to the International Criminal Court (ICC) is an act of treason. The Sinhala community and the government try to take over Tamil areas in the name of Sinhala colonisation. The government expressly told the UNHRC that it will not establish a hybrid court and international investigations. This is a clear indication that the Sinhala community does not want to grant justice to the Tamils. The voices of Tamil victims remain unheard. Tamil National Alliance (TNA) MP M.A. Sumanthiran stated that he will take action to refer Sri Lanka to the ICC. Even though he made this statement for political reasons, the statement strengthens the demand of the Tamils to refer Sri Lanka to the ICC.

82. President's view on the new resolution | *Sunday Thinakkural*, 31 March 2019, p.30 | By Ravi Rathnavel

The recent statements of the president reflect that the government and forces are not ready to hold war crimes investigations. The Sinhala community believes that if investigations are to be held against the forces, rehabilitated ex-cadres should be re-arrested and investigations should be held against them as well. The President stated that the Office on Missing Persons (OMP) and the Truth and Reconciliation Commission (TRC) are tools to fulfil the aspirations of the Liberation Tigers of Tamil Eelam (LTTE). He alleged that the report of the High Commissioner for Human Rights contained erroneous information provided by civil society organisations. He stated that he was unaware of the resolution being cosponsored. He alleged that he was constantly against the notion of international investigations.

The President stated that he had made changes in the speech of Minister of Foreign Affairs Tilak Marapana, which was delivered at the UNHRC. He stated that he had instructed Marapana not go beyond the speech given to him. The President also stated that he had included the rejection of the hybrid court in Marapana's speech. The Tamil community should realise the stance of the President and act accordingly.

83. The expectation of international investigations | *Sunday Thinakkural*, 31 March 2019, p.30 | By Kokarnan

The expectation of the Tamils on international investigations can be compared to their dream of federal system. Tamils mostly believe what the leaders say as they don't have an opportunity to explore the truth behind the statements of these leaders. Leaders did not fight for the release of military occupied lands or the release of political prisoners, unless people started to protest for these demands. Tamil leaders attract the votes of the Tamil polity by stating that they will enable solutions for the Tamils through the international community and India, which led victims to have faith in the international community and India. National Tamil politics causes the Tamils to oppose the whole Sinhala community. Tamils should think as to whether western countries, which support international investigations on war crimes investigations in Sri Lanka, allowed international investigations for the war crimes that happened in their countries. However, no party in Sri Lanka is able to influence the decision of the international community, except encouraging or commenting on the decision.

84. “The Ministry of Foreign Affairs is responsible for establishing a domestic mechanism” – Mahinda Samarasinghe | *Thinakaran Varamanjari*, 31 March 2019, p.09 | By Visu Karunanidhi

Talking to *Thinakaran Varamanjari*, United People’s Freedom Alliance (UPFA) MP Mahinda Samarasinghe stated that that Sri Lankan government should take action to implement the recommendations under the resolution within a given time period. He said that it is the success of the country as it received a time extension. He stated that the Ministry of Foreign Affairs is responsible to establish a domestic mechanism. He appreciated the government’s steps, albeit few, to implement the resolution amidst the political turmoil that prevailed in the country.

85. “We will not wait until the given time expires; we seek to enforce the next mechanism” – S. Shritharan | *Thinakaran Varamanjari*, 31 March 2019, p.14 | By Vasuki Sivakumar

Talking to the *Thinakaran Varamanjari* reporters, Jaffna District MP S. Shritharan stated that Tamils do not have a state to represent themselves during the Geneva sessions. He stated that the Tamil diaspora and Tamil parties are only able to represent the Tamils in the subcommittee meetings of the Geneva sessions. However, he stated that progress has been made due to the resolutions that were passed at the United Nations Human Rights Council (UNHRC). He stated that participating in the UNHRC sessions will not be a waste of time, since it will help to refer Sri Lanka to the International Criminal Court (ICC). He stated that foreign countries exert pressure on Sri Lanka to ensure accountability. He stated that if Sri Lanka fails to implement the recommendations in the resolution, it will face increased pressure. He stated that the time extension provided by the UNHRC should be seen as another opportunity given to Sri Lanka. He stated that however, the Tamil National Alliance (TNA) will not wait until the allotted time is expired. He affirmed that the TNA was seeking another mechanism to ensure that Sri Lanka maintains its promises on accountability.

86. The hybrid court is a possible | *Virakesari*, 01 April 2019, p.04 | No Byline

Though the Sri Lankan government co-sponsored the new resolution, Minister of Foreign Affairs Tilak Marapana stated at the United Nations Human Rights Council (UNHRC) that Sri Lanka will not allow the establishment of a hybrid court. He stated that the Sri Lankan constitution will not allow the establishment of a hybrid court or the participation of foreign judges. However, Tamil National Alliance (TNA) MP M.A. Sumanthiran and Former Chief Minister of the Northern Provincial Council C.V. Wigneswaran stated that the current constitution does not bar the participation of foreign judges. Sumanthiran stated that MP Wijeyadasa Rajapakse also submitted an individual proposal to appoint commonwealth judges to investigate the impeachment of Former Chief Justice Shirani Bandaranayake. Wigneswaran also claimed that Mahinda

Rajapaksa appointed an Indian Justice, P. N. Bhagwati to the Udalagama Commission. Tamil parties should utilise the opportunity to establish a hybrid court in the country.

87. The stance of the TNA and the government on the new resolution | *Virakesari*, 02 April 2019, p.04, 08 | By Nilam

Though the Sri Lankan government co-sponsored the new resolution, Minister of Foreign Affairs Tilak Marapana stated at the United Nations Human Rights Council (UNHRC) that Sri Lanka will not allow the establishment of the hybrid court. He stated that the Sri Lankan constitution will not allow the establishment of a hybrid court or the participation of foreign judges. However, Tamil National Alliance (TNA) M.A. Sumanthiran stated that current constitution does not bar the participation of foreign judges. Sumanthiran stated that United National Party (UNP) MP Wijeyadasa Rajapakshe also submitted an individual proposal to appoint commonwealth judges to investigate the impeachment of Former Chief Justice Shirani Bandaranayake.

Though former President Mahinda Rajapaksa and former General Secretary of the UN agreed to address past violations, the previous regime did not take any steps towards addressing the past except for the establishment of the Lessons Learnt and Reconciliation Commission (LLRC). In 2015, Resolution 30/1 was passed at the UNHRC and the government co-sponsored it. Sri Lanka was given an extension of two years in 2017 to implement the recommendations under the resolution. However, no significant progress was made in terms of accountability during the last four years. Only a few steps have been taken.

The government's failure to implement the resolution's recommendations led the victims to seek international investigations. During the 40th session of the UNHRC, there was a strong press to adopt a time frame to implement the recommendations. This was refused by the Sri Lankan government. In this context, Marapana clearly refused to establish a hybrid court by saying that it will violate the current constitution. However, it should be noted that foreign interference commenced during the Rajapaksa regime when he issued a joint statement with Ban-Ki Moon. Though the previous and the current governments developments the lives of affected individuals, both governments failed to ensure accountability for the war crimes that were committed. In this context, the UN High Commissioner for Human Rights submitted a strong report that had several allegations. However, the government and the president refused to accept the report by saying that it was contained erroneous data provided by civil societies.

88. The controversy created by the Geneva resolution amidst the conflict for power | *Thinakaran - Arangam*, 05 April 2019, p.iv | By Senthan

The hullabaloo generated in Colombo in the lead up to the UNHRC sessions indicates that all political parties have their eyes on its political implications. While the government is obliged to fulfil obligations on accountability to the international community, the opposition has not hesitated to seize the opportunity to trot out its favourite slogan: the government has become a pawn of the West and is therefore, dancing to the tune of Eelam propagandists.

UN High Commissioner for Human Rights Michelle Bachelet criticised Sri Lanka for failing to fulfil its pledges to investigate alleged atrocities committed by both the military and the Tamil Tiger rebels during the war. The resolution would give Sri Lanka two more years to prosecute suspects of rights violations. But the transitional justice issue has always been controversial and unpopular with many from Sri Lanka's majority Sinhalese population, who believe that such efforts would unfairly punish "war heroes." Faced with public resistance, Sirisena has backpedalled on his campaign promises in recent years and adopted a Sinhala nationalist stance by declaring that he will "not allow war heroes" to be brought before the courts.

89. Sri Lankan government continues to 'enjoy' international credibility at the hands of the international community | *Thinakkural*, 05 April 2019, p.14 | By Colonel R. Hariharan

Colonel R. Hariharan touches on how the decision of President Maithripala Sirisena and Prime Minister Ranil Wickremesinghe to bury their political hatchet, at least temporarily, appears to have helped Sri Lanka gain two more years to fulfil its commitment. The wording of the unanimously adopted new Resolution 40/1 shows that Sri Lanka continues to enjoy international credibility despite its tardy progress. In order to retain international credibility, Sri Lanka has to complete three requirements that are potential landmines at home. These are: establishing an internationally credible judicial mechanism with a special counsel to investigate allegations of violations and human rights abuses, instituting a credible judicial process to include independent judicial institutions and lastly, evolve a viable reconciliation process.

The President said that Sri Lanka's consent to Resolution 30/1 was without his knowledge or that of the Foreign Minister's. He said that this action resulted from "wrong decisions by sections of the government." He highlighted that the President was responsible for the foreign affairs of the country, not anyone else. In this confused political scene, the priorities of Sri Lankan rulers appear to be far from international expectations on accountability and human right issues.

**90. Politics of Geneva | *Sunday Virakesari - Current Politics*, 07 April 2019, p.04, 08
| By Saththiriyar**

Southern politicians made Geneva a political issue since 2012. The United National Party (UNP) claimed that it protected former President Mahinda Rajapaksa and the soldiers from the electric chair by co-sponsoring the resolution in 2015. Though Sri Lanka co-sponsored three resolutions, which requires the establishment of a hybrid court, it still refuses to establish a hybrid court to investigate war crimes. Also, the President said that he was unaware of the fact that Sri Lanka will be a co-signatory. However, Tamil National Alliance (TNA) MP M.A. Sumanthiran alleged that the President lies as he already knew.

At the same time, Minister Mangala Samaraweera stated in a report that UN permanent Representative of Sri Lanka A.L.A. Azeez did not act contrary to the orders given by the government. He affirmed that General Secretary of the Secretariat for Coordinating Reconciliation Mechanisms Mano Tittawella had directed Azeez to sign the document to co-sponsor the new resolution in his official capacity. He mentioned that the Minister and the Secretary of Foreign Affairs were aware that Samaraweera had directed Azeez to sign the document.

President Maithripala Sirisena was keen to deny his knowledge over the signing of the new resolution for his own political benefits and campaign. He did so to attract Sinhalese voters. The question here is as to why did Sirisena not withdraw from the resolution, though he had the power to do the same? He did not want to oppose the international community directly or expose himself as opposing minorities.

91. Does Wigneswaran accept a hybrid court? | *Sunday Virakesari - Current Politics*, 07 April 2019, p.07 | By Kapil

Tensions rose between Secretary General of the Tamil People's Alliance C.V. Wigneswaran and Tamil National Alliance (TNA) MP M.A. Sumanthiran over the Geneva resolution. Wigneswaran expressed his concerns on the TNA supporting the government to pass the resolution in Geneva, which is not favourable for the Tamils. However, Sumanthiran recently warned in parliament that if Sri Lanka failed to implement the resolution, they will refer Sri Lanka to the International Criminal Court (ICC). Commenting on this statement, Wigneswaran justified the establishment of a hybrid court. This displays how Wigneswaran, who advocated for international investigations, now accepts a hybrid court. This statement confuses victims of war as Wigneswaran has advocated only for international investigations from the beginning. Using this opportunity, Sumanthiran stated that Wigneswaran supported the government by demanding an international monitoring body while the TNA advocated a hybrid court, which involves the effective participation of foreign judges, defendant counsels, prosecutors and investigators.

**92. “International investigations must be held” – Sivasakthi Ananthan |
Thinakaran Varamanjari, 07 April 2019, p.05, 15 | By Vasuki Sivakumar**

While speaking to *Thinakaran Varamanjari*, Illankai Tamil Arasu Kachchi (ITAK) MP Sivasakthi Ananthan stated that the Tamil National Alliance (TNA) failed to use the opportunity that was given by the international community to ensure that the Sri Lankan government looked into matters pertaining to accountability on war crimes. He stated that Sri Lanka has been under the supervision of the international community since 2011. He alleged that Leader of the TNA R. Sampanthan hid the activities of the TNA regarding accountability by saying that such diplomatic action is confidential. He alleged that the TNA supported Resolution 34/1 and 40/1, which allowed a time extension for Sri Lanka to implement the original Resolution 30/1. This support of the TNA was in spite of Tamils strongly opposing the time extension. He stated that though the victims staged protests since they lost hope in the TNA, they were not able to get their demands fulfilled at the United Nations Human Rights Council (UNHRC) as there were party disputes. He said that the Tamils entrusted the TNA with obtaining international investigations. However, he said that the TNA seeks to fulfil its own benefits. He said that the government escaped from meeting out requirements related to accountability by citing national sovereignty as a reason. He stressed on the need to work together by forgetting political benefits in order to grant justice to the Tamils.

SINHALA PRESS

1. Get ready for Geneva | *Ravaya*, 17 February 2019, p.10 | By Sunanda Deshapriya

The new United Nations High Commissioner for Human Rights Michelle Bachelet referred to Sri Lanka after assuming duties for the first time at a meeting on 04 February 2019. She stated that despite a certain extent of development, Sri Lanka’s commitment on transforming the promises given on transitional justice in 2015 is not satisfactory. She warned that there would be many a hurdle in the area of transitional justice if this state of affairs is continued further. Stressing that the reconciliation justice mechanism in Sri Lanka should be in compliance with the agenda of the United Nations Human Rights Council (UNHRC), she posited the view that the UNHRC and other branches of the United Nations Organisation are willing to extend support in this endeavour.

The 40th session of the UNHRC would be a crucial session for Sri Lanka. This is mainly due to the fact that the time duration given to Sri Lanka to implement the recommendations of the resolution co-sponsored by Sri Lanka in 2015 ends in March. The Human Rights Commissioner is expected to submit a report on the progress made by Sri Lanka on the pledge’s Sri Lanka undertook.

It is no secret that Sri Lanka did not take any substantial steps regarding accusations on human rights violations during the conflict period. Rather than taking any concrete steps regarding missing persons, the government intends to grant promotions to the individuals who are accused of grave human rights violations. Except for the establishment of Office on Missing Persons (OMP) any durable mechanism over the involuntary disappearances is out of the agenda of the government.

The Tamil National Alliance (TNA) insists that Sri Lanka should not confine itself to a mere proposal in the upcoming UNHRC and instead should come up with a proper timeline over its commitments pertinent to transitional justice.

2. The constitutional council is a triumph of democracy | *Anidda*, 17 February 2019, p.15 | By Jayani Abeysekera

There was a huge controversy when the President hurled accusations at the Constitutional Council in the legislature recently. There was a response from the speaker over this issue too.

The writer was of the opinion that the resolution the United Kingdom intends to bring in the next session of the United Nations Human Rights Council (UNHRC) is not a novel one and the Government of Sri Lanka (GoSL) is expected to report on its progress on the commitments undertaken at the UNHRC. Nonetheless, it is obvious that concrete steps pertinent to transitional justice are not visible in the Sri Lankan context and there is a sluggish movement in the areas that are expected to be grappled with. Though the establishment of the Office of Missing Persons (OMP) and the legislation on the Office of Reparations are in the arena, their implementation is fraught with many difficulties as per resource allocation and appointments. The resolution presented by the UNHRC is expected to grant two years with respect to the implementation of international obligations undertaken by Sri Lanka.

3. War crimes allegations on the Sri Lankan armed forces | *Divaina*, 17 February 2019, p.23 | By Keerthi Warnakulasuriya

The United Kingdom and Canada are in the forefront to bring a resolution against Sri Lanka on the upcoming session of the United Nations Human Rights Council (UNHRC). This was revealed at the House of Lords when Baron Naseby queried as to why western countries are constantly vigilant over Sri Lanka. Meanwhile, there was a protest in Vavuniya by the relatives of the missing persons demanding international intervention to present the Government of Sri Lanka (GoSL) to the International Criminal Court (ICC). Furthermore, two legal officers of the UNHRC arrived in Sri Lanka to probe into war crimes allegations against the Sri Lankan armed personnel.

4. Members of the armed forces are not arrested because they fought the war | Anidda, 24 February 2019, p.06 | By K.W. Janaranjana

Upon receiving the news that former Navy Commander Wasantha Karannagoda is to be arrested, three former commanders of the tri-forces held a media briefing recently. The main point that former Army Commander Daya Ratnayake made in his statement was that it is erroneous to arrest the soldiers who had ended the 30-year war.

There is a misconception that the arrest is made targeting the upcoming session of the United Nations Human Rights Council (UNHRC) in Geneva. Karannagoda was supposed to be arrested a few months earlier and his arrest is not motivated by the UNHRC session. The delay in the arrests was a result of the castigation of the officers in the Criminal Investigation Department (CID) by the President. Nonetheless, in the present instance, the officials of the Attorney General's Department and the CID have dismantled the obstacles in their way to prosecute Karannagoda. It should be borne in mind that the arrest of soldiers was not induced by the fact that they had actively participated in the war as narrated by Ratnayake. On the contrary, it is because the relevant armed force personnel were involved in the abduction and murder of innocent individuals and demanding ransom in a context completely outside the war context.

5. Will the government take responsibility for the Mannar mass grave? | Divaina, 24 February 2019, p.08 | By Seneviruwan

The annual session of the United Nations Human Rights Council (UNHRC) would commence in Geneva this time too as usual. The Tamil diaspora who supports the Liberation Tigers of Tamil Eelam (LTTE) are making plans to trap the government of Sri Lanka and the armed forces. There are protests by the relatives of missing persons and petitions are being prepared. Meanwhile, the samples of bones discovered in the Mannar mass grave were sent to the United States of America (USA).

The then Foreign Minister Mangala Samaraweera co-sponsored the resolution submitted by the US in 2015, without even informing the President and the cabinet. As a consequence of co-sponsoring the resolution, a number of moves were taken to punish the military forces. The only steps that are yet to be adopted are the establishment of a truth commission, establishment of a hybrid court and bringing a new constitution that guarantees the devolution of power that exceeds even that of the 13th Amendment. Great Britain has come to the forefront to proceed with the resolution in 2015, in a vacuum created by the departure of the US from the UNHRC.

Meanwhile, the Prime Minister has acknowledged in North that there were war crimes committed by both the armed forces and the LTTE. If the bodies in the Mannar grave are found to be that of LTTE members, there would be a mechanism to pay compensation to families of LTTE.

6. Betraying the war heroes on the eve of the Geneva UNHRC session | *Divaina*, 24 February 2019, p.10 | By T. Chandrasekara

Tamil National Alliance (TNA) MP M.A. Sumanthiran has said that the Prime Minister of the country acknowledged for the first time that the Sri Lankan armed forces committed war crimes. In the aftermath of the war, the TNA was trying to drag the armed forces to international courts and to international judges, after accusing the soldiers of war crimes. But the TNA could not proceed with these ulterior plans as the governments continuously refuted those allegations.

Even amidst numerous pressures of the global community, the President declared in the General Assembly of the United Nations that the Sri Lankan armed forces did not commit war crimes. The President added that before an investigation is conducted on the armed forces, there should be an investigation on the Liberation Tigers of Tamil Eelam (LTTE) cadres who have become fugitives after committing serious war crimes.

R. Sampanthan responded to the statement of the Prime Minister by saying that war crimes cannot be forgotten or cannot be given pardon as the Prime Minister requested.

Ranil Wickremesinghe did not want to defeat the LTTE and he wanted to grant a part of the country to Prabhakaran and to carry out an amicable rule as leaders of two countries. Referring to the statement made by the Prime Minister, former Chief Minister C.V. Wigneswaran said that an investigation with international involvement should be conducted to substantiate whether there were war crimes and added that pardoning soldiers can be considered thereafter. Wickremesinghe should allow inquires on whether the ruthless killings of innocent villagers were in compliance with international legal provisions on war.

7. All betrayals are complete; The prey for the upcoming session of the UNHRC is Admiral Karannagoda | *Divaina*, 24 February 2019, p.15 | By Manoj Abeydheera

Wasantha Karannagoda is the most talented commander in the history of the Sri Lankan Navy. The story of war would have been different had the navy headed by him not destroyed the floating ammunition depots of the Liberation Tigers of Tamil Eelam (LTTE). Former Army Commander Daya Ratnayake, former Navy Commander Thisara Samarasinghe and former Air Force Commander Roshan Gunathilake held a media briefing recently on the possible move to arrest former Navy Commander Karannagoda.

The charge against former Navy Commander Wasantha Karannagoda is very simple. There were charges against several members of the navy for abducting and subsequently killing innocent youth in Kotahena. The personal bodyguard of the former Navy Commander known as “Navy Sampath” was also involved in these issues. This is

not a war crime. This is a crime that should be prosecuted under the criminal law. The police are engaged in an attempt to cater to the needs of the Tamil diaspora, who are hell-bent on reversing the war victory.

8. Latest situation on the war crime plan | *Divaina*, 24 February 2019, p.18 | By Sarath Weerasekera

The Prime Minister stated in Jaffna recently that both the Sri Lankan armed forces and the Liberation Tigers of Tamil Eelam (LTTE) committed war crimes. Tamil National Alliance (TNA) MP M.A. Sumanthiran said that it was after the lapse of a period of ten years since the end of the war, a responsible minister of the government acknowledged that the armed forces had committed war crimes.

Then Minister of Foreign Affairs Mangala Samaraweera co-sponsored Resolution 30/1 that outlined the steps that should be taken against the soldiers on the basis that these soldiers had committed war crimes. This is an unprecedented act as no country in the world has co-sponsored a resolution that pinpointed charges against its own armed forces. Wickremesinghe does not have the faintest idea as to what a war crime is. He makes these statements to merely to satisfy the demands of the TNA and the separatist Tamil diaspora. This is because Wickremesinghe cannot survive in power without the support of the separatist forces.

Prominent war experts took part in the Paranagama commission and they have released seven reports. These reports advocate that the Sri Lankan armed forces did not commit war crimes at any point in the war. They also held that the conduct of the army in saving the lives of more than 300,000 people during a war of a huge scale like this is laudable. The reports also held that the number of casualties is comparatively less in a conflict of this scale and stressed that the armed forces cannot obtain any military advantage by killing ordinary civilians.

Out of the recommendations of the Geneva resolution, only the constitutional amendment is yet to be fulfilled and the present government is attempting to bring the 20th Amendment in collaboration with the TNA and the Janatha Vimukthi Peramuna (JVP) because of this. We still have time to get rid of this resolution. The writer Sarath Weerasekera questions as to why Sri Lanka should whole-heartedly welcome this 'unholy' resolution of an organisation likened by the United States of America to a 'cesspit'.

9. “The government has identified a new group of terrorists” – Swastika Arulingam | *Lanka*, 24 February 2019, p.05 | By Chathura Dissanayake

Lawyer Swastika Arulingam was of the view that the government is replacing the Prevention of Terrorism Act (PTA) by a far more oppressive piece of legislature. She noted that Resolution 30/1 of the United Nations Organisation (UN), the resistance to oppressive legislations was reflected. Arulingam also noted that under the PTA there was the opportunity to arrest someone if any statement that amounts to religious conflicts, threat to national security or that criticises the PTA was made or published. She stressed that the new legislation has taken this oppressive nature further instead of minimising it. Arulingam also noted that sweeping powers have been given to the armed forces and the police over the arrests of individuals. She also expressed her concern that due to the new legislation, there is a likelihood of shooting even peaceful protesters. Referring to the fact that the general public would assume this legislation deals with terrorists and not with the general public due to the name being “counterterror draft (act)” and advocated that the new legislation would target all those who agitate against the government.

10. Will the responsibility of the Mannar mass grave be attributed to our armed forces? | *Lankadeepa*, 24 February 2019, p.16 | By Romesh Madushanka

There are extensive discussions on the Mannar mass grave as the area was a place of fierce fights in the conflict period. It is particularly heightened as there are protests in the North by the relatives of missing persons who demand for the discovery of more than 20,000 people. With the discovery of more and more skeletons from the grave, numerous stories come to the surface. On the one hand, the relatives of missing persons are stating that these skeletons are those of their loved ones. On the other hand, there are stories that this must be the site of a mass-scale murder by the Liberation Tigers of Tamil Eelam (LTTE).

On inquiry, Judicial Medical Officer Dr. Saminda Rajapaksa said that the site being an evidentiary site of possible war crimes can be given only after the conclusion of all relevant investigations.

11. Geneva process, deaths and criticisms | *Ravaya*, 24 February 2019, p.02 | By Sunanda Deshapriya

In Galle, two innocent youths were abducted in a white van and there are reports that the two individuals were killed after being beating and their corpses burnt. It is also reported that high ranking police officers are involved in it. Journalist Nadaraja Kuganraj was assaulted by the officer-in-charge of the Kopay Police Station last week. It was also observed that prisoners in the Angunakola-pelessa prison were ruthlessly beaten by the prison officers.

The Geneva process is important in this context as it allows reconsidering the culture of violence in the recent history of Sri Lanka. It is important to disclose the truth, render justice and engage in reparations to make that process a success. The government of Sri Lanka did not commit itself genuinely to these processes and the accountability mechanism established in the aftermath of the war was established due to international pressure. The establishment of the Udalagama commission, Paranagama Commission and the Office on Missing Persons (OMP) were carried out and the commissions were expected to submit recommendations after investigating into the violations of human rights during the war. But the recommendations of those commissions were not taken seriously, and the recommendations were not duly implemented by any government. In order to create a civilised society, it is required to establish a truth finding commissions and to procure the participation of the general public. The Geneva process is significant as it recommends steps of that nature.

12. Sri Lanka withdrawing from the UNHRC resolution | *Lankadeepa*, 25 February 2019, p.14 | Political editor Sunday Times

It is reported that Sri Lanka is taking steps to withdraw from the resolution presented to the United Nations Human Rights Council (UNHRC) in 2015 with the co-sponsorship of the United States of America (USA). The resolution contains matters related to the human rights violations during the last phases of the war when defeating the Liberation Tigers of Tamil Eelam (LTTE) and accountability mechanisms over such violations.

The UNHRC declared that as per the resolution, Sri Lanka should establish a war crimes investigation tribunal with international involvement. The President said that he wishes to withdraw Sri Lanka from the resolution. He also added that he would explain in Geneva that the Sri Lankan armed forces did not commit war crimes and that it was the Liberation Tigers of Tamil Eelam (LTTE) that did the most ruthless crimes.

13. Geneva proposals: Should we quit? | *Lankadeepa*, 26 February 2019, p.04 | By Bingun M. Gamage quoting Dr. Menaka Harankaha

The 40th session of the United Nations Human Rights Council (UNHRC) commenced in Geneva, Switzerland on the 25 February 2019. The report made by the Office of the United Nations High Commissioner for Human Rights on the progress of Sri Lanka would be presented here. The report will be presented on 20 March 2019 and there would be a debate thereafter.

It cannot be denied that progressive steps were not taken during the ruling period of former President Mahinda Rajapaksa, when there were serious allegations on human rights. The Lessons Learnt and Reconciliation Commission (LLRC), the Maxwell Paranagama Commission, Udalgama Commission and Commission on Missing Persons can be presented as examples to verify this. Those commissions too issued considerable recommendations, though the recommendations were not conclusive.

What the international community expected from the *yahapaalanaya* government was something beyond that. To put it simply, the infliction of penal sanctions on the areas identified is the beginning of a relevant process of investigation. We could have taken action considering that this is the last opportunity to be given to us internationally. At present the situation is reversing by 180 degrees. Sri Lanka is attempting to withdraw from the co-sponsored Geneva resolution as per the assumption of the President that there was no violation of humanitarian law during war time. If this happens, we will be moving back to the circumstances that existed in 2015.

14. What is the next issue? | *Mawbima*, 26 February 2019, p.05 | By Nalaka Godahewa

All Presidents from J.R. Jayawardena to Mahinda Rajapaksa faced the terrorism led by the Liberation Tigers of Tamil Eelam (LTTE). Foreign forces impeded the moves to solve the issue of terrorism. The supporters of these terrorists were able to get passed a series of resolutions in the Geneva United Nations Human Rights Council (UNHRC) with the full support of the treacherous government. The supporters of the LTTE were attempting to divide the country (which Leader of the LTTE Velupillai Prabhakaran could not achieve) with the intervention of the UN.

Many in Sri Lanka could not understand that the Eelam struggle was launched through a new perspective from the Geneva UNHRC in the aftermath of the war on terrorists. The Sri Lankan government is fulfilling the pledges given in Geneva one by one and the only remaining one is the bringing of a new constitution. The attempt to bring a new constitution is no longer easy as the government does not command a 2/3rd majority in parliament as result of the alliance between Mahinda Rajapaksa and President Sirisena.

Due vigilance must be paid on the conduct of the government in presenting constitutional amendment drafts constantly.

15. Geneva goodwill | *Dinamina*, 28 February 2019, p.04 | Dinamina Editorial

War crimes allegations were levelled against Sri Lanka due to the 30-year war. Though the war was carried out to defeat ruthless terrorism, we are bound by various agreements to safeguard human rights. Besides, the protection of human rights is considered an essential component of humanity. Paying attention to the grievances of the victims and facilitating reconciliation between the two parties that engaged in conflict immediately after a war is a characteristic of a civilised society and a law-abiding state.

However, it is clear that Sri Lanka did not adopt such an approach immediately after the war. The present political authority has taken decisive steps after considering the former measures to be a mistake. This is crucial. Acts that transgress the law may be committed in the guise of the war and violence. This has happened to a greater or lesser extent in every country that has undergone conflicts. But a law-abiding society responds to them by listening to the voice of the victims. Commissions for the victims have been established in many countries that experienced war. Through this, the victims get the chance to submit their facts, disclose the truth and to heal their grief. The affected people get the opportunity to share their problems, reveal the truth and deal with their grief. In addition, the accused get the chance to acknowledge the error or to request pardon. This is an opportunity given for reconciliation. Our Office for Reconciliation also has the ability to work like that.

16. Geneva soldier hunt | *Lankadeepa*, 28 February 2019, p.05 | By Udaya Prabhath Gammanpila

Tamil separatists had a huge role to play in bringing the United National Party (UNP) to power in 2015. The UNP, who gained victory in both the presidential and parliamentary elections, wanted to pay gratitude to the Tamil separatists. The demand of the Tamil separatists was simple: co-sponsor the resolution presented by the United States of America (USA) to the United Nations Human Rights Council (UNHRC) in September 2015.

The Foreign Minister at that time was Mangala Samaraweera, who was in contact with the representatives of the Liberation Tigers of Tamil Eelam (LTTE) when the UNP was in the opposition and therefore, the UNP could not ignore their request. Mangala Samaraweera was induced to co-sponsor the resolution, notwithstanding the vehement

opposition of senior ministers and the high-ranking officials of the Ministry of Foreign Affairs.

It has been mentioned in the resolution that was passed in September 2015 that Sri Lanka has committed war crimes. By co-sponsoring the resolution, Sri Lanka has accepted the veracity of the charge.

At present, the establishment of the office on missing persons, ratification of international agreements on the missing persons, the establishment of office of reparations to compensate LTTE terrorists have been implemented. But the two most serious recommendation are yet to be implemented. Though cases have been filed to penalise a large number of soldiers, the government has not been able to investigate against them using foreign judges. In addition, though a constitutional draft was brought after lingering for four years, the government is reluctant to officially acknowledge that it was brought due to the public opposition.

17. The way Sri Lanka should go ahead at the UNHRC | *Divaina*, 01 March 2019, p.08 | By Janitha Seneviratne

Just because a UN Resolution is passed against Sri Lanka at the UNHRC, no country can impose sanctions on our country. Though the Western nations or Europe are likely to impose sanctions on Sri Lanka, this would entail a resolution being first passed at the UN General Assembly and then at the the Security Council. However, countries such as Russia and China which have the veto power and which are pro-Sri Lanka can defeat those. Such a resolution will fail even if one of these two countries opposes it. Also, as we are not a country recognised by the International War Crimes Tribunal, we cannot be punished by it. But instead of angering the international community, it is better for the country to request a further period of time and do what can be done within that time period. At least now, as a county, we need to rectify the mistake of agreeing to abide by an impractical resolution. In this regard, we need to move to a process where we would face minimal pressure. The government must make the right decision taking into account the view of the country's majority. Acting according to the views of the Western nations or the Tamil Diaspora contrary to this will politically cost any political party. Who has political power is immaterial for this act. All the responsible parties must get together to present Sri Lanka's decision.

18. Consequences of being subject to mis-politics | *Lankadeepa*, 01 March 2019, p.04 | By Dhamma Dissanayake

These days the relatives of the missing persons have stepped on to the streets with photographs of the missing persons. These are common sights during the sessions of United Nations Human Rights Council (UNHRC) in Geneva. Most of these disappearances were carried out by the Liberation Tigers of Tamil Eelam (LTTE) and some of them disappeared while studying. But the parents of those children are requesting the children from the government of Sri Lanka. One would reckon that this request is unreasonable. But there is another perspective of this and that is the Tamil community still has faith in the state and the government.

The government should be responsible for the above incidents no matter who the perpetrators are, and it is the feature of an organized state and a governing structure to assume responsibility there are different reasons for these demonstrations. The true reasons for these demonstrations are objectives of power politics of the Tamil diaspora and the high caste leaders who are sponsored by them.

One of the main problems associated with this is as to why Sinhalese do not raise their voice at least in the period during which the sessions of Geneva are held, on the relatives who went missing during the 1987-1990 period of time, while Tamils continue to protest? More than 100,000 relatives of Sinhalese were subject to enforced disappearances in the South and thousands of Sinhalese went missing due to war in North. Is it because the Sinhalese have no faith in the state and the government? or have those memories of the missing persons become mere past sentiments with the lapse of time? or else is it because the Sinhala diaspora and western human rights industrialists do not represent these people? Or else is it because no matter how grave the crisis faced by the Sinhalese is, nothing is done?

19. Flames stemming from the cold: UNHRC and Sri Lanka | *Ravaya*, 03 March 2019, p.13 | By Sunanda Deshapriya

Sirisena opposes the UNHRC's resolution on the basis that Sri Lanka has sufficiently resolved human rights violations committed during the war and that Sri Lankan armed forces personnel did not commit war crimes. Now Minister Champika Ranawaka following Sirisena's view has stated that the government should not have co-sponsored the joint resolutions in 2015 and 2017 and further goes on to say that the resolutions need not be extended. He says that the LTTE and Sri Lanka armed forces' personnel should be pardoned in order to end this problem. But he does not say how justice will be granted to the many thousands of disappeared persons who were not members of either of these two groups. This matter cannot be reduced solely to the LTTE and armed forces personnel. A group of the Sinhalese Diaspora which follows the above stated views of Sirisena and Ranawaka has made a written application under the name of a

non-functioning Non-Governmental Organisation, the African Haritha Foundation to vacate Resolution 30/1 and 34/1. Others including Sarath Weerasekera share these views.

20. Forgetting and granting pardon – is it because of the UNHRC? | *Ravaya*, 03 March 2019, p.14 | By T. Nadarasa

Prime Minister recently made a statement in the North that the judicial process pertinent to the investigation into war crimes is not going to happen and therefore all should grant pardon after setting up a commission to pursue truth. He also stated that as both parties to the conflict made errors, we should endeavour to take the country forward without making this a big deal. The Prime Minister had also stated that it is erroneous to demand more powers without making effective use of the powers given to North. It is a progressive feature in the part of a political leader of South to acknowledge that the military too committed crimes, in a context where ten years have passed from the termination of the war.

21. Globalisation and nationalism | *Divaina*, 06 March 2019, p.04 | By Udara Ratnayake

The link between nationalism and globalisation is important politically. Due to various consequences of the globalisation, there might be factors that enhances as well as diminishes nationalism. At certain instances, states are joined with the global community with globalisation. Not only states but also organisations, international agreements, international laws, and international organisations put impediments on the framework of the state. For an example, during the time in which war prevailed in Sri Lanka, international organisations especially the United Nations Human Rights Council (UNHRC) exerted a huge pressure on the country. This was a death blow to the endeavour of the Sri Lankan government to build nationalism by developing the goodwill between communities, by implementing the reconciliation mechanism. Zaid-Al - Hussain as well as the Darusman report pose numerous impediments to the national mechanism of the country by continuously passing resolutions. Thus, it is evident that globalisation has influenced nationalism in both positive and negative ways.

22. Who is the Vibeeshana treacherous to the country? | *Lankadeepa*, 07 March 2019, p.06 | By Udaya Gammanpila

This is the new colonisation era of the imperialists. At present there is a puppet government of the imperialists and separatists that took power by cheating people. The drafting of the federal constitution that divides the country is over and only the submission of it to the parliament remains. Steps have already been taken to implement the acts like the act of the Office on Missing Persons (OMP) that are required to complete the hunt of soldiers. The office of reparations has been stated pleasing the demands of separatists and military camps are being removed from strategic places. The counter-terror act that would replace the existing Prevention of Terrorism Act has been publicised through the Gazette and it targets the anti-government forces as opposed to the separatist terrorism.

23. Rajapaksa tells Premadasa not to panic about the presidential election | *Mawbima*, 07 March 2019, p.14 | By W.K. Prasad Manju

Leader of the house MP Lakshman Kiriella stated that three resolutions were passed against Sri Lanka in the United Nations Human Rights Council (UNHRC) in 2012, 2013 and 2014, during the tenure of President Mahinda Rajapaksa. He also noted that there were arrangements to impose bans and sanctions against Sri Lanka in 2015. Kiriella also added that with the advent of the Yahapalanaya government in 2015, those bans were removed and Rajapaksa was saved from the electric chair. Noting that the government is managing the international issues in a proper manner, he urged the opposition to provide support to them without creating problems. Kiriella expressed these ideas at the parliament yesterday (06th), while answering to a question posed by the United Peoples Freedom Alliance (UPFA) MP Dinesh Gunawardena as to the position the government is going to take in UNHRC.

24. Geneva impact and the president's opinion | *Divaina*, 10 March 2019, p.18 | By T. Chandrasekera

President Maithripala Sirisena has decided to make a request from the United Nations Human Rights Council (UNHRC) to allow Sri Lanka to solve its problems. He has decided to send Sarath Amunugama, Mahinda Samarasinghe and Suren Raghavan as his representatives to the UNHRC to make this request. Many people might say many things about this; but this is what should be done. Tamils or the terrorists were not the only victims of the war that went for 30 years and we are aware that thousands of the members of armed forces too were killed and went missing due to it. At present United National Party (UNP), Tamil political parties and the organisations favourable to Liberation Tigers of Tamil Eelam (LTTE) are trying to search the Tamils who were killed and who went missing during the war. Who is there to seek the Sinhalese and Muslims who were killed and who went missing during the war?

Recently Wickremesinghe acknowledged in the North that the military committed war crimes. This is the first time that a leader of the country made such a statement, and this would be a powerful weapon to the people who are attempting to send the army to the guillotine. Co-sponsorship of the Geneva resolution simultaneously is a complete betrayal of the soldiers.

25. Geneva resolution, killing fields and the Counter Terrorism Act | *Ravaya*, 10 March 2019, p.14 | By Sunanda Deshapriya

The government of Sri Lanka gave a pledge in 2015 that it would repeal the Prevention of Terrorism Act (PTA) and subsequently the government stated that it is suspended until it is replaced by a new Act. Both of these pledges did not materialise. The proposed Counter-Terror Act is the Act that the government intends to replace the PTA.

On one hand this CTA is favourable to suspects than the PTA and in an aside more repressive than the PTA in terms of the naming of suspects, interpreting terrorism and also in proscribing institutions.

Special Rapporteur Ni Aolain noted that she and Ben Emmerson who held the position earlier had expressed their satisfaction on the commitment of Sri Lanka to replace the PTA. She had also noted that the new law is progressive in terms of the protection of rights procedurally and it allows more room for the scrutiny of the judiciary and it also allows to create a wide range of mechanisms to safeguard human rights. She had also stated that she encourages the Government of Sri Lanka to make the interpretation of terrorism fixed and to narrow its ambit and also to make proscription a limited and collateral tool. She had also insisted on allowing those who are arrested to access comprehensive and unlimited legal assistance and also to allow opportunity to magisterial supervision.

A number of international NGOs had noted that if the CTA is passed in the form it exists today, it would lead to a re-emergence of the white van culture and they opined that this is because the Act assigns powers to make arrests bereft of a warrant and also because of the experiences in Sri Lanka of misusing the powers. Aolain noted in a discussion with a group of civil rights activists that demanding the abolition of the PTA without the submission of a counter-terror act is a regressive feature. She had attributed the imposition of an order by the United Nations General Assembly (UNGA) that every country should pass a counter-terror act.

26. Legitimate children and the swearing in the month of April | *Silumina*, 10 March 2019, p.12 | By Sumedha Jayabahu

President Sirisena made a special emphasis on the responsibility to respond to the United Nations Human Rights Council (UNHRC) on behalf of the country. President does not wish to tread on an obstinate journey in ignorance of the human rights. On the contrary, his request is to assure that Sri Lanka is a country where the citizens are law abiding and are living in harmony. The President as well as people of this country are well aware of the human rights organisations operating against the country with the vicious objective of depicting that Sri Lanka is a country suffering from a racist and religious antagonist mania. This was what prompted the President to send three special representatives of him to UNHRC-Sarath Amunugama, Mahinda Samarasinghe and Suren Raghavan. Sirisena also noted that his objective is to loosen the knot of human rights that has held Sri Lanka in a stranglehold and his three representatives would act in furtherance of it. Northern people too have accepted that Sirisena is the leader who is genuinely committed to peace and reconciliation. Sirisena is of the opinion that we should not tear open the old wounds of the past and instead should be compassionate to each other and also that as the head of the state, President has no impediments to take decisions on the foreign policy.

27. Human Rights Commissioner again proposes a hybrid court: A proposal also to establish an office of human rights in the country | *Lankadeepa*, 11 March 2019, p.01, 06 | No by-line

United Nations Human Rights Commissioner Michele Bachelet has proposed to file cases against the Sri Lankan suspects who are alleged of committing crimes against humanity, war crimes and violating human rights on principles of universal jurisdiction. She had made these proposals in the report that is expected to be presented at the 40th session of the United Nations Human Rights Council (UNHRC) on Sri Lanka. The report had considered the period from October 2015 -January 2019. The report also notes that the Government of Sri Lanka continuously worked in collaboration with the mechanism of the United Nations including the Office of High Commissioner for Human Rights. The Commissioner had also proposed to establish a full-pledged office of the United Nations Committee on Human Rights to inquire on human rights and to implement the recommendations of the High Commissioner.

28. “Blowhards and traitors” | *Mawbima*, 12 March 2019, p.06 | By Nalaka Godahewa

The 40th session of the United Nations Human Rights Council (UNHRC) is being convened at present. According to the President, the task assigned to his representatives would be to request from other countries not to interfere in the internal affairs of the country. The President wanted to notify the UNHRC that Sri Lanka is not ready to fully implement the Resolution 30/1 which was co-sponsored by Sri Lanka in 2015. However, the Prime Minister has decided to co-sponsor a new resolution that United Kingdom intends to submit. Ministry of Foreign Affairs has issued a press release guaranteeing this.

A Report was issued by the United Nations Human Rights Commissioner at the present Geneva UNHRC session on Sri Lanka. In this she has proposed to establish a permanent office of the United Nations High Commissioner for Human Rights to monitor harassments to minorities in Sri Lanka.

29. The Geneva hurdle that all should be together | *Lankadeepa*, 14 March 2019, p.04 | The Lankadeepa Editorial

Even after the lapse of a period of ten years since the termination of the war, Sri Lanka has not been given an opportunity to get rid of the Geneva cacophony. The facts that are included in the report that is expected to be presented to the 40th session of the United Nations Human Rights Council (UNHRC) on Sri Lanka should be considered in this context. United Nations High Commissioner for Human Rights has made the proposal that cases against suspects accused of crimes against humanity, war crimes and violations of human rights should be taken in a “hybrid” court. The hybrid court or the international court sounds bitter to the polity and the masses in South. But when there are repeated international interventions of that nature, it is a sine-qua-non to adopt a uniform diplomatic position pertinent to that. Unfortunately, it seems that the government has two opinions this time.

By the Resolution 30/1 there were agreements to investigate on incidents that are alleged to have taken place during the last phase of the war against the Liberation Tigers of Tamil Eelam (LTTE). It has also been agreed to consider on the endeavours taken in furtherance of reconciliation. President wants to quit co-sponsoring that resolution as indicated by statements made by him recently when he met the heads of media institutions. President’s objection to co-sponsoring the resolution might be stemming due to the opinion that such a resolution is a treacherous act against the war heroes who defeated the deadliest terrorist organisation in the world. But it should be reminded that the stern influences to investigate the war crimes charges against Sri Lanka did not proceed in the same gravity due to co-sponsoring the 2015 resolution.

Thus, the strategic mind should prevail over emotions in an endeavour to reverse such a process.

A press release issued jointly by the Ministry of Foreign Affairs and the Office of Prime Minister stated that Sri Lanka wishes to extend the timeline pertinent to UNHRC resolution by two more years. Nonetheless the country has come to a juncture where everyone in the country should ponder whether we should confine ourselves to the past or adopt novel approach to have a blissful future.

**30. Winning the international community | *Lankadeepa*, 14 March 2019, p.08 (II) |
By Udaya Prabhath Gammanpila**

Incapable government continuously boast that they won the international community. They also boast that they ended the threat of trapping the war heroes. The statement made by the present government that it rescued the war heroes from electric chair is a fallacy. The Western leaders do not need a separate requirement to intervene Sri Lanka as the present government proceeds in the path that was paved by the Western countries to trap war heroes. This government passed the Office of Missing Persons Act (OMP) and ratified the Convention against the Involuntary Enforced Disappearances that many countries have not ratified. In addition, the arrests of war heroes, the removal of the military camps in strategic places, the repeal of the Prevention of Terrorism Act and the bringing of the federalist constitution to please the demands of the separatists. There were influences to the Mahinda Rajapaksa government due to refusal of implementation of these demands.

31. Geneva Conference: What is the opinion of Lanka? | *Lankadeepa*, 14 March 2019, p.09 (II) | By Bingun M. Gamage quoting Samitha Udayanga

After the new government came to power in 2015, there was an agreement between the United Nations Human Rights Council (UNHRC) and the government as Resolution 30/1 on charges of war crimes and crimes against humanity. There were two main facts in it. Those were placing a huge emphasis on the reconciliation in the promotion of human rights and Sri Lanka should take the responsibility of accountability as an independent country. Sri Lankan government too complied with it.

This issue has many facets. On one hand several former military commanders and several civil organisations made a request from the President to not agree to the reports of the UNHRC. In an aside, the foreign influence exerted due to the various opinions of the political forces in the country and the ideology of the Northern politicians is decisive in this regard. It also should be considered the interventions of third parties and such an attempt was made recently with the involvement of civil organisations like Global Patriotic Sri Lankans Forum in Geneva. We also cannot forget the decisive influence of

the Tamil diaspora. Nonetheless it should be stated that the most disconcerting fact is that Sri Lanka is not in a position to resolutely respond to the conduct of the UNHRC.

32.A hybrid court? | *Lankadeepa*, 14 March 2019, p.09 (II) | By Bingun M. Gamage and Amila C. Gamage

United National Party (UNP) MP Chandima Gamage noted that though the discussion on hybrid court emerged at numerous times, such things have not happened yet. Noting that during the tenure of the Yahapalana government, no space would be allowed for any commission to poke fingers at the country, Gamage mentioned that the global impression of Sri Lanka had increased now. Referring to the fact that the present government triumphed in every international challenge, Gamage reiterated that they would not allow any harm to the country.

United People's Freedom Alliance (UPFA) MP Lakshman Yapa Abeywardena opined that generally a hybrid court is required if our judicial system is not strong and if there is no belief in it. Noting that there is faith in our judicial system, Abeywardena said that they clearly declare that there is no need of a hybrid court of any type. Expressing the idea that the joint opposition strictly oppose the Geneva resolution, he noted that if the government depicts some sort of agreement to it, UPFA would not hesitate to rally the masses against it.

General Secretary of the Janatha Vimukthi Peramuna (JVP) Tilvin Silva noted that the influence of the Geneva influence somewhat reduced after the change of the government in 2015. Emphasising that JVP is of the position that the foreign forces should not in any way intervene in the internal affairs of the country, he noted that a hybrid court is not suitable for Sri Lanka.

Member of the politburo of the Frontline Socialist Party (FSP) Pubudu Jayagoda opined that there was a discussion that there were violations of fundamental rights of the civilians who were not involved in the conflict. Jayagoda noted that an open investigation and a self-criticism is imperative in a reconciliation mechanism between different communities in the aftermath of the war. Both Mahinda Rajapaksa and Wickremesinghe governments, did not do that and engaged in writing history from the perspective of the victor. Jayagoda stressed that the Sri Lankan government should responsibly intervene on things happened during the war instead of hybrid courts.

33. Misusing the powers of the President | *Anidda*, 17 March 2019, p.06 | The *Anidda* Editorial

President Maithripala Sirisena declared openly that he is sending his representatives to tell the United Nations Human Rights Council (UNHRC) to not to interfere in our internal affairs and to tell the UNHRC to allow us to solve our problems by ourselves. This is also an uninformed statement as the United Nations Organisation (UN) allowed Sri Lanka to work on its own from 2009. The previous obstinate government did not reap benefits out of it and also reneged on the commitments undertaken. At present Sri Lanka is not in a situation where it is granted leeway to deal with its problems in the way it desires, and it cannot be accepted that UN would adopt a passive behaviour on Sri Lanka.

34. “A new understanding is being created between the President and us” – Senaratne | *Lankadeepa*, 17 March 2019, p.12 | By Prasanna S. Tennakone

Minister of Health, Nutrition and Indigenous Medicine Rajitha Senaratne said that the present government gave a pledge in the run up to the Presidential election 2015 that investigations would be carried out over the incidents that happened during the war. Senaratne also added that it is erroneous in the part of the President to send a separate team as the team of the President to the United Nations Human Rights Council (UNHRC). He further stated that merely because we completely deny that no crimes happened during the war, the international community would not accept that. Therefore, that we should go to a certain reasonable programme with the international community. When Senaratne was posed with the remark that it is said that there is a move to trap even the former Navy Commander Karannagoda levelling war crime charges, he retorted that isn't Karannagoda a criminal. Pointing out the fact that Karannagoda was aware of the abduction of 11 youth, Senaratne queried whether such incidents should not be investigated.

35. Tamilisation or Sinhalisation? | *Divaina*, 17 March 2019, p.04 | The *Divaina* Editorial

A separatist diaspora organisation called “Pearl” that is based in the United States of America has made a peculiar complaint to the United Nations Human Rights Council (UNHRC). It has noted that the North-East in Sri Lanka has been completely subject to Sinhala colonisation and Buddhisisation. The reality is that this is a blatant lie presented to the United Nations Human Rights Council. We firmly believe that not only the North - East but also the entire Sri Lanka has been subject to Sinhalisation and Buddhisisation. It should also be borne in mind that our claim is buttressed by evidentiary facts substantiated through investigations as opposed to distorted historical figures. These things do not tally well with the ideology of the separatist diaspora and Non-Governmental Organisations.

36. The missed target intended at attributing the Mannar mass grave to the military | *Divaina*, 17 March 2019, p.05 | By Dr. Chamila Liyanage

The discussion on Mannar mass grave emerged after discovery of skeletons in the land of the old cooperative building in Mannar. The separatist Tamil diaspora, unscrupulous non-governmental organisations (NGO), the foreign embassies in Colombo were hell-bent on attributing the mass grave to the account of the Sri Lankan military. Nonetheless all their efforts ended in vain when it was revealed that the remains and skeletons in the Mannar mass grave belong to the period of 1499-1700 through a carbon test done. United Nations Human Rights Council (UNHRC) shamelessly attributed the responsibility of the mass grave on the Sri Lankan military even before a conclusive report was issued as to the mass grave.

37. Isn't the Geneva Council unaware of evading the PC polls as well? | *Lankadeepa*, 21 March 2019, p.08(II) | By Udaya Gammanpila

A new resolution on Sri Lanka would be presented to the United Nations Human Rights Council (UNHRC) by five countries including Great Britain. The report prepared by the Office of the United Nations High Commissioner for Human Rights has advocated again on the need to setup a hybrid court. But the Human Rights Council has not made any references advocating its concern on the postponing of elections. Ministry of Foreign Affairs noted that it rejects the report prepared by the High Commissioner of Human Rights. Therefore, the question arises as to why Sri Lanka has opted to co-sponsor the UNHRC that applauds the report of the High Commissioner.

38. "Let's see what happens at the last day of the budget" – Piyal Nishantha de Silva | *Dinamina*, 22 March 2019, p.04 | By Duminda Sampath

United People's Freedom Alliance (UPFA) MP Piyal Nishantha de Silva noted that then Minister of Foreign Affairs Mangala Samaraweera co-sponsored the United Nations Human Rights Council (UNHRC) resolution on Sri Lanka that was brought in 2015. Silva added that United Kingdom is spearheading the resolutions in Sri Lanka at present as the United States of America who used to take the leadership in that regard has quit the UNHRC. He also charged that the current subservient government that meekly follow the dictates of the foreign countries has allowed all these interventions to happen.

When de Silva was pointed out that the so called subservient government was the one which saved the Rajapaksa's and the country from the electric chair, he dismissed that argument by saying that it was because masses resisted any conduct that badly affects the Rajapaksa's and the country. He refused to acknowledge that government had a role too in that regard. He also added that the risk the country had to face has not vanished and stressed that more serious issues would emerge in the future. Pointing out the attacks of the Liberation Tigers of Tamil Eelam (LTTE) particularly in Sri Maha Bodhi

and the Temple of the Tooth, he also queried as to why no one utters a word on the harm that Sinhalese had to undergo during the war.

39. Human rights that go up and down | *Dinamina*, 22 March 2019, p.09 | By Nishan Mendis quoting Professor Jayadeva Uyangoda

The function of the United Nations Human Rights Council (UNHRC) is to assist the member states of it to implement the Universal Declaration of Human Rights (UDHR) and also to provide solutions when human rights are violated. It is erroneous to say that UNHRC is levelling various criminal charges against our country. In reality there have been charges of human rights violations with regard to both the Sri Lankan military and the Liberation Tigers of Tamil Eelam (LTTE). It is the duty of relevant stakeholders to take due legal and other measures on those charges. Though the current government came to power saying that they would hold credible investigations on the alleged violations of human rights during war time, that pledge has not been translated into action until now.

40. Seeking reconciliation by scanning mass graves | *Divaina*, 22 March 2019, p.08 | The *Divaina* Editorial

The report presented by the United Nations High Commissioner for Human Rights Michele Bachelet on Sri Lanka was officially presented to the United Nations Human Rights Council recently (20). Michelle Bachelet expressed the view that she is pleased about the conduct of the government in working in collaboration with the Office of the United Nations High Commissioner for Human rights (OHCHR). She also added that she is pleased with the open, negotiating policy of the government. But her true face was revealed when she postulated two ideas at the latter part of her speech. One idea is to establish an office of the OHCHR in Sri Lanka. The other one is to set up a hybrid court. But the Minister of Foreign Affairs Tilak Marapana refused both these recommendations. The high commissioner has also presented the blatant lie that the government has only released 75 percent of the lands held under the military notwithstanding the fact that 88.87 of government lands and 92.16 percent of private lands have been handed over by the military.

Referring to the Mannar mass grave, she has made the hilarious remark that more mass graves would be discovered in future. It should be borne in mind that there are plenty of other things that could be taken to further reconciliation in the country. The water problem in the North is still not addressed. The unemployment rate in the region has also soared. There is no reasonable price for the products that emerge from North and much has not been done to repair the schools in North damaged by the war. If Michele Bachelet is genuinely concerned about the reconciliation in Sri Lanka, she could have paid attention to these crucial aspects rather than focussing on the mass graves.

41. Marapana rectifies the error made by Samaraweera | *Divaina*, 22 March 2019, p.08 | By Janita Seneviratne

Due to the conduct of the President, Minister of Foreign Affairs Tilak Marapana and the Secretary to the Ministry of Foreign Affairs Ravinatha Ariyasinghe, the conspiracy of the separatist diaspora and some local groups to level war crime charges against Sri Lanka could be defeated. The statement of the Minister of Foreign Affairs Tilak Marapana in dismissing the report of the High Commissioner can be considered as an expression of objection of the entire country against several omnipotent acts of the United Nations Organisation. Marapana also dismissed the proposal of the High Commissioner of Human Rights to set up a hybrid Court. He deliberated that such an arrangement does not comply with the existing constitutional provisions in Sri Lanka. Meanwhile a joint resolution was presented to the United Nations Human Rights Council (UNHRC) by five countries including Great Britain. The resolution was co-sponsored by Sri Lanka is aimed basically at the extension of timeline given to Sri Lanka to implement the recommendations of the Resolution 30/1.

Meanwhile six Tamil parties presented a petition to the UNHRC demanding the setting up of an International Criminal Court, the investigation of war crime process in an international tribunal, complete implementation of the Resolutions 30/1 ad 34/1 and the appointment of a permanent representative of High Commissioner to supervise the protection of human rights in Sri Lanka.

42. “The government is fully determined to complete the reconciliation agenda” – Marapana | *Anidda*, 24 March 2019, p.04 | By Sudarshana Gunawardena

The 40th session of the United Nations Human Rights Council (UNHRC) is being held these days. The resolution expected to be brought with the co-sponsorship of Sri Lanka on “The Reconciliation, Accountability and the Promotion of Human Rights in Sri Lanka” is expected to be passed after being debated on 21st March. The report prepared by the United Nations High Commissioner for Human Rights Michelle Bachelet was taken into discussion on the 20th of March. The report deliberates on the progress made by Sri Lanka after the passing of the Resolution 30/1 in 2015. While applauding the progress made by Sri Lanka, the High Commissioner has also noted the delays in the areas of guaranteeing accountability and the reforms in the security sector. Minister of Foreign Affairs Tilak Marapana addressed the UNHRC after the address of the High Commissioner.

At the outset of his address, Marapana noted that the route of Sri Lanka to reconciliation would be a domestic mechanism. He also went on explaining the steps the Government of Sri Lanka has taken in furtherance of reconciliation categorising them under four pillars- truth, justice, reparation and non-recurrence. In terms of truth, Marapana noted that the government has established an Office of Missing Persons and noted that it is being active in operation. Marapana also noted that the Cabinet of Ministers is

deliberating on a Truth and Reconciliation Commission. In terms of Justice, Marapana noted that measures have been taken to review and expedite cases filed under the Prevention of Terrorism Act (PTA). He also noted that there is deliberation in Parliament on the proposed Counter Terror Act (CTA) that would replace the PTA. Marapana emphasised that the proposed CTA is inspired by international guidelines and practices. Already, he noted, the government has taken steps (through the 2019 budget) to provide a monthly allowance of 6,000 rupees to the families of missing persons. He also added that an Office of Reparation has been established. He summarised by saying that the government is fully determined to complete the agenda of reconciliation.

Marapana also mentioned that there should be an approval of two-thirds of MPs and the approval of people at a referendum to set up a hybrid court in Sri Lanka. He also stressed that the military forces in Sri Lanka were fighting a war against a ruthless terrorist organisation as opposed to a particular community.

43. The end of the war; Geneva manipulated for ten years | *Anidda*, 24 March 2019, p.10 | By Ajith P. Jayasinghe

The core idea of the report presented to the United Nations Human Rights Council (UNHRC) on Sri Lanka is that Sri Lanka has not shown any progress pertinent to the investigation of charges of war crimes. The report also mentions that given the fact that those who are responsible for heinous crimes are not made accountable for their crimes, there is a propensity for new human rights violations to emerge. The pertinent question then is what has been done by the elitist human rights activists, Non-Governmental Organisations and officials of the government who keep on visiting Geneva on a biannual basis for ten years. Billions of rupees are spent on the promotion of human rights in Sri Lanka and it does not seem that any tangible benefit has been reaped. The present status of Provincial Councils (PCs) which are deemed as the only state reform that has been undertaken pertinent to the national issue is quite worrying.

Six PCs are under the control of respective governors at present and the time of the other three PCs would expire at the end of 2019. It should also be emphasised that the government has created a background in which the PC elections cannot be held. It should be borne in mind that unlike the other seven provinces which received the benefit of power decentralisation without a struggle, the PC systems in Northern and Eastern provinces should not be inactive. The fact that the Tamil National Alliance supports the PCs to be inactive is a serious matter to be considered. It is quite surprising that the UNHRC has not focussed on the inactive nature of the only solution that has been given to the national issue hitherto (Albeit with its defects).

44. Saving Geneva | *Anidda*, 24 March 2019, p.12 | No Byline

Geneva sounds very familiar to Sri Lankans now. Resolution 30/1 was passed in 2015 with the co-sponsorship of Sri Lanka at the United Nations Human Rights Council (UNHRC). The timeline of the Resolution 30/1 was extended by the Resolution 34/1 in 2017 by two more years as the government could not complete the recommendations on time. As per the Resolutions 30/1 and 34/1, there were deliberations to carry out legal reforms in certain sectors. It was also advocated to set up the hybrid court, mechanisms on reparation and a mechanism on the missing persons and to expedite the investigations on some high profile crimes. Thus, Sri Lanka was supposed to submit a report to the UNHRC outlining the progress made by the country in this regard. The government which did not fully materialise the commitments taken was able to get two more years. This grace period was further supported by the anti-reconciliation, anti-human rights and anti-democratic reform conduct of the duo Rajapaksa and Sirisena.

The most formidable challenge faced by Sri Lanka is not the hurdle of Geneva. On the contrary, it is the uphill task to establish a lasting reconciliation by reforming the institutional and political structure of the country. What really happens through voicing concerns on the Geneva is a provision of support to the effort of the government to postpone the implementation of commitments undertaken at the UNHRC. Thus, it can be safely argued that the support and objection to the UNHRC resolutions are two sides of the same coin. This also explains why the voice of the government triumphs in UNHRC over that of Sinhala and Tamil diaspora.

45. “The government should immediately reverse the Geneva resolution” – Dinesh Gunawardena | *Divaina*, 24 March 2019, p.13 | By Sirimantha Ratnasekere

Leader of the Mahajana Eksath Peramuna (MEP) MP Dinesh Gunawardena noted that the report of the United Nations High Commissioner for Human Rights is full of unreasonable, unjustifiable facts. Gunawardena also expressed his concern that the report of the High Commissioner is a threat to independence and sovereignty of the country. Moreover, he applauded the fact the conduct of the Minister of Foreign Affairs in saying that he does not agree with the contents of the report of the High Commissioner.

When it was pointed out that it is reported that many countries have not placed their signatures on the report presented by the High Commissioner, he noted that we could have used it to our advantage. However, he noted, the opportunity to reverse the particular report was lost as Sri Lanka opted to co-sponsor the resolution spearheaded by Great Britain. He also noted that the shift in the conduct of the government at the UNHRC from being a passive onlooker to an active participant especially in dismissing the spurious allegations of the High Commissioner has its genesis in the extensive public resistance to the UNHRC resolutions against Sri Lanka. Gunawardena noted that the government has had to succumb to the opinion of the masses in the country.

46. The farce of going to Geneva after agreeing to the resolution! | *Divaina*, 24 March 2019, p.25 | By Shamendra Ferdinando

The UNP government missed the last opportunity to properly challenge the Resolution 30/1 that was passed in the United Nations Human Rights Council (UNHRC) in 2015. The particular resolution levelled spurious allegations against Sri Lanka. Instead, the Government of Sri Lanka obtained two more years to implement the recommendations of the 2015 resolution by co-sponsoring a new resolution spearheaded by Great Britain.

Moreover, the UNP portrayed this unfortunate context as a triumph of the country. Leader of the House Lakshman Kiriella noted that after the 2015 Presidential election, the international community stalled the stern actions that were to be taken on Sri Lanka. Moreover, Kiriella added that the UNHRC resolutions passed after 2015 were in favour of Sri Lanka. Despite the fact Baron Naseby in the House of Lords in Great Britain pinpointed a number of matters that Sri Lanka can use against charges of war crimes levelled against it, the UNP did not pay the least attention to make use of those matters.

The request made by the Joint Opposition to President to quit the UNHRC resolution is a mere attempt to mislead the people as the request was made after the lapse of two weeks since the placing of the signature by Ambassador Azeez on the resolution spearheaded by Great Britain.

47. “Let’s condemn the two-faced nature of the UNHRC | *Lankadeepa*, 24 March 2019, p.04 | The Lankadeepa Editorial

Sri Lanka is no longer a colony of the Western imperialists. Sri Lanka is a sovereign independent country, and no one has the right to intervene in the internal affairs of the country. Yet various charges are being levelled against Sri Lanka at the biannual sessions of the United Nations Human Rights Council (UNHRC). The most predominant charge out of a multitude of charges levelled revolve around war crimes. At the recently concluded session of the UNHRC, the United Nations High Commissioner for Human Rights Michelle Bachelet had opined that the Mannar mass grave dates back to the war period. Bachelet had also stated that it is required to establish a hybrid court in the country. Nonetheless, the Minister of Foreign Affairs Tilak Marapana had rejected those proposals and allegations of the Human Rights Commissioner and that act should be appreciated.

It is worthy to note that the UNHRC adopts a silent mode over the discriminatory conduct and detrimental influences posed by Western countries including the United States of America (US). In an aside, Western countries do not give the least consideration on the recommendations made by UNHRC. Had there been investigations on the attack on Bin Laden, the UNHRC would have to leave everything aside and devote its full time to investigate them.

Sri Lankan military did not engage in a war; on the contrary, it was indulged in a humanitarian operation. Many civilian lives trapped in the open prison of Prabhakaran were saved due to the heroic efforts of the Sri Lankan military. Prabhakaran used innocent Tamil civilians as shields in furtherance of his vicious, odd objectives. It is disconcerting to note that UNHRC that preach on human rights do not utter a word on the civilian massacre of Prabhakaran. In an aside, the UNHRC is trying to justify the conduct of terrorists while attempting to impose sanctions on Sri Lanka.

48. The noose of human rights hanging above us | *Lankadeepa*, 24 March 2019, p.06 | By Nishantha K. Bandara

Secretary of the Patriotic National Movement Dr. Wasantha Bandara noted that Mangala Samaraweera co-sponsored the Resolution 30/1 in 2015 at the United Nations Human Rights Council (UNHRC) without the permission of either the Parliament or the President. Dr. Bandara also noted that the extended period of time of two years given in 2017 pertinent to the Resolution 30/1 in 2015 terminates on March 2019. He also stressed that had not the Government of Sri Lanka co-sponsored the resolution spearheaded by Britain this time, the resolutions against Sri Lanka would have ended there.

Dr. Bandara also noted that United States of America (USA) quit the UNHRC likening it to a cesspool. Sri Lanka could have, used that opportunity to claim that the resolution brought by US as not valid anymore. He added that as we have co-sponsored the UNHRC resolution, it is deemed as an international agreement taken by Sri Lanka. Had we rejected the resolution, there is no room to compel us. Dr. Bandara added that Sri Lanka can get rid of this only if it claims that there should be a reconsideration of the resolutions against Sri Lanka based on the statements made by Baron Naseby. Sarath Weerasekera noted that the war experts had advocated that war crimes did not happen in Sri Lanka and queried as to how England can bring a resolution pinpointing that there were war crimes in Sri Lanka during the war in such a context. He also mentioned that England has no right to level allegations of war crimes against Sri Lanka since England massacred ancestors of the country and added that Germany who carried out the holocaust are preaching human rights to us.

49. Geneva wound-up: quo-vadis from here | Ravaya, 24 March 2019, p.04 | By Sunanda Deshapriya

Though oscillated by unexpected political fluctuations, the session of the United Nations Human Rights Council (UNHRC) on Sri Lanka ended successfully. There are signs that depict that the UNHRC resolution on Sri Lanka would be passed without a division. The 40th session of the UNHRC is crucial pertinent to Sri Lanka not only because that a mere another resolution was passed with the co-sponsorship of the Government of Sri Lanka but also because it allowed to grasp an understanding of the international propensities on the unaddressed human rights issues in the country.

If summarised, the main point is that the international community is not ready to forget blatant human rights violations during the war. Moreover, the international community is still not ready to drag Sri Lanka to the international war tribunal. The aspiration of the international community at this moment is to endeavour to take the mechanism of transitional justice forth in collaboration with Government of Sri Lanka. It also appears that the counties who presented the resolution to the UNHRC this time did not seriously consider the statement of the President Maithripala Sirisena that he opposes this resolution. It is also reported that India had instructed the countries who spearheaded the resolution not to use stern language or to impose serious conditions.

Minister of Foreign Affairs Tilak Marapana refuted the proposal of the High Commissioner of Human Rights to establish a hybrid court in the country. Marapana also dismissed the reference in the report of the High Commissioner that only 75 percent of the lands held by the military have been handed over to the civilians. On the contrary, Marapana nearly 92 percent of lands have been released to the people.

Human Rights Commissioner Michel Bachelet -applauded the progress made by Sri Lanka in taking forward the transitional justice mechanism. But she expressed her concern on the delay in the rendering of justice and failure of the mechanism of accountability.

Now Sri Lankans have the opportunity to take the transitional justice mechanism to a certain end within the next two years. The UNHRC would supervise it. We cannot dismiss the possibility of the emergence of another ethnic conflict and the ostracism in the global arena, in a case if the recommendations of the UNHRC are not implemented.

50. Castes, the President and Geneva | *Ravaya*, 24 March 2019, p.08 | The Ravaya Editorial

President has recently stated that though 90 percent of lands in North had been released, the original owners don't receive them due to caste system prevalent in the North. Nonetheless, the caste system in the North is not a novel concept; but as the struggle to achieve rights thrived in the North, the old caste social base gradually got cancelled and instead the Tamil people are drawn to a violent political direction.

It was imperative for the country to co-sponsor the 2015 resolution. It is clear that matters like inquiring on those who went missing during the war, the sorting out of land issue and the creation of a mechanism of accountability and reconciliation are matters that should be accepted without a debate. The issue is these international commitments are forgotten by the time the session ends. Sirisena expresses ideas on 2015 as if he does not identify North -South astutely. Leader of the House Lakshman Kiriella stated recently that the government should not be hesitant to implement the United Nations Human Rights (UNHRC) resolutions and added that the UNHRC resolutions do not harm the country. The fact that United National Party (UNP) does not reject the UNHRC resolutions is a crucial fact. Sri Lanka should consider the extension of timeline of UNHRC resolutions as a responsibility.

51. The government's attempt in Geneva that closed the mouths of critics | *Silumina*, 24 March 2019, p.08 | No Byline

Minister of Foreign Affairs Tilak Marapana noted that Sri Lanka is committed to achieve reconciliation and also that Sri Lanka has made a commendable progress in this regard. Referring to the fact that the path to reconciliation in Sri Lanka would be a domestic one, he noted that the government of Sri Lanka has taken concrete actions with regard to truth, justice, reparations and guarantees of non-recurrence on reconciliation. He also advocated that the resilient nature of the democratic institutions of the country was well evident during the political crisis in the end of the year 2018.

He also emphasised the fact that the security forces of the country fought against a ruthless terrorist organisation as opposed to a particular community. He refuted the proposal by the Human Rights Chief to set up a hybrid court in Sri Lanka, pointing out that the existing constitutional arrangements do not allow it. He also dismissed the proposal of the High Commissioner of Human Rights to set up a branch of the Office of the High Commissioner of Human Rights in Sri Lanka. Marapana made these remarks at the United Nations Human Rights Council on 20th of March.

52. Rogues who portray demons | *Silumina*, 24 March 2019, p.09 | By Manabarana

Mahinda Rajapaksa and his clan were deprived of the opportunity of manipulating the United Nations Human Rights Council (UNHRC) after the 2015 Presidential election. This is because the new government managed the UNHRC optimally. But, Rajapaksas have again treaded on to portray the demon of the UNHRC on the verge of an election. Rajapaksa clan keeps on telling that the government of Sri Lanka is giving support to pass another resolution against the country. This claim by Rajapaksa has been outrightly rejected by Minister of Finance and Media Mangala Samaraweera. Samaraweera has noted in strong terms that there has been no resolution against Sri Lanka in the UNHRC after 2015.

53. “Instead of white vans that exited in the past, now there are green vans” – Karunarathna Paranawithana | *Silumina*, 24 March 2019, p.10 | By Gamini Bandaranayake

Deputy Minister of Skills Development and Vocational Training Karunarathna Paranawithana noted that the Opposition tried to foment racism in Geneva. Paranawithana added that government is facing the United Nations Human Rights Council (UNHRC) process, while safeguarding the sovereignty and the national aspirations of the country. He also noted that the opposition is hurling charges that the UNHRC is dancing to the tune of Tamil diaspora and the government is buttressing that endeavour.

When he was asked as to what the future of proposal of hybrid court would be, Paranawithana noted that the position of the Jathika Hela Urumaya (JHU) is that the prosecution matters on incidents happened in the country ought to be solved democratically. He was adamant that the internal affairs of the country should never be allowed to be resolved at international courts. He further added that Sri Lankans should not rouse old things while focussing only on the past. He expressed these ideas at an interview.

54. On the edge of the Palmyra fence | *Divaina*, 26 March 2019, p.11 | By Dinasena Rathugamage

United Nations High Commissioner for Human Rights Michelle Bachelet has made several recommendations on Sri Lanka on the insistence of Tamil National Alliance (TNA) representatives who attended United Nations Human Rights Council (UNHRC). The main recommendation presented by Bachelet was to set up a special hybrid court to investigate on war crimes with the involvement of international judges, prosecutors and investigators. Bachelet has made recommendations on nine areas that need to be

focused by Sri Lanka. The most notable among them are the setting up of a Truth and Reconciliation Commission, setting up of an Office of Missing Persons (OMP), setting up of a judicial mechanism that operates on special advice, setting up of a hybrid court, and appointment of honest and impartial individuals to judicial and legal institutions.

55. Geneva flames that engulf Sri Lanka while the heroes become helpless | Divaina, 27 March 2019, p.14 | By Saman Gamage

The 40th session of the United Nations Human Rights Council (UNHRC) concluded recently. The report prepared by the United Nations High Commissioner for Human Rights on Sri Lanka was submitted to the UNHRC on 20th of March.

It seems that Michele Bachelet has not deviated from the position adopted by the former United Nations High Commissioners of Human Rights. As her predecessors, Bachelet has made a number of spurious allegations against the members of Sri Lankan armed forces. The sole intention of these people is to dismember Sri Lanka and to realise the vicious dream of the separatists.

There are a number of recommendations in the report made by the High Commissioner. As usual, the emphasis has been placed on the need to set up a hybrid court in Sri Lanka (with the involvement of foreign judges) to investigate on war crimes that are allegedly to have happened during the last phase of the war in Sri Lanka. The novel feature in the present report is the request made by the High Commissioner on other countries to apprehend the heads of Sri Lankan armed forces who are suspected to have committed war crimes base on the principles of universal jurisdiction. Moreover, Bachelet has questioned as to how the post of chief of defence of staff was given to Major General Shavendra Silva. Sri Lanka is a sovereign country and it is highly problematic as to how UN High Commissioner can query on the heads of the armed forces of the country. But it is disconcerting to note that the Government of Sri Lanka opted to co-sponsor the resolution spearheaded by Great Britain at the ongoing session of the UNHRC.

56. “Will defeat the government at the first opportunity that emerges” – Amaraweera | Lankadeepa, 28 March 2019, p.08 (II) | By Amila C. Gamage

United Peoples Freedom Alliance (UPFA) MP Mahinda Amaraweera mentioned that the address made by the Minister of Foreign Affairs in the United Nations Human Rights Council (UNHRC) is completely an address made on the instructions of the President. Amaraweera also noted that the United National Party (UNP) had a plan to deliver an address at the UNHRC by an official.

When he was pointed out that MP Sumanthiran made a statement that Sri Lanka would be dragged to the International Court if the foreign judges were not brought, he noted

that the people like Sumanthiran aspire a resurgence of the war. Amaraweera further added that what the UPFA is trying to do is to safeguard war heroes while retaining the unitary status of the country. He also stressed that it is not suitable to identify the individuals attached to the armed forces who were involved in erroneous acts as war heroes.

57. “Council is unsuccessful” – Wimalaweera Dissanayake | *Dinamina*, 29 March 2019, p.04 | By Duminda Sampath

United Peoples Freedom Alliance (UPFA) MP Wimalaweera Dissanayake noted that United States of America likens the United Nations Human Rights Council (UNHRC) to a cesspool. Dissanayake also noted that the human rights of the country would be evaluated according to the power that the particular country wields in the international arena. He added that even if the war waged by armed forces in the country was justifiable, it is being alleged that there were human rights violations in it. Further, he noted that Sri Lanka should not agree to the recommendations of the UNHRC.

When it was pointed out to him that human rights allegations first came in 2012 and even then we could not dismiss those allegations, Dissanayake noted that the allegations are levelled based on the powerfulness of the ruler of the country. He added that Mahinda Rajapaksa challenged those allegations of violations of human rights and entertained the view that the present government agreed to the fact that there were human rights violations in the country. When he was pointed out that however it was during Rajapaksa’s time that a particular phobia was created that soldiers are dragged to the guillotine, he noted that Mahinda Rajapaksa did not agree to betray soldiers and to acknowledge that war crimes were committed. He also opined the view that current government rejected the hybrid court proposal because of the widespread anti - government resistance within the masses.

58. “Political refugees blame the council” – Chaminda Wijesiri | *Dinamina*, 29 March 2019, p.04 | By Duminda Sampath

United National Party (UNP) MP Chaminda Wijesiri noted that the present government is trying to solve issues, while not succumbing to the laws brought by the International community. Instead, he opined, the current government tries to solve issues by domestic law and noted that as a government they would never succumb to the international influence. It was also noted by Wijesiri that the government should support the programme to safeguard human rights.

He was posed with the remark that it is said that we could have dismissed the charges brought by the United Nations Human Rights Council (UNHRC) in a context where US

has quit it. Wijesiri responded by saying that the government does not accept the proposals of the UNHRC, if those proposals are detrimental to the country and if they affect the sovereignty of the country. He added that the government do not completely agree to all proposals of the UNHRC and added that the government objected to the hybrid court proposal.

59. Real faces and masks in the presidential election | *Divaina*, 29 March 2019, p.08 | By Janitha Seneviratne

Although the Geneva human rights session wound up, the discussion on it in our country has not subsided. President blamed the government for co-sponsoring the resolution without informing him. Sirisena also noted that regardless of the person who is making such demands, he would not appoint any commission outside the constitution. Sirisena also criticised the report of the United Nations High Commissioner for Human Rights. He added that the particular report is rife of many inaccurate facts and pinpointed that it mentions that the lands occupied by the military in North-East had not been released.

Governor of the Northern Province Suren Raghavan noted that the report of the High Commissioner had been accepted without the sanction of the President.

60. The President who is anti-Tamil | *Anidda*, 31 March 2019, p.06 | By K.W. Janaranjana

Though the United Nations Human Rights Council (UNHRC) has wound up, the doldrums that it has been creating in the country has not ended yet. Minister of Foreign Affairs Tilak Marapana mentioned that there are several inaccurate references in the report presented by the United Nations High Commissioner for Human Rights on Sri Lanka. He also stated that it is not possible to set up a hybrid court in Sri Lanka under the existing constitutional arrangements. But it seems that his reasoning with regard to inability to set up the hybrid court is flawed and a careful look at the constitution reveals that there is no such restraint anywhere in the constitution. Thus, the objection to hybrid court is merely a move to please the Sinhala-Buddhist vote base.

Meanwhile the President stated that the resolution co-sponsored by Sri Lanka was signed by the ambassador to Geneva on the compulsion of a person who is not a government officer. The President also noted that the co-sponsorship had been done even without informing him. President had also mentioned that speech made by Minister of Foreign Affairs Tilak Marapana at the UNHRC was made with his (the President) involvement.

In addition, the Governor of the Northern Province Suren Raghavan had made a critical remark at the discussion Sri Lankan delegation had with the High Commissioner.

What should be stated is that the statements of the President on the UNHRC vividly reveal that he is not going to redress the grievance of Tamil people who voted en-masse in support of him at the Presidential election in 2015.

61. Has there been a change in the policy of Sri Lanka on accountability? | *Anidda*, 31 March 2019, p.07 | By Sudarshana Gunawardena

The report, “Reconciliation, Accountability and Human Rights in Sri Lanka”, presented by the United Nations High Commissioner for Human Rights at the 40th session of the United Nations Human Rights Council (UNHRC) was discussed on the 20th of March. It is worthy to note that the Minister of Foreign Affairs Tilak Marapana made some critical and negative remarks on certain recommendations made in the report of the High Commissioner. He noted that Government of Sri Lanka had made continuous references to the fact that there are constitutional and legal constraints that prevent the government of Sri Lanka from establishing a hybrid court with the involvement of non-citizens. Marapana also made note of the fact that the armed forces in Sri Lanka did not wage a war against a particular community but against a ruthless terrorist organisation.

It is true that the approach of Sri Lanka to reconciliation, accountability and human rights took a dramatic turn after the advent of the Yahapalana government in 2015. This was exemplified by the fact that Sri Lanka co-sponsored the Resolution 30/1 in the UNHRC. It is also evident that the Government of Sri Lanka has taken a number of steps in the spheres of reconciliation and human rights. But it also must be said that in terms of accountability – rendering of justice to the victims of the violations of international human rights law and international humanitarian law, has not seen much progress.

It is true that a conducive political context to Sri Lanka exists in the international arena. This has resulted in the emergence of a lenient attitude in the UNHRC on Sri Lanka. On one hand the United States of America (USA) quit the UNHRC and on the other hand, the United Kingdom (UK) is embroiled in the Brexit conundrum. Moreover, this situation was also buttressed from the fact that Bhartiya Janata Party (BJP) is in power in neighbouring India.

**62.If the malady is the UNHRC, what is the remedy? | *Anidda*, 31 March 2019, p.12
| By Jayani Abeysekere**

After the end of the war, a number of steps were taken by successive governments of Sri Lanka to address issues on reconciliation, accountability and human rights. Udalagama Commission established in 2006, Learnt Lessons and Reconciliation Commission setup in 2010, Maxwell Paranagama Commission in 2013 were certain domestic initiatives taken during the period of previous government. In addition, as a result of the slow progress made by the government of Sri Lanka in spheres of human rights, accountability and reconciliation, several initiatives spearheaded by the international community too could be witnessed. Darusman Commission 2011, Investigation on Sri Lanka by the Office of the United Nations High Commissioner for Human Rights (OISL report), Resolution 30/1 in 2015 at the United Nations Human Rights Council (UNHRC), Resolution 34/1 in 2017 at the UNHRC are some of them.

63.Will the Portuguese be saved by closing the Mannar grave? | *Lankadeepa*, 31 March 2019, p.10 | By Dr. Wasantha Bandara

It has been now revealed that the samples taken by the Mannar mass grave had been sent to the carbon testing without the sanction of the Professor Raj Somadeva and the Judicial Medical Officer in Mannar. Even before the release of the results of the carbon testing, the Tamil diaspora and the Tamil National Alliance (TNA) were hellbent on attributing the liability of the mass grave on the armed forces of Sri Lanka. They further used it to level spurious charges of war crimes against the armed forces of the country. This mean propaganda by the Tamil diaspora was targeted at the United Nations Human Rights Council (UNHRC). But all their vicious agendas stalled midway, when it was revealed that the remains in the Mannar mass grave belong to the period between 1500-1700.

Meanwhile, Great Britain is engaged in an attempt to level allegations against Sri Lanka in complete ignorance of the reports sent by the defence officer attached to the Embassy of Great Britain in Sri Lanka. Baron Naseby of the House of Lords in Great Britain has dismissed the war crime charges presented by Great Britain using those reports. The double standards of Great Britain in respect of human rights were vehemently criticised by Rear Admiral Sarath Weerasekera in the recently concluded sessions of the UNHRC.

64. President and Raghavan | Ravaya, 31 March 2019, p.08 | The Ravaya Editorial

Governor of Northern Province Suren Raghavan had noted that the co-sponsorship had been given to the report of the United Nations High Commissioner for Human Rights without the sanction of the President. The statement of Raghavan is also another facet of the oft-repeated remark by Sirisena that things happen in the country without him being informed. If the President is not informed of the report of the High Commissioner, the issue lies with the President itself as he needs to be more vigilant as the head of the state.

Moreover, Raghavan is someone who is well aware of the issues in the North. But as he had to be part of the delegation of the government to the United Nations Human Rights Council (UNHRC), it seems that Raghavan had fallen to the clan of the racists. What is there in the report of the High Commissioner of Human Rights? It is recommended in the report of the High Commissioner that as the mechanism of accountability in Sri Lanka moves at a sluggish pace, there is the need to set up a hybrid court. It is also mentioned that there are issues with the accountability with regard to crimes committed by the heads of the armed forces. But what should be stressed is that as long as Sri Lanka does not depict a genuine interest with regard to reconciliation, accountability and human rights, Sri Lanka would have to confront challenges at the international arena.

65. The leader demanded by the masses | Silumina, 31 March 2019, p.09 | By Manabarana

The previous government used to muster electoral advantages claiming that the United Nations Human Rights Council (UNHRC) is engaged in a vicious attempt to dismember the country. Elections were held in way such that the pressure exerted by the UNHRC could be used to muster electoral advantages. Wimal Weerawansa carried out a spurious fast near the office of the United Nations (UN) in Colombo. Thus, it is clear that they manipulated the UNHRC for their own advantage.

66. Has the government failed with respect to the UNHRC issue? | Silumina, 31 March 2019, p.09 | By K.G. Philip Shantha

At the end of year 2014, the previous government of Mahinda Rajapaksa was in a panickmode over the pressure of the international community. They interpreted the international pressure present at that time as an attempt to drag Mahinda Rajapaksa into the guillotine. The Rajapaksa administration wanted to gain electoral advantage by popularising misconceptions on the international pressure exerted. Nonetheless, after the advent of the *yahapaalanaya* government in 2015, it was realised that this

international pressure is actually a reprimand for working outside the accepted principles of human rights and international law as opposed to an attempt to drag Sri Lanka to the guillotine. Thus, the new government adopted a novel approach in respect of the international pressure -Sri Lanka treaded on a path where it indulged in a consensus with the countries that level allegations against Sri Lanka.

The result of the consensual approach adopted by the new government is that the termination of passing of resolutions that are detrimental to Sri Lanka in the United Nations Human Rights Council (UNHRC).It is true that Sri Lanka had to agree to an array of international commitments in respect of democratic reforms .International community wants Sri Lanka to depict that it is genuinely committed to good governance and accountability. This is why the UNHRC has granted two more years in respect of the implementation of democratic reforms .Instead of adopting a confrontational approach with the UNHRC, what Sri Lanka should do is to come up with unique and strong proposals in respect of accountability and good governance.

67. “We should be honest with the UNHRC” – Suren Raghavan | *Dinamina*, 03 April 2019, p.18 | By Duminda Aluthgedara

Governor of the Northern Province Dr. Suren Raghavan noted that the Office of the United Nations for Human Rights Investigation on Sri Lanka (OISL) report has its genesis in the joint communiqué issued by the former President Mahinda Rajapaksa and the former Secretary General of the United Nations Organisation (UN) Ban ki-moon in 2009 .He also noted that it could be observed that there were many flaws in the report presented to the recently concluded session of the United Nations Human Rights Council (UNHRC) by the United Nations High Commissioner for Human Rights. Furthermore, he argued that the delegation of Sri Lanka to the UNHRC briefed the UNHRC on the extent of lands released in North and the progress made by the Government of Sri Lanka in respect of protection of human rights.

He also noted that he was adamant that Government of Sri Lanka should be candid with the UNHRC. Delving further, he noted that the he wanted the Government of Sri Lanka to brief the UNHRC on the steps Sri Lanka had taken so far in respect of reconciliation, accountability and human rights. It was also said by Raghavan that he also needed the government to convey in clear terms to the UNHRC about the recommendations that Sri Lanka would never implement. He also noted that the proposal to set up a fully-fledged office of the UNHRC was outrightly rejected by the delegation of Sri Lanka to the UNHRC.

68. “Who provided the correct reply to Michelle Bachelet? Is it Marapana or is it Udagama? | *Anidda*, 07 April 2019, p.07 | By Sudarshana Gunawardena

The United Nations High Commissioner for Human Rights Michele Bachelet presented the report on the Reconciliation, Accountability and Human Rights to the United Nations Human Rights Council (UNHRC) on 20th of March. Minister of Foreign Affairs Tilak Marapana addressed the UNHRC subsequently. Later the Chairperson of the Human Rights Commission of Sri Lanka (HRCSL) Dr. Deepika Udagama addressed the UNHRC through a video.

In her address Udagama emphasised the fact that the priority in this juncture is to guarantee the democratic accomplishments made in the past three years and she added that those triumphs are still in their infantile stage and therefore fragile. Pinpointing the baseless vehement criticisms that were levelled against independent institutions in the country especially the HRCSL, she stressed that the independent institutions should be further empowered. In terms of the reconciliation agenda, she noted that the government should take due measures to set up all other institutions that it has promised to set up pertinent to the transitional justice. She also made it an opportunity to point out the fact that HRCSL works in collaboration with the Office on Missing Persons (OMP).

The writer notes that the emphasis of an international intervention in the issue of accountability in Sri Lanka became vivid due to the conduct of the previous government in refusing and lack of potential to implement a credible domestic mechanism. He notes that the evolution of resolutions of the UNHRC starting from 2012 reached its climax in 2014 Resolution 25/1.

Nonetheless, the most formidable challenge to the local and domestic institutions that are hell-bent on setting up an international mechanism notwithstanding the commendable progress made in the past three years came from Udagama. She noted that it is the duty of the Office of the United Nations High Commissioner for Human Rights (OHCHR) to direct the complaints that OHCHR states that it received on the enforced disappearances, illegal detentions and sexual harassments in the recent period. She also mentioned that if such complaints are received, she is ready to have investigations on it.

69. “The suspicion on rendering of justice would be solved by a hybrid court” – Sumanthiran | *Anidda*, 07 April 2019, p.12 | By Prabodha Ratnayake and Jayani Abeysekera

Tamil National Alliance (TNA) MP M.A. Sumanthiran noted that in 2014 the United Nations Human Rights Commissioner was allowed to issue a report on Sri Lanka after conducting an international investigation. Sumanthiran added that the Report of the Office of the United Nations High Commissioner for Human Rights (OHCHR) investigation on Sri Lanka (OISL report) was submitted by the then High Commissioner Zeid Al Hussein in September 2016. Sumanthiran added that such international involvement was a result of Rajapaksa regime not taking steps to implement the recommendations of the Lessons Learnt and Reconciliation Commission (LLRC) report. Noting that there were two parties to the conflict in Sri Lanka -the Government of Sri Lanka and the group that fought for Eelam, he noted in such a context it is not ideal to handle independent investigation on the incidents happened during the war by a judicial mechanism appointed by the Government of Sri Lanka. He further stressed that the victims clamoured for a judicial mechanism that operates within the country with the involvement of both local and foreign judges as opposed to an international judicial mechanism.

He emphasised that OISL Report on Sri Lanka had pointed out that both the armed forces of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE) are liable for war crimes. Emphasising that there are many issues still not addressed such as the fate of about 3,000 people who surrendered to the army at the end of the war, Sumanthiran noted that that is why the TNA insists on a credible investigation.

70. “The North demands international investigations as the government in South is sluggish” – Brito Fernando | *Anidda*, 07 April 2019, p.12 | By Prabodha Ratnayake and Jayani Abeysekera

The Chairperson of the Collective of Families of Missing Persons Brito Fernando stated that the international community is clearly not willing to forget the crimes that happened merely because an extension of the timeline pertinent to United Nations Human Rights Council resolutions (UNHRC) on Sri Lanka had been granted. Fernando added that the international community keeps on demanding accountability from Sri Lanka. He also stressed that there is neither a move by the international community to drag Sri Lanka to the International Criminal Court as claimed by the Tamil diaspora.

He also noted that the demonstrations in North-East and abroad by Tamil community demanding the non-granting of an extension of timeline to the Government of Sri Lanka stems from the fact that those communities have lost their faith in the government. When he was asked whether the government would be genuinely committed to implement Resolution 40/1, he noted that the government would have to implement

the recommendations. He moreover stressed that the victims of the conflict and all who value humanity should compel the government to materialise those pledges.

71. “Foreign judges do not visit the country merely to observe and go back” – Ruki Fernando | *Anidda*, 07 April 2019, p.12 | By Prabodha Ratnayake and Jayani Abeysekera

Human Rights Activist Ruki Fernando noted that he observes that there is a political facet to the resolution 40/1 passed in the United Nations Human Rights Council (UNHRC). Delving further, he noted that the political dynamism in the international politics and the political situation in the country influences the decisions taken at the UNHRC. Fernando also stressed that the meaning behind the extension of timeline pertinent to Sri Lanka is that the government of Sri Lanka should implement the pledges that have hitherto not been materialised and there should be solutions to grievances that were hitherto unaddressed. He also noted that the demand for an international judicial mechanism would subside if we can depict the international community that a domestic judicial mechanism has the potential to address the grievances of the victims. He also noted that the demand in the North to refer Sri Lanka to International Criminal Court does not mean that the individuals are completely aware of the idea that is conveyed by it. On the contrary, it connotes the pain that these people are undergoing.

72. Is it a hybrid court or an international court? | *Anidda*, 07 April 2019, p.13 | No Byline

Minister of Foreign Affairs Tilak Marapana made remarks opposing some recommendations in the resolution 30/1 co-sponsored by Sri Lanka in 2015. The main contention presented by him revolved around the hybrid courts. Marapana noted that as per the existing constitutional arrangements in the country, such a move is impossible. He also noted that it needs the approval of two-third majority in the legislature and the consent of the people at a referendum. Nonetheless it seems that the underlying idea behind the dismissal of the hybrid court proposal is the stance that there was no possibility for the armed forces in Sri Lanka to commit illegal things. It is not clear as to what the constitutional provision Marapana was referring to justify his dismissal of the hybrid court proposal. As per the constitution of Sri Lanka, the parliament has the power to set up new courts and investigatory tribunals. Thus, at a glance, the parliament can set up new courts even a hybrid court.

Tamil National Alliance (TNA) is adamant that unless the government of Sri Lanka sets up a hybrid court as per the recommendations of the Resolution 30/1 in 2015, it would refer Sri Lanka to the International Criminal Court. They further opine that there would be a conflict of interests, when the judicial mechanism of the country investigates on the incidents that happened during the war.

73. Human Rights of British and Uva-Vellassa | *Divaina*, 07 April 2019, p.04 | By Sarath Weerasekera

Resolution 30/1 on Sri Lanka was brought to the United Nations Human Rights Council (UNHRC) by United States of America (US) in 2015. Resolution 30/1 branded war heroes of the country as ones who committed war crimes and consisted of a number of recommendations that are detrimental to the sovereignty of the country.

Despite the fact that US quit the UNHRC at a later stage, our leaders kept on materialising the recommendations made in resolution 30/1. Great Britain has come to fill the void created in the absence of US and it spearheaded resolution 40/1 in the recently concluded session of the UNHRC. Moreover, Great Britain keeps on saying that Sri Lanka should be genuinely committed to protect human rights and also that Sri Lanka should hold the individuals who violated human rights accountable. But it is worthy to note that the ancestors of the British who preach human rights today committed egregious human rights violations in the freedom struggle of Uva launched in 1818 and of Matale in 1848. Thousands of innocent civilians were ruthlessly massacred and pillage was carried out in an extensive manner in the areas where the insurrections took place. Thus, Great Britain has no ethical right to teach Sri Lanka as to how human rights should be protected.

74. “Wigneswaran has not talked with us yet” – Shivajilingam | *Divaina*, 07 April 2019, p.12 | By Erik G. Jinapriya

Former member of the Northern Provincial Council representing the Tamil National Alliance (TNA) N.K. Shivajilingam noted that he attended the United Nations Human Rights Council (UNHRC) in the capacity of an elected representative of the Tamil People. He added that he is the Chairman of the Tamil Eelam Liberation Organisation (TELO). Noting that the Government is cheating the foreign countries by saying that its co-sponsors the UNHRC resolution, Shivajilingam noted that it is an extremely unreasonable act.

Furthermore, he mentioned that if the Government continues with this approach this issue would end up in the Security Council of the United Nations Organisation (UNO). He noted if that were to happen there is the possibility to have an international investigation on Sri Lanka and also a referendum for a political solution.

75. “We could have foreseen the electricity crisis” – Ajith P. Perera | *Lankadeepa*, 08 April 2019, p.04 | By Bingun M. Gamage

Non-Cabinet Minister of Digital Infrastructure and Information Technology Ajith P. Perera noted that the statement made by Minister of Foreign Affairs that a hybrid court cannot be set up in Sri Lanka is an accurate statement. Delving further, Perera noted that a person who is not a citizen of Sri Lanka cannot hold a post of a judge in a judiciary in Sri Lanka. He also opined that our judiciary has shown clearly that it is resilient and independent. Perera was pointed out that the Tamil National Alliance (TNA) is stating that Sri Lanka is bound to set up a hybrid court and if it were not set up, they would have to demand an international tribunal on Sri Lanka. Perera responded that the government is not in agreement with everything that the TNA says. He further noted that the government disagrees entirely with the TNA in this respect. When he was pointed that the TNA also disagrees with the proposal by the Prime Minister to forgive and forget, Perera noted that an equilibrium between the rendering of justice and the national harmony should be maintained.

76. True patriotism and human rights | *Dinamina*, 09 April 2019, p.04 | By Terrence Purasinghe

Human rights issue of Sri Lanka took an international dimension under the regime of Mahinda Rajapaksa. As a result, there were serious international repercussions on Sri Lanka. There was a tremendous pressure from the international community and there were preparations to impose punishments on Sri Lanka during that period. Thus, there was a definite likelihood of implementation of penal sanctions if not for the advent of the Yahapalana government in 2015. Despite the fact that mounting international pressure on the country subsided to a considerable extent with the advent of Yahapalana government particularly owing to the collaborative approach it adopted over international relations, the vigilance of the West over the conduct of the Government of Sri Lanka continued unabated. There are allegations from several groups - particularly Sinhala-Buddhist nationalists that the Western countries attempt to crush non-Western countries in the guise of protection of human rights. It is also alleged that despite concrete democratic structures in the Western states, they are engaged in violations of human rights in other parts of the world. Nonetheless, it should be understood that a country can move forth only if that country secures the rights of all communities and if it adopts a common nationality.

77. What is the 'national issue'? | *Mawbima*, 18 April 2019, p.06 | By Professor Ajantha Hapuarachchi

The casualties of a war are not confined to one country or one community. In order to prevent a war and to terminate a war, various military strategies would be adopted. When such strategic measures are adopted, the ordinary masses might be affected, and they might disappear. Wars are that brutal. Thus, there might be instances where the government cannot compute the number of casualties of the war.

Nonetheless, deliberate disappearances, murder of ordinary masses in a war cannot be approved in any manner. Sri Lanka had to face this terrific situation for the past 30 years. In the aftermath of the war, we could observe some groups or individuals who were engaged in acts of betrayal of the country in the international arena, manipulating the casualties of the war. Individuals like Wigneswaran compel innocent civilians to hold demonstrations demanding their children whenever a session of the United Nations Human Rights Council (UNHRC) is about to commence. This is extremely dangerous as individuals like Wigneswaran get engaged in these acts of betrayal of the country, while leading luxurious lifestyles in this country itself. People in North have also forgotten as to how the Liberation Tigers of Tamil Eelam (LTTE) forcibly recruited their children into that terrorist organisation. As there is no one in the North to point out to them that the LTTE too should be inquired as to what happened to the children who went missing during the war, the ordinary masses in the North are pointing fingers at the government.

78. Fishing in muddy waters and the proposed Counter Terrorism Act | *Mawbima*, 30 April 2019, p.06 | By Nalaka Godahewa

The former United Nations High Commissioner for Human Rights Zeid Al Hussein presented a report to the United Nations Human Rights Council (UNHRC) in September 2015 on Sri Lanka and it was challenged even in the British Parliament. Baron Naseby of House of Lords in England advocated that Hussein had relied on the spurious claim presented by Channel 04 that 40,000 civilians died in the last months of the Sri Lankan civil war. High Commissioner Zeid Al Hussein tried to exert undue influence on Sri Lanka through every report on Sri Lanka presented to the UNHRC sessions between 2014-2018. He particularly emphasised on the need to conduct investigations on the activities of the armed forces and the intelligence service in Sri Lanka and to repeal the Prevention of Terrorism Act. Thus, Al Hussain is a leading adviser of programme carried out by the current government to weaken the intelligence service and the armed forces of the country.

79. “Arrest the military officers accused of war crimes” – Human Rights Commissioner requests from the members of the UNHRC | *Divaina*, 17 March 2019, p.23 | By Keerthi Warnakulasuriya

While some politicians in the government claimed that the United Nations Human Rights Council (UNHRC) would adopt a lenient approach on Sri Lanka, a drastically different situation has emerged. The report prepared by the Office of the United Nations High Commissioner for Human Rights levelled charges against prominent military officers including Shavendra Silva and former Army Commander Jagath Jayasuriya. Moreover, the High Commissioner also granted permission to the foreign countries to arrest the military officers who are accused of war crimes. High Commissioner has also noted that enforced disappearances, illegal detention, torture were reported from 2016 to 2018.

80. Geneva: The decisive week begins! | *Ravaya*, 17 March 2019, p.14 | By Sunanda Deshapriya

The last week of the 40th session of the United Nations Human Rights Council (UNHRC) would be decisive for Sri Lanka. There would be a lengthy debate on the report of the United Nations High Commissioner for Human Rights on the situation of human rights in Sri Lanka and the implementation of Resolution 30/1 on the 20st of March. The resolution on Sri Lanka would be taken into discussion on the 21st. It is said that there are 15 countries to co-sponsor the resolution on Sri Lanka and Sri Lanka is also one of them. Thus, it seems that the government of Sri Lanka has decided to stay in its position notwithstanding the objections of Sirisena. The diplomatic sources indicate that the idea of some politicians that Sri Lanka should withdraw from the Resolution 30/1 as United States of America quit the UNHRC is a misconception. This is particularly because the Office of Global Criminal Justice attached to the Security Department of the United States of America has included Sri Lanka in its observations. The global attention on Sri Lanka has not receded after 2015. The reason for this is the failure of the government to take the transitional justice mechanism forward successfully. Moreover, the granting of high posts in the government to military leaders who are accused of war crimes and the disruption of investigations due to the non-supportive nature of the military too have caused this.

81. Looking at Geneva from Mannar | *Silumina*, 17 March 2019, p.08 | The *Silumina* Editorial

There is a broad discussion at present on the resolution presented on Sri Lanka at the 40th session of the United Nations Human Rights Council (UNHRC) and the conduct the government ought to follow regarding it. Since 2009, the year in which the Liberation Tigers of Tamil Eelam (LTTE) was defeated, a number of resolutions were passed against Sri Lanka in the UNHRC. What is unique in 2015 was that Sri Lanka became a co-sponsor of such a resolution. The government is acting tactically by abandoning detrimental proposals like the setting up of a hybrid tribunal with the involvement of foreign judges, prosecutors and investigators and instead agreed to a human rights process that can be implemented. Government also took steps to set up the Office of Missing Persons (OMP), laying the initial steps for the setting up of the Truth and Reconciliation Commission. An environment was created spontaneously where the pride of the Sri Lankan military was untainted. The appreciative references on the conduct of the government in the resolution presented to the UNHRC reveals that the global community possesses a good impression on the Country.

There is room at present to portray the international community the truth about Sri Lanka due to the on-going human rights process in the country. This is particularly significant in the presence of spurious allegations by both anti-government forces and the LTTE-supportive Tamil diaspora. The most recent example is the Mannar mass grave. The separatists were leaving no stone unturned to depict that the mass grave in Mannar is a vestige of genocide. But it was revealed later due to a carbon dating that the remains in the mass grave dates back to the 1400-1700 AD. This truth has clearly disrupted the vicious agendas of the separatist, racist forces living in the country and abroad.

82. “Those who buttress the UNP were revealed at the budget vote” – Sunil Watagala | *Silumina*, 17 March 2019, p.10 | By Tharaka Wickremasekara

The member of the Western Provincial Council representing the Janatha Vimukthi Peramuna (JVP) Sunil Watagala noted that the Tamil National Alliance (TNA) has no issue as to the governing system of the country -whether the system of the country should be an executive Presidential system or an executive Prime Minister system. Instead, Watagala noted, that their main priority is on a mechanism that expeditiously delivers solutions to the issues of Tamil people. When he was told that there is a broad discussion in the country on the United Nations Human Rights Council (UNHRC), he noted that the discussion on Geneva would fade after a few days. He was also of the opinion that the JVP would take the lead in objections against the proposed Counter - Terrorism Act. Watagala also noted that the proposed Act is a move to curb demonstrations, protests and rallies against the government. Watagala expressed these ideas at an interview with *Silumina* newspaper.

83. Jumping across the Geneva hurdle | *Silumina*, 17 March 2019, p.12 | By Sumedha Jayabahu

There is a formidable challenge in front of the government. That is the dilemma as to the response of the United Nations Human Rights Council (UNHRC) on Sri Lanka in the coming days. The government has a responsibility to manage the response of the UNHRC and to safeguard the sovereignty of the country. There is no gainsaying in the fact that spurious Non-Governmental Organisations (NGOs) and the Western countries who are their masters act with vested interests in this regard. President recently advocated that there ought to be no room for the foreign countries to intervene in the internal affairs of the country and that no one should be allowed to drag the soldiers to the guillotine.

Patriots whose views are not tainted by racist ideologies are of the opinion that this issue should be solved without any injustice, harm to anybody. There should be a humane approach to the problems of all people who were affected by the war. There are also claims that the UNHRC is not an impartial institution. United States of America quit the UNHRC recently likening it to a “cesspool of political bias”. Sri Lanka co-sponsored the Resolution 30/1 in 2015 and by it the Government of Sri Lanka accepted that there should be investigations on the incidents that are alleged to have happened during the last phase of the war. But it should be borne in mind that provision of co-sponsorship to Resolution 30/1 was given without the President being aware of such a move. Minister of Foreign Affairs recently stated that the government is not ready to accept the report of the Office of the United Nations High Commissioner for Human Rights. Overall, what should be stated is that everyone should stand together at this juncture pertinent to the UNHRC problem.

84. Geneva resolution that is not caliginous as claimed | *Silumina*, 17 March 2019, p.24 | No Byline

A new resolution on Sri Lanka would be presented to the United Nations Human Rights Council (UNHRC) by a number of countries including Great Britain. At a glance this resolution has not demanded anything new pertinent to Sri Lanka. The main contention of the new resolution is a request to the United Nations High Commissioner for Human Rights to hold a continuous evaluation on the progress made by Sri Lanka pertinent to the Resolution 30/1 in 2015. The new resolution has noted with appreciation the setting up of the Office of Missing Persons (OMP) by the Government of Sri Lanka. It has also applauded the steps taken with regard to the release of lands occupied by the military in the North to the civilians. The resolution also has noted that there should progress pertinent to the framing of the legal framework of the Truth and Reconciliation Commission and the repealing of the Prevention of Terrorism Act. Meanwhile a report prepared by the Office of the United Nations High Commissioner for Human Rights on Sri Lanka has also been released. However, there are some controversial proposals like

the setting up of a hybrid judicial tribunal to investigate on war crime charges. The reference in the report that adequate steps have not been taken to release the lands held by the military back to civilians notwithstanding the commendable progress in that area too has ignited controversy. Everlasting peace is unattainable overnight. It requires the commitment of all citizens in the country.

85. Appearing on behalf of sovereignty | *Divaina*, 21 March 2019, p.08 | The *Divaina* Editorial

Liberation Tigers of Tamil Eelam (LTTE) were indulged in ruthless conduct. They carried out massacres on innocent civilians. Thus, it is crucial for us to celebrate the 10th anniversary of the defeat of the LTTE. On the other hand, there is a gloomy picture pertinent to the country at present. The present context is characterised by a number of incidents where the soldiers who defeated the ruthless LTTE are dragged into the guillotine. Meanwhile the United Nations Human Rights Commissioner has declared extremely stern decisions against Sri Lanka. She has issued warrants to arrest seven leaders of the military who took the leadership in war in 17 countries. Only the Sinhala diaspora in Europe and some non-government activists from Sri Lanka had raised concerns on the report made by the United Nations Human Rights Commissioner. They have endured even the open serious threats of the Tamil diaspora in this endeavour. The conduct of the Sinhala diaspora deserves the applause of the country in this regard. Minister of Foreign Affairs Tilak Marapana refused the setting up of a hybrid court in Sri Lanka at the UNHRC and this defiance too deserves appreciation.

86. “There is no point in going to Geneva to stay staring up aimlessly” – Hirunika Premachandra | *Lankadeepa*, 21 March 2019, p.08(II) | By Amila Gamage

United National Party (UNP) MP Hirunika Premachandra noted that the delegation to the United Nations Human Rights Council (UNHRC) in Geneva should comprise of people who can communicate ideas with the representatives of the UNHRC. Premachandra also noted that there is no point in going to Geneva, if there is no active participation in the sessions of the council.