

NORTHERN TAMILS SCEPTICAL AHEAD OF 'ANOTHER GENEVA SESSION'

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Waiting for closure: Protesters carrying black flags and pictures of missing Tamils in Kilinochchi on February 4. AFP

In the nearly 12 years since her husband surrendered to the Sri Lankan Army, E. Sumathra has seen many sessions of the UN Human Rights Council in Geneva come and go. Half a dozen resolutions on Sri Lanka have been adopted since, but she is no closer to finding out where he is.

Ahead of the 46th session of the Council beginning next week, the Sri Lankan government, Tamil polity, civil society, and diaspora groups are frantically lobbying member countries, hoping for different outcomes. But Ms. Sumathra is not waiting with bated breath. "We are used like trophies every time, and nothing that comes out of these sessions alters our reality," she says.

She was seated at a concrete shelter by the sea, shining in a lavish blue-green shade under the afternoon sun, last weekend. Along with her are groups of women, from both the Tamil and Muslim community residing in the district, all gathered for a campaign on caring better for the environment.

"Families of forcibly disappeared persons have been agitating since the war ended [in 2009], but some of our politicians and diaspora organisations have split our struggle. Today, we are all in different groups with no prospect for truth or justice," says the 36-year-old.

So far, none of the past UN resolutions or governmental mechanisms has delivered a convincing outcome for many like her. Although the UN human rights chief, in her latest Sri Lanka report, called for an International Criminal Court probe into alleged war crimes committed by different warring actors, as well as sanctions, Ms. Sumathra is unable to feel hopeful. The new, likely contested, resolution in the coming session is "just another" one, in her view.

Sri Lanka's long civil war played out across the Tamil-majority north and east, but Mullaitivu bore the brunt of its gruesome end. According to UN estimates, some 40,000 civilians were trapped and killed in the final battle between the armed forces and the separatist LTTE, at the Nandikadal lagoon here in May 2009.

The Rajapaksa administration in power then and now — except from 2015 to 2019 — has repeatedly denied the number of civilian casualties, deeming it an "exaggeration". The numbers may be contested, but survivors' suffering is hard to miss, following death and destruction all around. Districts in the former war zone are among the poorest in the country. Neither appropriate development, nor adequate jobs have come their way. Mullaitivu district remains militarised, with even traffic checkpoints run by armed military men.

Domestic mechanism

Months after Gotabaya Rajapaksa was elected President in late 2019, Sri Lanka said it would withdraw from the existing UN resolution on post-war accountability and reconciliation. It has instead proposed a domestic mechanism that Tamils have even less faith in, compared to international ones.

“If you look at the Tamil people here, we did not get a solution through the armed struggle that lasted 30 years. We have not got a solution in the decade after that, either. Meanwhile, our people are struggling in poverty, as livelihoods are destroyed and the youth are jobless,” says Ganeswaran Selvamani, a counsellor who has worked with war-affected families. In addition to coping with the trauma of the past, they face “enormous hardships” today, she says, referring to numerous conflicts over land — some of it still held by the military — destruction of old Hindu temples based on “archaeological” claims, growing concerns of narcotics penetrating villages, and a rise in teen marriages and pregnancies.

“The worst of all the problems are in Mullaitivu, maybe that is why even the coronavirus fears us, we have that level of immunity,” Ms. Selvamani says, barely hiding her sarcasm. Women, at the forefront of protests to reclaim land, demanding answers about their missing loved ones, or against predatory microfinance-induced debt, have an especially hard time, with nothing but their resilience to count on. “I don’t know if anyone speaks of women’s problems in Geneva. The continuous assault on our livelihoods is affecting women disproportionately,” says Prasanna Sujatha, a pre-school teacher, speaking of families in which women are sole earners.

The going has never been easy, but the heightened fear after the Rajapaksas’ return to power is stark.

It is in this climate that thousands of Tamil-speaking people recently took out a mass rally from Pothuvil in the eastern Ampara district to Polihandy in Jaffna (titled ‘P2P’), demanding the rights of Tamil and Muslim minorities. Some in Mullaitivu are agnostic about the outcome of the march but see it as a necessary assertion of the minorities’ rights. “When our basic right to bury our dead is refused, I feel even more for Tamils who have suffered so much during and after the war. The rally has made me hopeful about the two minority communities coming together,” says M. Jenusa, an activist.

There is “no other way to take on majoritarianism,” says a history teacher, asking not to be named. “Whether it was the rally or this Geneva session, it is about retaining what little we have. We don’t expect major gains,” he says. Few people in the district seem dewy-eyed about the Human Rights Council delivering big outcomes or lasting solutions. But with the space for negotiation shrinking further within the country, they see no other option. Considering the geopolitical interests that dominate such forums, they realise that any positive outcome is more incidental than intentional.

“Whether Geneva delivers or not, people are certain that this government will not. That is why we pursue international mechanisms despite all the limitations,” says Shanthi Sriskantharajah, a former MP from the district.

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