

# A FRAGILE BEGINNING

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The Sri Lankan Parliament has passed into law the Office of Reparations Bill. The legislation is part of the commitment made by Sri Lanka in 2015 to put in place mechanisms as laid down in a resolution of the United Nations Human Rights Commission, entitled "Promoting reconciliation, accountability and human rights in Sri Lanka". This is the second of the mechanisms that Sri Lanka had agreed to put in place. Earlier this year, just ahead of the session of the Human Rights Council, the government set up the Office of Missing Persons to look into the complaints by families of thousands of men and women who disappeared during the nearly four-decade-long war. Reparations are internationally recognised and accepted as an essential pillar of transitional justice and reconciliation in post-conflict situations. Nearly a decade after the end of war in Sri Lanka, the new legislation may help inject both purpose and direction to what has been an extremely slow, stop-start process of addressing victims' grievances. But first, Sri Lanka's political leadership has to go beyond viewing the legislation as just a piece of paper to get over an international commitment. Several times since 2015, it has seemed as if, having signed off on the UNHRC resolution, Sri Lanka has had second thoughts about it. The political fragility of the government, and the continuing ethnic polarisation have not helped. There is no end yet to the exhaustion, frustration and general sense of hopelessness among those who were affected by the war.

In 2017, Sri Lanka had to seek a two-year extension of the deadline for putting in place the agreed upon mechanisms, which also includes a commission for truth, reconciliation and non-recurrence. It was only after a stinging UNHRC report in February this year questioning Sri Lanka's commitment, that the Office of Missing Persons came into being, the government hurtled through the framing of the reparations bill, and secured Cabinet approval for it. But the groundwork that should have accompanied such an important measure has hardly been done. Reports from northern Sri Lanka suggest that there is little awareness about the concept of reparations and what it means. Ahead of its passage last week, the Bill was mired in a polarising debate, even though it is meant to address reparation claims of all Sri Lankans, irrespective of ethnicity. The details of the legislation are not yet all fully in the public domain, adding to the confusion. But Sri Lankan civil society has drawn attention to troubling clauses that make the actions and decisions of the Office of Reparations heavily dependent on approval from cabinet and parliament. If past experience is any guide, this could be crippling.

Over the last couple of years, Sri Lanka has woken up to the strategic importance of the Indian Ocean region in the new geopolitics of the world, and its own centrality to this region. But it can hardly devote the attention or energy required to fulfill the potential of this unless it addresses the fundamental national questions that continue to beset the country.

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