13 plus in a unitary state -Jayatilleka

Monday, 15 June 2009
Last Updated Monday, 15 June 2009

By Rathindra KuruwitaEver since he was appointed as the Permanent Representative of the Democratic Socialist Republic of Sri Lanka to the United Nations at Geneva, Dayan Jayatilleka has been making headlines with his brand of diplomacy which has been both applauded and criticised. While he is basking in the recent victory at the recently held UNHRC special sessions The Nation met him to question about the underlying frictions that usually accompany such ‘victories’

Q: Sri Lanka has had several diplomatic victories in the recent months at the UN and from the outside we seem to have a lot of allies. But haven’t we also lost the support of some countries, EU and the USA who can have a significant impact on Sri Lanka, foreign aid and GSP

A: So far, I have had nothing but the most cordial relations with the US here in Geneva. The USA did not speak in a hostile manner at the Human Rights Council special session on Sri Lanka, and indeed played a pragmatic role behind the scenes in striving to avoid a confrontation which was forced on us by the EU. We had a dialogue with the US – our Attorney General Mohan Pieris, PC, was our representative in this dialogue—and we attempted to accommodate as many of their concerns as compatible with or national interest, in our draft resolution. As for the EU, I personally called upon key ambassadors, such as those of the UK, France, Germany and Denmark and attempted to persuade them not to push us into a confrontation in self-defence. Ambassadors of very influential states in the HRC, such as Russia, China and India also made this attempt, to no avail. I do not think the fault lies with the EU ambassadors here, but rather with the pressures they were under from their capitals and Brussels. Q: Earlier this week you claimed that France and the United Kingdom should also conduct HR probes into their activities. Do you think we should keep on attacking these countries when we have already won a battle at the UNHCR? A: That was strictly in reply to statements by these countries in support of High Commissioner Navi Pillay’s much publicised call for a so-called impartial international inquiry into allegations of violations of humanitarian and human rights law by both sides—as they term it – in Sri Lanka’s armed conflict, after and notwithstanding the clear decision of the Human Rights Council at the special session. If my remarks in response are deemed an attack by you, what do you call this slogan of the EU and especially some elements within it? The Sri Lankan military and a great many poor families suffered enormous human losses by desisting from the use of airpower and our full array of heavy weapons in the closing weeks of the conflict, and yet, some elements want to add insult to injury by hauling our military up before some international court? You think I should not expose the hypocrisy of that? Q: Japan, Sri Lanka’s main aid donor, did not vote in that UNHRC session. What does this mean? A: Japan refused to sign the call for a Special Session. Even the ROK which did sign that call did not vote against Sri Lanka. Not a single Asian vote was cast against Sri Lanka! Of course Japan is an important member of the Western alliance, of G8 and the OECD, and has to balance its relationships and all aspects of its international identity. We have enormous respect for Japan and are most grateful to the role played by it. Our relations in Geneva are cemented by the fact that the Ambassador of Japan and Prof Rajiva Wijesinha, Secretary to the Ministry of Human Rights were batch-mates and friends at Oxford. He told me that Rajiva was the most intelligent in the batch! Q: We won the recent special session at the UNHRC calling for investigations into alleged war crimes and the discussions at the UN Security Councils thanks to Russia and China. But these countries are also among countries that have a record of Human Rights violations. So is this really a great victory or did we get labelled as an ally of others who have a bad HR record? A: We won thanks to the 29 countries, almost two thirds of the Council, who voted for our resolution which was co-sponsored by 17 members. All those votes count equally because Russia and China do not have a veto in Geneva as they do in the Security Council in New York. According to your reasoning, we should get “labelled as an ally” of the clear majority of the Human Rights Council. What’s wrong with that? Do Russia and China have a human rights record that has more blots on it than those who accused Sri Lanka at the HRC sessions? The historical record proves otherwise. I did not know that China was in occupation of any other country! I have participated in the Universal Periodic Review process (UPR) of Russia and China, a process in which every country’s human rights record is subject to peer scrutiny and review, and find no conclusions similar to your implications. Some of us are schizophrenic in our self-image: we think we are so inferior as to deserve a public caning from the West without open protest, while simultaneously feeling superior to friends such as Russia and China and our extended family, the developing world! We must learn to see ourselves in an accurate mirror. It is absurd to think that we are somehow superior or viewed by the world as superior to Russia and China and that we should not associate ourselves with them. It is our good fortune to have friends such as these without whom we would have no protection from those international elements who are influenced by the pro-Tiger Diaspora and the large INGOs. Your very question is an echo of a dark era in Sri Lanka’s or rather, Ceylon’s foreign policy -- that of postcolonial Ceylon of the UNP, during which we did not recognise Russia and China! It took the victory of the SLFP and SWRD Bandaranaike in 1956 to reverse this absurd, disgraceful policy and establish DPL relations with those two states which have been our staunch friends since. There are some whose foreign policy thinking is still pre-’56! Q: Israel has been an ally of Sri Lanka during the civil war and has provided military hardware as well as training to Sri Lankan security forces. But they spoke against us at the WHO in Geneva recently. How do you view this change of stance? A: Surely you must ask that question from the Israelis, and also seek the view of Health Minister Nimal Siripala de Silva, current president of the World Health Assembly, and his delegation which attended the event. Q: India, China and Russia have been with us for a long time, so in a way it is not surprising that they helped us out but the above example shows that we have also lost some allies? A: Those who insisted on a ceasefire and negotiations with the LTTE during the decisive closing stage of the conflict, and push globally for an international war crimes probe days after a thirty year war is over and a practising democracy has prevailed over a terrorist militia, must be seen as friends who are temporarily misguided. Hopefully, they

will soon return to a reasonable and fair-minded view of Sri Lanka. Q: Don’t you think that the International Community has legitimate concerns to address HR issues in other countries? A: Of course it does, but a handful of Western or Northern states do not constitute the international community or even the majority of it, and must neither be perceived as nor permitted to project themselves as the international community. The international community spoke at the UN Human Rights Council, and voiced their concerns which we took on board in our resolution. The vote showed that the overwhelming majority of the peoples of the world are in sympathy with Sri Lanka, not its critics. Q: There are reports that claim you did not want the Minister of Human Rights, Mahinda Samarasinghe for the UNHCR sessions? A: Which reports and where, pray? We have forged a long standing team of Minister Samarasinghe, A-G Mohan Pieris, Prof Rajiva Wijesinha, DSG Yasantha Kodagoda, (and earlier DSG Shavindra Fernando), advised by Dr Rohan Perera. Q: Many people are very keen to compliment you on your ‘stand up’ diplomacy but there are others who claim that you also managed to make a lot of enemies? A: A stern critic of Sri Lanka, an award winning Indian human rights activist Ravi Nair, in an article republished in the recent Sunday Leader, talks disapprovingly of the “abject rout” of the EU efforts to target Sri Lanka at the UN HRC special session. The TIMES (UK) caption stated “Sri Lanka forces West to retreat over ‘war crimes’ with victory at UN”. The AFP said “Sri Lanka celebrated a major diplomatic victory Thursday...” while Radio Australia/Australian Broadcasting Corporation reported that “Sri Lanka had a diplomatic victory this week”. What this shows is that when the chips are down, we had managed to make far more friends and supporters than we had adversaries or critics. The proof of the pudding is in the eating, is it not? And by the way, as to the enemies you said I have made, you should note that none of their criticisms mention me! The EU Resolution of May 18, in Brussels certainly wasn’t about Dayan Jayatilleka, and it is not my conduct they wish to have an international probe about! Q: Yesterday, Sri Lankan authorities turned back Canadian MP, Bob Rae claiming that he is a LTTE supporter, a claim he denies as ‘a lie, pure and simple.’ Will not this put a further strain in our relationship with the West? A: As you can imagine, this subject is completely outside my purview, and I was not privy to the decision, which I knew about only from the media. I have no opinion on the subject. Q: In the recently held elections for the European Parliament Janani Jananayagam, who was supported by M.I.A lost. Isn’t this an indication that the people living in these countries have not much sympathy for the LTTE cause, even though their governments are sympathetic? A: The electoral defeat of Janani Jananayagam, is the fourth consecutive defeat suffered by the pro-Tiger Tamil separatist cause and movement in recent weeks. The earlier defeats were the political collapse at the elections in India and in Tamil Nadu in particular, the military destruction in the Wanni war and the politico-diplomatic defeat in Geneva. The Tamil ultranationalists and their international sympathisers should realise that they are in a cul-de-sac, a dead end. They are probably agitating for international pressure on and an expanded role for the West and the UN in Sri Lanka so that they can influence the institutions through networking, and achieve their aims incrementally. Their dreams of imitating Zionism are doomed to fail because the Zionist project succeeded during the rule of British colonialism in the Middle East which was a very different time with very different possibilities. However, the only real hope for Tamil politics and may I say, also for keeping Sri Lanka together peacefully through co-existence of the North and South, is contained in the 13th Amendment – meaning 13 now, 13 plus later, within a unitary state. Q: Finally, once you were a part of the EPRLF which gives you a better insight into guerrilla activity than many. So what do you think lead to the defeat of the LTTE. Do you think they would have been better off sticking to the basics that makes a guerilla army strong, the AK, the RPG and being nice to people, rather than playing the big boys game, building a navy, an air force, a uniformed army and imposing a living tax on the people? A: The Sunday Island of October 17, 2004, more than a year before the great change in Sri Lanka’s political and military leadership which made victory possible, and 18 months before the last war began, carried a signed piece by me entitled WHY PRABHAKARAN WILL LOSE. The LTTE did not lose because they graduated to large unit semi-conventional warfare. Every successful guerrilla movement is supposed to do this, as Mao and Giap have written and demonstrated. Already in Jaffna by the mid 1980s under Kittu they had an embryonic structure and practices of parallel power. The Tigers showed that they had got to the stage of large unit warfare by 1990 with the siege of the Jaffna Fort. Though that was unsuccessful they had certainly got to the point of a quasi conventional force, holding territory and with a parallel power structure, in the 1990s. No, the Tigers failed because they did not fight a People’s War as prescribed and practised by Mao ze Dong and the Vietnamese leaders such as Vo Nguyen Giap. And as my 2004 article predicted, the Tigers failed because they had completely lost any moral and ethical compass if they ever had one. I was not part of the EPRLF. Our organisation was multiethnic though largely Sinhala in composition and based in the South. It was called the Vikalpa Kandayama (VK). We worked together with the EPRLF as a North-South bridge in a common, overall revolutionary purpose. My insights into guerrilla warfare also go much before and beyond my experience with the EPRLF. Courtesy: Nation.lk