
“The battle will have to be fought to the very last minute” – Ambassador Tamara

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In a wide ranging interview H.E. Tamara Kunanayakam, Ambassador/Permanent Representative to the United Nations in Geneva, explained the motivations of the West and mostly the United States for pushing a resolution against Sri Lanka: “What, in fact, are the US trying to tell us with their draft resolution? They are not saying that our LLRC report is bad. They are not saying that there is gross and systematic violations of human rights in Sri Lanka. What they are saying is that they don’t have confidence that we will implement the recommendations. [⋮] They are judging our intentions, not the ground reality! This is unacceptable to most countries, because it gives a role to the Council that was never intended. Moreover, there is a general feeling that Sri Lanka is being punished for cooperating.” Ambassador Kunanayakam further stressed that: “A resolution on Sri Lanka will, many feel, be the ultimate test of the Council’s politicization. It will make it or break it.” Concluding on the potential outcome of the vote, Ambassador Kunanayakam said that: “We must not underestimate or overestimate our capacity! [⋮] the battle will have to be fought to the very last minute.” Given below are the excerpts of the interview with Ambassador Tamara Kunanayakam, Sri Lanka’s Permanent Representative to the United Nations – Geneva

Question: What is the current situation in the Human Rights Council with regard to the debate on Sri Lanka? Ambassador Tamara Kunanayakam: The present climate at the Human Rights Council is in Sri Lanka’s favor, but a lot of work still needs to be done. I have great confidence in the value of our arguments. It is true that thus far we have been able to gather around us a number of developing countries, thanks to the principled stand of President and his Government, the support of our people who have rallied around us, the tireless efforts of our Foreign Minister Prof. G.L. Peiris, whose new Africa policy and his direct contact with his counterparts and Heads of State in Africa has brought us a number of allies in that continent, and, of course, thanks also to the work of the staff of our Mission, who have been working round the clock to keep the Missions in Geneva informed about developments in our country. As I said, a lot of work still remains to be done to convince Council Members of the correctness of our position. It is far too early to venture a prognosis. We have convincing arguments based on principles and on the results of our policy of reconciliation. For those who know the UN System, nothing is won until the last minute and we cannot sit back on our laurels before the vote. Although, I’m reasonably optimistic about the outcome, we must remain vigilant and mobilized, and hard work on a daily basis is required. Question: UK Foreign Office Minister Jeremy Browne developed the argument that Sri Lanka is a “failed State” and called on UN institutions to “support change.” In her Report, Navi Pillay, the High Commissioner for Human Rights, also used language that describes “failed States.” What do you think? Ambassador Tamara Kunanayakam: Like “terrorist States” or “rogue States”, the notion of “failed States” is part of a repertoire that, is used to justify interference in the internal affairs of sovereign States, but under an angelic and moralizing appearance. Anyone with any knowledge of the ground reality will know that this description does not fit Sri Lanka! UK Foreign Office Minister Jeremy Browne’s reference to Sri Lanka as a “failed State” is direct. The High Commissioner for Human Rights uses apparently innocuous language, but punctuates the section dealing with Sri Lanka with terminology associated with that dangerous concept. She suggests that Sri Lanka is unable or unwilling to protect its citizens, that its institutions are incapable of implementing the recommendations of LLRC, and that it refuses to engage with UN institutions. As you know, the West has been developing this argument to justify and legitimize interventions in Yugoslavia, Iraq, Afghanistan, Libya and now Syria. Their real objective is “regime change!” Many Ambassadors in Geneva have been telling me that this is also what they want to achieve in Sri Lanka, so we take it very seriously. Over the past 10 years, the US has sought to impose the concept “responsibility to protect” or “R2P” to justify military interventions in countries where, according to them, the Government is unable to protect its own citizens! Both the UK Foreign Office Minister and Navi Pillay advocate support for “change” in Sri Lanka. I wonder what kind of change they have in mind? Regime change? Their position reflects the singular reasoning of John Stuart Mills who said that the British invasion of India and China was “in the service of others” with “no benefit to itself &⋮; blameless and laudable” in everything it did! Clearly, we cannot accept such intervention in our internal affairs. That would be tantamount to surrendering our sovereignty and our independence. The right of peoples and States to protect their own citizens, without foreign intervention, is entrenched in the Charter of the United Nations and in every single international instrument that has been adopted ever since! Article 56 of the UN Charter clearly stipulates international cooperation as the means by which there is international engagement in the promotion of human rights. The motivations and bona fide of those seeking to characterize Sri Lanka in such terms are questionable! Many of our friends from Africa, Asia and Latin America are not dupe! They are talking of an “anglo-saxo alliance” against a small developing country! Let’s not forget that countries part of this alliance are also some of the largest contributors to the voluntary fund of the Office of the High Commissioner for Human Rights, which pays for the salaries of the majority of its staff and its human rights programme. The atmosphere in the Human Rights Council is such that our friends in the developing world are beginning to associate the onslaught against a small country like ours with a witch hunt, which has nothing to do with actual guilt or innocence! “It is common knowledge that certain Western countries never really digested their 2009 defeat, when, for the first time in its history, a Special Session of the Council adopted a resolution that was contrary to their objectives! The West never forgave us for that! By “us” I mean Sri Lanka and the like-minded countries, which, together, succeeded in defeating the might of the West! That victory also won us the admiration of other developing countries that realized that a small country can, if united on

principles, defeat even the most powerful!” Question: Can we reduce the challenge faced by Sri Lanka at the Human Rights Council to a problem between Sri Lanka and the US/EU alliance? Ambassador Tamara Kunanayakam: In my opinion, no! The real interests of those who want to move a resolution against Sri Lanka have nothing to do with human rights in Sri Lanka, whether of Tamils, Sinhalese, or any other community. It lies elsewhere! There is a lot of hypocrisy and double standards being played out at the Human Rights Council, and the objective of the big powers is to turn the Council into yet another weapon at their disposal for use against developing countries. With the growing global crises, especially at the centre of their own economies, they are becoming increasingly aggressive to gain control over the wealth and resources of their former colonies, in the hope that they can postpone the political crisis that will inevitably follow the present multiple economic, financial, environmental and social crises. That is why we have so much support from the developing countries and the emerging economies. There is general recognition that Sri Lanka has made significant progress since the end of the conflict and that the LLRC report is a good one and that it contains very important recommendations. It is also seen as exemplary in its engagement with the international community, sending high level delegations to the Council sessions. Why then, they ask, is Sri Lanka being singled out so unfairly? What, in fact, are the US trying to tell us with their draft resolution? They are not saying that our LLRC report is bad. They are not saying that there are gross and systematic violations of human rights in Sri Lanka. What they are saying is that they don’t have confidence that we will implement the recommendations. They are judging our intentions, not the ground reality! This is unacceptable to most countries, because it gives a role to the Council that was never intended. Moreover, there is a general feeling that Sri Lanka is being punished for cooperating. If the reward for cooperation is punishment, then why, they ask, should anyone cooperate with the Council? Not only developing countries, but also European countries feel that Sri Lanka is being unfairly targeted. Many say that the outcome of the battle at this Session will be a litmus test, the real issue being the survival of the multilateral system. Whereas the US seeks to convert the system into an instrument in the service of its foreign policy goals, based on confrontation rather than cooperation, developing countries and other emerging economies are fighting to maintain its multilateral character. A resolution on Sri Lanka will, many feel, be the ultimate test of the Council’s politicization. It will make it or break it. In her statement to the Human Rights Council, the US Under Secretary of State, Maria Otero, unilaterally outlined the values which, she said, would guide their work within the Council, totally disregarding the principles that the UN General Assembly has determined and which the US accepted when taking its oath as member of the Council! “Cooperation”, which is embedded in the UN Charter and a duty incumbent on all States, is replaced with “dialogue”; “impartiality” and “non-selectivity” replaced with the vague and subjective values, “principle” and “truth”! It is common knowledge that certain Western countries never really digested their 2009 defeat, when, for the first time in its history, a Special Session of the Council adopted a resolution that was contrary to their objectives! The West never forgave us for that! By “us” I mean Sri Lanka and the like-minded countries, which, together, succeeded in defeating the might of the West! That victory also won us the admiration of other developing countries that realized that a small country can, if united on principles, defeat even the most powerful! Let us also not forget that the US is vying for re-election to the Human Rights Council in May this year. The problem is that the Western Group has fielded 5 candidates for only 3 seats. It is believed that by revising the 2009 Council resolution that is favorable to Sri Lanka, adopted when the US was not a member, it is trying to show its allies that the Council cannot function without it. Developing countries fear that such a decision would set a precedent giving an historic character to the Council permitting a powerful country, for reasons of its own, to reopen a dossier that has been closed to examine past violations. Many countries are also concerned that the US is trying to undermine the internationally recognized principle of “exhaustion of domestic remedies.” The International Criminal Court has focused exclusively on Africa, even filing cases against individuals from countries that have not signed the Rome Statute, when they have their own legal systems. In addition to what I’ve already said, the West also has a problem with our example that a small developing country, with the political will, can defeat even the most ruthless terrorist group alone and without their help, when the West itself has failed to do so, despite its modern weapons and the combined might of NATO !. That is a strong message we have sent to the developing world! Moreover, the geostrategic importance of our country is well known. Certain countries also appear concerned about the quality of our relations with our Asian neighbours and our ability to mobilize support of countries in Africa, Asia and even Latin America, which are our natural allies. Many people have difficulties understanding US impatience for accountability on the part of Sri Lanka not even three years after the end of the conflict. They point out that there has been no accountability on the part of the US authorities for abuses in the Guantanamo detention centre, Abu Ghraib, conditions under which Fallujah was captured, the use of Agent Orange during the Vietnam War, double standards in its treatment of Palestine and Israel, etc., etc. The selective targeting of Sri Lanka does not augur well for the future of the Council. The US think tank Fund for Peace, which is an organization that serves as a reference for the US Secretary of State and the US Secretary of Defense, has placed Sri Lanka on the Alert List of its Failed States Index. Thirty-five (35) of the 47 Member States of the Council are also on its Alert List or its Warning List; all 35 are developing countries or emerging economies. The divine surprise is that the 12 Council members that not on the list are all from the West ! It is certainly true to say that much may have changed since the days of Adam Smith. But, the standard he called “the vile maxim of the masters of mankind: all for ourselves, and nothing for other people”, continues to flourish! Question:What are your plans now? How will you proceed? Ambassador Tamara Kunanayakam: There’s still a lot of work to be done! We must be lucid! We must not underestimate or overestimate our capacity! To claim victory at this stage would be a grave error. First of all, we cannot speak on behalf of sovereign States. Each State will take a sovereign decision, and it will not have spoken until it casts its vote. States can change their position at any time, even at the last hour, depending on national interests. Therefore, the battle will have to be fought to the very last minute. Nobody has the right to anticipate the vote of another country. It is a matter of respect, respect for the sovereignty of other nations and peoples. Question:Do you think

that it will be important for Sri Lanka to seek a compromise? Ambassador Tamara Kunanayakam: It is not a question of seeking compromises. We are defending principles and nothing justifies compromising on principles! If we do that, we will lose our allies. This battle is not over, we can foresee others in the near future. Whether or not we compromise, they will return in June, then in September, with another and stronger resolution. Look at the example of Yemen. In June last year, when the West had a draft resolution against Yemen, developing countries were ready to support it, but then Yemen decided to accept a compromise, because the US promised that there would be no outcome. In September, the West broke its promise and returned with a stronger resolution, but this time the developing countries refused to come to the aid of Yemen. The other day, immediately after my right of reply to US Under Secretary Maria Otero, when I exposed the real intentions of the US to unilaterally replace the values on which the Human Rights Council was set up, a number of developing country delegates came up to me and thanked us for speaking up for all developing countries. They were grateful that we were not only defending Sri Lanka, but our collective interest. - Asian Tribune – Source : <http://www.asiantribune.com/news/2012/03/06/vested-groups-intention-interfering-sri-lanka%E2%80%99s-internal-affairs-exposed> 6th March 2012