

Post-CHOGM Dilemmas of Rajapaksa

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January 15, 2014

The Commonwealth Heads of Government Meeting (CHOGM) took place in Colombo, Sri Lanka in November, 2013. The theme for this year's CHOGM was "Growth with Equity: Inclusive Development". Of the 50 countries that attended the meeting¹, 27 were represented by their Heads of State. They adopted the Colombo Declaration on Sustainable, Inclusive and Equitable Development.² While many issues were discussed, however, media attention was focussed on the reactions of various countries to the human rights records of Mahinda Rajapaksa regime.

In the run up to the CHOGM meet, there were calls of boycott in Sri Lanka because of the alleged war crime committed by the Sri Lankan military during the last phase of Eelam War IV and the poor human rights records of the Lankan government. Though such calls were largely ignored, the Prime Ministers of Canada, India and Mauritius among others decided not to attend the meet reportedly to express their concerns against the Lankan government's atrocities on the Tamils. The prime minister of UK, David Cameron, on the other hand, decided to attend the meet and raise his concerns on alleged human rights violations. In an article in *Tamil Guardian*, on November 7, 2013, he wrote that rather than "sitting on the sidelines", "attending the summit [was] not a betrayal of Britain's values or the Tamil people, it [was] the way we champion them". He reiterated the points in his op-ed piece in *Times of India* on November 14, 2013.³

On November 16, 2013, after meeting Rajapaksa the previous evening, in his address to the media Cameron gave an ultimatum to the Rajapaksa government to

¹ Grenada, Kiribati and Maldives did not attend and Fiji was suspended.

² "CHOGM 2013 COMMUNIQUÉ as agreed by Heads of Government", *The Commonwealth Secretariat*, November 17, 2013 at http://thecommonwealth.org/sites/default/files/news-items/documents/CHOGM%202013%20Communique_0.pdf.

³ David Cameron, "In Colombo, we will stand up for our beliefs", *Times of India*, November 14, 2013, at http://articles.timesofindia.indiatimes.com/2013-11-14/edit-page/44031794_1_commonwealth-heads-argument-colombo

complete an independent investigation of the alleged war crimes by March 2014 failing which he threatened to push for international investigation through the United Nations Human Rights Commission (UNHRC).⁴

Interestingly, on November 18, responding to the media enquiry on Cameron's remarks, the Chinese Foreign Ministry spokesperson Qin Gang said that "human rights conditions should be improved by the governments of countries concerned through their efforts and constructive help should also be offered by the international community".⁵ The Chinese embassy in Sri Lanka later in an e-mail statement clarified that media distorted the original statement and the Chinese position on Sri Lanka remained unchanged. Qin's comments drew a lot of media attention as China was elected to the UNHRC in 2013. Even Japan's Special Envoy for Peace-Building, Rehabilitation and Reconciliation in Sri Lanka Yashushi Akashi, who had, in his previous visits, complemented Rajapaksa government for its efforts and requested international community to have patience, modified his views during his five day visit in December 2013 and stated that it was not only the International Community but also The Sri Lankans who were anxiously "waiting for action and not just sound and fury".⁶

Although the Lankan Government as well as the main opposition party United National Party (UNP) vehemently rejected international investigation, pressure on the government seems to be building up. There are possibilities of meeting serious consequences in the UNHRC in March 2014. Reportedly, the secretary to the ministry of defence, Gotabaya Rajapaksa, had secret meetings with the UN Deputy Secretary General Jan Elisson on December 16 in New York and also with the Indian National Security Advisor and External Affairs Minister in New Delhi.⁷ Later, on December 23, he met the Deputy National Security Advisor of India at the Defence Ministry premises in Colombo. The details of the discussion were, however, kept away from media. At the same time, to show to the world that the UPFA government was taking up some concrete steps, the

⁴ "Inquire into alleged war crimes or face UNHRC inquiry, British Premier warns Lanka", *Sunday Times*, Colombo, November 17, 2013, at <http://www.sundaytimes.lk/131117/news/inquire-into-alleged-war-crimes-or-face-unhrc-inquiry-british-pm-warns-lanka-73731.html>

⁵ "See complete text of "Foreign Ministry Spokesperson Qin Gang's Regular Press Conference on November 18, 2013" at <http://www.fmprc.gov.cn/eng/xwfw/s2510/t1100121.shtml>

⁶ "Video: People don't want 'sound and fury' - Akashi", *The Daily Mirror*, December 13, 2013 at <http://www.dailymirror.lk/news/40204-people-dont-want-sound-and-fury-akashi.html>

⁷ "Gota Goes To The UN", *The Colombo Telegraph*, December 17, 2013 at <https://www.colombotelegraph.com/index.php/gota-goes-to-the-un/>.

department of census and statistics launched a survey to enumerate human and material losses due to the war.

Colombo had thought that the CHOGM would provide an opportunity to project its developmental activities (infrastructure) and reconstruction of the post-war economy to the world. In reality, however, it provided the world the ground situation. Prime Minister Cameron along with some foreign journalists visited Jaffna and spent time talking to the internally displaced people (IDP) at the Sabapathipillai Welfare Centre for the war displaced.⁸ While driving through Jaffna, Cameron's convoy was mobbed by demonstrators carrying photographs of their loved ones who disappeared during and after the war.

Participants in the CHOGM also came face to face with the restrictions on peaceful protest and freedom of expression. People coming from the North to participate in a human rights festival in Colombo were stopped by security forces.⁹ The Lankan government did allow the reporters of Channel 4, known for its investigative reports on the war-crimes in Sri Lanka, to enter the country during the CHOGM.

There is a view in Lanka that CHOGM did more harm than good. In fact many are now questioning the wisdom of the government to host the meet. The government could only ensure participation, which is the lowest in the history of CHOGM. It also failed to make the main opposition attend the summit. In economic terms too, CHOGM did not prove lucrative for the service industry. According to local media reports city hotel occupancy levels were far below expectations. The average occupancy rate of city hotels at this time of the year usually is around 75 to 80 per cent. But during the CHOGM only 50% rooms were occupied.¹⁰

However, the pro-government media is defiant with editorials strongly denouncing the threat of international investigation as interference of Sri Lanka's internal affairs. It is expected to galvanize popular support for Rajapaksa. Rejecting the March 2014 deadline

⁸ Srinivasan, Meera, "Cameron's visit boosts morale of displaced Tamils", *The Hindu*, November 16, 2013 at <http://www.thehindu.com/news/international/south-asia/camersons-visit-boosts-morale-of-displaced-tamils/article5355420.ece?homepage=true>.

⁹ "Situation Report: Sri Lanka's CHOGM Repressive Tactics To Stifle Dissent", *The Colombo Telegraph*, November 15, 2013 at <https://www.colombotelegraph.com/index.php/situation-report-sri-lankas-chogm-repressive-tactics-to-stifle-dissent/>.

¹⁰ Serasinghe, Sharmini, "What Did Sri Lanka Get Out Of CHOGM?", *The Colombo Telegraph*, November 21, 2013 at <https://www.colombotelegraph.com/index.php/what-did-sri-lanka-get-out-of-chogm/>.

by Cameron to hold credible investigations, Rajapaksa reportedly said that “it was extremely unfair to issue such ultimata when the government was already working towards genuine reconciliation”. He expressed his displeasure “against attempts to sow the seeds of discord through deadlines, ultimata and such deeds when what is needed is to rebuild the mindset of all people who had suffered so long under the brutality of terrorism”.¹¹

As the chair of the commonwealth for next two years and a signatory to the final communiqué which talked about freedom of expression, freedom of religion and protection of human rights, it is the responsibility of the Lankan government to take some affirmative measures on these issues in the island. Even without Cameron’s statement, the government would have had to make visible progress on these issues before the March 2014 UNHRC session.

However, caught up in a self-propelled internal debate in Sri Lanka on the justifiability of ‘international investigation’, the Rajapaksa government’s damage-control diplomacy seems to be spending more time on buying time rather than initiating concrete measures to convince the international community of its intentions. After raising Sinhalese nationalist fervour to an all-time high since the war, it is caught up in its own claims of non-negotiable sovereign rights, which is making it difficult on its part to take any progressive step forward without losing its popularity among the Sinhalese population.

It seems thus probable that Rajapaksa will continue with his nationalist rhetoric to rally around solid domestic support behind him to duck the threat of UNHRC-driven investigation, even at the cost of risking international opprobrium. Some commentators in Sri Lanka even believe that there are high chances of Rajapaksa advancing the date of Presidential election in 2014¹² to prolong his stay in office by re-fuelling electoral support through his inflexible nationalist stance, this time, on human rights. It remains to be seen whether the government initiates credible measures to correct its human rights records or starts preparations for the Presidential election.

Views expressed are of the author and do not necessarily reflect the views of the IDSA or of the Government of India.

¹¹“President rejects Cameron’s deadline”, *The Government of Sri Lanka Website*, November 18, 2013 at http://www.priu.gov.lk/news_update/Current_Affairs/ca201311/20131118president_rejects_cameron_deadline.htm.

¹² Sri Lankan President is elected for six year term. However, Sri Lankan constitution allows fresh Presidential election after completion of four year terms.