



Sri Lanka Campaign for Peace and Justice

Strategy 2020 – 2023

Background and aims

The Sri Lanka Campaign for Peace and Justice (SLC) was established in 2009, and formally constituted in 2010, to push for accountability for mass atrocity crimes committed in the final stages of Sri Lanka’s civil war, as well as the many other human rights violations that have occurred in Sri Lanka’s recent past.

SLC’s work rests on our analysis that impunity for human rights abuses is the root cause of multiple cycles of violence in Sri Lanka. We believe that to prevent future violence and achieve lasting peace and reconciliation, individuals must be held accountable for the crimes they have committed.

SLC is a global non-partisan movement that aims to:

1. Achieve genuine reconciliation based on accountability for violations of international law
2. Build respect for human rights and the rule of law
3. Support efforts within Sri Lankan civil society to promote a just and lasting peace

We are not affiliated with any political or ethnic group inside or outside of Sri Lanka. We exist to fight for the rights of every person living in Sri Lanka, as well as all of those now living beyond its borders due to war, violence, and persecution.

This document sets out the strategy and approach that SLC will take to achieve these aims in the next three years (April 2020 – April 2023). We will review the strategy midway through this period to ensure it is still appropriate. The strategy has been shaped by an internal review and external consultation with SLC partners (both within and outside of Sri Lanka) undertaken at the end of 2019 and the beginning of 2020. More detail on the consultation methodology is included in Annex 1.

Problem statement

To this day, almost no one has been held accountable for mass atrocity crimes committed during the final stages of the civil war in Sri Lanka, or the many other human rights violations committed both before and after. This is despite the findings of multiple UN investigations, which have highlighted evidence of serious violations of international law by both sides to the conflict,¹ and which have credibly estimated that up to 40,000 civilians were killed in the final few months of the war alone, mostly due to government shelling.² As many as 70,000 are still unaccounted for

¹ *Report of the OHCHR Investigation on Sri Lanka* (the ‘OISL Report’), Office of the UN High Commissioner for Human Rights (September 2015)

² *Report of the Secretary-General’s Panel of Experts on Accountability in Sri Lanka* (March 2011)

during the final phase of the war,³ while many tens of thousands more were killed or disappeared during earlier periods of violent conflict. Allegations of mass disappearances, extra-judicial killings, and systematic torture and sexual violence by government forces are yet to be addressed. Meanwhile, there is yet to be a full accounting for the LTTE's alleged crimes, which include the use of forcible conscription (often involving child soldiers), the use of civilians as 'human shields', and extra-judicial killings. Ten years on, victims continue to demand truth, justice, compensation, and guarantees of non-recurrence, despite attempts to intimidate and silence them. Meanwhile, minimal progress has been made in investigating and prosecuting the so-called 'emblematic cases', widely regarded as a litmus test for the state's willingness to tackle impunity for serious human rights violations.



The end of the war was followed by a period of intensifying authoritarianism, as President Mahinda Rajapaksa moved to consolidate his power through the removal of constitutional checks on the presidency. As the military tightened its grip over civilian life in the Tamil-majority North and East, the government continued to reject calls for a credible investigation into war-time atrocities. Those engaged in dissent faced an intense crackdown, with several high-profile journalists and activists killed or disappeared.

The surprise defeat of Mahinda Rajapaksa in January 2015, and the election of a national unity government standing on platform of 'good governance', brought some improvements in the human rights situation. Alongside limited and uneven increases in civic space, constitutional reforms, and the strengthening of independent institutions, the new government adopted a relatively more constructive approach to engagement with the international community. In October 2015, it co-sponsored UN Human Rights Council (HRC) Resolution 30/1, making far-reaching promises to address the legacy of the war, including through the establishment of an accountability mechanism with international involvement. Despite these promises, militarisation, discrimination, and serious rights violations continued, disproportionately affecting minority communities in the North and East. Surveillance and harassment of civil society groups and journalists also persisted, with disturbing reports of torture and sexual violence by the security forces, predominantly against Tamils.

Ultimately, minimal progress was made towards the fulfilment of Sri Lanka's international commitments, and the government failed to deliver any kind of accountability for past violations or provide lasting solutions to minority grievances. Meanwhile, violence against minority religious communities fuelled by a resurgence of extreme Sinhala Buddhist nationalism, most notably against the Muslim population, has been a growing cause for concern in recent years. Following the 2019 Easter Sunday bomb attacks, in which more than 250 people were killed, hundreds of Muslim homes, businesses, and places of worship were destroyed by violent mobs – in many cases, it appears, with the acquiescence or active support of state officials.



³ Report of the Secretary-General's Internal Review Panel on United Nations action in Sri Lanka (November 2012)

The election of war-time Defence Secretary Gotabaya Rajapaksa as President in November 2019 signalled another shift in the direction of the government. Upon entering office, Gotabaya proceeded to appoint his brother and former President, Mahinda Rajapaksa, as Prime Minister. Both men are credibly accused of war crimes and numerous human rights violations when they were in power between 2005 and 2015. They have rejected the previous government's nominal commitment to dealing with the legacy of the war - "withdrawing" from the HRC process and indicating that they will instead appoint another commission of inquiry (CoI) to come up with proposals for dealing with the issue of accountability. Independent institutions that were established and strengthened under the previous administration, including the Office on Missing Persons (OMP), are now under threat. The President has stated his intention to remove constitutional checks on his authority enacted by the previous government if he achieves the required two-thirds majority at forthcoming elections. Meanwhile, individuals accused of grave human rights violations continue to occupy some of Sri Lanka's highest offices.

The more open environment for human rights defenders and journalists that prevailed in the last five years is now closing, with intensified surveillance, harassment, and intimidation of dissenting voices. Tamil relatives of the disappeared, who have staged continuous public protests in the North and East for over three years, appear to be particular targets of the latest crackdown. Civil society groups have expressed concern that a growing climate of fear will result in self-censorship and disengagement around the most sensitive human rights issues.

So far, members of the international community have failed to mount the robust and principled response to the deteriorating human rights situation in Sri Lanka that is needed. Moreover, in the wake of the government's disengagement from the HRC process, they are yet to set out a clear vision as to how victims will finally attain truth and justice. Institutional memory of the war is fading and there is a sense of fatigue and loss of urgency around addressing the past.

What is the role of the Sri Lanka Campaign?

In our previous strategy (2016-2019), SLC identified itself as being one of the only international organisations which was:

- Non-partisan and multi-ethnic in character;
- Working exclusively on Sri Lanka; and
- Engaged in significant public and media outreach

While other organisations have increased their work on Sri Lanka in recent years, SLC remains relatively unique in the manner in which it combines these three qualities. It is because of this unique position that SLC continues to enjoy credibility among a broad cross-section of Sri Lankan civil society, and that its output is widely read and regarded as trustworthy and authoritative. At time of writing the SLC had a combined social media following of 15,000 and mailing list of 11,000 supporters.

During our external consultation we asked respondents whether the Sri Lanka Campaign was still needed at this point in time. All strongly believed that the campaign should continue, particularly as the human rights situation in Sri Lanka begins to deteriorate under the new government.

In light of this, we asked partners what the role of the Sri Lanka Campaign should be in the current climate. Several of the key themes from their responses are outlined below:

Putting pressure on the government of Sri Lanka through the international community

“We can’t put pressure on the government from within ... so you have to work from the outside ... especially on accountability.”

“Be a thorn in the side of the international community – keep up the pressure!”

“I’m not an expert on international pressure ... we don’t know how to maintain it and get results.”

“The thing you have to work on is keeping the UN involved ... the process is not over.”

“You should work in Geneva and Brussels, to put pressure on the government. We are fearful that we won’t be able to travel to do that work.”

Partners spoke of frustration with the lack of change for victims and survivors, despite the effort that had gone into engaging the international community in recent years. Nonetheless, nearly all stressed the continuing need to bring pressure to bear through members of the international community in the current context.

Several framed this in terms of the growing risks involved in domestic activism, or concern that they would no longer be able to travel overseas to engage in international advocacy. Others explained that they valued the expertise and networks that groups like SLC were able to bring to the table.

Responding to the crackdown on civic space

Respondents said that the intensified crackdown on dissent and civic space in Sri Lanka following the Presidential election in November 2019 would impact on their ability to work and speak freely.

Several emphasised the need for SLC to help protect those most at risk. Others said that the changing situation meant that SLC would have an increasingly important role to play as a conduit for credible information from Sri Lankan civil society to the outside world.

“SLC will be more important than ever, as local actors will be reluctant to speak out in the same way.”

“We want you to apply pressure if anything happens to [our network] ... If we have any problems, we expect you to protect us.”

“When the threats arrive, we need immediate action.”

“Militarisation, land grabs, the emblematic cases. These are the things that people are nervous to do ... Look at those things that will be sensitive.”

“So many people died because they were Tamils ... because they were part of our ethnic group ... that must come out.”

“It’s important to talk to women. Because the men don’t get it.”

“Make our stories [from the families of the disappeared] known to the world.”

“In terms of reporting, it’s important to remember it’s not only Tamils. There are mothers of the disappeared in the South who are also suffering. So you need to think about balance and proportionality.”

Amplifying the most marginalised voices

Several respondents, but particularly war-affected individuals and grassroots activists from the Tamil community, said it was important for SLC to highlight and draw attention to their stories at an international level – as well as to explain the ethnic dimensions of violence and human rights abuses in Sri Lanka. Several respondents also emphasised the need to focus on the specific concerns of the Muslim community, and the particular challenges facing women.

Objectives

In light of the problem statement and consultation, the objectives of SLC for 2020-2023 will be:

1. To tackle Sri Lanka's culture of impunity by building awareness of human rights violations and campaigning for credible accountability processes.
2. To amplify the voices of war-affected communities and the victims of human rights violations, to ensure that their wishes and demands are brought to bear on decisions about Sri Lanka's future.
3. To preserve and strengthen civic space, democratic governance, and the rule of law in Sri Lanka.

Approaches

We have completed an external consultation and internal SWOT analysis to determine the best approaches to achieve our objectives. Our work will be divided into four (somewhat overlapping) strands:

Research

We will work in partnership with civil society in Sri Lanka to research and analyse past and current human rights issues under the broad headings below. Our research and analysis will underpin the campaigns and advocacy work which we undertake. We will strive to apply a gender lens across all of our research projects.

1. Synthesising publicly available information on human rights violations
2. Monitoring militarisation in the North and East
3. Mapping options for, and building pathways to, accountability
4. Highlighting the impacts of development on human rights
5. Monitoring trends towards authoritarianism and the restriction of civic space

Campaigns

We will use our strength as an organisation with a large, diverse, and dedicated supporter base to run campaigns that influence the Sri Lankan government and members of the international community. Our campaigns will focus on:

1. Supporting individuals and groups at risk of human rights violations, including persecuted religious minorities
2. Ensuring principled bilateral and multilateral international engagement with Sri Lanka in the spheres of aid, trade, and security cooperation
3. Putting a spotlight on businesses linked to human rights abuses in Sri Lanka (including military-run tourism ventures)
4. Exposing the record of human rights abusers in positions of power and influence
5. Supporting campaigns and initiatives by victims, survivors, and civil society groups

Advocacy

We will use our research to inform advocacy work with the targets below to achieve our objectives. We will strengthen our focus on states in the global South and will strive to work in

partnership with other civil society groups, where possible, to maximise our reach. Our advocacy aims will include:

1. Sustaining a critical mass of support among states for credible accountability processes – including in state capitals and missions in Colombo
2. Coalition building at multilateral forums such as the UN Human Rights Council and UN General Assembly
3. Engaging with UN mechanisms and bodies, including OHCHR, the special mandate holders, and the treaty bodies

Building Organisational Capacity

To ensure that we achieve our strategic objectives, and that our work is effective and sustainable, we will take action to build organisational stability, capacity, and resilience in the following ways:

1. Fundraising to secure adequate resources to implement the organisational strategy
2. Strengthening our governance structure to increase capacity and enhance diversity
3. Creating a risk register to allow regular monitoring of risk including continuity planning
4. Reviewing digital presence including mailing systems and website
5. Reviewing performance data and measuring impact

Assumptions

We have made three key assumptions when setting out our strategy. Should any of these no longer hold, we will need to review the strategy:

1. The government of Sri Lanka will remain hostile or resistant to the idea of establishing credible accountability and reconciliation processes
2. Sri Lankan civil society continues to be able to collect and communicate information about the ground situation to actors outside of Sri Lanka
3. SLC continues to be sustainably funded over the period of the strategy

Limitations

The global coronavirus (COVID-19) pandemic, which was declared on 11 March 2020 by the World Health Organisation, is likely to have a significant impact on SLC's work in the medium term.

President Gotabaya Rajapaksa has used the crisis to shore up his power base and make the case for expansions of executive power. The state's approach to the public health crisis has been highly militarised, with Army Commander Lt Gen Shavendra Silva leading the response. There appears to be no legal basis for a number of measures taken by the government, including the declaration of a police curfew and notices issued by the Inspector General of Police stating that legal action will be taken against those who "criticise" the government.

In this context, it is likely that SLC will have an important role to play in defending civic space, democratic governance, and the rule of law during this period. Meanwhile, the re-focussing of diplomatic and media attention towards the crisis is likely to make advocacy and campaigning in relation to accountability for historic crimes even more challenging. Opportunities for face to

face meetings with diplomats and policy makers, including at the Human Rights Council, are likely to be disrupted.

The impacts of the pandemic are likely to be felt for some time and SLC will remain flexible and adapt to ensure its actions are appropriate while remaining focused on the objectives set out above.

Outcomes and indicators

In order to measure the success of SLC's work, we have set two outcomes for each objective and a final organisational outcome which will underpin this work. Progress towards the outcomes will be measured by a set of qualitative and quantitative indicators for each outcome. The outcomes and indicators are set out in the series of flow charts below.

Measuring the impact of our work is challenging since there are few useful quantitative indicators and human rights outcomes can be subject to interpretation. It is further complicated by the task of isolating SLC's specific contribution to our aims and objectives – relative to the work of other organisations as well as wider social and political forces.

However, we believe that it is important to collect some data on performance to help us judge the effectiveness of our work. Alongside this set of indicators, we will continue to actively seek feedback from partners, particularly victims and war-affected communities, about the overall impact of our work.

OBJECTIVES

OUTCOMES

INDICATORS

To tackle Sri Lanka's culture of impunity by building awareness of human rights violations, and campaigning for credible accountability processes

Concrete progress towards credible international accountability processes

Increased cohesion between and within national and international civil society about the need for and means of achieving international accountability processes

New resolution at HRC46 in March 2021 or an alternative process that satisfies the demands of victims and war affected communities

Prosecutions initiated against individuals accused of serious human rights abuses

Condemnation of engagement with individuals credibly accused of human rights abuses

Diplomats are aware of the consequences and risks of engaging with individuals credibly accused of serious human rights violations and of granting such individuals legitimacy through visible forms of cooperation and support

States adopt policies or issue statements setting out principles for engaging with the Sri Lankan security sector

Sanctions against human rights abusers such as asset freezes and travel bans

To amplify the voices of war-affected communities and the victims of human rights violations, to ensure that their wishes and demands are brought to bear on decisions about Sri Lanka's future.

Increased awareness of the current human rights situation and past violations

Increased hits on the website, individuals blog posts and email open rates

Increased engagements and followers on social media and increased media mentions

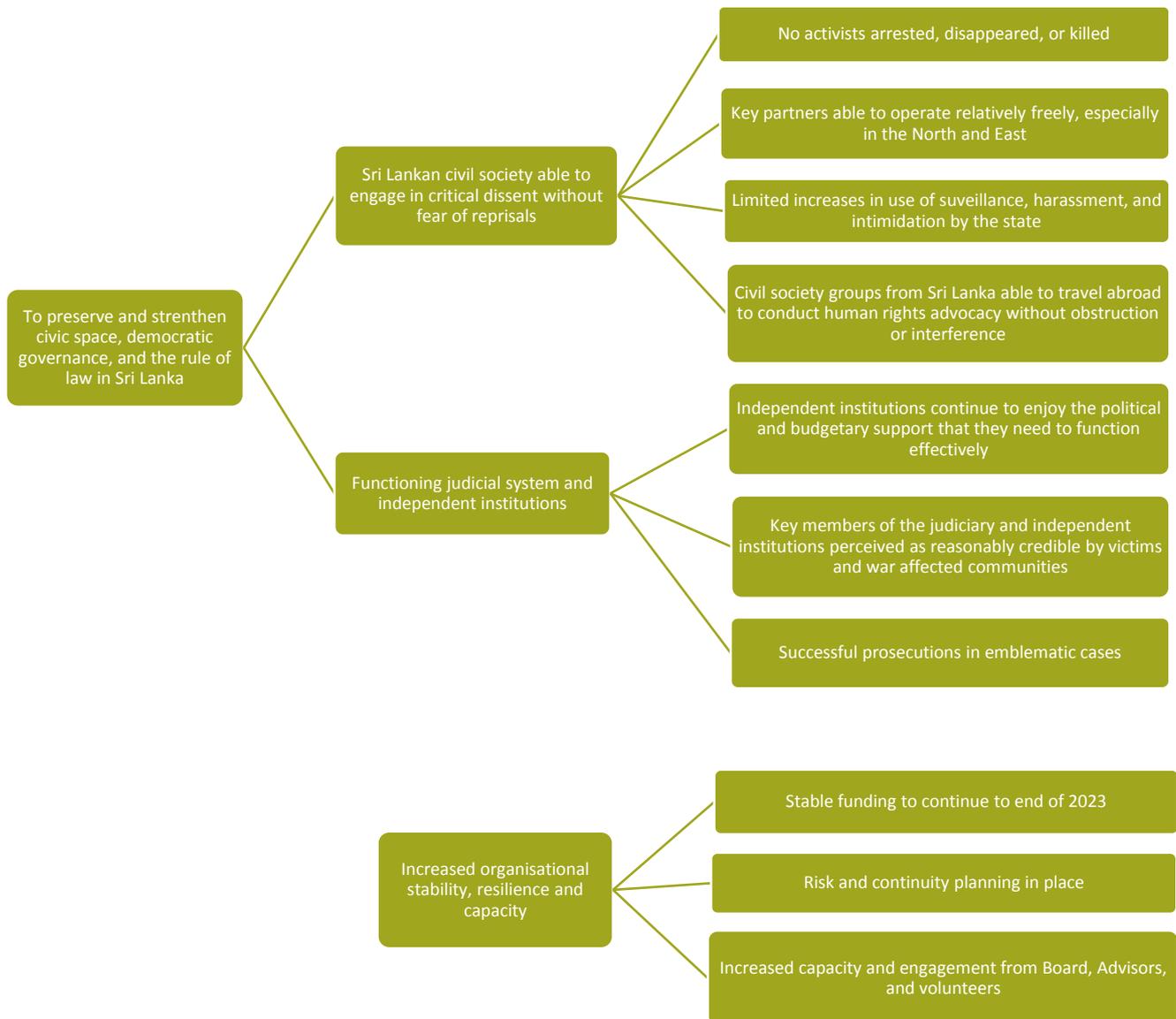
Growth in supporter mailing list

Maintain flow of information from Sri Lankan civil society to the international community

Improved understanding of the human rights situation by diplomats in capitals, Colombo, and Geneva

Three or more substantive research projects completed

Continued information flow from civil society in Sri Lanka, especially in the North and East



Actions

There are a range of actions SLC will take to achieve these outcomes. Actions appropriate to each outcome will be chosen but will include advocacy meetings with key decision-makers; the dissemination of information through reports, advocacy briefings, blog posts, and infographics; supporter outreach via social media, petitions, and email campaigns; and media engagement, including through press releases, statements, and working with journalists.

In all of our work we will collaborate closely with allies and partners in Sri Lanka and within the international community. We will maintain an open dialogue with others working in this space to identify issues of common concern where working in partnership will increase our effectiveness.

Resource Implications

This strategy has been designed to be flexible within the limits of SLC resources. At present the overall staff profile is 1.5 FTE. Ideally the campaign would be staffed by two full time employees. This would require a 15-20% increase in our per annum income.

Annex 1: external consultation methodology

The external consultation was conducted by SLC staff between December 2019 and February 2020. Around thirty individuals and organisations working in Sri Lankan partner organisations were consulted. Meetings in Sri Lanka were held in Colombo, Negombo, Puttalam, Vavuniya, Mannar, Jaffna, Kilinochchi, and Trincomalee. Care was taken to ensure that respondents were broadly representative of the diversity of Sri Lankan civil society, and included victims and survivors, grassroots activists, lawyers, and think tank staff.

Sri Lanka Campaign Board members and advisors were also consulted during the process.

The consultation took the form of semi-structured interviews based around the following key questions:

- Is SLC still needed, and what is the added value of a multi-ethnic non-partisan campaign based outside of Sri Lanka?
- How can SLC play a valuable and effective role in the emerging political climate in Sri Lanka?
- In which areas do you perceive SLC to have been most effective in the past and how might the SLC build on that work? Which have been less effective and why?
- Are there any issues that you think we should be working on (but currently are not)?
- How can the SLC better support you/your organisation over the next three years?

During each discussion, it was explained that we were asking these questions as part of SLC's strategy review, and informed consent was obtained for the inclusion of answers in this strategy document. All input has been anonymised to protect the safety of the respondents.