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இலங்கை தேசிய சமாதானப் பேரவை
National Peace Council of Sri Lanka

Paths To Peace

NPC Promotes Democracy and the Constitution

November
2018

NPC, in collaboration with local civil society organizations, held several activities to explain the current Constitutional crisis to the public and to promote democracy in the country. Initially there was a consultative meeting with 33 District Inter Religious Committee (DIRC) coordinators from 21 districts.

Civil society leaders and trade union leaders including NPC Executive Director Dr Jehan Perera, NPC Chairman Dr Joe William, Co-Conveners of Puravesi Balaya Gamini Viyangoda and Saman Ratnapriya, PAFFREL head Rohana Hettiarachchi, Executive Director of Right to Life Human Rights Centre Philip Dissanayake, Director of Rights Now Praboda Ratnayake and Lawyer Jagath Liyana Arachchi updated DIRC members on the current political situation of the country. DIRC representatives expressed their concerns over the critical situation and suggested different activities to conduct in their areas to raise public awareness about the political crisis.

The National Civil Society Forum held a meeting in Colombo with about 600 civil society and trade union leaders to organize protests to condemn President Maithripala Sirisena's actions, including the unconstitutional dissolution of Parliament, and called for immediate action to reconvene Parliament. Fifty members attended the meeting from Galle, Kalutara, Kurunegala and Matara DIRCs. A continuous Sathyagraha was organized at Viharamaha Devi park. NPC brought about 200 DIRC members to participate in the Sathyagraha.

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The Kandy Civil Society Forum, in collaboration with Kandy DIRC, held a press conference to raise awareness about the political crisis, which was widely covered by print and electronic media.

DIRC members from Galle and Matara attended public meetings in Galle and Matara towns organized by civil society groups. In Matara, DIRC members distributed about 2,000 leaflets in two trains where office workers were travelling from Matara to Colombo.

Puttalam DIRC organized a meeting to discuss the political crisis with the Muslim community. About 200 Muslim women attended the meeting. Most of the participants condemned President Maithripala Sirisena's actions. They discussed what civil society should do to protect democracy and Constitutional rights in Sri Lanka. Similar meetings were held in Wariyapola and Ratnapura.

In Anamaduwa, civil activists working with NPC distributed leaflets at the weekly market. The leaflets set out the steps necessary to dismiss the Prime Minister and appoint a new one according to the Constitution. The leaflets also explained the Constitutional methods to prorogue Parliament.

Human Rights Training in Four Districts

Advanced Training programmes for District Human Rights First Aid Centres were held in Matara, Trincomalee, Hambantota and Moneragala under NPC's project, Accountability Through Community Engagement and Initiatives for Transition (ACE-IT), in collaboration with its partner, Right to Life Human Rights Centre.

Participants were taught about human rights, fundamental rights, the Constitution and police duties. There was a practical session to explain criminal cases and civil cases as well as details about Transitional Justice, the Right to Information Act and the Office on Missing Persons. So far nine Advanced Trainings have been completed.

The ACE-IT project has three objectives: to mobilise civil society to utilise available mechanisms, new and existing, to hold the state accountable and vindicate the victim rights; to have orient targeted state institutions and actors in ethos for change; and to advocate for continued state action on accountability. The project is being implemented in 11 districts across the country.



New Project Promotes Social Cohesion and Reconciliation

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NPC has entered into a partnership to implement a new project, Social Cohesion and Reconciliation (SCORE), funded by USAID and implemented by Global Communities. The other partners are the Association of Women Affected by War (AWAW) and Shanthiham Association for Health and Counseling.

The three year project aims to strengthen Sri Lankan efforts to advance social cohesion and reconciliation. It works on three sub purposes - promote a cohesive Sri Lankan identity, reduce socio-economic disparities and enhance community resilience.

NPC is working to promote a cohesive Sri Lankan identity and aims to accomplish three results: to engage communities constructively in reconciliation processes; strengthen citizen-driven initiatives and networks to promote social cohesion and reconciliation across divided communities; and improve local and national government institutions processes promoting social cohesion and reconciliation.

During the first year of the project, NPC is working in Jaffna, Trincomalee, Moneragala and Vavuniya and focusing on one divisional secretariat of the district.

As the first activity of the project, NPC conducted information sessions for the Divisional Advisory Panel (DAP) formed in each division.

DAP is an ad-hoc body formed for the better implementation of the project and consists of 20 members with the leadership of the Divisional Secretary. DAP is expected to give guidance for the divisional and community level activities implemented under the project.

The first information session was conducted for the Vavuniya North DAP and the second information session was conducted for the Jaffna DAP. At both the sessions, the members of the Panel showed their interest in conducting various activities that would strengthen social cohesion and reconciliation within their communities.

NPC Board Member Professor M. S. Mookiah explained the need for social cohesion and reconciliation and the participants gave their perspectives on how the message of reconciliation should be passed to a wider audience.

The third Information session was held for the Seruwila DAP and the final session was conducted for the Buttala DAP.

NPC Executive Director Dr Jehan Perera gave participants an overview of the current political situation and explained the importance of the Transitional Justice process.

Many participants said the project was a timely one and they pledged their support to implement programmes in their divisions.

They noted that cultural exchange programmes would give an opportunity for people to understand the values and cultures of other communities, which would reduce misunderstanding and mistrust among different ethnic and religious groups and help to build a cohesive Sri Lankan identity.

Report Recommends Measures to Prevent Future Violence

An NPC-supported report on the anti-Muslim violence that occurred in Digana and Kandy in March this year, which included recommendations on how to prevent such incidents in the future, was presented to around 150 civil society leaders, government officials, academics and lawyers in Kandy.

The report, produced by the Kandy District Inter Religious Committee (DIRC), is based on the findings of a Citizens' Truth Commission conducted by interviewing victims of the violence. Other members of the public from various fields were asked for their comments and suggestions on how to minimise racism in Sri Lanka. Three commission meetings were held in Katugastota, Uguressapitiya and Digana.

During their discussions, members of the Kandy DIRC realised that Transitional Justice mechanisms could be applied to prevent future violence and decided to come up with a model that could be used.

Firstly, it was necessary to inform people of the actual facts of the situation and then there should be social and institutional reforms such as new approaches by the media and amendments to the Constitution.

The commission, headed former Kandy Government Agent A. M. L. B. Polgolla and consisting of lawyers, university professors and high level former government officials, began its work in May.

The report was submitted to the Central Province Governor's secretary to be given to the Governor. It was planned to send the report to the President, Prime Minister and the diplomatic community.

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Victims said that although the perpetrators could be identified, most were not caught and punished. They were of the opinion that the attacks were not spontaneous but had been well organised and politically motivated. Fire fighters did not respond or came and then went away, as did the police, they said.

The recommendations of the report were:

- Have a programme to heal the psychological wounds of the Muslim community caused by the violence.
- Conduct a cultural exchange programme and an awareness programme on religious principles in coordination with the Central Province Ministry of Education, sending Muslim children to Sinhala schools and vice versa.
- Bring in stronger laws to punish those responsible for racist criminal acts through the Penal Code.
- Regulate all media and punish the media that spread false news that encourages racism.
- Punish police officers who do not stop racist criminal acts with appropriate punishment and proper disciplinary action.
- Form committees within a legal framework in each Pradeshiya Sabha, Urban Council and Municipal Council to promote harmony.
- Make government officials responsible for building and protecting harmony in their own areas of responsibility.
- Grant the devolution of power under the 13th amendment as a priority measure.
- Grant public amnesty to LTTE detainees who have been detained without charge and soldiers arrested and detained over certain incidents so that old rivalries could be forgotten.
- Strengthen the civil administration in the North and East so that decision making and implementation could be done through a state mechanism rather than the military.
- Take all school students on visits to places of religious worship other than their own and have a cultural exchange programme through the Education Ministry.
- Bring the age of marriage under common law and set it at 18 years.
- Make school students study the basic concepts of all religions.

Rule of Law Training for LIRC Members

Two training programmes on the rule of law were conducted for members of Local Inter Religious Committees (LIRCs) in Weligama and Beruwala under NPC's project, Collective Engagement for Religious Freedom (CERF).

The participants included police officers, religious leaders, government officials and community and NGO representatives. Both programmes were facilitated by lawyer Jagath Liyana Arachchi.

The main objectives of the training were to improve the participants' knowledge and understanding on the rule of law and religious freedom and to bring LIRC members into larger discussions on religious freedom.

Participants gained knowledge on human rights, fundamental rights, concept of the rule of law and international and local legal provisions related to religious freedom.

They said the training had been helpful for them to understand the legal background and context related to religious freedom in Sri Lanka.

NPC Project Wins Impact Award

NPC's project Religions to Reconcile won the 2018 Samsung Generations For Peace Award for impact at its annual awards ceremony in Jordan. The award was presented by Generations For Peace Founder and Chairman, Prince Feisal Al Hussein.

The project is supported by the United States Agency for International Development (USAID), the U.S. Government's development agency,

Peace delegates from Sri Lanka attended an advanced training in Jordan where 35 participants also came from Jordan, Kyrgyzstan, Lebanon, Nigeria, Rwanda, Sierra Leone, Uganda and Yemen.

Promoting Peace With Business Community

The District Inter Religious Committees (DIRC) in Batticaloa and Trincomalee decided to work with the business communities to promote inter faith dialogue on peace and reconciliation because the business communities had capacity to link different faith and ethnic groups in the market, place under NPC's project Inter-faith and Inter-ethnic dialogue in Sri Lanka.

The DIRCs organized networking meetings for DIRC members, business people and government officials. The fishing, farming and trading communities were represented.

During the meetings, the business people were able to meet others of different religions and ethnicities who were involved in the same livelihoods. They also met DIRC members and government officials to discuss the way forward on peace and reconciliation.

Many issues that had caused ethnic and religious tensions in the business community in the two districts were discussed such as posts on Facebook telling people not to patronize Muslim shops and that Muslim traders were insulting Buddhism.

The businessmen asked DIRC members, especially religious leaders, to tell people to find out the truth before disseminating such posts.



University Students Learn about Transitional Justice

Training on Transitional Justice (TJ) for students of Peradeniya University was held under NPC's project, Youth Engagement with Transitional Justice for Long-lasting Peace in Sri Lanka.

The objectives of the training, which included dramas, role playing, lectures, film screenings and participatory discussions, were to educate the students on the concept of TJ and its importance in building sustainable and to motivate them to produce tools to take the concept to the public.

Some comments by participants on how to make TJ effective:

- Institutional reform helps to form new institutions and appoint new officers in a transparent manner.
- Through public referendums civilians can directly contribute to the decision and policy making process, which means all are treated equally and every citizen has a right to raise their voice against discrimination.
- By selecting Parliament members who treat all ethnic groups equally we can build trust among different ethnic groups. This will speed up the TJ process and bring justice to all victims.
- Acting according to the Constitution leads to equality and justice.
- Appointing responsible and accountable Parliament members helps the TJ process.
- Through a proper economic policy, the reparation process can be done in an effective way.
- Civil society organizations can work with government authorities and pressurise them to have a truth seeking process.
- If we have leaders who respect democracy even because of the international pressure, we can continue the TJ process.
- In the process of making necessary changes to the Constitution we can have a public referendum so that we can make changes that treat every citizen equally and that protect peace and harmony.



Supreme Court's Restoration Of Political Framework For Governance

The threat to the integrity of parliament has receded with the unanimous Supreme Court decision to impose a stay order on the presidential decree to dissolve parliament. The court has stated that it will give its final determination on December 7 after hearing the arguments for and against the constitutionality of the president's actions more fully.

The National Peace Council welcomes this judicial decision that seeks to ensure that transitions will take place within the framework of the Rule of Law and the Constitution.

In the run up to the Supreme Court's decision there were attempts made to speak of the people's mandate as being superior to the provisions of the Constitution. These arguments about the validity of the people's mandate that seek to give the President the power to do anything were made in the public realm, and made to sound democratic, but were most dangerous in fact.

We believe that governance is a sober exercise within the Rule of Law and the Constitution. We are happy that the Supreme Court's decision has taken the conflict and debate regarding the Constitution out of the spurious realm of people's mandate and electoral politics.

We further note that the Supreme Court determination is an interim order. The breathing space that the court has allowed till its December 7 determination should be used to restore the confidence of people and the polity in the stability and continuity of government ministries and policies.

We also urge the executive and legislative branches of government to act with restraint and not to aggravate the public misgivings and divisions generated as a result of their conflict.

In particular, personal antagonisms should not cloud the need for the President and Prime Minister to co-exist for the sake of maintaining future democratic governance in the country. Failure to so will plunge the country into further instability.

There is a need for basic conflict resolution principles to be followed, including respecting one's opponent, not seeking to humiliate the other and finding a mutually acceptable solution in which the national interest is uppermost.

The judicial verdict has set the political and legal framework for a solution but it is the relationship between people that leads to reconciliation.

Media Release issued on 14.11.2018

Our Vision: A just and peaceful Sri Lanka, in which the freedom, human rights and democratic rights of all peoples are assured.

Our Mission: To work in partnership with different target groups with an aim to educate, mobilize and advocate the building of a rights conscious society of people that work towards a political solution to the ethnic conflict, reconciliation and equal opportunities for all.

Presidential Presence To End Political Deadlock

For the second successive time a motion of no-confidence against the recently appointed Prime Minister Mahinda Rajapaksa was passed in parliament despite the disruptive conduct of members of the recently appointed government. On both occasions President Maithripala Sirisena has declined to act on this no-confidence motion saying he is not satisfied with the process. The scenes of violence in parliament that were broadcast on the mass media have shocked the conscience of people.

The National Peace Council is appalled at the manner in which chairs were thrown, unarmed policemen assigned to protect the Speaker Hon. Karu Jayasuriya were assaulted and even the Holy Bible was flung as a weapon.

We commend the Speaker Karu Jayasuriya for continuing with the parliamentary sittings in the face of violent attempts to disrupt them. He showed courage and determination in carrying out his responsibilities. We also commend President Maithripala Sirisena's statement that he would continue with parliamentary proceedings without suspending them. We call on all those concerned to give full meaning to those sentiments of the president and to support the Speaker to conduct proceedings in parliament as they should be.

We note that all 225 representatives of the people have taken an oath to uphold the constitution and the procedures and conventions of parliament. The people of Sri Lanka have demonstrated their respect for the Rule of Law and the peaceful resolution of the crisis that besets the country. We ask the parliamentarians who represent these law abiding citizens to conduct themselves within the framework of the law. Sri Lanka's democratic tradition goes back 87 years and has survived rebellions and civil conflicts. The country must not descend down the path to chaos and to economic ruination.

The National Peace Council urges all those parliamentarians, especially those who continue to disrupt the parliamentary process, to remember that they are trustees of the people's sovereignty and cannot act of their own accord for personal gain. We urge them all to give due regard and respect to parliamentary procedure and to end the crisis that threatens the stability of the polity.

We wish to echo the sentiments of the Venerable Omalpe Sobitha Thero who has said that President Sirisena himself should supervise the next vote in parliament. We call on the President to go to Parliament, take the seat he is entitled to, and act exert his moral influence to ensure that the vote meets the requisite standards for him to end the political deadlock.

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