

Justice for Acts of Political Violence



“When people try to seek justice, they experience injustice.”

“Please do not say forget, which we can’t. Rather, say forgive, which we can

Since April 2014, National Peace Council of Sri Lanka (NPC) has been implementing the project Post Conflict Healing: A Women’s Manifesto, supported by funding from Forum for Women and Development (FOKUS). It aims to support the process of Transitional Justice being led by the Government of Sri Lanka. It also strengthens the implementation of UN Security Council Resolution 1325 by ensuring the protection of women’s integrity and increasing their participation in social and political reform.

To this end, NPC has been working directly with extremely marginalised women in grassroots communities. The project is working in 9 districts that have each faced distinct pressures from the violence of war: Vavuniya, Mannar, Trincomalee, Ampara, Galle, Hambantota, Kandy, Nuwara Eliya, and Puttalam. Since we began, we have cultivated relationships in 900 war-affected communities in these districts, working with community-based organisations, religious clergy, community leaders, and local government officials. We have worked directly with more than 200 marginalised women, many of whom are widows and/or are women heads of households and therefore face specific issues of exclusion in the post-war context. 72 of these women have emerged as leaders of this project. Representing the concerns articulated by the women in their districts, these women have organised for collective action, initiating healing activities, protests, local reform, advocacy platforms, and education efforts in order to ensure a more representative process of justice, equality and reconciliation in Sri Lanka.

This briefing paper examines issues affecting the search for justice among grassroots victims of political violence, and makes recommendations based on the lessons learned during this project.

Methodology

The core methodology of this project has been to support a steady progression from awareness to action, healing to empowerment. In each District, with the support of our local partners, NPC has implemented the following activities:

1. District Level Orientations on the Gender Dimensions of Transitional Justice: Education of women and community leaders on the proposed Transitional Justice mechanisms and UNSCR 1325, which culminated in grassroots women discussing obstacles to peace and justice in their communities, collaboratively identifying specific grievances, and prioritising their own areas of concern under the proposed mechanism.
2. Women’s Meetings to Plan Healing Activities: Marginalised women from each District discussed the issues that affect women most severely in their respective communities, and planned initiatives to address these concerns and strengthen individual, community, and national healing
3. Healing Activities: Women led initiatives in each District, with the support of civil society, local government, religious clergy, and community leaders, to address grievances, advocate for their rights, and increase dialogue on social and political concerns.
4. Exchange Visits: Learning, discussion and exchange between North-South, South-East, East-Central, and Central-North areas, which developed women’s networks across regions, reinforced mutual empowerment through sharing stories, experiences and lessons learned, and strengthened understanding between groups divided by conflict towards healing and collaborative participation in reform.

In December 2016, participants will release a Women’s Manifesto which consolidates the issues of concern that emerged during these activities and puts forward specific calls to action to community leaders, religious leaders, civil society organisations, diplomats, donors, government personnel, and the political leaders of the

Transitional Justice process.

These activities have created a much-needed opportunity for women's voices to emerge on a broad range of issues after decades of being silenced through the everyday violence of war. They identify, from their personal experience, several challenges to peace, democracy, and justice in this country, and highlight the ways in which they participate as women in democratic citizenship. While the lessons from this project are from nine districts only and need further study to be fully comprehensive, they remain an important narration of women's challenges and experiences in post-conflict Sri Lanka, and represent the demands of female citizens during the nation's Transitional Justice process.

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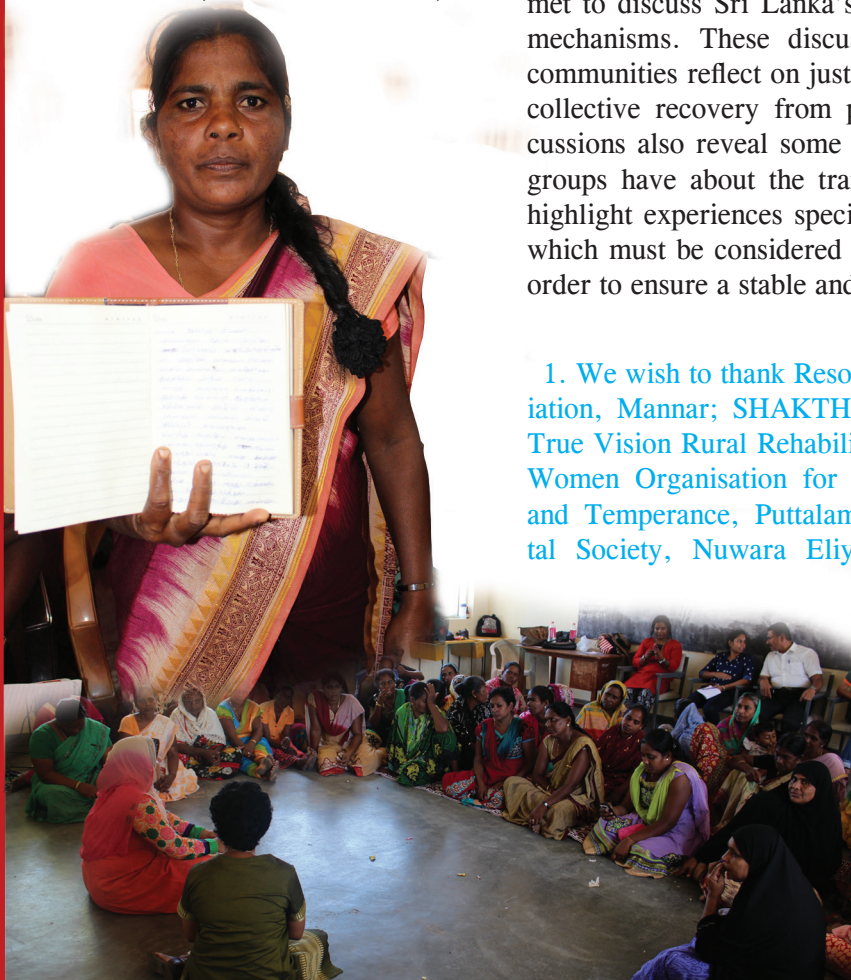
Sri Lanka is burdened by a history of division, violence, and injustice. From the ethnic riots in the 1950s the people of Sri Lanka have become intimately familiar with political violence, which has ruptured their lives, their families, their communities, and

their nation. It is difficult to overstate the impact of our conflict. A precarious existence amidst suicide bombings, abductions, disappearances, torture, rape, extrajudicial killings, forced displacement and child recruitment typified the state of violence during this period, while the last few months of warfare cost the unwarranted deaths of tens of thousands of innocent civilians. To recover from this history of violence, we must be willing to undertake the difficult task of interrogating this painful past. We must engage genuinely with the victims of violence, give credence to their pain, and acknowledge the atrocities that were committed in the name of war. We must also ensure that our systems of justice, security, and democratic dialogue are resilient enough to address this violence. It is only then that we can legitimately hope for a future in which our country, and our people, will not be torn apart by violence again.

It is for this reason that providing justice for acts of political violence is central to the agenda of countries transitioning from a state of conflict to peace. Justice responds to the immediate needs of victims while also reinforcing state-building and reconciliation processes, and therefore increases stability in the post-conflict period. Transitional justice, which has been prioritised for Sri Lanka's own post-conflict recovery, consists of a variety of interrelated mechanisms which together address individual acts of violence, reassert rule of law, and facilitate healing for both victims of violence and the country as a whole. If handled with genuine intent, these mechanisms can also help address the root causes of the conflict and contribute to broader social and political transformations. During our project, local communities and marginalised women met to discuss Sri Lanka's proposed transitional justice mechanisms. These discussions show how grassroots communities reflect on justice as a part of individual and collective recovery from political violence. These discussions also reveal some of the concerns that different groups have about the transitional justice process, and highlight experiences specific to the Sri Lankan conflict which must be considered during the planning period in order to ensure a stable and sustainable outcome.

1. We wish to thank Resources for Peace and Reconciliation, Mannar; SHAKTHI Organisation, Trincomalee; True Vision Rural Rehabilitation Organisation, Ampara; Women Organisation for Development, Equity, Peace and Temperance, Puttalam; Cultural and Environmental Society, Nuwara Eliya; Ruhunu Rural Women's

Organisation, Hambantota; Women's Chamber of Commerce, Kandy; Human Resources and Community Development Foundation, Galle; and Rural Women's Forum, Vavuniya.



1. Truth seeking:

The grassroots discussions that took place during this project made it immediately clear that there is an urgent and heartfelt need to recognise the truth of the past. Victims of political violence feel stifled by the wilful silencing of their experiences, through official censorship, military surveillance and the threat of retribution. The traumatic nature of many past experiences, which range from enforced disappearances to the violent deaths of family members during the last days of the war, force victims to endure a sharp sense of persisting pain which they desperately wish to relieve through truth-telling. To narrate the truth of their experiences, to have this truth genuinely heard and acknowledged, and have it recorded towards an official reckoning of the past fulfils an important role in the recovery of victims: it allows victims to witness, provides them with some catharsis, and, as a woman from Ampara put it, allows them to restore their sense of humanity.

Unfortunately, at the current time, victims of political violence continue to feel silenced and unheard. While there is genuine appreciation for the official efforts being made towards establishing justice for minorities, victims are apprehensive about the continuing discrepancies between the truth of their experience and the official position on the violence of the past.

The actual facts are not being entertained. The Government does not accept that citizens have suffered misfortunes.”

– Tamil woman, Vavuniya

“The Government says one thing, and the people say another. This must become one”

– Tamil woman, Mannar

been responsible, is key to restoring trust between victims and the Government, and assures citizens that the new regime has the courage to genuinely distinguish itself from the old. It must also have the commitment to put in the hard work to overcome the fear and ignorance that has divided communities in the past. This will not be easy. Even the concept of “being heard”, for ex-

ample, triggers a sense of inequality. In the project, minorities felt that the Government will be more responsive to the Sinhalese, while Sinhalese expressed concerns that minorities receive more attention from civil society and the international community. A genuine truth commission for Sri Lanka must therefore have the political will to be careful, but fair, providing legitimacy to all experiences, encouraging public dialogue between communities, and openly sharing facts so that the country can create a unified understanding of the past.

This is where evidence is important. In the project, Sinhalese, Tamil, and Muslim communities alike emphasised the need for accurate, unbiased data (quantitative and qualitative) to be widely publicised during transitional justice proceedings. This data, they felt, should be gathered across the country “through an independent commission” (Hambantota) and made available to the public “with proof” (Galle), allowing citizens to “listen to all equally in a fair manner.” (Mannar). Among those participating in the project, minorities are highly conscious of the need for evidence-based witnessing. They are eager to have data about their dead and their disappeared, the loss of their property, and events of political violence, be officially recorded and publically circulated. They are keen to work with the Grama Sevaka to collect this information, and women’s groups are willing to organise themselves to build accountable and reconciliatory relationships between affected communities and the government. It is important to start this work now, they believe, so that they are ready to testify effectively and persuasively when the time comes.

Although there is some hesitancy in official proceedings believing that truth-seeking may antagonise Sinhalese groups, it is assuring to witness a genuine need to listen to minorities among the Sinhalese participants of our project. While initially coming to the project with their own perspectives of the war, open interaction between communities led to a surge of interest, compassion, and a recognition that minorities have disproportionately suffered from violence and injustice. Sharing stories of loss, particularly of husbands or children who have died or been disappeared, was particularly powerful. It opened space for women to empathise with each other across the ethnic divide, share a mutual sorrow in recognising the errors of the past, and develop solidarity to engage genuinely in truth-based peacebuilding. Based on these experiences in our project, we believe that widely engaging and educating the public is critical for the success transitional justice. Our experience shows that communities are also quick to overcome their initial resistance when there is a platform for genuine dialogue, and that empathetic relationships grow stronger when individual stories from each side are shared.

In response to a Sinhalese lady from Mannar saying “it is better to forget the past and move on”, a Tamil lady tearfully recounted the story of how she handed over her son to the armed forces based on the promise that he would be sent back the following day. But she has not yet got her son back. She also elaborated the incident of her second son, a 24-year old, was made missing. Her son refused to give his motorbike to the Navy and following this incident he was taken from his home. She is still been searching for them.

Hearing this story, a Sinhalese lady from Kandy stated, “It is extremely unfair! I cannot even imagine a life with just one member of our family made missing!”

– Exchange Visit, Central Province to Northern Province

We want to know what happened to the victims. Without considering their religion or cultural background, we should find out what happened to these people and their families. We should find out the truth. The families that have been negatively affected by the war must be given justice. The government needs to give them support and come up with an effective solution.”

– Sinhalese Group Reflection, Hatton

“If we had loved, respected and sympathised with each other, this war would not have started.”

– Sinhalese woman, Kandy

2. Credibility of Sri Lanka's Justice and Security Institutions

The media is daily showing us the culprits who have committed all kinds of corruptions, but that is not enough! What we want to know is how they will be punished and to see justice for those who became victims because of their corruption.”

– Sinhalese woman, Ampara

“At the start, we too were keen to watch the news and learn how many were being caught for corruption and crime. But soon we became bored since no punishments were being given to them. Therefore we began to prefer watching a teledrama instead of the news as time went on.”

– Sinhalese woman, Kandy



We believe the government servants are appointed to serve the people, but what happens in reality is that they serve themselves.”

– Tamil woman, Kandy

During our project, we discussed Sri Lanka's proposed transitional justice process with local community members, consisting of women, religious leaders, community leaders, members of community organisations, and local political officers. In surveys administered to these groups, justice (in the form of criminal prosecutions) and institutional reform were ranked as the two most important transitional justice mechanisms for Sri Lanka by six of the nine Districts. The exceptions were Galle and Kandy, which prioritised justice and truth-telling, while Vavuniya District prioritised justice and compensation. The consistent ranking of justice in the top two priorities for Sri Lanka indicates that Sinhalese, Tamils, and Muslims alike recognise the value of rule of law and are keen to see it applied with immediate effect.

“My child, who was a school student at the time, was kidnapped and tortured for three days before being returned to the family. We lived in camps and I lost my husband to the war. My land has been claimed by the Army. We cannot speak out against these injustices because we are intimidated. If we do, we have to face the consequences.”

– Muslim woman, Ampara

In general, when people try to seek justice, they experience injustice. People were tortured in the Boosa army camp. Women who fought for justice suffered mentally or physically by the army or police. People who wanted to find answers for disappearances suffered by the Army, the police, and the TID. People who questioned about the quality of work produced by the LLRC suffered. Arrested people in the Army camps and police stations were tortured and abused.”

– Group Reflection, Ampara



The election of a new government in 2015 was based on the promise of clean government and the swift return to rule of law. This inspired great hope in the people which in itself can be a powerful catalyst for long-term transformations in democracy and reform. Unfortunately, as the quotes above show, the citizenry are once again beginning to lose faith in Sri Lanka's justice system, and among minorities, there continues a credible fear of Sri Lanka's security institutions. Vitiating by the civil war and influenced by the last regime, the courts and the police are bogged down by corruption, nepotism, bribery, and inequality. Participants in all Districts testified to the inordinately slow process of justice. They doubted whether justice was truly served by the courts, relating that the innocent were too often punished, and perpetrators too often released. Thus, they believe, the justice system does not serve the people, neither does it enforce rule of law. It is urgent that the Government return to its efforts to abide by the principles of justice, so that the sea change that was heralded by its election can continue to build in force.

For Tamils and Muslims, this effort must also be paired with genuine measures to reduce their encounters with intimidation and political marginalisation so that they can begin to develop a relationship of trust with the Government. While minority participants shared many instances which show that the respectfulness of the police and Army officers has improved after the war, there are still disturbing accounts of threats, surveillance, questionings, and harassment from security forces in the North and East. The continuation of land grabs by the military reinforces the unequal status of minorities under the law, and directly contradicts the Government's message of restoring justice. If this discrimination persists, the transitional justice process will be hindered by a legitimised lack of trust between minority victims and the Government.

3. Missing Persons

"I saw my missing son on a television programme on Thai Pongal. I approached the courts through a lawyer, but I was shown four different men in four different instances. So I went to the Navy camp. That is the camp from where people came to my house and took my son. I told them, "Give me my son." The Navy officer told me, "Come inside, I can give you a son."
– Tamil woman, Mannar

I have two daughters who are missing, 19 and 20 years old. I approached a government officer to search for them. He told me, "Leave it. Get on with your life now. Get some livelihood assistance. There were many people who died in the war, in the tsunami. Compare yourself with them. So leave it." But we are not asking for our children who have died or been killed, but our children who have been made missing! Our children, our hus-

bands – we handed them over to the Sri Lankan Army or at their camps. Some were taken by force from our homes and were never returned! We are demanding the missing to be given back, not a dead person!!"
– Tamil woman, Mannar

"A woman who has lost her husband has the right to know what happened to him; if he is alive, where he is and under what reason and circumstance he is being kept. If he is not alive, then an explanation of what happened, why, and how it happened to him. This information would help in the ongoing struggle, and help move towards the future. She will know her identity – if she is a widow or not. She will know whether she deserves compensation or justice."
– Tamil woman, Vavuniya

The search for missing persons is the most urgent provision of Sri Lanka's transitional justice process. It is estimated that approximately 65,000 individuals have gone missing during the course of the civil war, a number which the recently commissioned Office of Missing Persons (OMP) is intended to abate. As the stories of the women participating in our project show, the original harrowing experience of a loved one being disappeared is further compounded by the difficult process of searching for them within an unhelpful system and enduring the precarious state of the unknown.

While the fates of those disappeared by the LTTE may now be more difficult to investigate, there are also thousands missing due to enforced disappearances by government forces and arrests undertaken under the Prevention of Terrorism Act. In our project, there repeats a desperate plea that these people be found, or at the very least, that their fates be revealed. We hope that the OMP, which has a broader and more independent mandate compared to past commissions, will be able to respond fully and sensitively to these families, and set up an efficient process that is undertaken in genuine consultation with those whom it aims to serve.

Women in our project highlighted a few of the procedural challenges that impede their search. The lack of a field presence for missing persons commissions means that women are forced to spend ill-afforded time and resources to travel across the country to wherever news may be found. Women who have the responsibility of caring for children or elders find this especially difficult. Communications with official bodies are also not transcribed with the families in mind. Responses to requests for information or assistance are sent in English in order to allow ease of communication with the other officials in copy, but which most families cannot read. This prolongs the struggle, robs families of the opportunity to engage further with the process, and leaves them unable to spot errors in the documentation which may



may prematurely but irrevocably end their search.

Despite these obstacles, the families of missing persons continue to search for their loved ones with unfailing courage and hope.

‘My husband was killed during the war. I was living with my two children, a daughter and son. One day I was asked to hand over my son to the Army and I myself accompanied him and handed him over. That was



the last time I saw my son. Since then I have been going all over to every possible place, where ever I was told that my son would be. My life over the years had been so hard without both my husband and son. I sent letters to the relevant authorities and asked of my son and for justice but so far I haven’t got any positive response. Recently I saw my son in one of the pictures showed in the media. I gathered the information of that picture and tried to approach relevant groups who would support me in finding my son. Since there is no restriction by the present government it was much easier for me to go to Colombo and make inquiries about my son. The group who helped me to go to Colombo kept me with other people who are also looking for their disappeared relatives. They prepared to face whatever may be the outcome. Within me I was very much sure [the photo was of] was my son and I will get him back. I had lot of tension before I went to the prison. I was certain I would finally see my son after many years. Though years may have passed I will know him and am capable of identifying my son.

But in the prison I was shown a 35 year old man who has been there for 15 years due to committing a crime at the age of 21. We both seemed shocked to see each other. Despite my great disappointment I took courage and explained to him why I came. He said that when he heard his mother had come he was surprised because none of his family has visited him since he was brought to the prison. He told me “I wish that you were my mother.” When he said this I was deeply touched and for a moment I completely forgot about my son. I felt that if I could get any opportunity [to do so], I would get him released. I wanted him to live freely in the world because he seemed to repent enough for what he committed after fifteen years of being behind bars. I am not much educated and do not know about the law, but I questioned to myself why and what law keeps a young person for 15 years in the prison, unable to forgive and rehabilitate him. I even asked the authority who took me there whether we could release this boy. While looking for my son, if I can get the opportunity, I would like to find a way to release him.

– Tamil woman, Mannar



hinder the search.

Families are currently afraid to approach official institutions because they are then compelled to deny that their loved ones are missing. Women from Trincomalee, Mannar, Vavuniya and Kilinochchi said that they have been forced to get death certificates for missing children or husbands. Even when they refused to file for death certificates, some were forced. They perceive the 100,000/= compensation as a bribe from the government to stop searching for their loved ones because issuing a death certificate in the case of a missing person is a denial of the truth. This has happened to both Tamil and Sinhalese women from these Districts. When the Army is implicated in disappearing people, there is additional pressure. Police approach these families and ask them to file the case as a case of death or kidnapping by persons unknown. As a result, many families are now afraid to engage with the police because this

4. Reparations and Compensation

Reparations are part of an interconnected process of restoring justice to victims of political violence, given with acknowledgement of the specific human rights violation they have experienced. When done within a genuine process of justice, they can provide recognition to victims and restore their rights of citizenship, promote trust between victims and the government, and increase social solidarity². Financial compensation is one part of reparation, meant to alleviate the consequences of the losses the victim has suffered. Compensation only becomes part of a process of justice when it is applied with other measures that restore protection under rule of law.

Currently, there is a great deal of confusion about what compensation from transitional justice could mean for people at the grassroots. Is it solely for the direct victims of war? Or does it cover those affected by natural disasters, economic pressures, or the human-elephant conflict? How does compensation work for the families of missing people, and will accepting compensation compromise their search? Will compensation be provided for all ethnic and religious groups? Does compensation cover community losses like the destruction of mosques and temples? How will compensation work for unquantifiable losses, like a young widow who can no longer get married? If compensation restores only lost property rather than lost opportunity, will it reify pre-existing inequalities? Given the extensiveness of violence, will providing compensation harm the economic development of Sri Lanka?

People also seem to doubt how effective compensation programmes will be. Past experiences of accessing compensation have been irregular (e.g., “done like a lottery system”), corrupt (e.g, given through “favouritism” or to those with ties to the ruling party), careless (distributed without looking into “fake information”), and have been discriminatory.

“We also lost our 9 members of the family in the war, we also got displaced, we were also affected like the Tamils, but we were not given a single small cent from the government.”

– Sinhalese woman, Mannar

Repeatedly through the project, participants shared concerns that the lack of fairness in compensation programmes may disrupt progress towards peace building. This was a fear shared by Sinhalese, Muslim, and Tamil participants alike, affecting relationships within villages and more broadly between ethnic and religious groups nationally. Across the Districts, participants stated that the compensation programme for the proposed transitional justice mechanism should be fair and equal to all people who have been affected, while ensuring that clashes will not reoccur between Sri Lanka’s ethnic groups.

They felt that compensation also becomes meaningless when injustice still persists. For example, thousands of Tamils and Muslims remain displaced and have lost their ancestral properties and sources of livelihood as the militarisation of the North and East persists. Returning the land being appropriated by the armed forces is a basic first step when discussing compensation. Providing a meagre compensation while continuing to hold on to lands or use them for profit-making enterprises is thus not justice, but the subversion of justice. Compensation also becomes complicated in the case of the disappeared. Here, a genuine engagement with the search for missing loved ones is necessary to ensure that compensation is seen as reparation for their absence rather than a ratification of their death.

Compensation is not what we want. We want to know where they are – especially those who were handed over in Omanthai.”

– Tamil woman, Mannar

While monetary compensation will provide a meaningful acknowledgement of injustice, participants expressed the more urgent need for reparation that will aid long-term recovery. Restoring and expanding opportunities for education is key among these as families struggle to secure their children’s future. Some youth, however, are now too old to return to school after years of interrupted education; for them, expanding access to technical schools and skills-generation are important. Creative income opportunities are also required for war widows and women heads of households, with assistance to enter sustainably into the market. Other suggestions for development based reparation included providing interest-free loans, legal aid, and basic infrastructure development, paired with comprehensive mental health services.

With self-employment, people are able to provide for their own livelihood and forget what happened during the war.”

– Tamil woman, Trincomalee

make sure it gets implemented. If mental care is provided and people get psychologically healed, they will be able to overcome all the other losses they have faced.”

– Group Reflection, Kandy

While reparations may be able to provide a meaningful contribution to the well-being of affected families, ultimately they must be part of a broader effort to bring peace to Sri Lanka, given with true acknowledgement of the irreparable impact of our conflict.

“Whatever the compensation and security that is given, the love and security give by my husband to me and my children cannot be replaced by anything in the world. We will miss him until we die.”

– Sinhalese woman, Hambantota

When discussing justice for acts of political violence, it is important to note that violence may not necessarily manifest itself as a discrete act. Political violence can also be felt through experiences of discrimination which result in the loss of the rights and privileges of citizenship. While this type of political violence is largely acknowledged against Sri Lankan Tamil and Muslim communities in Sri Lanka, political violence against Indian-origin Tamils continues to be overlooked. Indian-origin Tamils, the majority of whom continue to be employed by the plantation sector, remain in a state akin to slavery, enduring poor working conditions, substandard liv-



ing conditions, landlessness, and reduced access to health, education, and other vital social services. Many also continue to lack the basic documentation that provides entrance into the rights of citizenship. Yet their labour contributes directly to the success of Sri Lanka's economy. Recognising their status as an intensive form of political violence is a necessary prerequisite to ensuring that their rights as citizens can finally be acknowledged and restored.

“You may have land rights, but we do not! You may have the rights for shelter, but we do not! We are not accepted by the other societies. You may have toilets, taps, good drinking water at your work place but we – if it rains while we are eating, we have to eat with rain water! It is due to the war that the people in the North and East are having problems, but we, we have been having problems since we were brought to Sri Lanka.”

– Indian Tamil lady, Nuwara Eliya

1. Create a Credible, Service-Driven Apparatus for Public Engagement with Truth and Justice

During this process of planning Sri Lanka's transitional justice process, it is important to ensure that this mechanism is credible, cultivates trust among all communities, and genuinely engages the public in seeking truth and justice. The key officials in charge of the process, particularly those leading the truth commission, must make efforts to gain the trust of the public early on. Public education and awareness is also important, allowing people to transform their perceptions and attitudes, even towards controversial issues like international participation (in a survey administered in Galle, for example, 85.7% of our participants stated that they preferred a hybrid court). Publicising testimonies also allows peo-

ple to empathise with each other and forgive, critically increasing social cohesiveness after this divisive war.

2. Ensure Public Participation by providing a secure and hospitable environment

Engaging the public also means easing the process of participation, especially for those who have been made vulnerable by the con-

flict. Assuring security for those testifying, providing legal aid, and facilitating quick outcomes for justice are integral to establishing the credibility of these proceedings. Female representation on truth commission panels, the OMP and other mechanisms is also important, as is cultivating a secure and sensitive arena for women testifying on sexual and gender based violence. Communications must be in Tamil and/or Sinhala so that families are assured their right to information and can continue to follow up. It is also important that families are allowed to anonymously report instances of poor services, harassment, pressure and intimidation by security forces or government officials, and that these reports are followed up without risk of endangerment to the families.

3. Office of Missing Persons

As the Office of Missing Persons is established, there are several key findings from our project which, if considered, will increase the effectiveness of resolving cases of the disappeared. The most urgent, of course, is to immediately release those who are being detained without trial. In the search for those who are remaining, there are many additional ways in which the OMP can aid the families of the



missing. Establishing a field presence will allow families to more easily access the services of the OMP without expending ill-afforded time and resources. Finally, the ability to secure certification of disappeared status, rather than a more misleading death certificate, is important to ensure that the search for missing loved ones is not unduly halted.

4. Reparations and Social Development

Clarifying the nature of reparation under the proposed transitional justice mechanism is urgent. Financial compensation is expected, but how compensation will be distributed is unknown, and whether compensation will be fair is doubted. Given the uncertainty over compensation, this has a high likelihood of undermining reconciliation if not carefully done. While most war-affected families will require financial assistance to overcome the losses they have suffered, it is clear that reparation in the form of social and economic development programmes will be appreciated for its ability to encourage long-term recovery.

5. Ensure fair distribution of compensation

Any compensatory payments must therefore be fairly distributed alongside projects to establish education, marketable skills, economic stabili-

ty, and infrastructure development in affected areas. Comprehensive programmes for psychosocial recovery are also critical towards reparation. Programs that fairly include all communities (including often ignored groups like Indian-origin Tamils), restore lost opportunities in education, and provide some relief from poverty and psychosocial distress are the most urgent requested at this time.

6. A Role for Civil Society

Civil society has a valuable role in the task of securing justice and peace through transitional justice mechanisms. Given the broad scope of the different civil society groups in Sri Lanka, a coordinated effort is necessary; however it is clear that this effort will have sustainable dividends. During our project, these groups were repeatedly looked to as credible and efficient agents, even for difficult tasks such as addressing sexual violence or accounting for the disappeared. A first step is supporting local groups, such as mothers unions, allowing them to mobilise their communities and encouraging their participation in the important work of documentation, testimony, and inter-community peace building.

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