

Sri Lanka's Authoritarian Turn: The Need for International Action International Crisis Group
February 20
2013 (...)Gov

Government attacks on the judiciary and political dissent have accelerated Sri Lanka's authoritarian turn and threaten long-term stability and peace. The government's politically motivated impeachment of the chief justice reveals both its intolerance of dissent and the weakness of the political opposition. By incapacitating the last institutional check on the executive, the government has crossed a threshold into new and dangerous terrain, threatening prospects for the eventual peaceful transfer of power through free and fair elections. Strong international action should begin with Sri Lanka's immediate referral to the Commonwealth Ministerial Action Group (CMAG) and a new resolution from the UN Human Rights Council (HRC) calling for concrete, time-bound actions to restore the rule of law, investigate rights abuses and alleged war crimes by government forces and the Liberation Tigers of Tamil Eelam (LTTE), and devolve power to Tamil and Muslim areas of the north and east.

Sri Lanka is faced with two worsening and inter-connected governance crises. The dismantling of the independent judiciary and other democratic checks on the executive and military will inevitably feed the growing ethnic tension resulting from the absence of power sharing and the denial of minority rights. Both crises have deepened with the Rajapaksa government's refusal to comply with the HRC's March 2012 resolution on reconciliation and accountability. While the government claims to have implemented many of the recommendations of its Lessons Learnt and Reconciliation Commission (LLRC) – a key demand of the HRC's resolution – there has in fact been no meaningful progress on the most critical issues:

- the government has conducted no credible investigations into allegations of war crimes, disappearances or other serious human rights violations;
- rather than establish independent institutions for oversight and investigation, the government has in effect removed the last remnants of judicial independence through the impeachment of the chief justice;
- there has been no progress toward a lasting and fair constitutional settlement of the ethnic conflict through devolution of power;
- the military still controls virtually all aspects of life in the north, intimidating and sidelining the civilian administration;
- more than 90,000 people remain displaced in the north and east, amid continued land seizures by the military, with no effective right of appeal and no fair process for handling land disputes;
- government security forces have broken up peaceful Tamil protests in the north, detained students on questionable charges of working with the LTTE and actively harassed Tamil politicians;

- the government has responded with force to protest and dissent in the south, too, deploying troops to prevent the newly impeached chief justice and supporters from visiting the Supreme Court while pro-government groups attacked lawyers protesting the impeachment.(...)

-

The consolidation of power paves the way for moves that could further set back chances of sustainable peace. The president and his two most powerful brothers – Defence Secretary Gotabaya and Economic Development Minister Basil – have signalled their intention to weaken or repeal the provinces' already minimal powers. As the government makes explicit its hostility to meaningful power sharing between the centre and the Tamil-speaking north and east, Tamil identity and political power are being systematically undermined by the military-led political and economic transformation of the northern province.

Recent months have also seen an upsurge in attacks by militant Buddhists on Muslim religious sites and businesses. The government has done little to discourage these. Should such provocations continue, the remarkable moderation of Sri Lanka's Muslims could face serious tests. Given the country's history of violent resistance to state power perceived as unjust, the authoritarian drift can only increase the risk of an eventual outbreak of political violence.

Sri Lankans of all ethnicities who have struggled to preserve their democracy deserve stronger international support. The HRC's 2012 resolution was an important first step, but more is needed. This should begin with a stronger HRC resolution in March 2013, which must demand concrete reforms to end impunity and restore the rule of law; mandate the Office of the High Commissioner for Human Rights (OHCHR) to monitor violations and investigate the many credible allegations of war crimes committed in the final months of the war by both sides; and, where possible, identify individuals most responsible.(...)

All governments and multilateral institutions with active ties to Sri Lanka must rethink their approach and review their programs in light of Colombo's deepening and dangerous authoritarian drift. This includes military-to-military relations and bilateral and multilateral development assistance, including from the UN, World Bank, Asian Development Bank and International Monetary Fund.

See the full report □

[here](#)

□