

Attachments

1. University of Jaffna, Sri Lanka – Case Study 1

24-year-old Gowritharan is a third-year student of the Faculty of Science in Jaffna University. Thanks to his participation in the NPC supported workshop on transitional justice, Gowritharan described that his knowledge in transitional justice increased from zero to about 65%.

“There are lots of conflicting narratives about transitional justice in our society. People in our district fault different groups for rights abuses, war crimes and victims’ situations. We learnt how a transitional justice process can address victims’ problems and find solutions.” said Gowritharan

Gowritharan’s fellow group member, 25-year-old Anulakshan described why it was important to counter negative and extremist narratives prevailing among the people of Jaffna through dialogues and interventions on transitional justice related issues.

“People don’t know much about transitional justice. They just speak incoherently, repeating what they hear from others, read in the media or what politicians say,” said Anulakshan

“People in the Jaffna district are also very frustrated because they haven’t been able to find solutions to their issues. Politicians manipulate people’s feelings and issues, so we need to address the victims’ problems and concerns to find lasting peace. By implementing transitional justice mechanisms, we can counter extremist narratives.” added Anulakshan

As their first follow up activity for disseminating knowledge and information on transitional justice, the Jaffna university student group decided to conduct a debate on the topic, “Do We See the Possibility of Transitional Justice in Sri Lanka to Generate Unity among Ethnicities?” The main organizing committee consisted of 2 Sinhala and 3 Tamil students and 1 Muslim student. And they chose the Final Day of the university’s Arts Week to host the debate competition since they would have a ready-made audience to witness their debate.

Gowritharan said they felt a debate would give them a platform to discuss and unpack emotion-laden ideas and views on transitional justice. On the day of the event, an audience made up of over 2000 students watched the students from both sides making their respective case in a convincing manner. And the head of the Faculty of Law who also served as the judge for their debate competition, gave a brief presentation on transitional justice to the audience.

“If we organized an awareness raising workshop, students would have heard and discussed mostly negative things. This is why we felt that through a debate competition, we would also discuss positive aspects of transitional justice which is crucial for young people to hear about.” added Anulakshan

Gowritharan explained that the government’s lack of progress in the implementation of transitional justice mechanisms as a key reason for the widespread prevalence of negative narratives on transitional justice in the Jaffna district.

“People want the government to implement transitional justice mechanisms. But people in our district have no confidence in the government in addressing their long-unaddressed issues,” stated Gowritharan

“It is important to use our time and energy to develop a positive discourse by engaging with different groups and communities. In our discussions, we can explain to people about how the transitional justice processes in other countries also took a long time to resolve people’s issues. We can tell them, similarly, in Sri Lanka, too, it will take time.” added Gowritharan

Following this first debate, the student group then organized a debate competition in Sinhala language to involve the Sinhalese students from the Faculty of Science. The Sinhalese students debated on the topic, “Has Transitional Justice Been Established During the Post-War Era?” They invited all students studying in the Science Faculty to watch the debate.

“About 50% of each batch studying in the Science Faculty are Sinhalese. So we felt it was important to organize the debate in the Sinhala language. Similar to the Tamil debate competition, we wanted to show both negative and positive arguments relating to the topic. In that way, it is easy for students to make a difference between positive and negative narratives they come across on transitional justice.” explained Anulakshan

Both Gowritharan and Anulakshan felt that the NPC’s intervention to include youth in dialogue processes on transitional justice was timely and critical. Because of the project, they now have a platform to direct their local communities, including the affected, along the right path.

“We are the future of the Jaffna district. We should be leading our communities. We feel they would believe the younger generation. Similar to the way how our parents listen to us,” said Gowritharan

After learning about transitional justice processes elsewhere in the world, both Gowritharan and Anulakshan said they understand that there were no quick solutions to some of the enduring issues that Sri Lanka is contending with after thirty years of war. While helping spread that message among local people in their district through dialogue, they are determined to strengthen their involvement in the national transitional justice process leveraging the connections that the project helped establish with policy makers.

“Some mothers of missing children who were protesting against the government’s lack of assistance to get information about their children have died. Youth that were imprisoned as political prisoners are now adults. People need their land to be released by the Sri Lankan security forces. We can take these messages to policy makers while highlighting the positive aspects of transitional justice to our communities.” added Anulakshan.

Two faculty members from the Faculty of Law of the Jaffna University were among a group of participants that went on a Clinical Exchange study tour to the Harvard International Human Rights Clinic in October 2018. This visit was facilitated by one of NPC’s project implementing partners, Legal Action Worldwide (LAW). The visiting delegation learned about the structure

and functioning of a human rights clinic. Currently, steps are being taken by the relevant academic staff of the Jaffna Faculty of Law to establish a human rights clinic. This human rights clinic will work in close collaboration with state institutions and frameworks such as the Secretariat for Coordinating Reconciliation Mechanism (SCRM), the Office on Missing Persons, the National Human Rights Commission to assist victims and family members with outstanding legal issues, which have not been addressed by state mechanisms and institutions leading the Transitional Justice process.

2. University of Ruhuna, Sri Lanka - Case Study 2

When Chanika Dilhani, Sameera Sampath and A.M. Kumari, ages, 23,24 and 24, applied for a training on transitional justice, they expected it to be another academic exercise. With no prior knowledge of transitional justice and also without any expectation, the three of them joined the two-day training, drawing satisfaction from the knowledge that they were good enough to be among a group of 45 students who had been selected through a comprehensive selection process. But now they reflect on that training to be a life-changing experience made available by the Youth and Transitional Justice for Long-lasting Peace in Sri Lanka project.

“When our group members from Padiyathalawa, Mullaitivu, Bibile and Ampara shared their bitter and devastating experiences of war, we understood why Sri Lanka needed a transitional justice process. We were able to connect their real-life experiences to the four pillars of transitional justice. Like most group members, I also had zero knowledge on transitional justice” said Chanika

Moreover, they also realized why youth should be actively involved in the national level transitional justice process.

“Youth are able to process information and situations related to war better than adults who have been through so much during the war. Adults are not ready to change their minds,” explained Sampath

“But we have friends from all communities. So we are more ready to listen to the other communities’ grievances and issues. And on the other hand, youth can also be easily attracted by extremist narratives. So there is a danger in not involving youth in the transitional justice process” added Sampath

Inspired by the new knowledge they gained from the workshop, together with empathy that their discussions helped generate toward their fellow group members with direct experiences of war and violence, the student group put together a one-day program on transitional justice inviting first year students and the university’s academic staff to participate. The day’s activities included the performance of a drama and a rap song, the screening of a film, a presentation of basic information on transitional justice connecting both international and national contexts, and plenary discussions in between items. The event was attended by over 500 first year students.

“We wanted to give all important knowledge and information about transitional justice to our participants in simple and easy ways. That’s why we used several tools for this purpose,” described Sampath

“At the beginning of our workshop, we evaluated the participants’ awareness of transitional justice. Then we compared that with their feedback we assessed at the end of the program, we found out about 85% mentioned their knowledge in transitional justice improved because of our activities.” added Sampath

The Ruhunu University group also used their personal social media accounts to communicate information relating to their one day program among the university’s student population. With the knowledge that visibility is important for attracting young students to their awareness raising program, the student group displayed a large banner about the event at the entrance to the university and also walked around in their newly made branded t-shirts.

“Since our target audience was youth students, it was important to brand the event and attract as many students as possible,” stated Kumari

“We also used the drama as a simple format to talk about a heavy subject. Our rap song also advocated for the implementation of transitional justice mechanisms. Some of the students with direct experiences of the war, cried while sharing their past experiences with the audience.” added Kumari

These three students give a lot of credit and recognition to the University’s academic staff and the management for all the support they gave in the run up to the one -day program. The students said the Ruhuna university has already taken necessary steps to include transitional justice as a subject for first year students.

“It is important for university students to be aware about transitional justice and be involved in the national level process. We join the larger society after completing our education. We shape opinions and we take up positions of importance in work places and society. So our role is crucial in the implementation of transitional justice and also in building peace.” stated Chanika.

Since Ruhunu University has been one of the last places where the initial training was conducted, the student group has not progressed beyond the planning stage in the conduct of follow up activities. According to Kumari, they discussed among themselves the need to organize exchange visits and information gathering initiatives to worst affected districts with an idea to creating a better understanding about transitional justice issues of affected people. They view information sharing and gathering between the North and the South as a crucial exercise for successful implementation of the national transitional justice process.

“Lack of knowledge among people is a huge challenge to get the maximum results out of transitional justice mechanisms,” explained Kumari

“Our families have extremist ideas about each other’s communities. Their opinions are influenced by the media that sensationally report about transitional justice related issues, including the

proceedings at the Human Rights Council in Geneva. So we have to build a positive narrative in order to make people aware why we need to implement transitional justice mechanisms.” stated Kumari

In terms of the impact that the project has made on their own lives, all three students asserted that they have undergone a profound self-transformation process as a result of their involvement in dialogue processes.

“We now understand why some people still wish for the reemergence of LTTE. Why they justify the LTTE’s violence. The LTTE is created in someone’s heart because of the state’s inability to find solutions to people’s issues,” described Sampath

“Politicians have extremist ideas and they are not interested in resolving people’s issues. This is why youth should be involved in taking this transitional justice process forward. We can change minds. We can build a critical mass by engaging in discussions with others. Youth are a force for change” added Sampath

They consider themselves to be few lucky ones to have received an opportunity not just to improve their knowledge on transitional justice but most importantly, to share that knowledge with others and engage in dialogue processes pertinent to the national level transitional justice process.

“We are very happy to have met other students who came for the project finale three-day program. We met out university students. We can link up with them for our information collection work. Sinhala youth don’t get much opportunity to interact with Tamils and Muslims. This project created that platform for us to build a wider network among all participating universities. We are looking forward to collaborating with them.” stated Chanika

3. Eastern University, Sri Lanka - Case Study 3

24-year-old Premkumar Prikshana is an undergraduate student at the Eastern University in Batticaloa. Prikshana was among a group of forty students who were given an opportunity to learn about transitional justice by the NPC’s Youth and Transitional Justice for Long-lasting Peace in Sri Lanka project. The Eastern University was one of 12 participating universities that received numerous support and assistance measures under this project to improve their students’ understanding in transitional justice as a normative framework to redress systemic rights violations. The project enabled the selected students to engage in dialogues as well as to utilize the national level Transitional Justice process by connecting with policy makers and institutions.

At the outset, Prikashna and other selected students took part in a two-day knowledge improvement program where the group learned in-depth about transitional justice as a concept and the importance of its application - both as a framework and process - in post-war situations to ensure justice and dignity for victims, establish accountability, promote institutional reforms and work towards non-recurrence.

Soon after the workshop, Prikashna did a short volunteership to assist a local NGO that provided assistance for disabled persons. With advice from her senior lecturer who is also the project's coordinator, Prikashna met with disabled people through the NGO to give them a basic understanding about Sri Lanka's transitional justice process and guide them to seek justice and reparations for themselves and their families.

"A lot of disabled people I came across through that volunteership were very angry that they had been neglected by the state. Most of them complained that they were not receiving much support to address their issues. I always made sure to explain to them about their rights and entitlements as disabled people. Some of them became disabled due to injuries caused by the war." described Prikashna

Prikashna's friend and fellow student, Thangavel Sharmily explained how the student group utilized their learnings from the two-day workshop to share knowledge within and outside the university:

"After the two-day training program, we put together a stage drama on transitional justice. We included scenes to simplify the four pillars of transitional justice. And used an old man's character to represent people who had no idea about transitional justice and other characters explained to the old man about transitional justice and how it can be made use of to find solutions to victims' issues." Said Sharmily

The group organized their first performance during the First Year Students' Orientation. Around 1300 students were estimated to have been in the audience. The student group also conducted pre-and post-performance assessments to find out how the audience had absorbed their messages.

"Most students did not know what transitional justice was. Some of them were familiar with the words because they had heard about it from the media. The post-performance evaluation showed us that a majority of them who had no idea about transitional justice gained a basic understanding about it from our drama. So we were very happy with our effort." said Sharmily.

Encouraged by the reactions to their inaugural performance, the student group then arranged a performance to the secondary level students in Santhivali Siththivinayagar School in Oddamavadi Divisional Secretariat Division. Both Sharmily and Prakashna feel that young people are ready to discuss about and embrace the idea of transitional justice as a mechanism to resolve difficult issues stemming from Sri Lanka's thirty-year-war.

"In our interactions, we realized that older people with many horrendous experiences of war had a lot of misunderstandings about transitional justice and they were reluctant to talk to us. Since there is a dependency culture, some of them expected us to provide material assistance to them. But younger people understood our messages better. They wanted to join with us to stage the drama in other places" added Sharmily

Prakashna and Sharmily also pointed to the lack of progress in addressing war-affected people's issues and problems as a major challenge in getting people to participate in dialogues on transitional justice. They said people they met during follow up initiatives were quick to express their dissatisfaction and despair in relation to an unavailability of information about their missing family members, lack of assistance to engage in viable income generation activities and rebuild their lives, etc.

"The old people would tell us that 'a lot happened before you were born, we need to find solutions to our problems, we don't see how you can change our situations by talking to us about transitional justice?' so it was clear that people were very frustrated since there has been very little progress in their lives ten years after the war." described Prakashna

26-year-old R.Darshan and 25-year-old S.Hayooran shared their experiences in imparting their knowledge in transitional justice among peers and local communities. Referring to their pre-and post-performance assessments, Darshana and Hayroon said their data showed that around 30% of the 1300 students that saw their drama gained a basic understanding about transitional justice. And given the gravity of rights related issues and problems that continue to challenge the lives of victims and their families, they both believe that the Sri Lankan government should implement all four pillars of transitional justice in order to establish lasting peace.

"Transitional justice mechanisms must be implemented to address war-crimes, human rights and other abuses," asserted Darshan

"Transitional justice is the foundation upon which we will be able to build lasting peace and reconciliation. This is what we learnt from the training we got from the NPC's project. Recently, a mother with a missing child approached us thinking we would be able to find information about her child. It showed us a lack of confidence people have in state institutions to get their problems resolved." added Darshan.

As part of post-training follow up, Hayroon linked up with AHAM, a local NGO, to conduct a presentation on transitional justice issues for Trincomalee district public officials. Similar to his own personal experience before the project, Hayroon said all public officials that attended the awareness raising session also had no knowledge about transitional justice.

"There were 20 participants. Some government officials and also youth from the Eastern Province were among the group. I helped them to get a basic understanding about the four pillars of transitional justice and the importance of implementing transitional justice mechanisms in Sri Lanka. We also hosted a post-presentation discussion. We are very interested in connecting with policy makers to further engage in the transitional justice process" added Hayroon

Based on their discussions with victims, local communities and youth, the Eastern University student group is currently looking at ways to conduct advocacy to bring policy makers' attention to the situation of missing persons' families, memorialization, reparations, and other enduring issues that can be resolved under the rubric of transitional justice process.

“We want to conduct an awareness raising activity targeting Pradeshiya Sabha members to discuss transitional justice issues with local level politicians. Our intention is to take those issues to national level policy makers through them” stated Darshan elaborating on the importance of connecting policy makers and victims.

“The Office on Missing Persons has not done anything to relieve the pain and suffering of the survivors. Our drama can’t address everything. It can only initiate a discussion among people which is also important. We are afraid if policy makers will accept us. But we will still do what we plan to do” stated Darshan.

Darshan and Hayroon said their group members now have the necessary capacity and confidence to help the national level transitional justice process through several ways, including by collecting information about affected people, providing referral assistance to victims and their families, lobbying institutions such as the Office on Missing Persons to address outstanding issues relating to missing people and their loved ones, raising awareness on transitional justice among youth networks and local communities, and documenting affected people’s issues and sharing reports with policy makers. Listening to their future plans it is clear that the project has succeeded in inspiring this group of students from the Eastern University to utilize and strengthen the national level transitional justice process by engaging in dialogue, advocacy and awareness raising efforts.

4. South Eastern University of Sri Lanka - Case Study 4

23-year-old A.M.Ojiskhan is a third year student of the Faculty of Arts in South Eastern University, Oluvil. Ojiskhan is one of 35 students from the South Eastern University who received training assistance from the Youth and Transitional Justice for Long-lasting Peace in Sri Lanka project to improve their knowledge in transitional justice. Little did he know when he applied for a training program with no idea of what he was going to learn, that this training would also enable him to achieve one of his dreams.

“I had no idea what transitional justice meant,” stated Ojiskhan

“I learnt about people’s right to information, right to justice, war crimes, transitional justice issues of war-affected people, etc. At the end of the training program, they asked us ‘how can you take the key messages you learnt in the training program to the people’ and I expressed my wish to do a short film.”

Ojiskhan had no previous experience or knowledge in film-making. Making a movie was one of his dreams. Together with Ojiskhan, other students in the group had also shared their ideas on creative and effective ways to generate a dialogue on transitional justice.

“I was so happy when they selected my idea to be supported under the NPC’s project. We formed a core group that was going to be working with me on the short film. Our team consisted of two Sinhalese girls, two Muslim girls, one Tamil boy and one Muslim boy. I developed a storyline and then we held several rounds of discussions based on that storyline”

Ojiskhan explained the process that they followed for script development since they needed to make sure that their film did not cause further harm to the victims and survivors of war. He consulted and discussed with his core team on the draft script that was written by a friend. Ojiskhan said the draft script went through several rounds of changes until everyone was happy. In consulting his team, according to Ojiskhan, he wanted his group members to take ownership of this rare opportunity that they had been given.

“Before I developed the draft script, I consulted three people to listen to their experiences of war. One of them was a Tamil student from the Jaffna university. Then I interviewed a Tamil boy from my own area, Sammanthurai. I also spoke to a Tamil youth from Vavuniya who had taken refuge in Chettikulam displacement camp following the final phase of the war. So some scenes of the film have been based on these three youth’s experiences” said Ojiskhan

Odam (boat) is the title of their short film. The film’s scenes are woven around a man playing the character of a survivor whose father died in shelling while fleeing the fighting in their village. The main character’s young children, according to Ojiskhan, represent the post-war era. And the main character’s transition from war to peace, in spite of his painful and life-altering experiences of war, is symbolized by a scene in which he took a toy gun that his child was playing with and handed him a pen instead.

After completing all pre- and post-production work of the short film, Ojiskhan found out that he could have the first screening of *Odam* at the Youth Champions event, the three-day project finale event that brought together all university students and youth leaders who had been part of Youth and Transitional Justice for Long-lasting Peace in Sri Lanka for over 18 months or so.

“I wanted to organize a premier at the South Eastern university. There are over 5000 students studying in my university,” said Ojiskhan

“But I was delighted to screen *Odam* at the Youth Champions event held in Colombo in April 2019. That audience consisted of youth who came from 22 districts in Sri Lanka. I would not have been able to find a more representative audience than that for the premier” added Ojiskhan

Ojiskhan is aware that their work has just begun in terms of creating a dialogue on transitional justice using *Odam* as a tool to bring people together for dialogue processes. Apart from a screening at the university, Ojiskhan also wants to team up with the District Secretariat Office in Ampara to organize screenings for public officials and other appropriate audiences. He also wants to create a wider discussion on transitional justice by opening a dedicated Facebook page for *Odam*.

“I will organize screenings together with my core team. We are planning to combine information sharing sessions with the screening of the film to discuss about difficult issues of transitional justice that victims and survivors are requesting the government to find solutions to.”

Ojiskhan’s student group believes that the short film will serve as a good platform to draw other young people to engage in dialogues with them about transitional justice. According to

Ojiskhan, it is crucial to tap into youthful energy in helping address unresolved, critical issues which constrain the lives of war-affected people in their area even a decade since the war ended.

“Young people are active listeners. They also have a lot of energy to take action, if guided properly, to address transitional justice related issues in their communities,” stated Ojiskhan

“Young people are also more willing to work for peace compared to older people who show reluctance to compromise their views and beliefs for lasting peace and reconciliation. So I believe it is crucial to engage young people in transitional justice and this project has been able to inspire a group of us to do just that”

5. Sabaragamuwa University of Sri Lanka – Case Study 5

Sachini Malka, Pravardini Menike and Kalitha Nashath, ages, 24, 24 and 22 are third year students at the Sabaragamuwa University. When these three friends applied for a training program on transitional justice, they had absolutely no idea what this phrase meant, let alone the crucial link between transitional justice and post-war peacebuilding and reconciliation. More than a year since then, all three of them are now discussing and debating about transitional justice and related issues in numerous private and public forums while organizing awareness raising activities to increase other youth’s understanding of this widely misunderstood framework. Sachini, Pravardini and Kalitha are among a 45-student group that was provided with knowledge and capacity development assistance by the NPC’s project, Youth and Transitional Justice for Long-lasting Peace in Sri Lanka.

“We learnt in-depth about how Sri Lanka’s war affected all communities, what transitional justice means, its four pillars, why transitional justice is crucial after war and violence to serve justice for victims and prevent a recurrence of another war. Everything was new information and my understanding about transitional justice has improved vastly” said Sachini

At the end of their initial training program, all students were requested to make an action plan outlining how they intended to share their newly gained knowledge with other students and youth within outside the university. As their first follow up activity, the group organized a one-day program that consisted of the staging of a short drama, a presentation, a quiz competition, a painting session and a plenary discussion on transitional justice. The idea was, Pravardini said, to use different and creative formats to encourage discussion about the difficult topic of transitional justice among students that represented different ethno-religious groups.

“Since we represent ethnic and religious communities that were differently affected by Sri Lanka’s war, we wanted to create space for everyone to discuss and get involved in our one-day program. We publicized about the program by distributing over 800 leaflets around the campus. About 400 students joined our activities throughout the day. “Pravardini added

Youth from some of the worst-affected districts such as Mullaitivu and Batticaloa had shared their devastating and harrowing experiences of war with the audience. Sachini describes that the painful recollection of experiences of war by some Tamil students served as an eye opener to a

lot of students in the audience, including their own group members, into the deep psychological wounds that the war had inflicted in their fellow students.

Kalitha is a young Muslim woman from the Batticaloa district. She considers it is important for youth to give leadership to local level efforts to assist victims and affected families to get their problems addressed. She has already begun to do so back in her village community by guiding victims to connect with public officials and government institutions that are responsible for implementing different components of the national transitional justice process.

“Youth have a responsibility to be involved in national and local level transitional justice mechanisms,” described Kalitha

“Youth are generally very positive. They are able to communicate and convey right messages to their local communities. They have the agency to mobilize people. And on the other hand, it is also easy to make youth understand about complex and difficult aspects of transitional justice. So our engagement is crucial if we are to see successful outcomes.” added Kalitha

Positive feedback from audience members at the conclusion of their one-day program pointed to the effectiveness of message delivery strategies and formats they utilized. Since that program, members of the youth group are said to be approached by fellow students expressing their wish to join future activities.

“We also think it is important for us to create awareness about transitional justice among adults, including youth who have failed to get into the university education system. Adults have fears that they carry on from war time. They have to be given accurate information about transitional justice.” added Sachini

They appreciate the direct links that they have been able to establish with officials of the Office on Missing Persons and the Secretariat for Reconciliation Mechanism (SCRM) under the Prime Minister's office who participated at the first training program.

“We discussed with officials from OMP and SCRM about our plans. They answered all the questions we directed at them during the training program” said Pravardini

“They also assured us that we could communicate our communities’ issues directly to the relevant officials in their offices. The training gave us confidence to connect with policy makers and officials for bringing attention to transitional justice related issues.” added Pravardini

The project brought together 45 students who themselves represented different ethnic and religious communities. And for a majority of students in the group, it turned out to be a first time experience to discuss very sensitive, contested ideas and issues within their own group.

“This was a good opportunity for us to discuss serious issues with other students in our group. It was the first time I took part in something like this. And most of the other students, too, had no previous experience in being trained together or discussing sensitive issues with students from other ethnic and religious communities.” added Sachini

The project has groomed a committed group of young students who are now leading their own efforts to build a positive discourse on transitional justice while launching actions to help victims seeking redress for their protracted and unresolved issues.

6. Youth Leaders Mobilize Grassroots' Support for Transitional Justice

Mary Dinishiya – Jaffna district

29-year-old Mary Dinishiya is a resident of Point Pedro, in Jaffna. After completing an external degree in Sociology, Dinishiya took up a volunteer job with SOND (Social Organizations' Network for Development), a local NGO network that provides numerous assistance and services to war-affected communities. Dinishiya now works as a field officer at SOND, which also collaborated with NPC to implement its Youth and Transitional Justice for Long-lasting Peace in Sri Lanka project by coordinating youth leaders' empowerment activities in the Jaffna district. Dinishiya is one of 400 youth leaders across the country that took part in training and capacity development to organize dialogue sessions and create awareness on transitional justice.

In the Jaffna district alone, the project trained 45 youth leaders and activists and out of whom, five youth were provided further training in facilitation. Dinishiya was one of the facilitators.

“When SOND selected me for a training on transitional justice, I was clueless about what transitional justice meant,” explained Dinishiya

“But after learning in-depth about the concept of transitional justice, its four pillars, I realized its value for Sri Lanka in addressing war-affected people's issues. All the root causes that led to the thirty-year war are still there. It is crucial to remove those root causes to build peace and promote reconciliation. So transitional justice process is very important for Sri Lanka.” added Dinishiya

As a field officer, Dinishiya is required to travel across the district. Since she meets rural communities on regular basis, Dinishiya makes use of those interactions to hold discussion sessions with community groups. After their training, the Jaffna youth leaders' group conducted 50 Training- of- Trainers (ToT) activities in the Jaffna district for other youth, building their knowledge and capacity to conduct awareness raising activities on transitional justice.

“We went to the grassroots level in groups of five and conducted three-hour dialogue sessions with community groups. We distributed leaflets with information on transitional justice. In those discussions, the issue of missing persons kept coming up. People showed resentment and despair at lack of support from the state to resolve their issues. We were often required to divert attention to non-recurrence while appreciating their patience and resilience.” stated Dinishiya

Dinishiya also has direct links to district and divisional level public administration officials. After organizing several three-hour dialogue sessions with public officials to discuss transitional justice related issues, Dinishiya realized the need to close a wide gap in awareness on transitional justice among public officials.

“We have to organize more awareness raising sessions to improve the public officials’ understanding on transitional justice,” said Dinishiya

“They are reluctant to engage with us to discuss transitional justice related issues. Their lack of knowledge on this topic will also derail our plans for the district. This is a big challenge we are facing at the moment.”

Dinishiya said their entire group is motivated and inspired to continue and expand on dialogue and awareness raising activities by connecting with other recognized and widespread youth networks such as the National Youth Services Council (NYSC). Links with NYSC, according to Dinishiya, will open up communication channels to communicate affected people’s issues to policy makers.

Banuka Lanka Edirisinghe – Kurunegala district

26-year-old Banuka Lanka Edirisinghe and his team of 25 youth leaders from the Kurunegala district formed a youth network, “Heart Beat” linking all youth activists who took part in transitional justice focused trainings conducted by youth leaders. Youth members of the Heart Beat network has already carried out a series of initiatives to raise the district’s people’s awareness on transitional justice.

“The idea to form a youth network originated during our own training program conducted by NPC. My knowledge of transitional justice before that training was zero,” added Banuka describing how he benefited from the training assistance on transitional justice provided by NPC.

“Our group members suggested sharing information on transitional justice among youth through a Facebook page and messaging each other via WhatsApp. But some of us expressed that we needed to use creative means to attract youth and keep their interest in our activities. So that’s how we decided to form Heart Beat.”

Banuka and other youth leaders periodically organize hikes and sight-seeing trips to draw young people to join their Heart Beat network. And during each trip, they allocate time and space to hold dialogues with the participants to enhance their understanding about transitional justice and inspire them to mobilize other youth to work for peace and reconciliation.

“Our network consists of youth from all three communities. We work as a team. Our network has grown to 100 members within few months. Lack of awareness about transitional justice is a big challenge we face in getting youth involved in our activities. That’s why we use fun and adventure activities to keep youth interested in our work.” stated Banuka

The Heart Beat youth network organizes social welfare activities such as distribution of schooling materials to resource poor schools and represent their network in other peacebuilding and social welfare events taking place in the district. Banuka says each event and a meeting creates a new opportunity for them to share information about transitional justice and their youth network.

“We have made improvements at community level by raising people’s awareness on transitional justice. Youth want to join our network. Since we have youth leaders who are trilingual, our outreach activities attract youth from all three communities into our network.” said Banuka

The Heart Beat youth network also interfaces with the NPC supported Kurunegala District Inter-Religious Committee (DIRC) in conducting dialogues with different ethnic and religious groups. With assistance from DIRC’s religious leaders, the network held discussions with Sinhala and Muslim community representatives in an effort to prevent further attacks on Muslims after a smoke bomb was thrown into mosque during the February 2018 anti-Muslim attacks in Digana. Banuka believes their discussions with local community members also helped to prevent further such attacks against Muslims.

“We are planning to go to Jaffna on a cultural exchange visit. We also want to understand transitional justice related issues faced by people living in Jaffna. We will bring that information and make our policy makers and politicians aware of those issues. We have prepared a list of questions that we will find answers to during our discussions with Jaffna youth and others.” added Banuka

Milanka Gajamanna – Badulla

35-year-old Milanka Gajamanna has over a decade’s experience in peacebuilding. He currently works with Future In Our Hands (FIOH), a local NGO implementing peacebuilding focused activities in Baddula. Milanka was among 40 youth leaders that received knowledge enhancement support form NPC’s Youth and Transitional Justice project to conduct awareness and build a positive discourse to counter misinformation and extremist narratives about Sri Lanka’s transitional justice mechanisms and institutions.

“After our training, we provided training to another 40 youth to give them a sound understanding about transitional justice,” said Milanka

Explaining why they decided to work with the plantation sector youth, Milanka said “We focused our activities on the plantation sector youth. They are a difficult segment to attract because they leave for employment immediately after leaving school. Some of them expect us to give money and other resources to get involved in peacebuilding activities. And the language is also a big barrier, so they are an isolated group and we felt it was important to have them joined our activities.”

The Badulla youth leaders’ group then organized two separate discussion rounds with religious leaders and Pradeshiya Sabha politicians. They reached out to religious leaders through NPC’s Badulla District Inter-Religious Committee (DIRC) religious leaders.

“Religious leaders influence public opinion. People listen to religious leaders,” said Milanka

Elaborating on why their group identified religious leaders as a key segment to engage with, Milanka said “If we get religious leaders to discuss positively about transitional justice to their respective followers, people will change their misconceived and extremist ideas about

transitional justice. We believe if religious leaders intervene, we will be able to achieve the results we expect from our efforts.”

Badulla youth leaders also held a dialogue session with 35 Pradeshiya Sabha members in the district. As a result of their effort, some of the councilors that spoke very negatively about transitional justice at the beginning of their dialogue, subsequently changed their mind after listening to youth leaders’ experience and information sharing presentations.

“In order to address transitional justice issues and change people’s attitude towards inter-ethnic reconciliation, we need to create a “peace culture.” said Milanka

“So our activities on transitional justice start from talking about the need to create a culture of peace in our society. Then it is easy to develop the discussion further and deliver all key messages in an effective way. If we start off a dialogue with the topic of transitional justice itself, people won’t understand and also those who understand have misperceptions about it.” added Milanka

Milanka and other youth leaders from the Badulla district plan to organize exposure visits to war-affected areas to make their youth members better understand about war-related trauma and issues of survivors and victims. They believe bonds that emerge through exchange visits and experience sharing endeavors will be strong enough to endure numerous challenges and upheavals.

“Nobody can destroy the bonds that we forge through exchange visits, I know this from my years of peacebuilding experience. This is why we will give priority to exchange visits to hold dialogues between different youth groups. Youth find it easy to work with their peers unlike religious leaders and public officials who don’t generally like to engage in transitional justice related discussions.” stated Milanka

Piyumal Athukorala – Matara district

26-year-old-Piyumal Athukorala wears many hats: He is a program coordinator at the Community Development Centre, a local NGO in Matara; plays the role of team leader for all ONUR (Office for National Unity and Reconciliation) implemented activities; and serves as a district coordinator for the National Youth Services Club (NYSC). Piyumal underwent a six -month peacebuilding facilitator training as part of NPC’s Religions to Reconcile project. Despite his varied experiences in peacebuilding, Piyumal, similar to a majority of youth leaders that trained along with him, had no prior knowledge about transitional justice.

“The three day-training helped me a lot to get a basic understanding about transitional justice. After that training, I kept reading books, magazines, newspaper articles to improve my knowledge,” said Piyumal

All thirty leaders that received knowledge enhancement training subsequently divided themselves into smaller groups and conducted Training of Trainers (ToT) for another thirty youth. Piyumal joined with three other youth leaders – two female and one male- to organize their first ToT initiative.

“We selected thirty youth that came from universities, voluntary organizations, youth clubs, local NGOs, and so on. We organized different activities to simplify different principles and the four pillars of transitional justice,” said Piyumal

Piyumal and his small group also organized a dialogue session between 20 youth club representatives and 20 students from the Matara Open University. The idea, Piyumal said, was to give a safe space for youth to find out, clarify, debate and discuss all issues and concerns they had about the national transitional justice process and mechanisms.

Women in fishing villages are a marginalized group in the Matara district and they often get left behind by social and peacebuilding interventions. Piyumal and his group members visited Kapugama in Dondra Head to engage in a discussion with 25 women leaders from nearby fishing villagers.

“I also did not know anything about transitional justice. We knew that the chances for women in fishing villages to be informed about transitional were rare. This was the main reason why organized a dialogue with women leaders in Dondra Head,” said Piyumal

Describing further about their message delivery approach, Piyumal added “We also try to simplify our conversations with groups like them so that everyone can understand.”

Piyumal says they are forced to contend with challenges stemming from the combined impact of grassroots people’s lack of awareness and false narratives spread by extremist nationalist groups. Misinformation has given rise to confusion among people, including youth that often question the relevance of a national level transitional justice process for Sri Lanka.

“People ask us ‘is transitional justice the most burning issue in this country?’ and then we explain to them why Sri Lanka has to implement a transitional justice process by emphasizing on the need for non-recurrence of another war,” said Piyumal

“We also explain to them about the different pillars of transitional justice and local and international institutions that are involved in supporting transitional justice processes in post-war countries.” stated Piyumal.

Piyumal is well aware of the dichotomous role that youth in any society play as agents of violence and agents of peace. Referring to Sri Lankan youth’s involvement in two Marxist ideology-inspired rebellions in the South and also in the thirty-year war, Piyumal said that the youth’s participation in transitional justice and peacebuilding is critical. They are making plans to expand on their outreach and awareness activities by connecting with youth in the Open University system. Piyumal and his small group has initiated discussions to connect with Open Universities across the island where over 40,000 youth students are following different degrees and training courses.

“Open University students come from all ethnic, religious, social and cultural backgrounds. We have formed a youth network called “Seven Walls.” We will network with students in Open

Universities through our network. We have planned to start with the Open university in Matara.” said Piyumal

Apart from youth, they also want to work with women, religious leaders, CBO representatives, and public officials. They have planned to organize “heal the past build the future” dialogue sessions in each Divisional Secretariat Division with 40 participants made up of youth activists and representatives from those different segments. Piyumal says his links with ONUR will be used to connect with public officials and policy makers and invite them to local level dialogue forums.

“Building links with transitional justice institutions and policy makers is very important. They are very distant and removed from the people at local level,” described Piyumal

“People have to be provided with accurate information about transitional justice. This is why we have identified dialogue sessions at grassroots level to bring all the important groups together.” added Piyumal

07. Project brief



**YOUTH ENGAGEMENT WITH TRANSITIONAL JUSTICE
FOR LONG LASTING PEACE IN SRI LANKA**

#SLyouth4TJ

NATIONAL PEACE COUNCIL OF SRI LANKA
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Building National Ownership of the Reconciliation Process

#SLyouth4TJ

In any post-conflict situation, a purposefully directed and carefully considered process of transition is an important element of building lasting peace and meaningful reconciliation. The process takes into account the anguish of all victims, irrespective of religion or ethnicity and seeks continuity on the basis of truth, justice and change.

Unfortunately, there is very little knowledge amongst most sectors of society regarding the transitional justice process that Sri Lanka has embarked upon in its search for peace that binds the country together. The transitional justice process has been distorted to mean that it is about punishment and not about justice. This has made it easy for nationalists on both sides of the ethnic divide to discredit the process and seek to generate mass opposition to it and use it for their narrow political objectives.

Youth Engagement with Transitional Justice for Long-lasting Peace in Sri Lanka is a unique effort led by the National Peace Council of Sri Lanka that created space for young men and women to understand and support the process of transition that Sri Lanka needs. This initiative seeks to mobilize the energies and idealism of youth in favor of a cause that aims to vindicate the rights of victims of the country's protracted ethnic conflict, to bring justice and closure to them, and to lay the foundations for a peaceful and reconciled Sri Lanka.

Over a period of 18 months, the project provided a range of training and mentoring opportunities to over 540 students from 12

universities¹ and another 400 grassroots level youth activists and leaders in 21 districts², building their capacity and confidence to engage in dialogue processes and to connect and consult with their peers and also with policy makers and be internal mediators.

Overall, 1780 youth, including 893 females and 178 war victims, from across the country are applying their enhanced knowledge and improved capacities to address critical human rights violations and other past abuses, utilizing non-violent and effective mechanisms and platforms.

The National Peace Council received funding support from the UN Peace Building Fund under its Gender and Youth Promotion Initiative (GYPI) to promote gender-responsive and inclusive peacebuilding in Sri Lanka by enhancing the positive role that youth can play in the country's post-war peacebuilding and reconciliation processes as a key driving force. The project was implemented in collaboration with Legal Action Worldwide (LAW) in engagement with Harvard International Human Rights Clinic and the state universities of Sri Lanka. The project worked in close collaboration with the Secretariat for Reconciliation Mechanism (SCRM) under the Prime Minister's office and the University Grants Commission to connect with students of the 12 participating universities and policy makers who are leading transitional justice and reconciliation related institutions and initiatives.

Inclusion of Youth in National Level Dialogues on Transitional Justice

A key focus of the project has been to improve youth engagement in the transition process, and their evolution as internal mediators within their communities. The project established links between youth and policy makers leading the national Transitional Justice process enabling them to be involved in the discussion on issues related to justice and reconciliation. The project also encouraged young men and women to take ownership of post-war peacebuilding and reconciliation efforts. Their creativity was harnessed to bring in the different perspectives on transitional justice cutting across ethnic divides. This has helped to reduce the susceptibility of youth to one-sided nationalist propaganda and activities that continue to impede the country's post-war peacebuilding and reconciliation efforts.

Setting a Precedent for Future Engagements with State Institutions

Representatives from the Secretariat for Coordinating Reconciliation Mechanisms (SCRM) and the Office on Missing Persons took part in most training activities setting a precedent for future engagements with these two important state institutions leveraging their mutual understanding and relationships.

Assisting Youth Efforts to Broaden the Discourse on Transitional Justice and Reconciliation Among Peers

After taking part in project supported knowledge and capacity enhancement workshops, the students conceptualised

and conducted follow-up activities in 21 districts, broadening the discourse on transitional justice and reconciliation among their peers. A drama developed by the student group of the Eastern University was staged during a recent freshers' induction program involving over 700 students who came from across Sri Lanka. Another major follow-up activity was the Jaffna University's debate competition, "Do We See the Possibility of Transitional Justice in Sri Lanka to Generate Unity among Ethnicities?" which was attended by over 2000 students who took part in the university's art week programme. Production of a short film by South Eastern University, an opinion survey video made by University of Kelaniya students, and organization of a Transitional Justice Day by the University of Ruhuna and One day Transitional Justice Campaign by Sabaragamuwa University were also among follow-up activities carried out by the participating university students.

Study Tour to Harvard and Establishment of Human Rights Clinic

Another key component of the project was a Clinical Exchange study tour to the Harvard International Human Rights Clinic in October 2018. Five participants from Jaffna, Colombo and Eastern universities took part in this study tour and learned about the structure and functioning of a human rights clinic. The University of Jaffna is currently in the process of establishing a legal clinic to assist victims and family members with legal issues whose search for justice and closure continues.

¹ University of Colombo, University of the Visual and Performing Arts, University of Kelaniya, Sabaragamuwa University of Sri Lanka, University of Ruhuna, University of Peradeniya, University of Uva Wellassa, Wayamba University of Sri Lanka, Rajarata University of Sri Lanka, University of Jaffna, Eastern University, Sri Lanka and South Eastern University of Sri Lanka
² Kandy, Nuwara Eliya, Galle, Matara, Hambantota, Jaffna, Mannar, Vavuniya, Mullaitivu, Kilinochchi, Batticaloa, Anuradhapura, Trincomalee, Kurunegala, Puttalam, Anuradhapura, Polonnaruwa, Badulla, Moneragala, Kalutara and Ratnapura

7. Youth Recommendations for Government, Victims, Media, Civil Societies and United Nations

Recommendations for the Effective Implementation of Transitional Justice, Peace and Reconciliation in Sri Lanka with a focus on victims

These recommendations are a collation of recommendations by representative students from 11 state universities and youth from 21 districts who participated in a consultation on the way forward for reconciliation in Sri Lanka.

In a plural society in which there is ethnic, religious and other diversities, it is necessary to give equal opportunity and status to all constituent groups. Accordingly, these recommendations represent the changes that are necessary for the unification of Sri Lanka.

Recommendations to Victims

Building empathy

Victims should organize themselves as a collective – across communities and regions- and raise their voice in order to get attention to their problems from the state

Victims can share their stories, and act as role models to those from own community as well as different ethnic communities as well as regions, while using different vehicles such as media and publications to share among wider communities

Victims should not give photos and private information to the media or any other party other than recognized institutions which are in charge of providing services to victims

Finding justice

Victims should provide accurate information about their situations to relevant state institutions and not be afraid to since there is a Witness Protection Act that is enforceable

Victims should be aware of laws and acts available to redress injustice

Victims should exert pressure on the government to enact public litigation to enable family members, relations or friends to appear on behalf of victims

Emphasis should be given to a victim-centered approach rather than punitive action aimed at rights violators.

Reparations and re-integration

Victims should be aware of which institutions they are able to access in order to get their services and rights related concerns addressed.

Victims should be capacitated to get assistance using Right to Information Act and victims should use social media to encourage others to get information about RTI

The disabled and widows should be encouraged and assisted to enter marriage/remarry, by providing necessary material and psycho-social support.

Victims should seek and engage in self-employment

Victims should participate in rehabilitation related assistance programs and collect information and documents pertinent to loss of property

Healing

Victims should be able to practice their own religions which will assist in their healing and be able to participate in religious festivals of other religions with an aim to promote healing and reconciliation

Victims should seek counselling and other assistance to heal own psychological wounds and also to help other victims in their healing process

Victims should come together through arts and culture related activities promoting peacebuilding and reconciliation

Recommendations to UN

Dispelling misconceptions

The UN should utilise social media to dispel the perception that it is targeting war heroes for punishment and nourishing NGOs

UN should explain rationale underlying the need for a hybrid court system, while removing the misconceptions through use of social media

UN should launch information campaigns through the media on Transitional Justice and reconciliation

UN should work towards a youth-led process for ground level awareness creation about Transitional Justice and reconciliation

UN should provide an avenue to enable youth to make direct recommendations and appeals on transitional justice and other issues

Building knowledge

UN should work with the government to introduce Transitional Justice and related themes through the school curriculum so that the processes are viewed as mechanisms for transition

Working with the detractors

UN should provide international exposure visits for legislators especially those who have a negative attitude towards reconciliation.

Ensuring accountability

UN to encourage Sri Lanka to include its commitment to reconciliation in the constitution in the same manner that the UN talks about peace in the world UN should continue to focus on Transitional Justice and related issues in Sri Lanka

UN should be impartial by pressuring Sri Lanka to keep to the implementation time line

When providing aid to Sri Lanka, the UN should make it conditional on the promotion of reconciliation

UN should ensure that resources meant for victim communities should reach them and not others

Sustainable peace

UN should pressurise the government to address poverty issues as they are at the root of conflict harnessing the energies of youth

UN should encourage education reforms focused on poverty alleviation bringing in knowledge from the world

Recommendations to Government

Mobilising youth

Government should legislate for a youth quota of 25 percent for parliament

Government should mobilise the National Youth Services Council's youth network to support the transitional justice process

Actionalising transition

Government should strengthen existing transitional justice mechanisms and speed up process of criminal prosecution

Government should provide security to those who wish to participate in Transitional Justice mechanisms

Government should establish the Office for Reparations and strengthen the Office for Missing Persons

Government should publish information that is already available about missing persons

Government should take measures to educate government officials and politicians and get them to act to support the transitional justice process

Energising the environment for change

Government should amend the constitution and existing laws and mechanisms to suit present needs

Government should repeal the Prevention of Terrorism Act

Government should enact enabling legislation for international conventions such as ICCPR signed by the Sri Lankan state

Government should strengthen anti-hate speech laws to punish those who engage in hate speech

Government should devise means to deal with violations of Code of Ethics relating to members of legislative bodies.

Government should pass legislation to make private sector also liable for punishment for human rights violations

Government should educate people about Right to Information Act and strengthen the mechanism

Engaging with the public

Government should constantly inform the general public about the progress of the Transitional Justice process and future actions

Government should work to obtain support of the media for positive focus on reconciliation

Sustaining change

Government should teach history in schools without taking sides between the different ethnic communities

Government should include Peace and Reconciliation into school and university syllabi

Government should not favour any religion or ethnic community in giving benefits

Government should put up name boards and print government forms in all three languages

The work of Reconciliation officers within government structures needs to be publicized to general public and to government officials

Government should recruit only those who are committed to reconciliation to jobs in that field within the government

Government should enhance accountability of state officers in relation to the reconciliation and the transitional justice process.

Government should create positions similar to the Divisional level Buddhist Affairs Officer who deals with issues relating to Buddhists for other religions also

Re-engineering social change

Government should incentivise inter-religious and inter-ethnic marriages.

As there is a nexus between poverty and receptivity to reconciliation issues, the government should run programs to deal with poverty.

Government should work in collaboration with NGOs on reconciliation.

Government should make it compulsory for all to learn both Sinhala and Tamil.

Recommendations to media

Amplifying the voice for truth

Develop a youth social media network through this engagement.

Building support for transition

Use media to create awareness on relevant state institutions enframed within the transition process, on the legal framework and the policies of the government.

Use different media to discuss the plight of families of missing such as street dramas, dramas and discussion forums and use comics and posters as a medium of information sharing on understanding transitional justice

Broadcast stories of war victims through the media and share lists of missing persons through the media.

Sustaining reconciliation

Regional level activities for reconciliation should be telecast/communicated in both languages.

Media should telecast programmes based on peace and reconciliation in a creative manner

Information in media should be impartial and based on facts and figures.

Have a dedicated page on peace and reconciliation in newspapers

Building awareness within media

Journalists need to be educated on peace and reconciliation and given exposure to the suffering of war affected people in their own locations.

Media schools need Transitional justice educational programmes and TJ programmes need to target schools.

Ethical and accountable conduct

Media should behave in a responsible manner when there is conflict and restrictions should be imposed. There should be media freedom but along with a functioning code of conduct for media through development of a set of media ethics and code of conduct and ensure its implementation.

There should be a State mechanism to ensure media accountability, to restrict racist and divisive newspapers and other media channels and ensure that the media is responsible and sensitive in the use of language.

Pass new laws that restrict or relate to hate speech, stop broadcasting news based on ethnicity or religion

Open discussions on media between victims and government officials should only be done keeping in mind need to protect privacy.

Recommendations to Civil Society

Building trust and advocating for change

Civil society should engage in advocacy and appeals to increase awareness through interviews, writing articles for information and education, conducting art exhibitions, dialogue through visual arts, debates, competitions, animations, case studies and research

Civil society should organise awareness programmes for youth/farmers/entrepreneurs/businessmen to create awareness at grass root level, engage in school activities, and raise awareness for government officials through leadership training.

Civil society should organise exchange visits between mixed ethnic/religious groups, cultural events, inter-faith events, camps

Civil society should identify activities for youth, such as stage drama, street drama, short films, exchange programmes, nature travel and sports events

Helping victims

Civil society should provide Legal Aid to victims access redress

Civil society should build the capacity of communities to support victims and bring change

Sustaining structures for change

Civil society should seek the establishment of a network on reconciliation with a centre at national level and with community based conflict mitigation

Civil society should be active as members of steering groups, inter religious groups, university clubs, and collect funds for civil societies

Civil society can provide youth leadership training and skills development and establish youth language clubs where both languages are taught

Recommendations to Youth

Creating the environment for transition

Youth from different communities should mobilize themselves and implement different activities to serve as role models in peacebuilding and reconciliation promotion

Youth should organize exchange programs and visits between different communities/villages

Youth should organize as networks using social media and utilize social media platforms to promote peace and reconciliation. Youth must also inculcate self-discipline in youth in the use of social media.

Youth should carry out programs at village level to create awareness on transitional justice. On account of their recognition in their own areas university students should be used to share correct perspectives on the Transitional Justice and reconciliation processes.

Youth should build networks and help victims and also spread counter narratives to address extremist ideologies

Youth should use street drama etc to build community support for reconciliation and organise youth camps with exhibitions, musical shows and forum theatre, and engage in exchange programs and cultural exchanges.

Helping victims

Youth should engage in activities to provide victim support

Youth should create links between victims and the National Youth Services Council media unit to encourage victims to engage in art and culture activities

Youth should connect with NGOs/aid organizations to implement projects that assist victims to improve their economic situation, religious clergy to join in and enable psychological healing

Holding the state accountable

Youth should be informed of the current state of the reconciliation process

Youth should be capacitated to monitor state action

Youth should develop networks on reconciliation at provincial and national level

Youth should organize themselves and exert pressure on the government to implement peacebuilding and reconciliation programs and also to provide assistance to victims

Youth should pressurise the government through public petitions

Youth should be active in facilitating social media updates, voice messages, clips, WhatsApp, Facebook, petitions, pickets to create awareness and build support.

8. Special message from United Nations Secretary-General's Envoy on Youth for the Youth Peace Champions Event

<https://drive.google.com/open?id=1E8eBTVf181LYL4Pfiy5AX6cInlfQELW4>

9. Report - North and South dialogue on dealing with Past

“From Shared Narratives to Joint Responsibility (Share) Dialogue”

Pilot Dialogue Session for Youth from North and South – Summary Report

Dialogue Dates – 24th – 26th of February 2019

Facilitators – Thushi, Kasun, Amilanath and Fasmila

Venue – Ecumenical Center, Murugan Place, Colombo 5

Organized by – National Peace Council (NPC)

Supported by – Rainbow Resources Lanka and Inmedio Peace Consult, Germany

Participants – 16 Youth (8 from North and 8 from South) who were trained separately by the NPC on Transitional Justice (TJ)

Background:

National Peace Council (NPC) of Sri Lanka conducted a series of awareness creation trainings for youth on TJ under its nation-wide project funded by United Nations Peace Building Fund. The project objective was to meaningfully engage young people in the dealing with the past in Sri Lanka. With a felt need and also based on the requests made by some of the participants during these trainings to create a platform for the youth from the North and South to meet and share their experiences, feelings and expectations to create a better understanding between each other, it was decided to conduct a pilot Share dialogue for selected youth from the North and South. The initial idea of this dialogue was proposed at the Share ToT held in Colombo and was approved as one of the pilot dialogues which was held as follow up activities of the ToT.

Positive Aspects

1. Facilitators had a series of discussions (physical and online) to finalize the agenda and to prepare for the dialogue with the support and guidance of Ljubjana from Inmedio Peace Consult, Germany, resulting a better preparation for the dialogue.
2. Agenda of the previous pilot dialogue conducted in Kegalle was made available by Rainbow and it supported a lot in preparations.

3. Selected participants were ideal to run a pilot dialogue of this nature. All of them were active, articulate youth with different conflicting ideologies from the North and South. For most of them it was the first opportunity to have such a dialogue with youth from the other parts of the country with a different backgrounds and ideologies. This resulted in an active and genuine participation from the participants and for the trainers to experience the real pros and cons of each sessions/tools used.
4. NPC had arranged the simultaneous translation facility for the entire workshop. This made the process very much smoother and easier for facilitators as well as the participants to have a productive dialogue. This facility saved a lot of time in all plenary sessions to create more space for exchanging ideas of participants.
5. Coordination support provided by NPC officers was excellent, leaving the trainers to fully focus on the technical content and the process without the unnecessary burden on logistic aspects.
6. Team effort of the pool of trainers really worked out. Even though the key responsibility of each session was by a facilitator at a time, all others were within the process and supported the key facilitator with mutual understanding.
7. Introduction and initial rapport building between facilitators and the trainers was good and made participants speak up genuinely during the dialogue process.
8. Identification of burning issues for CPA was really an interesting session for participants. It was observed that it was a novel experience for most of the participants to get to know the perceptions of others for commonly identified issues related to the peace and reconciliation.
9. As an on-site modification to the original agenda, each group (from the North and South) was given an opportunity to clarify any unsolved doubts/questions from each other as groups. (5 questions were raised within each group and only 2 were answered based on the time availability). A session was conducted on the last day before the story telling session and participants appreciated this opportunity to raise any unsolved issues. Each party gave their explanation, without pointing fingers to others, while providing the answers. This itself reflected the positive transformation through the dialogue.
10. The story telling tool worked out really well in all sub groups and helped a lot to create empathy on each other. Participants' experiences were really strong and related to the topic. Genuine expression of their own experience helped a lot to create empathy for each other, hence resulted a positive and strong end to the dialogue.
11. The presence of Dr. Jehan Perera, Executive Director of NPC and Ms. Manique Mendis of Rainbow Resources, for the certificate awarding added a value to the participants. Certificates awarded by NPC for the participants would be really useful for their future endeavours.

12. Challenges

1. Even though participants actively expressed their genuine ideas, owing to the different backgrounds and experiences of each group, some of those ideas were conflicting and had the sense of mistrust and anger. Hence the facilitators had to be on the alert and handle it carefully, especially during first 2 days of the dialogue. As a remedial measure it was decided to have 2 facilitators for each session (Sinhala and Tamil Speaking).
2. Developing the empathy list (stepping into other's shoes) was the most difficult session as perceived by the participants. However, it was a great experience for trainers to test the tool with opposing parties who are meeting for the first time with minimum understanding on each other's perspectives. Specific observations of the session are as follows:
 - Some participants came out with ideas (feelings/fears/expectations) of what "they like others to be" rather than really trying to understand their feelings.
 - Participants expressed that it was really difficult to "put our feet into their shoes" as we are actually not them. They further explained that "it is not realistic to think like them as we do not know their real background, we had not experienced what they did" and so on.
 - Through grounding questions, neutral feelings were brought up. However, it was quite challenging for both groups and facilitators had to put a huge effort for this.
 - One group was reluctant to present the empathy list to the other as they felt that others might take it negatively. With this, we decided not to verbally present the empathy lists but displayed commonly so that each party could see the other's. However, there was no serious offence by any party and they appreciated the effort taken by others to understand them.
 - Few participants stated that facilitators tried to guide them to get what facilitators wanted through grounding questions. It was explained to them that grounding questions were raised to get down to the real human feelings beneath the surface.However, as learning points we thought that:

- It would need a great preparation to effectively facilitate this tool with such real opposing parties. Maybe you would need to spend more time separately with individual groups and bring them together once they are ready for such activity.
- It would be good to explain further the purpose of this exercise and purpose of grounding questions by the facilitators to avoid confusion.
- Even though it would not give the ideal result, the opportunity given to think on the other's perspective would be great learning for the participants and it would help to change the way they think.

Needs identified for future support

1. Participants raised the importance of providing follow up support such as:

- Organizing follow up visits, and trips to create more opportunity for mutual understanding.
- Most of the participants stated that they will spread the learning of this dialogue within their own circles/communities and requested support from the project in specific events (providing expert resources, inviting resources from other party, logistics,) for better impact.
- There were some university students and they requested a separate initiative to address issues within the universities.

10. LAW Workshops with University of Jaffna Law Department

1

LAW Workshops with University of Jaffna Law Department

Following initial consultative meetings, LAW staff took part in two workshops with the University of Jaffna Law Department on 24 and 30 May 2019. Unfortunately, due to student strikes over the arrest and detention of fellow students under the Prevention of Terrorism Act, LAW was unable to provide the planned workshop with students on the workings of Harvard International Human Rights Clinic, and on Sexual and Gender-based Violence (as a thematic focus of Jaffna's clinic). During the weeks of 20 and 27 May, LAW staff also held a series of consultative meetings with Jaffna department one-on-one or in small groups to discuss issues such as the format of draft curricula and the utility and availability of proposed course materials.

Clinic Design Workshop

The first workshop involved the entire Jaffna Law Department as well as LAW staff members Jessica Stober (Programme Manager in Sri Lanka) and Conor Hartnett (Legal Fellow and alumnus

of the Harvard International Human Rights Clinic). The meeting began with a discussion of the structure and general activities of the Harvard International Human Rights Clinic, led by Hartnett.

The discussion focused on project development at Harvard and the role of clinicians as an intermediate managerial level between students and faculty.

2

University of Jaffna faculty and LAW staff discussing the division of academic credits between courses. Subsequent to this discussion, the Jaffna team began to brainstorm ways to bring in project managers to the clinic in an economical way; they concluded that it would be possible to assign local attorneys working *pro bono* on the projects with the status of visiting law faculty members. It was also concluded that, at least in the short term, the project development process at

the Jaffna clinic would need to be more top-down than at the Harvard clinic (where clinicians propose and develop their own project ideas).

The second half of the discussion focused entirely on the design of clinical courses and the division

of credit hours. The group agreed that it will be necessary to provide students with a foundational course teaching knowledge and skills necessary for clinical work. The group determined that this course, designated Clinical Legal Education I (CLE I), will be a lecture course that will cover skills

such as legal drafting and advocacy as well as theory related to public interest litigation and human rights. Subsequent courses (designated Clinical Legal Education II, etc.) will conform more closely with Harvard's practice-based model. In those courses, students will work on public interest and human rights projects under the close supervision of a licensed attorney, conducting legal research, writing and advocacy.

The last issue addressed in the first meeting was the division of credit hours between the various clinical courses. Although Harvard allows law students to take as many as fifteen clinical credits, as well as four clinical seminar credits, the Jaffna law department observed that the program at Jaffna would be unlikely to be approved unless the maximum number of credits devoted to clinical courses (including both the lecture course and practice courses) remained below ten. LAW staff and the Jaffna department discussed various distributions of credit hours before deciding that a three-credit foundational lecture course followed by three two-credit practice courses (over three successive semesters) would be the optimal arrangement.

Clinic Content Workshop

The second workshop, which involved the Jaffna law department and Conor Hartnett, focused on clinical hours, learning objectives, student evaluation, and the content of the foundational course, CLE I. The group agreed to slight modifications of the planned learning objectives (adding an emphasis on non-litigation drafting and advocacy) and decided to consolidate the clinical courses into a longer course (either a three-semester six-credit course or a two-semester four-credit course followed by a specialised one-semester two-credit course for advanced clinical students). With respect to evaluation, the group decided to adapt Harvard's model, which focuses on student participation (25%) and grading of student work products (75%) with attention paid to improvement over the course of the term.

The group came prepared with ideas for the content of CLE I (the Jaffna department with course readings on legal theory and Hartnett with readings on PIL in Sri Lanka and South Asia generally), and it was agreed that all of the proposed content could be fit into the curriculum. The Jaffna department stated that they would begin working on the curriculum relating to document drafting and advocacy.

The meeting ended with a discussion of next steps. The Jaffna faculty stated that they will continue to develop the curriculum and will submit their proposal to the university's Curriculum Planning Committee within the following weeks. They also stated that they will consult with local and national legal industry actors. LAW will continue to coordinate with Harvard Law School International Human Rights Clinic and will begin collaborating with Harvard Law School Advocates for Human Rights (a student practice organisation) to determine the extent to which Harvard students can support the work of the clinic at the University of Jaffna. The Jaffna law department expect that the Clinical Legal Education Programme will be fully incorporated into the University's LLB curriculum by September 2020.

The University of Jaffna law department and LAW staff

Structure of the Clinical Legal Education Programme

The clinic is set to begin in late July 2019 with 1) the foundational lecture course (CLE I) and 2) an uncredited pilot clinical practice course which will be open to interested fourth-year students.

CLE I will be a prerequisite course for further clinical work. It will be a three to four-credit course and will cover: 1) the practice of public interest litigation; 2) theories of law; 3) writing and advocacy skills relating to litigation; 4) writing and advocacy skills relating to non-litigation advocacy; and 5) professionalism. Students will be evaluated based on a final exam.

Following CLE I, students will have the option of enrolling in CLE II, which will be a pure practice course. Depending on an imminent joint decision between the law department and the University of Jaffna Curriculum Panning Committee, clinical practice component of the program will take the form of either a single six-credit course lasting three consecutive semesters

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(designated CLE II) or a series of two-credit courses (CLEs II, III, and IV) offered in succession over three consecutive semesters. Students will be evaluated based on a combination of participation (25%) and their work products (75%), with improvement taken into account.

These practice courses will center on clinical projects relating to the rights of survivors of sexual and gender-based violence and enforced disappearance. Students will work collaboratively, usually in small groups, under the supervision of Jaffna law department and local attorneys with experience in public interest litigation. The specifics of work assignments and studentdepartment coordination will be informed by the experience of the uncredited pilot clinical project.

As LAW's partnership agreement with the National Peace Council ended on 31st May 2019, the opening of the clinic will occur outside of the implementation period. It is noteworthy that at the project conception phase, it was envisaged that the clinic would be outside of the law degree curriculum. It was planned as a volunteer clinic where a small number of students would gain practical legal experience through extra-curriculum projects. However, following the study tour to Harvard International Human Rights Clinic, Jaffna law department adopted the much more ambitious plan of creating a clinic as part of the law degree that approximately 30 students per year can elect in a course that will carry credit. Hence, the clinic will reach a greater number of students and will be inherently sustainable, availing a clinical education to law students of Jaffna University well into the future – a significant achievement.

12. #SLyouth4TJ