Eighteenth GCCT Newsletter - December 2016

Introduction

TransConflict is pleased to present the eighteenth **Global Coalition for Conflict Transformation (GCCT)** newsletter, which provides a host of insights into the work of the GCCT and its members. The main purpose of this newsletter is to a) share information about the work of the GCCT and its members to a wider audience, and b) to strengthen co-operation and co-ordination between GCCT members themselves and with other interested parties.

- **Click here to learn more about the GCCT**

- **Click here for a complete list of GCCT members**

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1) New members of the GCCT

The GCCT was pleased to welcome several new members in the past several months, including (click on the links below for further information):

1. **Ukuri Kuganze Association** (**Rwanda**) – ('Let Truth Prevail') was established in 2003 by Didas Kayinamura; a self-confessed genocide perpetrator and former prisoner, who was released through a presidential decree. The Association is today comprised of both survivors and perpetrators of genocide, as well as refugees from 1994 and families with members or neighbours in prison because of their involvement in genocide. All are committed to speaking the truth about what happened in Rwanda, thereby bringing people together and helping to restore trust.

2. **Community Empowerment for Peace and Integrated Development** (**Somalia**) – works to promote public peace awareness through trainings and workshops engaging the mass media; to create a conducive environment for the mediation of all conflicting parts in Somalia; to take in peacebuilding and peacekeeping measures among all Somali people; to implement post war reconstruction projects throughout the country; to campaign for sustainable and long lasting peace forums; and to work to support diaspora participation in peace initiatives and development contributions to local communities.

3. **Uganda Community Development Foundation** (**Uganda**) – works holistically to ensure peaceful and poverty free communities enjoying their rights and fundamental freedoms. UCODEF aims to empower households and communities with the skills and capacities to pursue participatory approaches to sustainable development.

4. **African Sickle Cell Project UK** – aims to alleviate the suffering of African refugees and asylum seekers from African French speaking countries who are affected by sickle cell disease in providing multiform support for them to be able to rebuild their lives in the UK.

Please click here for a complete list of GCCT members!

Please click here for further information on how to join the GCCT!

2) GCCT Members in Focus – Civil Forum for Peace from Georgia

TransConflict is pleased to showcase the work of the [Civil Forum for Peace](#) from [Georgia](#), a member of the [Global Coalition for Conflict Transformation](#).

The Georgian-Ossetian Civil Forum was founded in 2007 on the initiative of Georgian and Ossetian civil society activists and NGO's, with the support of Dutch peace organization IKV PAX Christi.

The roots of the Georgian-Ossetian conflict run deep. On August 8th 2008, Russian troops expelled the Georgian military from Tskhinvali, the capital of South Ossetia. On 26th August, Russia recognized South Ossetia, along with Abkhazia, as as independent states. These rapid and startling developments accentuated the need for the Civil Forum for Peace's mission and objectives.

The Civil Forum works to promote dialogue between the divided groups. More specifically, the Forum organizes different meetings among Georgian and Ossetian activists, experts and journalists; with youth engagement in this kind of events as one of its main priorities.

The Forum's mission is to promote dialogue between Georgian and Ossetian societies; sustaining full social integration of those affected by Georgian-Ossetian conflict and the war of 2008; and pursuing the peaceful resolution of conflict. In addition, the Forum works to restore trust between Georgian and Ossetian societies in order to achieve a sustainable peace; and protects the rights and the interests of those affected by Georgian Ossetian conflict and the war of 2008, in particular the rights of IDP's.

The Forum's objectives are to establish alternative negotiation schemes through the participation of analysts and leaders; and to organize the peace process. The Forum also works to support youth initiatives and to launch advocacy campaigns on national and international levels; whilst developing economic, social and cultural links and reinforcing civil society.

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Internally-displaced persons (IDPs) and those generally affected by Georgian-Ossetian conflict are a prime focus of the Forum's work. The Forum provides legal support to such groups, monitors various developments around IDP issues; mobilizes resources necessary for funding some reasonable projects and programs, and cooperates with different business companies, donors and foundations.

For sharing experience Civil Forum with the support of donors organizes Georgian-Ossetian study trips in different European countries. In the framework of 2008-2014 forum, various Georigan-Ossetian joint meetings were held in different cities, namely in: Amsterdam, Hague and Leiden (Netherlands), in Ankara and Istanbul (Turkey), in Brussels (Belgium) and in Yerevan (Armenia).

Nowadays, the Forum gathers more than 100 civil activists and five nongovernmental organizations from Georgia and South Ossetia. The representatives of Georgian and Ossetian organizations as well as international organizations are invited as partners and experts in the framework of different projects.

The Forum cooperates with partners in the Balkans: Several non governmental organizations and universities are our partners: Youth initiative of human rights (Serbia), European youth parliament Serbia, Western Balkans Institute (Serbia), University of Belgrade, the faculty of Security, Center for democratic development Europolis (Serbia), University of Pristina (Kosovo), Alternative cultural center of Gracanica (Kosovo), ESN Thessaloniki (Greece).

Youth Peace Express and the Georgian-Ossetian Platform of Trade Union Solidarity

with whom we have shared our viewpoints not only on political and social activities, but about everything, including music.

Among the activities implemented by the Forum and its member organizations include the Youth Peace Express (2013-2014). During April and May 2014, a group of Georgian and Ossetian youth traveled together to Europe. During the journey they met students of universities and representatives of civil societies in Istanbul, Thessaloniki, Belgrade and Pristina, developed plans and mechanisms of future

cooperation. Project participants received from their European peers their knowledge and experience, closely got acquainted with their values and activities.

The project Youth Peace Express is one of the successful examples of the peaceful dialogue process between Georgian and Ossetian young generation. The project is a part of Georgiana and Ossetian dialogue strategy, this means to develop tolenance and integration in the society, especially among Georgian and Ossetian youth. It aims to improve the relationship of Georgian and Ossetian youth through the educational trip, and for establish new ways of cooperation.

The Forum also established the Georgian-Ossetian Platform of Trade Union Solidarity, which aims to promote confidence and improve communication between the Georgian and Ossetian communities through creating a cooperation platform of Trade Unions. The initiative involves the Georgian and Ossetian Trade Union specialists in different areas (education, culture, sport, small enterprise/trading sectors) and assists them in developing mechanisms for cooperation.

Other initiatives undertaken by the Forum include a Georgian-Ossetian documentary: "Peace Express"; a Georgian-Ossetian Peace Area (2012), an initiative entitled Journalists for Peace (2012); the Georgian and Ossetian Ex-Combatants for Non-Violence (2013); Georgian and Ossetian Young Photographers' Solidarity to Peace (2012-2013); and sustainability of IDPs from Tskhinvali Region (2011).

The Civil Forum for Peace has played a vital role in building multiple ties between Georgians and Ossetians, at a time when relations have been frayed through war and unilateral recognition of South Ossetia as an independent state. The key to the Forum's approach has been its emphasis on young people, and work with a disparate range of groups, including IDPs, trade unions, ex-combatants, journalists and photographs. The Forum has had the opportunity to share with and learn from international partners, but its efforts deserve greater recognition for transforming conflict in the Caucuses.

Please click here to learn more about the Civil Forum for Peace from Georgia!

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3) GCCT Insight and Analysis

This section provides an overview of the insight and analysis produced and published by members of the GCCT on a variety of conflict and conflict transformation related topics (click on the links below to read the entire article):

1. **Europe in crisis – an agenda for peace** - Matthew Parish - We no longer have the certainties of the Cold War, but we do maintain its dangers after an illusory period of apparent monopolistic security. Understanding this confounding reality may be the key to defusing the contemporary European crisis. Where one frozen conflict can be unravelled through confidence-building measures, so might many others. The United Nations has a massive amount to do, and it requires ambitious and brave leadership. It has it. Let the work begin.

2. **Syria – can the carnage be stopped?** - Matthew Parish - State-building is never something to be undertaken lightly, by reason of the inherent dangers it always entails. But in some cases it is the least bad option, and Syria is a rare such case. State-building in Syria should not serve as a precedent for similar projects elsewhere. Syria is unique in its horrors and tragedies. But in so severe a situation, the most severe or remedies may be a necessary prescription.

3. **Iraq – where there are no solutions then where should we look?** - Matthew Parish - If the international community does not act in tandem, through the medium of its vehicle of consensus, the United Nations, then there exists a very real prospect that Iraq degenerates into another proxy conflict, of the kind we have seen in Syria, potentially with no end.

4. **The cataclysm of Haiti – what should the United Nations do next?** - Matthew Parish - Funding solutions to the crisis in Haiti requires both ideas and innovation. That is why I support the fellowship work of UNHCR innovation and its sister partnership UNHCR ideas, and the wise leadership under whose custody those organisations function with a view to raising money not just from conventional sources but from miscellaneous private sector partners using cutting-edge contemporary means.

5. **Catastrophe in Burundi – the tragic human cost of political deadlock** - Matthew Parish - The international community must face up to the Burundian crisis, because by common consensus it is on the verge of explosive reignition. By reason of complex current political upheavals, it is estimated that perhaps as many as 100,000 Burundian people are become refugees or displaced persons every month. Burundi is a catastrophe in the making, yet the world seems determined to look the other way.

6. **Embracing diversity – an agenda for the United Nations** - Matthew Parish - Respect for LGBT rights within the United Nations is an essential premise of advocating the moral principles of tolerance and minority respect amidst member states. The central role played by a pivotal UN's Special Rapporteur on Extrajudicial, Summary and Arbitrary Killings is a fundamental step in renewing the UN' human rights mandate in a bold way appropriate for the twenty-first century.

7. **A European phoenix – a new role for the United Nations Economic Commission for Europe** - Matthew Parish - The goals of the United Nations Economic Commission for Europe remain every bit as imperative to the future stability of Europe as they ever have been. Indeed these imperatives have suddenly found renewed urgency in a multipolar world, as Europe becomes an ever more significant locus for geopolitical stability.

8. **'A cure far worse than the disease' – Sri Lanka's new draft counter terrorism law** - Sri Lanka Campaign - The draft 'Counter Terrorism Act' (CTA) – intended to replace the 'Prevention of Terrorism Act' (PTA), widely condemned as one of the main causes of serious human rights violations in Sri Lanka – would significantly widen the scope of repressive powers.

9. **Young Peacebuilders Forum 2016 – raising the bar of youth advocacy for peace** - Matteo Tonella - The Young Peacebuilders Forum 2016 identified some of the challenges lying ahead for the youth peace movement, and helped lay the ground for a common understanding of the needs we face together as well as common priorities for the actions we need to undertake.

10. **Liberals should develop their own Stuxnet** - Arik Segal - Geopolitics and the development of ICT create a fertile ground for political campaigns based on fear. An effective response would be to start thinking of technology as more than a just tool to deliver messages.

11. **Sri Lanka – never the answer** - Sri Lanka Campaign - While the conviction of Duminda Silva should have been a welcome sign of Sri Lanka's return to normalcy, such an interpretation was immediately undermined by the sentence that was passed: death.

12. **Refugees in Belgrade and the rise of 'prickly spaces'** - Bridget Storrie - The official response to the refugee crisis across Europe and beyond has been a failure to engage in the hard work of imagining how newcomers, particularly vulnerable ones, can be folded into communities in a way that ensures both they, and the communities they enter, flourish. Until that happens 'refugees welcome' and 'the park is for everyone' will remain like some of the rest of the graffiti on Belgrade's streets; an expression of life as we'd like it to be, not life as it actually is.

13. **From Pristina to Damascus – understanding Kosovo's fighters in Syria** - Brenna Gautam - A more holistic policy that examines the stagnation of EU integration efforts and addresses Kosovar identity as it relates to empathy with Syrians is necessary to approach the issue of foreign fighters in full.

14. **U 5/98-III: why it is doomed from an interpretive point of view (part 1)** - Dražen Pehar - The Bosnia-Herzegovina (BiH) Constitutional Court decision of 1 July 2000 (U 5/98-III) attempted to demonstrate that the Dayton BiH Constitution implies a thesis on the constitutionality of all three BiH peoples throughout BiH territory, without qualification. This essay aims to demonstrate that the decision is implausible and that it rests on a flawed interpretation of the constitution.

15. **What happened to America?** - Dr. Alon Ben-Meir - President Obama's legacy is on the line. He must either rise to meet the challenge by taking courageous and decisive military measures; or continue his futile diplomacy, watch the systematic disintegration of a whole country, severely damaging America's international standing, and undermining its critical global role in the pursuit of peace and stability.

To contribute analysis and insight to TransConflict.com, please contact us by clicking here!

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4) GCCT Activities, Advocacy, Research and Requests

How to reform the United Nations

It is time for a new and streamlined structure for legal and institutional accountability across the United Nations and its specialised agencies. There is much work to be done. None of these problems are easy to solve. But solutions can be achieved. None of us have anything to fear from being held accountable, for the staff of the United Nations radiate with their own brilliance when they are permitted to stand as jewels in the night. The politics of the United Nations is due for fundamental change, and we have the tools at hand. We can and will apply them.

By Matthew Parish

Organizations are not as efficient as individuals. Individuals know what they want. Organizations, which are ultimately composed of nothing more than individuals, may have many different things that they want. On occasion, each person in an organization may have their own agenda. This creates inefficiencies, as individual preferences conflict and people compete politically for influence. In a private company, this inefficiency problem may be disciplined by the appointment of management by owners to pursue profit. If management do not succeed in achieving the owners' goals of achieving profit, they are removed and replaced with people who will. In public organisations, this are not so straightforward. The problem of disciplining inefficiency is more complex, because the goal of the organisation may not be obvious, even if it is enshrined in statute. Its "owners" - that is to say, the general public or that subsection of the general public the organisation is ostensibly designed to serve - may not all have co-aligned ideas of what the organisation is supposed to do.

In the face of these competing mandates, the managers may take advantage of a risk of indirection and pursue their own self-interests, which are more likely to be seizure of public funds as budget; development of a bureaucracy of sub-managers over whom they exercise dominion; and creation of rules and procedures that institutionalise their seizure of influence. Harmful conduct of this nature is ultimately disciplined in approximately democratic societies by elections. If public organisations become too inflated and inexact in their mandates, then electors remove politicians with authority over the organisations and replace them with those who pursue a less inefficient agenda. Elections as a form of inefficiency discipline are necessarily imperfect (as with all institutional life), but the logical direction of political economy is clear.

Yet for international organisations, the requisite elections are so few and far between, and the electors so divorced from the funds they are spending, that the use of elections as a form of inefficiency discipline becomes too tenuous. Domestic administrators, already at risk of engagement in the rent-seeking politics

of taking advantage of public sector inefficiencies, are also the electorate supposed to discipline the international organization. Hence domestic administrators with a conceivable incentive to inflate budgets and staff might be inclined to elect international bureaucrats with an incentive to do much the same thing.

In theory domestic electorates could come to the rescue, voting out the domestic administrators who elect the international administrators. But such a model of institutional discipline falls foul of two false premises. The first is the assumption that all domestic administrators in the election of the international organisation's bureaucrats are themselves subject to electoral discipline. In circumstances where a plurality, if not a majority, of international organisation member states are imperfectly democratic, that axiom is bound to fail. The second such premise is the assumption that domestic electorates, even in more perfect democracies, actually care. They may take the view that the operation of international organisations is so remote from their day-to-day lives that they are simply not prepared to exercise their voting preferences based upon such concerns.

Yet there is another way of disciplining the inefficiencies inherent in all public organisations, namely institutions of internal accountability. As Secretary General-elect Guterres has personally emphasised, he must maintain unwavering commitment to transparency, accountability and oversight, standing firmly for the reputation of the United Nations and its dedicated staff and imposing the highest ethical standards upon all UN employees.

Legal accountability is the most effective way of disciplining any organisation, by reference to a series of standards set out in legal rules and an independent judiciary responsible for enforcing those rules through a series of orders of compensation, restitution and other penalties in the event of clear wrongdoing. The UN Dispute Tribunal undertakes admirable work in this regard, holding staff and managers alike to the standards the Secretary General-elect personally expects of all United Nations officials. Yet there is always more that can be done. The manifest gaps in gender equality and regional diversity within the UN structure show that the legal mechanisms in place are not incentivising apportionments in accordance with the equities inherent in the 1945 Charter to the requisite degree. Hence they must be strengthened.

I would like to give just three anecdotal examples of instances where lacunae remain, and might easily be resolved, just by simple modifications to the United Nations' current internal legal structure. Person A served as a Senior Director to the Executive Head of a major United Nations agency. Concerned about ethical conduct on the part of the agency in question, she was effectively sidelined and forced to resign, thereby being moved to another specialist agency albeit on a temporary contract that was subsequently not renewed. She was penalised for being a whistleblower. No contemporary corporate structure countenances retaliation for revelation of wrongdoing. The United Nations must have a system in which all stakeholders may raise concerns: not just UN staff, the Chief Executive Board and the Senior

Management Group, but also civil society. Where those concerns are raised and are of a legitimate nature, then then an environment must exist where they may be conveyed without fear of retaliation and confident of a fair process for investigation and resolution of grievances and disputes that enables all parties to address their concerns, and for those grievances to be resolved, in a proper way.

Let me mention a second example. Person B was a senior manager who observed financial irregularities in a United Nations specialist agency. The organisation sought to buy her off when she raised the issue, transferring her into a sinecure until she complained so loudly that the decision was reversed. There is no sense in which this can be regarded as an efficient use of UN member state resources. The more efficient expenditure of oversight and investigation resources, through bolstering the resources of the United Nations Office for Internal Oversight Services, should be pursued to ensure that allegations of this nature are investigated. This creates the harmonious incentives for mutual cooperation to achieve common goals across the UN system.

My final example, Person C, was a field operative in an unsafe environment. She was so disheartened by the attitudes of some of her colleagues in failing to give requisite priorities and emphasis to the needs of the people, with a focus upon delivery and results rather than mere operation in silos and pretences in just bridging a traditional gap between difference UN agencies, that she eventually departed the organisation for private practice, disheartened by the experience and excoriating in her criticisms of the individuals who lacked the focus and imagination to emphasise delivery. Capable people must never be lost from the United Nations Organisation in this way. It is a tragedy if the common humanity expressed by the United Nations is not expressed in its outputs. I am determined to see that happen.

It is, incidentally, no coincidence that the three anecdotal instances I have provided of mixed response to internal critique and complaint in the context of administrative operations of the United Nations all relate to instances where the victims of inadequate administrative oversight were female. That is why I am proud of the Secretary General-elect when he says:

The UN must be at the forefront of the global movement towards gender equality, an inalienable and indivisible feature of all human rights and fundamental freedoms: progressively moving from perceiving women and girls as a subject of protection to promoting their empowerment; from an isolated focus on women to gender mainstreaming.

I am absolutely committed to a system of legal and institutional accountability across the United Nations system. That is why the UN Office of Internal Oversight Services, the UN Dispute Tribunal and the specific responsibilities and mandates of inspectors-general of individual UN agencies must work together to create a culture of prevention so that the United Nations can be guaranteed to live up to its

charter obligations. In this way, member states and other international partners can be confident that the funds they may be called upon to contribute to the United Nations Organisation will be effectively and efficiently spent in mitigating crisis.

The key to institutional effectiveness is an incentive mechanism for all international civil servants to work with clear goals and under a system of transparency and accountability. This way, uncontrolled administrative growth may be eliminated. Instead there can be a concentration of resources in sectors where the UN's multilateral mandate is uniquely valuable. The United Nations Development System, by common consensus, stands in need of reform by virtue of having itself developed in an unwieldy fashion. By institutional and structural revisions, the fine staff of the Development System can be reinvigorated to focus upon the UN Charter's objectives. And only with economic development, and the requisite efficient financial assistance from all due corners of the international community, can the political solutions requisite to peacekeeping and peace building be sustained. In this context I particularly admire the dedicated work and relentless focus of the US Congress in promoting accountability and transparency in the operation of the United Nations and its specialist agencies.

That is why I am in favour of a new and streamlined structure for legal and institutional accountability across the United Nations and its specialised agencies. There is much work to be done. None of these problems are easy to solve. But solutions can be achieved. Legal and administrative review is undertaken effectively and efficiently in a variety of domestic and trans-national environments. None of us have anything to fear from being held accountable, for the staff of the United Nations radiate with their own brilliance when they are permitted to stand as jewels in the night. The internal in-fighting of the United Nations will stop. Whistleblowers and those with legitimate grievances will be heard. The rare transgressors will be held accountable. The politics of the United Nations is due for fundamental change, and we have the tools at hand. We can and will apply them.

Matthew Parish is a former UN peacekeeper in the Balkans and formerly served as Legal Counsel at the International Bank for Reconstruction and Development in Washington, DC. He is the Managing Partner of the Gentium Law Group in Geneva, and formerly served as Chief Political Advisor to Vuk Jeremic in the selection process to become the next UN Secretary General in 2016. Mr Jeremic came second. Matthew is now a key political supporter of the Secretary General-elect, Antonio Guterres.

Five takeaways from the UN Committee Against Torture review of Sri Lanka

At this key moment, when so much hangs in the balance with respect to Sri Lanka's justice and reconciliation process, this simply isn't good enough. Unless the international community makes it clear to the Sri Lankan Government that the absence of progress thus far is unacceptable, and demonstrates a willingness to use its influence to address serious abuses committed by the state, the future of Sri Lanka's fragile peace will remain in doubt.

By the Sri Lanka Campaign for Peace and Justice

The end of November saw the conclusion of the UN Committee Against Torture's review of Sri Lanka, a regular process of expert-based scrutiny designed to monitor implementation of the Convention Against Torture. The meeting, held in Geneva between members of the Committee and a Sri Lankan delegation, followed a series of written submissions to the body made by both the government of Sri Lanka, the National Human Rights Commission, and various civil society organisations (**all available here**).

After the damning verdict of the Committee at the **last review in 2011,** the latest meeting offered the new government of Sri Lanka a major opportunity to signal a break with the past – to acknowledge the appalling scale of torture in Sri Lanka, and to demonstrate a genuine willingness to take the steps necessary to end its use.

That opportunity was sadly not taken. Instead, and in step with its three written submissions to the Committee (in **October 2015, June 2016** and **November 2016),** the Sri Lankan delegation yet again chose the path of denial, defence and diversion. In light of a detailed and wide-ranging discussion by the committee, often frustrated by the delegation's apparent efforts to run down the clock on proceedings, we highlight some of the key takeaways from the meeting.

1. The Government of Sri Lanka is still in denial mode

The first and most fundamental step towards ending torture is recognizing its existence. In Sri Lanka, a multitude of reports by local activists, international organisations and UN experts have pointed to its common and widespread use by police and security forces. These include, among others:

- A major **report** based on the collective findings of at least 20 Sri Lankan civil society organisations
- Various reports by international organisations (including those from the **International Truth and Justice Project** (ITJP), **Human Rights Watch** and **Freedom from Torture**)
- The **report** of the UN Special Rapporteur on Torture, Juan Mendez, following his visit in May 2016
- The **report** of the National Human Rights Commission of Sri Lanka to the CAT

The latter of these – which offers arguably the most comprehensive (if perhaps conservative) data sets – indicates that 3,404 complaints of torture were received in the period 2010-2016. By comparison, the government of Sri Lanka maintained in its **November 2016 report** to the Committee that '150 'incidents' were recorded by the Department of Police in the period 2012-2016.

Whilst during the session one of the Committee members highlighted the rate of torture complaints to the National Human Rights Commission as being "ten times" higher than government figures, a quick analysis of the data in fact reveals the rate of torture complaints to be over *fifteen* times higher across a comparable time frame.

Throughout the entire two day session, the government delegation failed to engage whatsoever with questions – put repeatedly by the Committee members – about the existence of unofficial torture sites. Despite detailed and credible research confirming their use, including 29 instances recorded by the ITJP in 2015 and 2016, the government has maintained in its **latest written submission that** "no such camps/detention centres exist at present".

2. Impunity still reigns for torturers in Sri Lanka

This much was clearly indicated by the government of Sri Lanka's jaw-droppingly offensive decision to send as part of its delegation to the Committee, Mr Sirisa Mendis, the police official in charge of Sri Lanka's most notorious torture site in the aftermath of the civil war. Mendis, who has for the past 17 months been the director of the Centre for National Intelligence at the Ministry of Defence, has a long list of allegations against his name, including **numerous specific cases of torture** allegedly under his command over many years.

The extraordinary nature of his attendance was not lost on Committee members who took the opportunity to pose questions directly to him about his complicity in torture. He did not respond to the allegations.

That such an individual remains in a position of authority in Sri Lanka, and that the government was brazen enough to send them to defend its record, accords with the extremely limited information the Committee was able to elicit about successful prosecutions against torturers. Despite repeated efforts by the Committee, this line of enquiry was repeatedly rebuffed by delegates who, rather than address issues of substance, frequently resorted to lengthy explanations of Sri Lankan case law and court procedure – missing the fact that having a legal system and upholding it are two very different things.

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As such, observers were left to rely on the government's **November 2016 written submission** to the Committee which claimed that a mere four individuals have been prosecuted to date under Sri Lanka's Convention Against Torture Act. Even in relation to the government's own figures on members of the security forces alleged to have been involved in torture (170), this is an astonishingly low figure. Committee members also failed to obtain a satisfactory answer as to why, on the government's own statistics, only 17 of the 150 cases comprising those individuals had been investigated at all.

3. Without legislative reform to address torture, the enabling context for its use prevails

Though praising several policy measures, including the improved independence of national oversight bodies under the new government, the Committee were extremely critical of the failure to deliver on reforms that would introduce basic safeguards against torture in custody.

In particular, concerns were raised about the slow pace of proposed amendments to the Criminal Procedure Act, designed to provide detainees with access to legal counsel immediately after arrest, as well as in relation to the draft Counter Terrorism Act (CTA) framework, especially the apparent absence of safeguards against arbitrary arrest, the admissibility of confessions, and the broad definition of 'terrorism' under the draft. Given the **near unanimous** condemnation of Sri Lankan civil society of the draft, the Sri Lankan delegation's watery response – that the draft is an "evolving document" – provided scant reassurance that the government will undertake the wholesale scrapping and re-write that is required.

While discussions about the CTA draft drag on, Sri Lanka's notorious Prevention of Terrorism Act (PTA) – a draconian piece of emergency war-time legislation which Amnesty International have described as "facilitat[ing] torture" – remains not only in force but in **frequent use.**

4. Sexual violence by the Sri Lankan military is not being addressed

A key area of focus for the Committee related to the widespread and systematic use sexual violence by the Sri Lankan army both at home and abroad – practices that a recent UN report, the 'OISL', found to be "part of an institutional policy within the security forces". Yet despite multiple unequivocal requests for further information about the numbers of individuals prosecuted and convicted for such crimes, no figures were provided by the Sri Lankan delegation.

Much emphasis was placed instead by the Sri Lankan delegation on its response to allegations of systematic sexual abuse by 134 Sri Lankan soldiers serving as part of a UN Peacekeeping Mission in Haiti in the between 2004 and 2007 (an extremely narrow response given the breadth of allegations put forward). Having failed to respond the Committee's question about why only 23 individuals allegedly involved had been subject to "**disciplinary actions**" consisting of three individuals losing their jobs and

the remainder undergoing unspecified lesser punishments), government representatives went to lengths to explain additional steps taken, including the issuing of instructions to the military warning against torture, as well as the introduction of a "3-tier vetting system" to prevent soldiers with histories of sexual misconduct from participating in peacekeeping forces. Given that no publicly available information exists about these measures, nor systems in place for their scrutiny, they are claims cannot be taken at face value.

5. The international community is not doing enough to send a strong message on torture
The government of Sri Lanka is eager to regain the "GSP+" preferential trade status with the EU that was **stripped in 2010 following human rights concerns**. For its part, the European Union appears enthusiastic about restoring it as part of the 'normalisation' of relations with the Sirisena/Wickremesinghe administration. But given the outcome of the Committee's review, a restoration of the GSP+ status would fly in the face of the European Union's own rules and criteria that, among others, would require Sri Lanka to fully implement the Convention against Torture, amend the Code of Criminal Procedure, and repeal the Prevention of Terrorism Act. The fact that none of these have been satisfied has been made abundantly clear over the past few days.

Unfortunately it is not just the EU who now seem willing to overlook systemic torture in Sri Lanka for the sake of normalizing diplomatic relations. British Minister of State Baroness Anelay (also Special Representative on Preventing Sexual Violence in Conflict) recently visited Sri Lanka and, to judge by her **subsequent statement,** made absolutely no attempt to send tough messages regarding justice, accountability and human rights. Worse still, she appeared to offer a deeply irresponsible endorsement of the Sri Lankan government's plans to expand its peacekeeping contributions, taking at face value the government's totally unverified claims about new vetting procedures, and further still, suggesting that the Sri Lankan army was fit to "share experience" on tackling sexual violence.

At this key moment, when so much hangs in the balance with respect to **Sri Lanka's justice and reconciliation process,** this simply isn't good enough. Unless the international community makes it clear to the Sri Lankan Government that the absence of progress thus far is unacceptable, and demonstrates a willingness to use its influence to address serious abuses committed by the state, the future of Sri Lanka's fragile peace will remain in doubt.

Please click here to learn more about the Sri Lanka Campaign for Peace and Justice!

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Personal and political dimensions of peace - World Peace Forum in Brazil

Between 22-25 September 2016, the Schengen Peace Foundation organised the tenth edition of the World Peace Forum and most importantly, the second edition of the Youth World Peace Forum. The Forum took place in Florianopolis, southern state in Brazil, and it provided a platform where peacemakers from all around the world could come together and exchange experiences and best practices.

By Ludmila D. Andrade

Between 22-25 September 2016, the Schengen Peace Foundation organised the tenth edition of the World Peace Forum and most importantly, the second edition of the Youth World Peace Forum. The Forum took place in Florianopolis, southern state in Brazil, and it provided a platform where peacemakers from all around the world could come together and exchange experiences and best practices. The event, under the title of "We Believe", presented a broad approach to peace, in which each day was dedicated to one aspect of peace: We believe in change (ecology); We believe in human rights (humanity); and We believe in peace (peace education).

During the forum, hundreds of workshops, lectures and artistic interventions were facilitated by participants, creating a multiplicity of spaces for dialogue among individuals from different national, religious and ethnic backgrounds. However, despite the richness of people and activities, the primary focus on in the intra- and interpersonal dimensions of peace left little space for discussions around social and political issues related to peace. In my opinion, that was a considerable weakness of the programme because all dimensions of peace are interconnected. Besides, promoting a larger political debate can create an impact that goes beyond the self-development of those present in the forum.
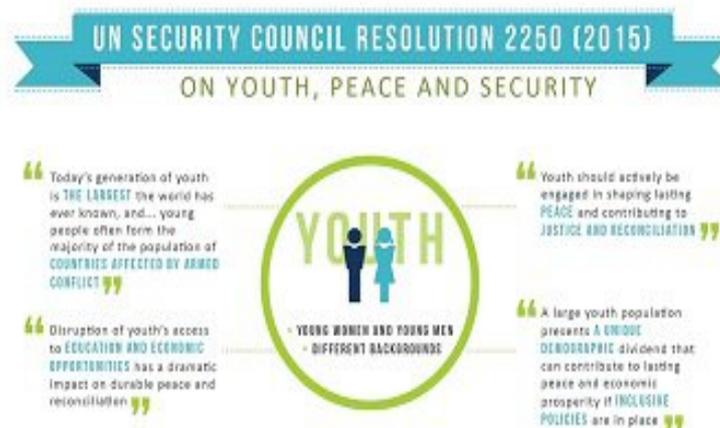
The opportunity to represent UNOY in this event was very special, as I had the chance to share the experience I have built in the past year in the Youth, Peace and Security field with the young peacebuilders from my own region. The forum was also a great opportunity to raise awareness on the UN Security Council resolution 2250. For this, I facilitated two activities: one workshop for around ten youth participants on the resolution and one lecture on the same topic.

As with many young peacebuilders from around the world, the Latin American youth face a number of challenges in their work, including the lack of recognition of their positive role in their communities, the absence of spaces where they can develop of projects, and the appropriate funding to do so. For this reason, the participants welcomed the resolution and started working on strategies to incorporate it to the work they are already doing. During the lecture, representatives from different civil society organisations recognised the absence of mechanisms to include young people in issues related to peace and they demonstrated support for the content of the resolution. Thus, the event was a great place to connect with peacemakers from Latin America, a region where the network is currently under-represented. These new connections represent a great potential for future partnerships!

The forum showcased the passion and commitment of those involved in building sustainable peace in so many creative ways. Peacemakers face many similar challenges and that is the reason why we must create channels for exchange and cooperation. However we must not overlook the political and social aspects in peacebuilding, as those have relevant consequences in our work. Therefore, we must also save a space to discuss the politics of peace if we wish to create a meaningful impact in the world.

Ludmila D. Andrade is a young peacebuilder from Brazil based in the Netherlands. She is part of UNOY's Youth Advocacy Teams working towards the implementation of the UN Security Council resolution 2250.

Please click here to learn about the United Network of Young Peacebuilders!

Global Coalition for Conflict Transformation (GCCT)

Peace analysis-community peace pillars - an innovation on peace work

Through consultation with other peace practitioners, a modular design has been created which aims to learn from communities by focusing on four critical aspects of peace. These four aspects are a) the historical context for community peace, b) social context of peace, c) community organs in peace; and d) community peace duty bearers, peace actors and peace stakeholders.

By Kisuke Ndiku

Concerned by the impact of frequently broken peace agreements, continued violence and the rise of radicalized extremist violence, there is a need to find innovative approaches to address peace work at its roots; grounded in practical experiences in South Sudan and Kenya.

Through consultation with other peace practitioners, including explorative learning at MPI Philippines, and social research techniques, a modular design has been created which aims to learn from communities by focusing on four critical aspects of peace. These four aspects are a) the historical context for community peace, b) social context of peace, c) community organs in peace; and d) community peace duty bearers, peace actors and peace stakeholders.

Three sites were identified in Kenya to conduct trial data and information collection. This targeted ordinary households, key informants drawn locally, peace duty bearers, peace actors, government officials in administration, security organs, local organizations and institutions, religious and traditional structures, including women, youth and persons with disability. A deliberate effort was made to be as sensitively inclusive and representative as possible during the process.

Learning from the peace analysis-community peace pillars

The fact that the learning process was entitled peace analysis-community peace pillars was somewhat provocative, especially to many individuals who've engaged in peacebuilding, conflict analysis and conflict management. An immediate question was why only peace; what about conflict? Are you isolating peace when really the problem is conflict? If so, then what will you do when conflict occurs? These questions continue to linger

The study did not exclude conflict. Instead its places conflict in perspective (a historical perspective and actors in peace) with respect to to community peace; peace benefits and how peace can be maintained (social context dimensions and peace duty bearers, peace actors) wholly by community-driven energies (community organs in peace work). The intention is to elucidate community-bred avenues, options and interventions for effective peace work.

A social study was chosen as the best option to guide the process because the peace continuum as a dynamic takes place based on social spaces of how individuals in a community interact. Assumptions of

the innovation were that if the manner of social engagement was better understood by respondents, and if these were directly related to how peace was gained and maintained, then this would illuminate about peace itself in the community context.

Second, the innovation on peace analysis-community peace pillars explored duty bearers, peace actors and peace stakeholders from the perspective of individuals, organs of society, the role of other communities, highlighting the functions, roles, and leader behaviour. It sought to identify and expose interactions among these entities to show what causes peace and peace benefits to be realized in the community context.

New approach

At the community level, the majority of respondents readily remarked on what one would term "a wow moment"; declaring that "actually I have not thought about peace that way before!" This contributed to a sense of freshness when exploring the concept of peace from within the community. Communities were visibly energized. The approaches provide space and direct roles for community members to define how they would want to proceed on peace work in their respective context. The study innovation, though new, was conducted in a realistic context where communities have experienced conflict.

Diversity in context setting

In one location, traditional cattle raiding was a common phenomenon. In addition, traditional contention over borders between three main communities and one minority community were inherent factors of community identities. In another locality, access to land and land tenure were core issues in a

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cosmopolitan community setting, particularly highlighting a clash between formal and traditional cultural land tenure at the community level. Access to land and formal land titles was an issue as the government had elected to resettle landless community members in what used to be a large commercial estate that had been bought by the government. The government had not completed the formal processing to issue land titles other than allotment letters that community members had. But these are temporary.

The third locality had similar characteristics with the second but four dominant communities laid claim to what was regarded government land. Moreover, the communities comprised members from every corner and communities of Kenya, as well as a local minority community. The locality also had a new government decree for land conservation to restore a forested water catchment area. It is within this basic background of diversity that the social study on peace analysis-community peace pillars was conducted. It sought to search and identify what communities considered to be the pillars for peace and peace benefits, how peace was gained and maintained; and who made peace viable in the context.

Challenges in terms and terminology

The innovation on peace analysis-community peace pillars was designed using basic English as the working language. Some of the terms and terminologies which were assumed to be simple proved to be difficult to explain to local practitioners to ensure they knew how they were to be used during the data and information gathering. At the community level, the teams gathering data struggled to understand the English version of the tool for themselves. The process allowed that they could conduct data gathering in local languages or Kiswahili, the national language; then record responses in English. Finally, the data collected was transcribed, analyzed and the interpretation conducted in English for documenting the findings. These challenges were not fully appreciated during the design process.

The challenge occurred because all the field persons involved had never undertaken such work before. They were used to other types of data and information gathering, mainly looking at conflict only and with tools that had definite prescribed optional responses. The peace analysis-community peace pillars innovation study had used open ended questions with no prescribed responses as options. Lessons from this are that the key terms and terminologies have to be researched prior to another study so as to understand how best to collect data within the local context.

Learning from the outcomes

The peace analysis-community peace pillars innovation provided very insightful lessons about the process. As indicated, the terms, terminology, tools and measures for collecting data and information provide immediate on-the-spot-learning. The aspects of scoping the sample size and spatial coverage in relation to patterns of human settlement were found to also influence outcomes due to the manner of

relations between different community groups. In addition, where communities are sparsely populated or migratory, or living in a traditional way, more time and resources are required. Where communities are not sparsely populated, rigorous sampling would be needed for inclusion of diversities drawn from community strata due to diversities in gender, culture, age, practices, ethnic mix, etc.

An important lesson was that irrespective of the diversities, social interaction among communities had common aspects of value that drives peace at the local level. The innovative study process sought to derive evidence-based expressions of community peace pillars which, if amplified, would increase the scope and experience of peace among communities. Lessons showed that community peace pillars exist and are supported by a range of attributes applicable at four key levels. The attributes comprise some range of norms, expected practices, behaviour, conduct, principles and ethics among those engaged in peace work, including those acting for peace to be gained, maintained and benefits to be realized.

The most immediate of the community peace pillars has to do with the local level in engagement of individuals (i.e. the engagement of community members with each other and communities). The second has to do with the faith and spirituality of the communities and its place in the peace space, plus the benefits that reinforce harmony as uniters. The third is concerned with local level governance and how this particular pillar interacts with community engagement (Pillar One). The fourth pillar has to do with main governance structures and how they interact with the local governance (Pillar Three) and community engagement (Pillar One).

A number of aspects in the study process were appreciated by varying degrees at the community level. First, the enquiry on who holds key peace functions and roles on peace. This included who could be called upon when peace was at risk, which comprised identifying those who hold such peace functions and roles in the community. This had to do with identifying individuals, specific community elders as an institution (male and female), individual leaders, plus individual local administrative leaders (Chiefs). A second appreciated aspect was identifying the key peace functions and roles in peace held by local community organs, community organizations (formal and informal), local religious leaders and religious institutions (in the context it was churches and indigenous spiritual elders), and the immediate local administration structures (chief's elders and chiefs).

The functions and roles of other communities (external to those contacted during the study), local governance units, and the local security organs came third in the list. The fourth most appreciated had to do with the how aspects; namely what constitutes the premise for maintaining and strengthening peace. The clarification by the community respondents on the processes, mechanisms and practices based on which the functions and roles of peace work and how these aspects work together.

It was interesting to note that the national governance structures were fifth in the list of who works for peace and how do they affect and influence peace at the community level. However, political parties,

politicians and political elite (non-elected aspirants and party representatives) were clearly singled out as being anti-peace and respondents often asked that they should be given warning not to interfere in community peace.

Peace benefits raised indicated that they are factors and aspects of community life that act as part of the contributors and promoters of peace. These were found to be essential in the facilitation of the development of local community contacts, exchanges, associations, relations, interactions, and transactions that strengthen harmony understanding personal individual liberty and freedoms and unity. Moreover, they contribute to working at livelihoods, local social security, surveillance and monitoring of local peace.

Refining the innovation

The experience and lessons gained from the process undertaken so far are being used to refine the data and information gathering, guides, in order to better orientate how the peace analysis-community peace pillars approach as an innovation works. The lessons will also provide inputs for refining the guides for reporting and documenting new knowledge in community-driven peace work. The tools and terminology (vocabulary on peace analysis) are also being refined so as to make them usable in different language groups and among community peace workers.

Kisuke Ndiku is a peace practitioner at PRECISE.

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Tskhinvali's painful past, depressing present and dark future

A virtual reality has been created in Tskhinvali region. Whilst on paper enormous amounts of money are being spent by the Russian government for the wellbeing of population, in reality everything disappears into an "economic black hole".

By Lia Chlachidze

Ethnic conflicts in the South Caucasus periodically resurface to remind about the human tragedies; where lives are plagued not only with post-war trauma but also by the forces which try to disguise the existing reality and monopolize the political, economic, social and cultural spheres . One of the clearest examples is the Tskhinvali region with its painful past, depressing present and dark future. Instead of discussing the broken bridges and other problems caused by narrow nationalistic sentiments and armed conflict, this article focuses on general everyday social problems which affect the absolute majority of Tskhinvali region.

Until 2004, Tskhinvali region managed to be economically independent due to its transit function between Georgia and Russia. During 2004-2006, despite the suspension of direct transit, the region continued with the given function. However, the Russian embargo on Georgian products imposed in 2006 and the 2008 war isolated the Tskhinvali region, making it completely dependent on Russian financial assistance.

As elsewhere, these grave social and economic problems are blamed on corruption by the ruling bureaucratic structures. However, data and facts provide a basis to the claim that economic collapse in Tskhinvali region cannot be solely reasoned by local factors and the corruption of local authorities.

It is necessary to analyze expenditures and the distribution of material assistance allocated by Russia to Tskhinvali region, taking into consideration The current demographic data. Namely, it is known that Russian subsidies allocated to Tshinvali during 2008-2011 totaled 43 billion rubles (forbes.ru reported that during the period Tskhinvali region received approximately 30b rubles from the Russian Federal budget, 2b rubles from the Moscow Government, 10b rubles from Gazprom and another 1b rubles from the Special Fund. If consider the then exchange rate, the sum amounts to approximately $1.43b).

The zero economic effect of the spending forced the Kremlin to reconsider its financial policy in the region. As result, Moscow initiated the South Ossetia Republic Social-Economic Development Support Program, based on the first project of which the region should have changed to an autonomous

development regime; although Tskhinvali still enjoys full subsidization (92.2% of the total 2016 budget comes from funds transferred from Moscow).

Financial assistance received from Russia is quite impressive. During 2012-2016, the volume of Russian financial assistance was 30,204b rubles (approximately $715m), which in total (from 2008 until present) amounted to 73b rubles ($2.147b on average exchange rates). It is more than clear that it is a colossal amount of money for a region with a population of 36,000. If we calculate per capita, it appears that for each resident of Tskhinvali region have been allocated $7,500 per year, every year, for 8 years. Any international rating would say that every ordinary Ossetian should be a citizen with high revenue, having the possibility of receiving high-quality medical care, normal education and spending vacations abroad; although, would one be able to find a citizen who would say that they are being given $7,500 per year?

It is apparent that the embezzlement of such financial resources would be impossible for the local authorities in Tskhinvali region. Clearly, the main existing mechanism primarily works for the benefit of the Moscow authorities, who use different schemes and misappropriate amounts allocated to Tkhinvali region. As a result, the amounts to be used in Tskhinvali sharply decrease. To be more precise, a major part of the allocated amounts do not come from Moscow to Tskhinvali at all. In addition, the use of such financial levers makes it possible to involve certain representatives of Tskhinvali governing elite in minor corruption deals and, as a result, have complete control over them.

The aforementioned amounts show that if we consider official data, Tskhinvali region is already flourishing and has already reached the level of development of European countries; although, the low credibility of official documentation is once more confirmed by the example of implemented infrastructural projects financed by Russia. Namely, by statistical data, a large part of Russian funding is allocated for the repair roads in the villages of the region, which creates the impression of active reconstruction works being underway. In reality, the funds allocated for roads are mainly spent for reparation of roads surrounding the Russian military bases; a clear demonstration of the cynical attitude of the Kremlin towards the region, which is characterized by complete neglect of the interests of the local Ossetian population.

In 2013, the Strategic Research Center – Region devised the Tskhinvali region development strategy till the year 2030. According to the document, special attention must be paid to hydroelectric resources. Since 2013 until today, the issue of the construction of hydropower stations is included in economic development projects for Tskhinvali region every year – for example: the 2015 documents states "the construction of four hydro-power stations each worth 500 million rubles, which must result in an export of electricity to Russian Federation (or Tskhinvali supplies power to Russia…), which will become the serious source of additional income". However, it is doubtful that this project will be implemented or

bring any benefit to Tskhinvali's economy. The fact is that the Caucasian mountain range rivers are seasonal; the output of hydropower stations constructed on them is very low in winter (when there is the highest demand for electricity) and during the summer high water period, the demand for electricity decreases. In addition, the construction of large hydropower stations means flooding large territories, which will create the threat of ecological catastrophe. It is also a fact that serious investors refrain from allocating their funds for such doubtful projects, as it is unlikely that even the expenses for the construction of the stations would be compensated later. This is one of the main reasons of why despite numerous attempts by local authorities; it has not been possible to attract investors to the sphere of utilization of hydropower resources.

According to the same strategy, the development of local agriculture is also of significance for the economy, but any type of investment is doomed to fail. A good example of this are the 240m rubles spent for the construction of a farm in Khetagurov village, which, based on the results achieved (not a single investor joining), can be qualified as unreasonable budget expenditure. Another indication of the catastrophic situation in the field is the fact that despite the existence of 1,268,000 apple trees in the region, apples are being imported to Tskhinvali City from North Ossetia. This is mainly conditioned by the fact that Russian bureaucracy pays attention only to the data on paper and focuses less on the real situation in the region, which in most of the cases is deplorable.

It is apparent that the grave economic situation in Tskhinvali region affects the social environment and results in the regression of all the vitally important spheres. The situation is particularly important in the healthcare sphere. The salaries of 305 doctors and hundreds of medical personnel are at the level of third world countries (average salary of a doctor is 14,137 rubles or $214; salaries of medical personnel are far lower). This hampers the motivation for professional development and the desire to work legally. Despite impressive statistical data represented in official documents, there is very high corruption in healthcare and increases of mortality due to the low qualification of doctors. Research conducted in schools and kindergartens highlights an alarming situation in view of the health condition of the future generation; namely the spread of gastrointestinal diseases among juveniles (plus psychological and behavior disorders). All this is primarily reasoned by the combination of low-quality catering and ineffective healthcare system. The situation is further exacerbated by an increase in the cases of oncologic diseases, as the local population have no access to preventive medical services. Considering all the aforementioned, one of fundamental human rights - right to quality medical services - is violated in the region.

One of the most acute problems is the demographic situation, which can be analyzed from two different angles. On one hand, negative demographic processes promote negative economic tendencies and, on the other hand, the so called "drain of brains" makes implementation of important economic and political reforms impossible. The aforementioned tendency is confirmed by the statistics, according to which

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Ossetian students studying in Russian higher education institutions based on quotas allocated to Tskhinvali region population (approximately 80 quotas per year) do not return,, which results in low education levels.

Birth-mortality statistics are also a significant problem in view of demography. The given statistics are highly negative – 1,700 have been born and 3,000 have deceased in Tskhinvali region during 2009-2014 and in 2015, according to official data, the numbers of newborns and of the decreased is almost proportional (560 born and 523 deceased). Still, it has to be noted that here we see manipulation with the statistics; from the 560 newborns, 260 have been born outside of Tskhinvali region (to improve statistics, children born in the Russian Federation have been included in Tskhinvali's regional data). The only real result of the current social policy are the abandoned ancient Ossetian villages and rapid depopulation of Tskhinvali region.

Analysis of the described situation clearly shows that a virtual reality has been created in Tskhinvali region; whilst, on paper, "by consideration" of the "brilliant" traditions of Soviet bureaucracy enormous amounts of money are being spent for the wellbeing of population, in reality everything disappears into an "economic black hole". It is noteworthy that the aforementioned is not the only problem for Tskhinvali region and it is necessary to further discuss numerous other problems that the local population faces.

Lia Chlachidze is a civil activist and leads one of the NGO`s in Shida Kartli region (Conflict region borders to South Ossetia). Her birthplace is village Ergneti which is a frontline of the conflict zone. During the conflict her NGO was helping people for humanitarian aids and post conflict rehabilitation. She also works in Shida Kartli municipality as a chief of administration division.

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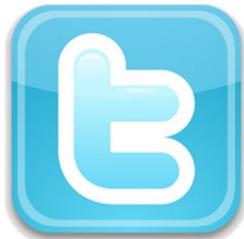
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