

Post-conflict Peacebuilding in Sri Lanka through the South African Truth and Reconciliation Model

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The Truth and Reconciliation Commission (TRC) in South Africa was born as a product of the political campaign wrought during the negotiations that brought apartheid to an end. The Promotion of National Unity and Reconciliation Act No: 34 was the cardinal point which provided legitimate rights to the TRC in 1995. In fact, the motive of this act was to investigate politically motivated gross human rights violations perpetrated between 1960 and 1994. The novelty of the TRC was the fact that it was the first truth commission to grant amnesty to the persons who accepted and repented before the public about the politically motivated crimes they had committed during the apartheid government in South Africa. In doing so, the newly elected government of South Africa adopted the judicial concept of restorative justice instead of the retributive justice embodied by Nuremberg style trial. The main architect behind this progressive action was President Nelson Mandela who selected a diverse group of seventeen TRC commission members under the headship of Archbishop Desmond Tutu. The TRC submitted its five-volume final report to President Mandela in October, 1998. The main objective of this research is not to assess whether the TRC has comprehensively achieved its purpose or not; the authors mainly intend to link the South African scenario with the situation in Sri Lanka after the military victory over Liberation Tamil Tigers Elam (LTTE) in 2009. One of the main objectives of this research is to compare the TRC with Sri Lanka's own post-war commission of inquiry in Lessons Learned and Reconciliation Commission (LLRC), because both commissions emerged from post-war atmospheres but with completely different features. Apart from that, the authors intend to portray how the achievements of the TRC could be successfully utilized to the reconciliation process of post-war Sri Lanka. It is important to acknowledge the fact that there are many differences between the two systems both ideologically and technically. This research is based on standard documents relating to both countries and other literal texts.