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## Keynote Address by Professor Danielle Celermajer University of Sydney

The Honourable Wijeyadasa Rajapakshe, Mr. Andre Haspels, Professor Dissanayake, Mrs. Nanayakkara, Professor Fernando, Mrs. Seneviratne, Dr Udagama, Ladies and Gentlemen, colleagues

I'd like to commence by expressing my gratitude to the people at the Centre for the Study of Human Rights, firstly for the honour of being invited to give this keynote address, but then beyond this, for the privilege of working alongside you these last eight years. The people who form the heart of this centre have consistently shown and taught me qualities to which anyone working in our field might aspire - courage, integrity, curiosity, generosity, respect and the willingness to think and act creatively and across boundaries of difference.

In this regard, I'd like to pay particular tribute to three people not explicitly mentioned in my opening words - Professor Sharya Scharenguivel, the former director of the Centre and Mr. Selvakumaran and Mr Thamilmaran, both former Deans of the Law School - three colleagues of extraordinary, grace, intelligence, wisdom and humility. It's been the greatest honour to work with you.

And I'd like to acknowledge the many colleagues who worked to co-create the Masters of Human Rights and Democratization and the Enhancing Human Rights project, as well as the students who formed the lifeblood of so much of our work. I'll not name you for fear of omitting someone, but please do not take that omission as a lack of appreciation for each of you individually.

Nourished by the dedication of its staff and associates, the Centre has, during its twenty-five year life, represented one of the key sites for studying, teaching, researching and advocating human rights in this country and region, albeit one that prefers a modest demeanour.

During what has undeniably been a very difficult period in the life of this country, the Centre has borne witness to, investigated, documented and analysed systematic and grave human rights violations across the spectrum of civil, political, economic, social and cultural rights: enforced disappearances, extra-judicial killings, torture, the repression of free speech and freedom of the press, gender based violence, the systematic denial of due process, the de facto suspension of the rule of law, structural discrimination against minorities and a range of others violations.

In the course of undertaking this work, the Centre has occupied what I think is a very unique position. On the one hand, it has stood in solidarity with the victims and survivors of human rights violations, and with those individuals and organisations that sought to defend their rights.

At the same time, it has consistently, and not without criticism, sought to forge constructive links with those institutions that are often identified as being 'on the wrong side' of human rights: specifically, prisons, police forces and the military.

Because security sector organisations enjoy a monopoly on the legitimated use of violence, and in light of the risks and realities of their sometimes abusing this power, the relationship between human rights organisations and the security sector has, historically, been a fraught one. Inevitably, it will be the job of organisations dedicated to the protection of human rights to draw attention to, and seek to prevent violations committed by the security sector. This often results in intense conflict, and in the worst cases in human rights organisations and the personnel working for them experiencing harassment if not more serious forms of intimidation.

Nevertheless, the CSHR has remained committed to working across such structural differences. And it has done so because it recognised that if we are to achieve sustained and entrenched respect for human rights, and not simply address discrete violations, what is required is nothing less than a comprehensive transformation of the institutions at risk of perpetrating violations.

As my colleague Professor Manfred Nowak, the former UN Special Rapporteur on Torture observed, while security sector and law enforcement organizations have most often been in the human rights spotlight because of their part on committing grave violations, we should not forget that they are, or they certainly can be, amongst the most important defenders of human rights in any state.

Whether they fulfill this role very much depends on how they are located within the overall political landscape, and the extent to which they form part of the institutional infrastructure of a democratic polity, rather than being instruments of powerful and partisan political interests.

Consider, for example, the role that police might play in relation to gender based torture and specifically domestic violence. Historically, in the human rights canon, torture has been understood as a form of violence committed uniquely by state agents and in the public sphere. In its recent jurisprudence, however, and as a result of many years of feminist activism, the UN Committee Against Torture has begun to recognize that states' obligations vis a vis torture extend to its role in preventing private forms of coercive violence. Thus, states must refrain from committing torture themselves; but their obligation to 'protect' means that they are also required to deploy their resources to protect victims of domestic violence and to bring these non-state perpetrators to justice.

As one of frontline agencies dealing with domestic violence, police thus have a critical role in ensuring that states in fact honour this commitment and in taking the practical steps to eradicate this primarily gender-based form of torture.

What we see in this example is that the long-term project of building, nourishing and sustaining a culture of human rights requires developing state institutions such that we look beyond 'stopping the worst' towards 'producing the best'.

In undertaking this type of constructive and transformative work, we might say that the CSHR has borne a second type of witness. That is, if it has, on the one hand borne witness to the harsh reality of systematic human rights violations, it has, at the same time borne witness to the possibility of systematic respect and structural justice. To the possibility of a nation in which respect for the human rights of all people, irrespective ethnicity, religion, caste, class, gender, ability or sexuality would be woven into the processes, structures and cultures of institutions, such that it would be an everyday reality.

Of course, no one familiar with the realities of social and political life would be so naïve as to imagine a world without violations; but we might imagine one where violations are cause for acute alarm, rather than being normalised or considered 'business as usual'.

Having stood as this type of witness to both the reality of systematic abuse and the possibility of its cessation, it seems poetically fitting that we are marking Centre's 25<sup>th</sup> anniversary at this moment in Sri Lanka's life as a nation. At a juncture poised between an extended period of grave violations and the possibility of authentic transformation to a culture of human rights, justice and democracy. Between a past of normalised violation and a future that *could* promise normalised respect.

That we find ourselves at this point of history is of course not the outcome of good fortune. It is the fruit of the courage and tenacity of the advocates and scholars of human rights and justice who remained unflinchingly faithful to their vision, even as year upon year, the realities of life seemed to erode the ground for believing such a future was achievable. Many human rights defenders have paid dearly for this steadfastness and tenacity – some with exile, some with living under constant threat, some with being tortured and some with their lives.

But just as getting to this point required fortitude, resilience and strategy, so too, reaping the fruit of that labour will now require more of the same and a great deal more. Because the possibility of transformation is precisely that – possibility – no less but no more. Opportunity. Opening.

Undoubtedly, the advent of a new political regime can act as a potent catalyst for momentous change. And it can do so in the main because political leaders are in a unique position to influence what the great twentieth century theorist of justice, John Rawls, called the **basic structure** of society, "the way in which the major social institutions distribute fundamental rights and duties and determine the division of advantages from social cooperation."

Of course, as I will be arguing, altering the basic structure of a society, especially what we might think of as the soft dimensions of culture and relationships between groups, this requires the participation of a great many more people than those in political power.

Nevertheless, political leaders can influence this broader movement, by creating a just structure and just institutions within which others act. Political leaders can also inspire hope amongst people who, after periods of protracted conflict and inequality, may have retreated into resignation. Political leadership – and here I am speaking about leadership across a range of political bodies can spark amongst civil society thedesire to reinvest in the work of social and political transformation.

That said, and albeit recognising that getting rid of an abusive regime is a *sine qua non* of a more general transformation, a change of political regime *in itself* neither guarantees nor delivers comprehensive reform.

Indeed, and I am mindful that I am in a room full of lawyers here - even changing the constitution or amending laws that permitted or facilitated violations - critical as these dimensions are—is not in itself enough. Legal reform is necessary, but certainly not sufficient to transform institutions and relationships that have been saturated by years of injustice and hostility.

The reason that neither political change nor legal reform are sufficient to bring about sustained and comprehensive transformation is that human rights violations are not simply the product of corrupt politicians

or bad laws. They arise from a whole set of factors, dynamics and institutional and social practices—factors and practices that condone, encourage, permit and authorise abuse.

Certainly, it is individuals or organisations that are directly responsible for committing human rights violations, but such violations are nourished and sustained by an entire ecology that normalises treating certain types of people as less than human. And they are legitimated by a story we tell ourselves about why some circumstances justify or even require abusing the rights of some people.

The French sociologist Pierre Bourdieu called this ecology 'the habitus' – a form of life within which individuals think and act, and that includes institutional structures, processes and cultures, as well as meanings. It is this *habitus*, or entrenched form of life – that is so tenacious and so difficult to change.

Indeed, we know from the experience of countries that have emerged from protracted periods of violence and injustice, that political transformations are halting and arduous. In the months and years that follow the *event* of macro-transition, enduring institutional and social structures and habits frustrate attempts to bring about the many particular changes required to alter the actual fabric of people's lives. Even as governments and civil society seek to alter the present, the sedimentation and accumulation of history tends to keep inequality and injustice in place.

So what I'd like to touch upon in my remarks today concerns just some of what may be required for a nation to walk through opening created by regime change, and stay on the other side; and correlatively, what prevents so many nations from doing so.

At the outset, and perhaps counter-intuitively, walking forward through that opening into a different future demands turning back and authentically facing the past. Establishing the foundations for a just and egalitarian future requires bringing those virtues of justice and recognition to the wrongs committed and to their victims.

During the last fifty years, we have, as a global community, begun to recognise that neglecting this relationship between past and future justice is one cause of nations' failing to turn *transitional* moments into *transformative* moments. At transitional junctures there are, undoubtedly, a myriad pressing demands for social, political and economic reform, and these demands, combined with the deep conflicts about the past often lead to nations' dedicating insufficient attention and investing insufficient resources to dealing with the abuses of the past.

But is it critical to recognise that political transitions from periods of widespread abuse are, by definition, Janus faced— and that even as regime change augurs the prospect of moving forward into a new era of peace, the past incessantly demands a nation's attention, and calls it back to rest its eyes on conflict and injustice.

I know of no country where the question of what to do at this point is easily settled. It is always fraught. And the contention is due not simply to conflicting interests – for example, perpetrators having a stake in quelling processes of justice. And it is not only due to the inevitably divergent interpretations of the past. There are also sincere disagreements about the most principled and effective means of moving a nation forward. Even amongst advocates for transitional justice, one sees significant differences of opinion about the relative merits of different types of transitional processes.

The *best* way to proceed in any particular context will undoubtedly have to be worked out in light of the distinctive circumstances and through the active the participation of citizens of the nation concerned. And by the best way to proceed, I mean the one that best negotiates an appropriate balance between principles, goals

and pragmatics: principles such as justice and equal respect, goals such a political stability and inclusion, and pragmatics such as getting broad buy-in and working within a country's institutional capacities.

At the same time, there is much to be learned from comparative experiences, including the mistakes that other nations have made as they grappled to reconstitute their own fractured societies. Doing so does not, I would argue, compromise the sovereignty of the Sri Lankan nation or constitute a form of neo-imperialism. It is rather a sign of wisdom.

I tell this audience nothing when I make the observation that justice for the grave violations committed during Sri Lanka's war, particularly during its latter stages, where the violence was acute and the violations widespread, justice for these wrongs is yet to be done. For the victims and survivors, and their families and communities, the wounds are still gaping and raw; and they will remain septic until legitimate processes are put in place to give voice to the grievances and to address the wrongs.

To tell those victims, survivors and communities that the wrongs they suffered need to be shelved is, effectively, to tell them that the rule of law is partial and that they will not be amongst its beneficiaries. More broadly, it is to instantiate the principle that respect for the rule of law is negotiable and subject to considerations of power and identity.

Irrespective where one is – geopolitically or culturally – instantiating this type of partiality cannot be a sound basis for establishing a society based on principles of justice, equality, and the rule of law.

Perhaps even more importantly, the acute crimes that still demand attention are wrongs that have their roots in profound and long-standing social and political conflicts. And this means that even when the most acute pain has subsided -at least on the surface, because some types of pain never subsides—even then, the underlying conditions will persist. The bombings have ended, but the more pervasive conflicts about the distribution of power and the political, economic and social recognition of different groups within this nation endure.

I come from a country where the wrongs of the past have not been made right. Or rather, I should say that I was born in a country where they have not been made right.

I come from a part of the world – Galicia – now Poland, where the failure to stem collective discrimination and inter-group hatred in its early stages – burning down Jews' businesses and then expelling them from schools, universities and professions – was the precursor of genocide and ended in the total eradication of our communities from that land.

In the country that I now call home though, Australia, systematic patterns of violation and discrimination against Indigenous Australians infuse our nation's history and they continue to shape the social and political landscape of our present. As a member of the beneficiary group of those injustices, I make no claim on ethical superiority, and have no intention of lecturing from the moral high ground.

Indeed, were the nations of the world required to answer the charge that the economic and political power they enjoy today is in fact founded on systematic human rights violations in the past, many would have to plead guilty. This is perhaps most obviously true for nations founded on colonisation or imperialism; but it is also true of nations that emancipated themselves from the former colonial or imperial power, only to inflict a new round of oppression against internal ethnic or religious minorities or political dissidents.

And most would have to plead guilty to the secondary accusation that they had failed to fully acknowledge, let alone adequately deal with their abusive pasts.

To paraphrase the words of the German Jewish writer Walter Benjamin, "Every claim to civilization is tainted by an underside of barbarism."

This remains true, even if those who are politically and socially triumphant would prefer, for the most part, to deny that barbarism.

But, like any unwanted truth we would prefer to repress, neither our barbarous acts nor their detrimental effects evaporate. In fact, they linger long after they were committed, often long after the deaths of those directly involved. Especially where entire communities have been the victims of systematic abuse, the legacy of this abuse is transmitted across generations, often with the most perverse effects, as one sees in the abuses committed by the contemporary state of Israel.

We have ample evidence from the last century – a century permeated with atrocities - that neglecting the systematic injustices of a nation's past and abandoning its victims will – sooner or later –take its toll.

When nations try to bury their dark pasts in unmarked graves, they effectively undermine the possibility of reconstituting themselves in the spirit of justice and democracy.

As the past casts its shadows over the present, the so-called victors and victims alike remain haunted, and the nation as a whole remains beleaguered. The future can never actually become a future, because it is always infused with the past.

By contrast, peoples who create processes to face the past and to look its horrors in the eye; peoples who acknowledge the wrongs committed in their names, and who establish institutions that can bring some justice, even as they recognise that the gravity of the losses can never be fully compensated, these peoples and their nations forge the possibility of long term political stability and a flourishing future – a future that can actually bring something new.

Such attention to the past then provides a foundation for this future. But what is required to create it? How does a nation undertake the tasks of constituting the institutions, social practices, and forms of life that will create and sustain what I referred to as the *habitus* of human rights and justice?

In posing this question in the Sri Lankan context, it is of course important that I make clear that I recognise that many just and human rights respecting institutions and social practices already exist and are fully functional. We are certainly not talking here about a failed or totalitarian state whose institutions have all been irrevocably contaminated with despotism, inequality and corruption. The vibrancy of civil society organisations, the excellence of Sri Lankan journalists, the distinction of the Sri Lankan academy and the quality of the legal and medical professions, amongst others speaks to the wealth of resources already in place. Nevertheless, we know that much remains awry, and thus the question of establishing a sustainable and pervasive habitus of human rights and justice remains a pressing one.

This is undoubtedly a highly complex task because the factors that shape whether human rights will be respected or violated are multiple, and those factors operate at different levels of registers. Political leadership matters, political institutions matter, economic structures matter, laws and constitutions matter, the operation of the

judiciary and the legal profession matters, the organisational cultures and practices of key social institutions like the security sector matter, societal mores matter and education matters. And in turn, all of these dimensions shape and effect each other.

Thus, cultures can only be transformed if institutions are radically altered, and institutional change will fall fallow if people remain attached to old ways of thinking and acting. This means that to effect deep and sustainable transformation, we need to be intervening on multiple dimensions at the same time and in a coordinated manner.

Given this multiplicity and complexity, I will limit my remaining remarks to a dimension of the human rights habitus that I see as particularly salient because it pervades every other dimension and is relevant to every other causal factor.

And that dimension concerns the question of identity, and how people's identities – their gender, their class, their ethnicity, religion, race, disability and their sexuality –how these identity markers mediate the degree to which we hold people as fully human and, simultaneously, mediate the extent to which our institutional structures treat them in accordance with human rights principles.

To get at this nexus of identity and human rights, I'd like to speak briefly about a grave abuse in the very recent past in my country.

Almost exactly a month ago, the national broadcaster aired the results of an investigation it had conducted into a youth detention centre in the Northern Territory. I should add here that in the Northern Territory, Indigenous people constitute about 32% of the total population, but 97% of young people in detention are Indigenous.

CCTV footage taken in the detention centre revealed a range of horrifying abuses, backed up by interviews with the young men and their families. (On the screen I have here a couple of images taken from inside the detention facility).

Young Aboriginal boys between 10 and 17 were kept in solitary confinement in stifling conditions, with no water other than the water that was in the toilet, and they were left there for weeks on end. After weeks in solitary one young boy escaped from his cell into the common area and, after hours of screaming for help, started smashing the walls, windows and doors. Rather than seeking to contain or non-violently subdue him, the guards on duty released tear gas into the common area where he was, as well as into the cells where all of the other boys remained confined.

On other occasions, boys were stripped and then beaten. And as you see in this last and most horrifying image, a young boy, who had by then spent most of his life in detention and was suicidal, was placed in a restraint chair and a so-called spit hood was placed over his head.

Immediately after the programme was aired, the airwaves and blogosphere were inundated with Australian citizens' reacting in dismay and disbelief that we as a nation could be treating young people in a manner that effectively amounted to torture. Political leaders across the spectrum and at every level of government publicly condemned the treatment. Human rights, Indigenous, religious and welfare organisations called for immediate action. By the next morning, the Prime Minister had announced that he was establishing a Royal Commission into juvenile detention in the Northern Territory.

On a superficial reading, what happened seemed simple enough. Some poorly trained thugs had been let loose in a remote location, where they were able to take advantage of their asymmetrical power and the absence of oversight, and had abused young boys. And we - the Australian public, our political representatives, and the press - were horrified.

You might note that this is an explanation not dissimilar to the bad apples story that we first heard when the photos of Abu Ghraib were exposed.

And it does contain some kernels of truth. Violations such as torture are most likely to occur in the most hidden spaces and where the power imbalances are most pronounced.

Only, as was the case with torture of Muslim prisoners in US detention, this story conceals more than it reveals. And it omits a much more insidious reality.

Let us look at some facts.

During the last two years, in fact, three official inquiries into the conditions of detention in the NT have been undertaken, and their results, documenting the types of abuse shown a month ago were shared with political authorities. The relevant Ministers had been told about the abuse and had seen at least some of the footage.

In fact, though, their knowledge of the abuse was not acquired only after the fact. Because it was the Northern Territory Parliament itself that had passed legislation approving the use of the restraint chair and spit hood shown in the photo, as well as the various pieces of legislation increasing the likelihood of young Aboriginal men being placed in detention for minor crimes. It was also the government that had approved a significant expansion of the law and order budget and cuts to funding for alternatives to detention.

As to the rest of the community, in fact, Aboriginal media outlets had long been reporting on the abuse and calling for action. That the general public had not known or not reacted to this exposure was the result a pervasive lack of interest from the mainstream media about violations committed against Aboriginal people in general and people in detention in particular. It was also the result of a systematic devaluation of Aboriginal people's testimony, within a culture where the worth of one's words and the weight that they carry in public discourse is heavily inflected by racial inequalities.

We see this same dynamic played out in the fact that the families of these young men and the young men themselves had for many years been trying to call attention to the violence they had experienced and the destruction that had been wrought on their lives. That their voices carried so little weight evidences a form of identity-based injustice that makes it so difficult to shift the asymmetries of power between dominant and marginalised groups. That is, they suffer testimonial injustice, or the injustice of their claims and experiences being discounted or dismissed.

In Australia, as in so many other societies riven by inequality, some people's knowledge and some people's claims count a great deal more than others.

The scandal of what we saw a month ago really comes into relief though when we consider that, twenty-five years ago, the Commonwealth conducted an extensive Royal Commission into the incarceration of Indigenous Australians. That Royal Commission came down with 339 recommendations, many of which dealt with exactly the same issues that led to the abuse of the young men we have just seen.

Most importantly, those recommendations sought to address the root causes of the problem, including the various factors that led to the radical over-representation of indigenous people in custody in the first place: Police bias, pervasive racial discrimination, bail conditions and sentencing guidelines that have a disproportionate impact on members of socially and economically disadvantaged groups, structural problems such as the lack of education or employment options and the long-term and deeply rooted disaffection and marginalisation of Aboriginal communities.

Twenty five years after those recommendations were delivered to Australian Governments, the proportion of Indigenous Australians in custody has not been reduced but has in fact doubled.

Today, Indigenous Australians, who constitute about 2.5% of the national population, make up 27% of the prison population. More damningly, across Australia, half of all 10- to 17-year-olds in Australian jails are Aboriginal.

If one wonders why this is, one answer lies in the fact that far from implementing the recommendations, in some cases, parliaments and law enforcement agencies have gone back to the original problematic laws and policies, only this time, with a vengeance.

I do not for a moment wish to imply that the issue is simple or that one can reduce it to a simple case of racial discrimination.

My point is rather that when societies are riven by structural inequalities and asymmetrical relations of power, and specifically where those inequalities and asymmetrical power relations are strongly correlated with identity differences, human rights violations will become entrenched and intractable.

If you asked Australians if we condone torture in any form against any Australian, I believe that most would say absolutely not. Although I am not so naïve as to think that there would be some who would insist that those boys deserved or would benefit from a good beating – irrespective the evidence that this only exacerbates the likelihood of their reoffending and even in the face of what we know about the conditions of disaffection, substance abuse and exposure to violence that usually preceded their arriving at the place we now find them. As we saw to the reaction to the Four-Corners documentary though, most people found these images of torture repugnant and completely unacceptable.

And yet, the laws and institutions that are established in our names continue to enact and entrench forms of practice that facilitate, support and authorise such violations.

The story I have told of course has deep resonances with the stories about systemic violence against members of minority and disadvantaged groups in nations across the world. I could have told a very similar story about police violence against and killings of African American men.

And we could tell a similar story about the patterns of human rights violation in this country.

In the last few years, I have been part of a team of researchers working in partnership with the CSHR, trying to understand and prevent police torture in Nepal and Sri Lanka.

As in Australia, most Sri Lankans and Nepal is condemn torture and if you ask people why police use torture, the most frequent answer you receive is "to obtain information or a confession".

The fact is though, that in both countries, what we consistently found was that overwhelmingly, torture is used against particular types of people. People who were economically and socially marginalised; people identified as being drug users or alcoholics; people belonging to minority groups; people who had been cycling through the criminal justice system; people without the economic resources or social connections to protect them from abuse.

These findings were not new. In its extensive research on torture in this country over many years, the Asian Human Rights Commission has consistently linked torture with economic and social marginalisation, as well as with ethnic inequality and conflict. And on the basis of an extensive international study examining the root causes of torture in 63 countries, the World Organisation Against Torture found a strong link between economic inequality and disempowerment, including gender disempowerment, and levels of violence. Inequality, they concluded, "lies at the root of violence."

That people belonging to marginalised and socially reviled groups can expect to be tortured or otherwise mistreated by police was something that came through strongly in our research.

And here, I'd like to emphasize once again, my point is not that members of minorities or marginalized groups are tortured simply because their torturers hold discriminatory attitudes, as if discriminatory attitudes somehow float free from the other types of structural inequality.

Discriminatory attitudes are themselves embedded in asymmetrical power relationships and nourished by institutions and practices that fail to accord equal respect to different groups of people. And those institutional or structural injustices are produced because different groups enjoy unequal access to the power to influence how institutions operate. Discriminatory institutions exist because some groups of people do not have an equal voice in deciding how rules are made and in how a society's goods and resources are distributed. And people whose identities are degraded are barred from shaping a society's cultural values and the types of knowledge and experience that get to count as legitimate and authoritative.

I come back then to my initial challenge – the challenge of moving from transition to transformation and establishing a sustainable habitus of human rights and justice.

The story I have told is not an unfamiliar one. Entrenched and institutionalized inequality and discrimination against certain groups – based on race, ethnicity, religion, gender or some other status, results in repeated human rights violations against those groups and those groups' being unable to enjoy the full range of rights. When those violations are particularly acute or heinous, a crisis occurs. The public becomes outraged and governments establish commissions of inquiry that make recommendations and perhaps there are some institutional adjustments. But then, in due course, there is another crisis and the cycle recommences.

Because at base, the failure to accord equality to and to address the asymmetrical power relationships with the group in question has not been addressed.

But this is precisely where the human rights idea has its bite.

Often, and especially if we approach them from a legal perspective, we can come to think of human rights as consisting of a series of rights – the right to life, the right to be free from torture, the right to a decent standard of health, education and housing and so on. Indeed, if one looks at the programme of this conference, much of what we will be discussing falls under various of these rights.

But if we drill down from those specific rights, and come to the human rights idea stripped to its bones, what we have is the insistence of fundamental human equality and the refusal to differentiate between those whom we like or those who are like us on the one hand, and those we do not like or those who are not like us on the other.

Stripped to its bones, what the human rights idea demands, demands of nations in transition, and demands of nations that have historically been divided along identity lines, is that they establish the institutional and social structures that will ensure that all peoples can participate on terms that recognise their full humanity.

Walking through the door of the opportunity that transition opens up, and forging authentic transformation towards a full habitus of human rights then requires far more than passing a series of good laws. Although it certainly requires this.

It requires thinking through the design of institutions, the constitution of relationships and the creation of ecologies that both honour the principle of equality across difference and nourish cultures where this type of respect becomes part of the social fabric. The task, I'd suggest could hardly be more challenging.

But if Sri Lanka was able to set its mind to it, even as an aspirational goal, it would become a model for the world.

Let us then, as we enter the deliberations of the next two days, set our mind on the possibility that when we – or perhaps our children – join in 25 years to celebrate 50 years of the CSHR, it will be 25 years of transformative action that forms the basis of their reflections.