

State Department documents confirm US hypocrisy on human rights

The case of Sri Lanka

15 September 1999

The Clinton administration justified its military onslaught against the people of Serbia with the claim that the bombing was motivated by concern over the violation of human rights in Kosovo. Similar claims are now being made on behalf of Australian and US military intervention in East Timor.

Throughout the Balkan War, the State Department and the White House, backed by the American media, charged that the government of Yugoslav President Slobodan Milosevic was engaged in a Nazi-like campaign of ethnic cleansing against the Albanian majority in Kosovo.

The claim of humanitarian concern has been undermined by the events which have ensued in Kosovo since the Yugoslav surrender. Subsequent investigation has shown that Serb atrocities against the Albanians, while they did take place, were grossly exaggerated in order to provide a suitable pretext for war. Meanwhile the Albanian KLA has launched its own campaign of ethnic cleansing against the Serb minority, which has been largely expelled from Kosovo.

The claim of humanitarianism has been refuted from another source—in documents released by the American government itself, in the annual State Department review of human rights violations worldwide. In lengthy, country-by-country reports, the same agency which spearheaded the propaganda barrage against Yugoslavia details charges of mass repression against many of the closest American allies.

These reports demonstrate irrefutably, out of its own mouth, that the American government is a well-informed, knowing collaborator in some of the worst atrocities being perpetrated against oppressed peoples around the world, arming and financing governments which engage in ethnic cleansing, the forced removal of the population of villages and entire regions, and mass murder.

We have selected four of these reports for review. All four countries—Turkey, Sri Lanka, Israel and Colombia—have governments considered friendly by Washington. No bombs will be dropped on their capital cities and no magazine covers will appear with mug shots of their presidents, although the crimes committed by these regimes put Milosevic in the shade.

Over the last 16 years the Sri-Lankan government has fought a civil war against the separatist Liberation Tigers of Tamil Eelam (LTTE) in a conflict that has claimed more than 55,000 lives and driven hundreds of thousands from their homes. In the late 1970s a section of the country's ethnic Tamil minority began a campaign for a separate state (Tamil Eelam) in the North and East of Sri Lanka, a country which has a total land area equivalent to that of the US state of West Virginia.

The report of the US Department of State confirms that successive Sri Lankan governments have carried out ethnic cleansing and massacres against the Tamil population on a scale far beyond anything that Serb forces perpetrated against the Albanian population of Kosovo. The "Sri Lanka Country Report on Human Rights Practices for 1998" was released

on February 26 of this year by the State Department's Bureau of Democracy, Human Rights, and Labor.

The US Senior Advisor for South Asian Affairs, George Pickart, introduced the report to a congressional caucus with the following comments. "Arbitrary arrests—including short-term mass arrests and detentions—continued, as did harassment of Tamil civilians. The security forces apparently took only a few prisoners on the battlefield. These abuses are put into even sharper relief by the woeful lack of accountability that has been a hallmark of the government's human rights performance. Simply put, most of those who commit human rights abuses have not been prosecuted. For example, no arrests were made in connection with the disappearance and presumed killing of at least 350 people in Jaffna in 1996 and 1997, all suspected of being members of the Liberation Tigers of Tamil Eelam (LTTE)." He added that the "civil war is one of the unheralded tragedies of our time," "but has commanded precious little of the international community's time and attention."

There are 3 million Tamils in Sri Lanka, including both those who have lived on the island of Ceylon for centuries and those, called "Indian Tamils," brought to the island in the colonial period to work on the tea plantations. Combined they constitute 18 percent of the population. The majority of the country's 18.5 million people are Sinhalese, who originated from northern India. They make up 74 percent of the population and, like the Tamils, have their own distinct language. (The balance of the population are Muslims, who have suffered persecution from both sides in the civil war.)

Between 1983 and 1995-96 an estimated 600,000 people had been displaced from their homes due to the civil war and over 164,000 Tamils had fled across the 18-mile stretch of the Indian Ocean that separates Sri Lanka from the southeastern coast of India. The majority of these Tamils sought refuge in the Indian state of Tamil Nadu or were placed into one of the estimated 115 camps throughout India housing Tamils fleeing Sri Lanka. Many Tamils have been displaced two and three times by the government's offensive into Tamil-populated areas.

The report presents a gruesome picture of the Sri Lankan security and military forces. "Torture remained a serious problem, and prison conditions remained poor. Arbitrary arrests—including short-term mass arrests and detentions—continued, often accompanied by failure of the security forces to comply with some of the protective provisions of the Emergency Regulations (ER)....

"Progress was made in a few long-standing high profile cases of extrajudicial killing and disappearance. However, in most cases, no progress was made, or there was no investigation or prosecution at all, giving the appearance of impunity for those responsible for human rights violations....

"Impunity remains a serious problem. Since April 1995 at least 740 persons have been killed extrajudicially by the security forces or have

disappeared after being taken into security force custody and are presumed dead. With the exception of the six security force personnel convicted in the 1996 killing of Krishanthi Kumaraswamy, no member of the security forces has been convicted for any of these crimes. In the vast majority of cases where military personnel may have committed human rights violations, the Government has not identified those responsible and brought them to justice. The military leadership has failed also in this regard."

The State Department report details the torture regularly applied to Tamil and other prisoners:

"The Government, however, has not yet developed effective regulations under the new legislation to prosecute and to punish military and police personnel responsible for torture, though it has ceased paying fines incurred by security force personnel guilty of the offense. Security forces personnel have been fined under civil law for engaging in torture, but have not been prosecuted under criminal law. Members of the security forces continued to torture and mistreat detainees and other prisoners, both male and female, particularly during interrogation....

"Most torture victims were Tamils suspected of being LTTE insurgents or collaborators. Methods of torture included electric shock, beatings (especially on the soles of the feet), suspension by the wrists or feet in contorted positions, burnings, and near drownings. In other cases, victims are forced to remain in unnatural positions for extended periods, or have bags laced with insecticide, chili powder, or gasoline placed over their heads. Detainees have reported broken bones and other serious injuries as a result of their mistreatment."

Groups allied to the Peoples Alliance (PA) regime of President Chandrika Kumaratunga played a role in these atrocities:

"There are several former Tamil insurgent organizations that now are aligned with the Government. These pro government Tamil militants sometimes committed extrajudicial killings and were responsible for disappearances, torture, detentions, extortion and forced conscription in Vavuniya and the east. The military wing of the People's Liberation Organization of Tamil Eelam (PLOTE) committed many such abuses. The Government took no clear action to stop such abuses. The exact number of extrajudicial killings was impossible to ascertain due to censorship of news relating to military or police operations, and to lack of regular access to the north and east where the war was being waged."

In an admission that would, in other circumstances, become the pretext for a worldwide campaign of condemnation of Sri Lanka, four regional commissions set up by the government have acknowledged that nearly 30,000 people "disappeared" between 1988 and 1994. This figure represents only a fraction of the cases:

"Three regional commissions set up in November 1994 to inquire into disappearances occurring after January 1, 1988, submitted their final reports to President Kumaratunga in September 1997. The reports were made public in February and made available to the United Nations Working Group on Disappearances. The commissions investigated 19,079 cases of disappearance, most of which occurred during the 1988-89 period of the JVP uprising. The commissions found evidence that 16,742 persons disappeared after having been removed involuntarily from their homes, in most cases by the security forces. In other cases, antigovernment elements—in particular the leftist JVP—were determined to be responsible for the disappearances.

"In May a fourth commission was established to look into those cases of disappearance that the initial three commissions had been unable to investigate before their mandates expired. The commission began operating on July 10. The commission is not to investigate new cases of disappearance, but is to focus on approximately 13,000 cases that were not completed by the first three commissions. Human rights observers have criticized the Government for not extending the mandate of this commission to include cases of disappearance that have occurred since the

Government took office in 1994."

The State Department report cites an admission from a Sri Lankan soldier who "claimed to have knowledge of a mass grave at Chemmani in Jaffna where the bodies of up to 400 Tamils killed by security forces were buried. The Government has been slow to investigate this claim." This grave is now being exhumed and the first two skeletons have been removed—one with its hands tied with nylon rope. The report also records instances of other mass graves and murders:

"There were no developments in the government investigations into the mass graves at Sooriyakanda, which contain an estimated 300 bodies, or the grave at Ankumbura, which is thought to contain the bodies of 36 people killed by the police in 1989. There were also no developments in the Nikaweratiya army camp incident in which soldiers allegedly killed 20 youths in 1989 during the period of the JVP uprising."

The report lists some of the numerous incidents where the security forces and military have been directly responsible for indiscriminate acts of murder upon the Tamil population. Twenty-one soldiers are on trial for killing 35 Tamils in 1992, eight soldiers were arrested for killing 24 Tamil villagers in 1996, and twenty-two soldiers were arrested for their suspected killing of 23 Tamil youths whose bodies were found floating on a lake and in waterways near Colombo in 1995. In another case security forces killed 20 Tamil youths in 1989. The report admits that the arrest of security and military personnel is rare, despite their responsibility for the deaths of thousands of Tamils:

"Given the scale of hostilities and the large number of LTTE casualties, observers found the number of prisoners taken under battlefield conditions to be extremely low; many LTTE fighters apparently were killed rather than taken prisoner. Observers believed that on the government side, an unwritten 'take-no-prisoners' policy generally remained in effect.... No army or other security forces personnel were prosecuted or disciplined for executing prisoners.... The Government refused to permit relief organizations to provide medical attention to wounded LTTE fighters."

Besides the destruction of human life, the Sri Lankan regime systematically deprives both the minority Tamils and large sections of the Sinhalese population of democratic rights. The report continues:

"Security forces continued to conduct mass detentions and arrests of young Tamils, both male and female. Major sweeps and arrests occurred in Colombo, the east, and on the Jaffna peninsula. Although exact numbers of arrests were impossible to determine, they reached into the thousands. Hundreds of Tamils at a time were picked up during police actions. Most were released after identity checks lasting several hours to several days. The government justified the arrests on security grounds, but many Tamils claimed that the arrests were a form of harassment. In addition, those arrested, most of whom were innocent of any wrongdoing, were sometimes detained in prisons together with hardened criminals."

The report further states:

"The Government infringed on citizens' privacy rights and at times restricted freedom of the press. The Government engaged in direct censorship of domestic newspaper reporting and foreign television broadcasts on military and some security operations from June through the end of the year. On occasion security forces harassed journalists. There were some restrictions on freedom of movement."

Conditions for the most oppressed sections of the population, especially women, youth and children, are especially bad. According to the report:

"Discrimination and violence against women, child prostitution, and child labor continued to be problems. Despite legislation, some child labor still exists. A 1997 Census and Statistics Department survey found that 16,511 children between the ages of 10 and 14 were fully employed. This included 11,132 males and 5,379 females. Additional thousands of children (estimates range from 50,000 to 100,000) are believed to be employed in domestic service, although this situation is not regulated or documented.

“There are an estimated 250 to 300 prosecutions each year in cases related to the employment of minors. Under legislation dating from 1956, the maximum penalty for employing minors is about \$18, with a maximum jail term of 6 months.... Although forced or bonded labor by persons of any age are prohibited by law, a few rural children reportedly serve in debt bondage.

“There have been reports of rural children working as domestic servants in urban households—often given into service by poverty stricken parents—and being abused by their employers. Some of these children reportedly have been starved, beaten, sexually abused, and forced into prostitution. The Government states that it does not have sufficient resources to protect these children from such exploitation.

“There is a significant problem of child prostitution in certain coastal resort areas. The Government estimates that there are more than 2,000 active child prostitutes in the country, but private groups claim that the number is much higher; estimates range as high as 15,000 to 20,000. A 1998 U.N. International Labor Office Study placed the total at 30,000.”

There are many parallels that can be drawn between the situation which had emerged in Yugoslavia and that in Sri Lanka.

Becoming increasingly marginalized and facing constant racist attack from a chauvinist Sinhalese-dominated government, a section of the Tamil political leadership began a military campaign led by the LTTE to establish an independent homeland in those parts of Sri Lanka where the Tamil population constituted the overwhelming ethnic majority.

This scenario is not unlike that which confronted the Yugoslav government, with demands from sections of the majority Albanian population in Kosovo for secession from the Yugoslav state, and a section of the political leadership, under the KLA, beginning a military-terrorist campaign to achieve these ends. Although it must be said, the KLA had far less political support among Kosovar Albanians than the LTTE once enjoyed in the Tamil-populated North and East of Sri Lanka.

The Sri Lankan government retaliated in the most bloody fashion, fearing that a separate Tamil state would link up with the large ethnic Tamil population of India and threaten the country's independence, in much the same way that Milosevic feared the KLA's aim of being part of a Greater Albania, which would incorporate Kosovo.

There is one main difference, however. In the case of Sri Lanka the US is not backing the secessionists, but rather the government and the existing state. While boosting the KLA, the State Department in 1997 declared the LTTE a foreign terrorist organization, subjecting its supporters in the US to surveillance and sanctions.

The US government is actively supporting the Sri Lankan government in this civil war—it has once again chosen to take a side. Not only does the US continue to provide Sri Lanka with monetary aid (\$1.3 billion since the country's independence in 1948), it also provides training for the military and police forces, which its own report acknowledges have been responsible for murder, torture and widespread violations of human rights.

The US has sent several specialized units to Sri Lanka to train its military officers. Last year the US State Department also provided training for a delegation of Sri Lankan policemen to an "advanced anti-terrorist program" at the Louisiana State Police Academy and another delegation received training at a Federal Law Enforcement Training Center in Georgia. These are only two of many other such programs where the US offers training to senior Sri Lankan officers at US defense academies.

A 1995 State Department background briefing on Sri Lanka said the following on US-Sri Lankan relations: "The United States enjoys cordial relations with Sri Lanka that are based, in large part, on shared democratic traditions. US policy toward Sri Lanka is characterized by respect for its independence, sovereignty, and moderate, non-aligned foreign policy; support for the country's unity, territorial integrity, and democratic institutions."

In 1999, with the release of the human rights report, the State

Department went even further:

"The United States frequently encounters suggestions and appeals for greater involvement in resolving the conflict. While we wish to be helpful and supportive, we believe that Sri Lanka's conflict is fundamentally for the Sri Lankans themselves to resolve."

Why does the US State Department consider the civil war in Sri Lanka an internal problem and that in Yugoslavia an international problem? The scale of ethnic cleansing, humanitarian disaster, mass graves and deaths in Sri Lanka goes far beyond what has taken place in Kosovo. The WWSW has frequently explained that there are material, economic and strategic interests which have dictated the US/NATO invasion and occupation in the Balkans, not the humanitarian concerns which are frequently cited to justify NATO's actions.



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