

US makes cynical overture to Sri Lanka over war crimes

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The US State Department last week issued a 68-page report providing details of the Sri Lankan army's atrocities during the final months of the war against the separatist Liberation Tigers of Tamil Eelam (LTTE). Its purpose, however, is not to bring war criminals to justice, but to boost US influence in Colombo and strengthen relations with the Sri Lankan government.

While guarded in its conclusions and driven by Washington's political agenda, the report is nevertheless a devastating indictment of the Sri Lankan government's war crimes. It details more than 100 incidents in which the army shelled and bombed LTTE-held areas proclaimed by the military as a no-fire zone (NFZ). The report gives no casualty figures, but the UN has estimated that at least 7,000 Tamil civilians were killed between late January and mid-May, when the government claimed victory.

The State Department report, which does not claim to be comprehensive, is based on internal reports from the US Embassy in Sri Lanka, satellite imagery and accounts from international relief agencies and news organisations. The Sri Lankan military banned all media, independent observers and most aid organisations from the frontlines.

Contradicting the Sri Lankan government's lies, the report noted: "Senior Sri Lankan officials made repeated public statements denying that the GSL [Government of Sri Lanka] was shelling the NFZ or targetting hospitals and was not responsible for any civilian casualties. However, sources alleged that the majority of shelling in the NFZ was from GSL forces."

Nearly half of the report dealing with harm to civilians and civilian objects is a chilling list of government attacks, virtually on a daily basis between January 2 and

May 18—the day on which the army massacred the senior LTTE leadership, including V. Prabhakaran. Many of the attacks were on hospitals, including repeated shelling of the same facilities, indicating deliberate targetting.

The report also cites evidence of extra-judicial killings by the Sri Lankan army, "disappearances" by pro-government death squads and the deliberate blocking of food and medical supplies to LTTE territory. The military's aim was to stampede civilians from LTTE-held territory in preparation for a final offensive. At the same time, the report lists cases of the LTTE recruiting child soldiers and preventing civilians from leaving the no-fire zone.

The State Department deliberately undercuts its own report, declaring that it reaches no legal conclusions about the criminal nature of any of the incidents or even if they actually occurred. These caveats underscore the fact that Washington has no intention of pressing a case against those responsible for these war crimes, including President Mahinda Rajapakse, his cabinet and the country's military chiefs.

Any genuine inquiry would inevitably raise questions about the US role in tacitly supporting the Rajapakse government in flouting the 2002 ceasefire with the LTTE and plunging the island back to civil war in mid-2006. Moreover, echoing Washington, the Colombo government justified the renewed communal conflict as "a war on terrorism" and used the same techniques as the US military in Iraq and Afghanistan—indiscriminate bombing of civilian targets, arbitrary detentions, and torture.

The US backed a European push in May at the UN Human Rights Council for a limited international investigation into war crimes in Sri Lanka, which was

blocked by the Rajapakse government with the assistance of China, Russia and India. Now Washington is calling on Colombo to carry out an investigation, knowing full well that any inquiry, even if agreed to, would be a whitewash.

The Sri Lankan government initially responded with outright rejection. A foreign ministry statement was rushed out declaring that the US report “appears to be unsubstantiated and devoid of corroborative evidence”. It went on to claim that “vested interests” were trying to fan “the flames of secessionism and to undo the concerted efforts of the government and the people of Sri Lanka, for rehabilitation and national reconciliation”.

The statement is a repetition of the international conspiracy theory that President Rajapakse has been exploiting to cover up his government’s crimes and to whip up nationalist sentiment in a series of provincial elections. Claims that the government is making concerted efforts at “rehabilitation and national reconciliation” are absurd. Since May, some 250,000 Tamil civilians have been incarcerated in squalid detention centres in open breach of the country’s constitution and legal system.

The US and European powers certainly have “vested interests” in Sri Lanka, but this has nothing to do with reviving the LTTE, or defending the democratic rights of the Tamil minority. As in other parts of the globe, the US and its allies are cynically exploiting the issue of “human rights” to boost their influence in Colombo at the expense of their rivals. Washington is particularly concerned that China exploited the Sri Lankan government’s need for arms and military aid to establish a significant economic and strategic foothold on the island.

On October 26, the Sri Lankan government changed tack somewhat on the State Department report, agreeing to appoint a “committee of experts” to “examine carefully” its allegations. The findings of such a committee are a foregone conclusion. Rajapakse is notorious for appointing committees and commissions to whitewash killings, “disappearances” and other flagrant abuses of democratic rights that have sparked anger in Sri Lanka and internationally.

In November 2006, for instance, Rajapakse appointed an international committee of experts to investigate 16 major human rights cases, including the execution-style

murder of 17 Sri Lankan workers with the Paris-based Action Contre la Faim. The international experts resigned in 2008, declaring that the inquiry was “not transparent and did not satisfy the international norms and standards”. In June, Rajapakse abruptly shut down the investigation altogether.

All of this is well known to the Obama administration, which has crafted the call for an internal Sri Lankan inquiry as a means for burying the issue of war crimes and opening the door to mending ties with the Rajapakse government. After Rajapakse accepted the overture, Washington announced another \$US6.6 million in US aid, on top of \$84 million already handed over for “welfare work” to maintain the government’s internment camps for Tamil civilians.

The European powers are conducting a similar manoeuvre. On October 22, the same day that the US State Department report was issued, the EU parliament passed a resolution “deeply deploring the fact that more than 250,000 people are still detained in camps”. It called on the Sri Lankan government “to take all necessary steps to organise the quick return home of those detained as well as the urgent delivery of humanitarian assistance to them”.

The EU is threatening to withdraw preferential trade rights for Sri Lanka—known as the GSP+ facility—if Colombo does not agree to its demands. If the GSP+ facility were withdrawn, Sri Lankan imports, which currently enter the EU free of tariffs, would attract tariffs of 5 to 18 percent. The Sri Lankan garment industry, a major export earner, would be hard hit as nearly 60 percent of its output goes to Europe.

Having waved the stick at Colombo, the EU has given Sri Lanka until November 6 to submit a response and postponed any final decision to next January. That allows another two months of closed-door discussions for the EU and Sri Lanka to patch up relations. Meanwhile, hundreds of thousands of Tamil civilians languish in appalling conditions in detention camps.



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