

WikiLeaks document exposes US complicity in Sri Lankan war crimes

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One of the diplomatic cables from the US embassy in Colombo released by WikiLeaks this week shows that the Obama administration was well aware of the war crimes committed by Sri Lankan President Mahinda Rajapakse and his regime in the final stages of its war against the separatist Liberation Tigers of Tamil Eelam (LTTE).

Rajapakse restarted the war against the LTTE in July 2006, which culminated in its defeat in May 2009. During the final months, the Sri Lankan military pounded and strafed the remaining LTTE-held pockets, killing thousands of Tamil civilians. Rajapakse has repeatedly denied that war crimes were committed by the military or his government, and opposed any independent investigation.

The cable published by WikiLeaks was sent by the US Ambassador, Patricia A. Butenis, on January 15 this year, just a week before the presidential election in Sri Lanka. Rajapakse won the election, defeating former Army Commander, General Sarath Fonseka.

After noting that the government's "lack of attention to [war crime] accountability is not surprising," Butenis said the issue had been "complicated by the fact that responsibility for many of the alleged crimes rests with the country's senior civilian and military leadership, including President Rajapakse and his brothers and opposition candidate General Fonseka".

Although it called for investigations into "human rights violations" after the LTTE's defeat, Washington has never named the Rajapakse brothers or Fonseka as the chief criminals. The cable from Butenis confirms that the US knew all along that the country's top civilian and military leaders were responsible for war crimes. As army commander, Fonseka, was responsible for planning and

carrying out the final offensives. Gotabhaya Rajapakse, the president's brother, is the defence secretary—the top bureaucrat in charge of the defence ministry.

There is ample evidence that President Rajapakse and General Fonseka presided over war crimes. The UN has estimated that between January and May last year, 7,000 civilians were killed. The International Crisis Group has compiled evidence showing an even higher civilian toll of between 30,000 and 75,000 and of the Sri Lankan military's deliberate targeting of hospitals and aid centres inside LTTE territory.

In May 2009, the British-based *Guardian* and the *Sunday Times* reported that three LTTE leaders—its peace secretariat head S. Puleedevan, political leader B. Nadesan and a military leader Romesh—were killed as they attempted to surrender with white flags. *Sunday Times* journalist Marie Colvin revealed that the surrender arrangements had involved contact with British, US and UN officials.

The leaked cable highlights the duplicity of the policy pursued by the US and its allies, which backed Rajapakse's renewed offensive to the hilt. They were silent over the army's blatant breaches of the 2002 ceasefire, its bombardments of civilian targets and violations of democratic rights, including the operations of pro-government death squads. In the final months, they repeatedly demanded the LTTE's unconditional surrender as the only way to end the carnage.

It was only during the last stages of the war and subsequently, that the US and other powers cynically played the "human rights" card to pressure the Rajapakse government. Their reservations about "human rights violations" had nothing to do with the plight of Tamil

civilians. Rather, their concern was that China had emerged as a close supporter of the Colombo government, providing money to finance the war and weapons to fight it, in return for economic and strategic concessions—in particular, a major new southern port at Hambantota.

Once it became clear that Rajapakse had consolidated his power in the wake of the war, US concerns about “human rights” were soon downplayed. Butenis’s cable was in line with a major report entitled “Sri Lanka: Recharting US Strategy After the War,” issued by the US Senate Foreign Relations Committee last December. That report highlighted the danger to US strategic interests of China’s growing influence in Colombo and declared that the US could not afford to “lose Sri Lanka”. While “human rights” remained important, the report stated, “US policy towards Sri Lanka cannot be dominated by a single agenda. It is not effective at delivering real reform, and it shortchanges US geostrategic interests in the region”.

In accordance with this orientation, the US embassy in Colombo yesterday claimed that the January cable revealed nothing new. “The United States policy on accountability in Sri Lanka has been made clear many times,” it said, adding that “the primary responsibility for investigating them [war crime allegations] lies with the sovereign national government.”

So far, the Sri Lankan government has remained completely silent, with the Sri Lankan external affairs ministry claiming that it “does not wish to comment publicly on privileged communications of a foreign government”.

The Butenis cable also lays bare the prostration of the Tamil parties, which were engaged in backroom consultations with the US embassy, seeking its support for their own manoeuvres to secure a place in the political establishment for the Tamil elite following the LTTE’s defeat. These parties included the Tamil National Alliance (TNA), which acted as a mouthpiece for the LTTE during the war.

Butenis noted that TNA leader R. Sambandan believed “accountability was important and he welcomed the international community’s interest in the issue.” TNA MP Pathmini Sithamparanathan was more explicit in suggesting that these “accountability” issues, while of “immediate concern,” be downplayed in order to focus instead on “current bread-and-butter issues, such as IDP

[internally displaced persons] releases, concerns about Sinhala emigration to traditional Tamil regions, and re-developing the local economy.”

Mano Ganeshan, former MP and leader of Democratic People’s Front (DPF), told the US envoy that Fonseka would address the “ethnic reconciliation” issues. “On accountability, Ganeshan told us that while the issue was significant, accountability was a divisive issue and the focus now had to be on uniting to rid the country of the Rajapakses.”

Both the TNA and Ganeshan’s party supported Fonseka in the presidential election—even though he was directly involved in the war crimes—claiming that he was a lesser evil compared to Rajapakse. Fonseka had fallen out with Rajapakse after the war, resigned and stood as the common opposition candidate in the presidential election. In backing Fonseka, the Tamil parties joined the right-wing United National Party and the chauvinist Janatha Vimukthi Peramuna (JVP), two parties that had fully supported the communal war.

TNA dissident M.K. Sivajilingam, who contested the presidential election, took a different tack. According to the Butenis cable, he spoke “about accountability, demanding an international inquiry to get justice for the deaths and suffering of the Tamil people”. Sivajilingam was supported by the ex-radicals of the Nava Sama Samaja Party (NSSP), who also urged the US and other powers to convene a human rights probe. The leaked cable confirms the political bankruptcy of that call. The US and its allies never had any intention of holding Rajapakse or Fonseka to account. Instead, their interventions were always entirely bound up with their strategic, economic and diplomatic calculations, not least the growing US rivalry with China.



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