

UN report details Sri Lankan government war crimes

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The Expert Panel appointed by UN Secretary General Ban Ki-moon to investigate human rights violations in Sri Lanka published its report on April 25 despite strident opposition by the Colombo government. The full report provides convincing evidence to support the conclusions in the previously leaked executive summary that the Sri Lankan government and military were responsible for war crimes and crimes against humanity during the civil war against the Liberation Tigers of Tamil Eelam (LTTE).

The 196-page report is a devastating blow to Sri Lankan President Mahinda Rajapakse's claims that the military offensives in the final months of the war were a "humanitarian operation" in which the army killed no civilians. The document deals with the period between September 2008 and the LTTE's defeat in May 2009, during which the military drove the LTTE out of all major towns and into a diminishing enclave on the island's north-eastern coast.

The Rajapakse government refused to allow the UN representatives to visit Sri Lanka or interview Sri Lankan officials or military officers. Nevertheless, the panel was able to gather considerable information through interviews, reports, video and photographs from various sources, including the UN and its agencies, other international relief and human rights agencies, the media and individuals. It also had access to satellite surveillance of the war zone.

The picture is incomplete as the Sri Lankan government banned the local and international media from the war zones. Most relief organisations were also prevented from operating near the frontline or inside LTTE-held areas after the government declared in September 2008 that it could not ensure their safety. In the final months of the war, only limited supplies from the International Committee of the Red Cross and several UN agencies were allowed into the LTTE enclave.

The crucial turning point in military operations was the fall of the LTTE's administrative centre, Kilinochchi, after months of determined resistance. The LTTE's fighting capacity crumbled before a larger and better equipped military force that quickly seized all the major towns and strategic points in the Vanni region, including Elephant Pass and Mullaithivu.

The LTTE forces and hundreds of thousands of Tamil civilians were trapped in a shrinking coastal strip to the north of Mullaithivu. On three occasions, the government and the military declared no-fire zones (NFZ) inside LTTE-held territory and claimed the "security

forces are fully committed to provide maximum safety for civilians". Far from being protected, civilians were slaughtered in their thousands as the military mercilessly subjected these areas to aerial and artillery bombardment.

The first no-fire zone was announced on January 20, 2009, covering an area several kilometres to the north of Mullaithivu. A UN hub and relief distribution centre was relocated there, but quickly came under attack.

The panel report explained: "In the early morning hours of January 24, hundreds of shells were rained down in the NFZ. Those with access to the bunkers dove into it for protection, but most of the IDPs [internally displaced persons] did not have bunkers and nowhere to seek cover. People were screaming and crying for help."

A UN security official inside the zone telephoned Sri Lankan military chiefs, including the commander responsible for the operation, requesting that the shelling stop, but to no avail. When UN officers emerged from their bunker, "mangled bodies and body parts were strewn all around them, including those of many women and children".

UN staff who left the no-fire zone along with the Red Cross on January 25, described what they saw: "The scene inside the NFZ along the road to PTK, the A35, was one of great destruction, and even the vegetation was shredded. Dead or severely injured civilians lay along the roadsides, amidst shattered shelters, strewn belongings and dead animals. Hundreds of damaged vehicles also lay along the road."

Clearly marked hospitals were not spared. The Vallipunam hospital located in the no-fire zone was shelled on January 20, killing a number of patients. The Udayaarkaddu hospital in the same zone was hit on 24 January. The Puthukkudiyiruppu (PTK) hospital was bombarded every day between January 29 and February 4, and took at least nine direct hits that killed staff and patients.

On February 12, the military declared a second no-fire zone covering a 12-kilometre coastal strip. The UN estimated that more than 300,000 civilians—men, women and children—were packed into the area, which had already been heavily bombarded from February 6.

The barrage continued on a daily basis well after the announced no-fire zone. The UN report cited several examples: "On 25 March, an

MBRL [multi-barrel rocket launcher] attack on Ambalavanpokkanai [village] killed around 140 people, including many children. On 8 April 2009, a large group of women and children, who were queued up at a milk powder distribution line were shelled at Ambalavanpokkanai.”

Makeshift hospitals at Putumattalan, Mullivaikkal and Vellamullivaikkal also came under fire. The conditions at the hospitals were appalling. At Putumattalan hospital, the report noted: “A large number of amputations were performed without anaesthetic, using butcher knives rather than scalpels. Sanitary pads and cotton cloths were used as bandages, and intravenous drips were hung from the trees, with the severely-injured patients lying on the ground under them.”

On April 27, the government declared a third, smaller no-fire zone. By that stage, about 170,000 people had fled to government-controlled areas. An estimated 100,000 civilians remained in the zone, crammed together in intolerable conditions without adequate food, water, shelter or medicine. The military deliberately restricted emergency supplies while the government falsely claimed that only 10,000 civilians remained.

The UN report stated: “Due to lack of space in the third NFZ, civilians had nowhere to hide from shelling, which was coming from all sides... Many died and were buried under their bunkers without their deaths being recorded.” Doctors and the remaining chief administrative officer repeatedly called for a halt to the attacks to attend the wounded, but in vain. The final days of the war that ended on May 18 were an “unimaginable human catastrophe.”

The shelling was so intense that Red Cross ships were unable to approach the no-fire zone to evacuate patients and drop emergency supplies. On May 14, the remaining doctors shut down the last makeshift hospital and moved to a government-controlled area where they were immediately arrested for previously informing the media about the military’s crimes.

The UN report confirmed that the LTTE not only suffered a military defeat, but a political collapse. Unable to make any appeal to the Tamil masses, let alone working people more broadly in Sri Lanka and internationally, the LTTE resorted to repression to enforce its dictates. Its fighters prevented civilians from leaving LTTE territory and in the final weeks shot those trying to flee to safety. It forcibly recruited children as young as 14 and used forced labour to build its defences.

Throughout the final months of the war, as it was staring defeat in the face, the LTTE could do nothing but make futile appeals to the “international community” to broker a ceasefire. However, this international community, including the US, European Union and India, had backed the Rajapakse government and its criminal war, in some cases providing arms, training and assistance.

The UN report also recorded the government’s widespread abuses of democratic rights. The military carried out systematic operations to dismantle alleged “LTTE safe houses” and to silence critics of the war. Its death squads operated from white vans in carrying out hundreds of abductions and extra-judicial murders. The elite police

special task force was implicated in these activities. “LTTE suspects,” including human rights workers and journalists, were seized, held without trial and, in some cases, tortured.

Around 280,000 Tamil civilians who survived the final military offensive were herded into crowded military-run detention centres that lacked food, water and proper amenities. The camps were run as prisons. Young men and women were singled out for interrogation and those considered “LTTE suspects” were sent to secret, special camps for “re-education.” Others were summarily executed and some young women were raped.

The Rajapakse government has denounced the UN report as being part of an “international conspiracy” to tarnish the reputation of the country and its military. It has, however, refuted none of the detailed allegations of war crimes and human rights abuses.

The graphic detail of the report stands in contrast to its own recommendations, which call on the perpetrators of these crimes—members of the government—to investigate themselves. The report provided abundant evidence that the government and various state agencies, including the courts, have systematically covered up the crimes of the security forces. The government’s Lessons Learnt and Reconciliation Commission is a farce that is aimed at justifying its criminal war.

The feeble character of the report’s conclusions flows from the political character of the campaign, mainly by the US and European Union, for an investigation of Sri Lankan war crimes. Having backed Rajapakse’s war, Washington is cynically seeking to use the “human rights issue” to obtain political leverage in Colombo where the present government is regarded as too dependent on China.

In releasing the report, UN Secretary General Ban Ki-moon declared that he would take action on its recommendations if any member state, including Sri Lanka, or inter-governmental organisation made a request. The US and Britain have already declared their support for the report and will no doubt exploit its findings to try to extract concessions from the Rajapakse government.



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