

New report documents Sri Lankan military's killing of surrendering LTTE leaders

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A report entitled *Island of Impunity* issued by the Australian-based International Crimes Evidence Project (ICEP) has provided new evidence of the Sri Lankan government's war crimes during the final months of its military offensive against the separatist Liberation Tigers of Tamil Eelam (LTTE) in May 2009.

The 253-page report was issued early last month, in the lead-up to this month's UN Human Rights Council meeting in Geneva, where the US administration has declared that it will present a resolution on Sri Lanka, for the third year in a row, calling for a probe into human rights violations.

The report contains damning evidence of the killings of surrendering LTTE leaders. But no credence should be given to the hypocritical efforts of the Obama administration to exploit the issue for its own purposes, in particular to pressure Sri Lanka to drop its ties to China, which has become a major supplier of military hardware, loans and aid to President Mahinda Rajapakse's government.

Based on "new evidentiary material, including eyewitness accounts, photographs and videos," the ICEP report sheds further light on the killings of the LTTE's political wing leaders, Balasingham Mahendran (Nadesan) and Seevaratnam Pulidevan (Pulidevan), a LTTE military commander, Colonel Thambirasa Thurairasingam (Ramesh), LTTE news reader, Isaipriya and Balachandran, the 12-year-old son of LTTE leader V. Prabhakaran.

The ICEP was assisted by a high-profile "Committee of Experts," including John Ralston, ex-Chief of Investigations at the UN International Criminal Tribunal for the Former Yugoslavia, Professor William Schabas, a member of Sierra Leone's Truth and Reconciliation Commission, Colonel Desmond Travers (retired), an ex-member of the UN Fact-Finding

Mission on Gaza, and Gordon Weiss, the UN's former spokesman on Sri Lanka.

Without offering any substantiation, the Sri Lankan military rejected the report as "baseless," in line with the Rajapakse government's repeated denials that any war crimes were committed. Army spokesman Ruwan Wanigasooriya told the media: "There is nothing new in the report. It is the same old allegations already in the public domain."

On the killing of Nadesan and Pulidevan, the ICEP report refers to the 2011 UN Panel of Experts report on the 2009 war crimes, which estimated that at least 40,000 people may have been killed by the Sri Lankan military during its final assaults. The UN report established that Nadesan and Pulidevan surrendered to the military under assurances provided by Rajapakse and his brother, Defence Secretary Gotabhaya Rajapakse.

The UN report said the readiness of the two LTTE leaders to surrender was notified to the UN, the International Committee of the Red Cross and the governments of Norway, the UK and the US. Later, it was reported that both were shot dead by the Sri Lanka army.

The ICEP report collected new eyewitness accounts of the surrender. One witness testified that "late in the evening of 16 or 17 May 2009 Pulidevan announced to a group (which included LTTE members) that political leaders were ready to surrender." Pulidevan stated that "their safety had been guaranteed" by Marie Colvin, a British journalist who acted as an intermediary between the LTTE political leaders and Vijay Nambiar, the UN's special envoy in Colombo and senior military officers.

According to other eyewitnesses, on May 18, "Nadesan divided a group of 12 persons, all of whom

were wearing civilian clothes, into three small groups comprised of four persons each ... the first group included Pulidevan and Nadesan who held a white flag.” A witness saw “four people, including Nadesan, Pulidevan and Nadesan’s wife, slowly walking along the A-35 Highway” and a “group of SFs [Sri Lankan Security Forces] officers, including Brigadier [Shavendra] Silva walk over to meet the group of surrendees.”

Another witness recalled: “He was told by a commando that the political wing had all surrendered, they had accepted tea. They were then beaten. Nadesan’s wife begged them to stop as they had surrendered; however, they were all shot by the SFs Commandos.”

The ICEP report also documents the killing of Ramesh, who surrendered in a different group. Contrary to the military claims that he was killed in an armed confrontation, a new eyewitness account confirms that Ramesh “was not armed ... and in civilian clothing.” The report states: “Photograph and Video material indicates that Ramesh was killed in the interrogation site, and within eight minutes, his body was moved a short distance, being set on fire.”

A third incident is the killing of Isaipriya. A published video by the British Channel 4 network had showed her in civilian clothing being interrogated by security forces. The ICEP report concluded that “photographs and videos indicate that at the time of her death, she was partially covered by clothing, potentially had her hands bound behind her back, and was killed in proximity to others who had been blindfolded and bound and also killed in a scene that has been characterised as akin to an execution-style homicide.”

The report documents the death of Prabhakaran’s son Balachandran. Previously, Channel 4 had published photographs showing the boy sitting in a Sri Lanka military bunker, then showing his dead body with gunshot marks in the chest. Examining the photos, forensic pathologist Professor Derric Pounder noted: “There is a speckling (on the skin) from Propellant tattooing, indicating that the distance of the muzzle of the weapon to the boy’s chest was two or three feet or less. He could have reached out with his hand and touched the gun that killed him.”

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The report concludes: “There are reasonable grounds to suspect one or more SFs soldiers committed the war crime of murder ... by killing Balachandran who was a civilian, taking no active part in hostilities when he was allegedly in SFs custody at the time of his death.”

The ICEP report details other crimes and states that Sri Lanka “command and control structures [were] so well-established that criminal responsibility for certain crimes if proven at trial could lead to convictions of senior military commanders and Sri Lankan government officials, as well as senior surviving members of the LTTE.” The report declares: “An independent and comprehensive international investigation is needed into these alleged violations of international war.”

Any call by the US and its European allies, however, for such an “international investigation” would have nothing to do with any concern for war crimes and human rights violations. Washington fully backed the Rajapakse government when it tore up a ceasefire agreement with the LTTE and renewed military offensives in 2006. It provided vital military assistance to the Sri Lankan army and remained silent amid mounting evidence of its atrocities.

Washington is now cynically using the Sri Lankan abuses to pressure the Colombo government to abandon its relations with Beijing and align itself with Washington’s war preparations against China. The Tamil National Alliance (TNA), which previously functioned as the LTTE’s parliamentary mouthpiece, has lined up behind the US in backing an international war crimes investigation, and in return is seeking Washington’s support for a power devolution package that would secure the privileges of the country’s Tamil elite.

The ICEP report provides further compelling evidence of Colombo’s war crimes. But the US and its partners are also directly responsible for these atrocities, and are now exploiting them purely for their own geo-strategic purposes.



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