

# UNHRC ignores Sri Lanka's failure to investigate war crimes

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The 40th session of UN Human Rights Council (UNHRC) last month adopted a new resolution giving the Sri Lankan government two more years to implement its unfulfilled pledges on “transitional justice and accountability”—i.e., war crimes related to the brutal three-decade war against the separatist Liberation Tigers of Tamil Eelam (LTTE).

Entitled “Promoting reconciliation, accountability and human rights in Sri Lanka,” the March 21 resolution was initiated by the UK and co-sponsored by Colombo, with behind the scenes negotiations by India, Washington’s regional strategic partner.

The resolution praised the Sri Lankan government’s “positive steps” towards the protection of human rights, commitment to release military occupied lands to civilians, and repealing of the Prevention of Terrorism Act (PTA).

The “positive steps” are a fiction. Ten years after the end of the war the North and East of the country remain under military occupation. While some land has been handed back to civilians, the military has refused to release all occupied land, citing unspecified “security reasons.” As for repealing the PTA, Colombo plans to replace the repressive legislation with an equally draconian Counter Terrorism Act.

The war against the LTTE, which began in 1983, was the culmination of systematic discrimination by Colombo’s ruling elite against the island’s Tamil minority since formal independence in 1948 aimed at dividing the working class along ethnic lines.

The war ended in May 2009 with the military annihilation of the LTTE and, according to UN reports, the killing of more than 40,000 civilians in the final months of the conflict. Other allegations include the disappearance and torture of thousands of Tamils. Successive Colombo governments, which depend heavily on the political support of the military, have desperately

sought to prevent any investigation into these crimes.

Washington, the world’s biggest violator of human rights, initiated UN resolutions on Sri Lankan human rights violations after the war ended. Its concerns had nothing to do with democratic rights but were to apply political pressure on Sri Lankan President Mahinda Rajapakse who purchased weapons and established close economic relations with Beijing. The US, as part of its efforts to isolate China, wanted Sri Lanka to end its ties with Beijing and align itself with Washington’s geo-strategic plans.

After Rajapakse resisted these demands, Washington sponsored a regime-change operation which brought Maithripala Sirisena to power in the January 2015 presidential election. The current Prime Minister Ranil Wickremesinghe and former President Chandrika Kumaratunga were principal supporters of the operation.

After Sirisena and Wickremesinghe shifted Sri Lankan foreign policy towards Washington and New Delhi, the US in October 2015, moved another resolution in the UNHRC. The resolution dropped previous calls for an international investigation into human rights violations and called instead for an “internal judicial mechanism” under international supervision. In March 2017, Washington extended implementation of these demands for two more years.

When the Trump administration quit the UNHRC in June 2018 over its limited criticism of Israel, the UK took the initiative to develop last month’s resolution in consultation with India.

An article in the *Wire*, an Indian web site, reported that New Delhi “has been kept informed ‘at every stage’ of drafting of the resolution.” It noted that there were concerns about “the very recent turbulent political history and ‘the fraught ties’ between Sirisena and Wickremesinghe.”

An unnamed Indian government official said: “It was

felt that the government required a break” and decide not to “impose any stringent strictures.” In other words, no pressure should be placed on Colombo about investigating the war crimes and other abuses.

The “turbulent political history” is a reference to Sirisena’s failed coup last October when he removed Wickremesinghe as prime minister and attempted to replace him with Rajapakse. The political manoeuvre was rejected by the US and India who still consider Rajapakse to be pro-China.

When Rajapakse was unable to secure majority support from MPs, Sirisena dissolved the parliament. Sri Lanka’s Supreme Court declared Sirisena’s actions unconstitutional, forcing him to reappoint Wickremesinghe as prime minister.

However, the factional war continues as the ruling elite fights over how best to deal with the country’s mounting economic crisis, the IMF’s austerity demands and increasing strikes by workers, student protests and ongoing unrest among the rural poor. Each faction is preparing dictatorial methods of rule to deal with the mounting anti-government unrest.

Sirisena has withdrawn the support of his faction of Sri Lanka Freedom Party from the UNP’s so-called “unity government” and is seeking re-election as president later this year with the endorsement of the Rajapakse-led Sri Lanka Podujana Peramuna (SLPP).

He has also intensified efforts to secure backing from the military and Sinhala chauvinist organisations, reversing his previous support for an investigation into human rights abuses during the war and openly rejecting war crime allegations against the military. Last month Sirisena hypocritically claimed he was unaware of the latest UNHRC resolution and that he rejected it.

Rajapakse and his supporters are building an extreme-right movement, appealing to the military, Sinhala supremacist groups and the conservative Buddhist establishment, in a bid for power. Rajapakse has accused the government of “betraying” the security forces by agreeing to a war crimes investigation and is whipping up anti-Tamil sentiment to divide the working class. The Rajapakse faction is also trying to convince the US and their allies that they are ready to work with those powers.

Not to be outdone, the UNP-led government is continuing its efforts to whitewash the war crimes. Sri Lankan Minister of External Affairs Tilak Marapana, who led the delegation to Geneva, claims that the UNHRC has “exaggerated” the death toll during the last stages of the war and was unfair for insisting on investigations.

The latest UNHRC resolution is another political warning from Washington and New Delhi to both Sirisena and Rajapakse not to destabilise the close military and political relations they have established with Sri Lanka over the past four years.

The outcome of last month’s UNHRC meeting has also exposed the reactionary politics of the Tamil capitalist parties. The Tamil National Alliance (TNA) backed the regime-change operation that removed Rajapakse as president in 2015, claiming that the Tamil people could secure their democratic rights with the support of international powers.

Addressing parliament on March 22, TNA leader M. A. Sumanthiran backed the UNHRC resolution while demagogically declaring that his organisation would take steps to refer Sri Lanka to the International Criminal Court if it reneged on its promises to the UN.

Former Northern Provincial Council Chief Minister C. V. Wigneswaran, who was also a former TNA leader, and several other political groups wrote to the UN High Commissioner for Human Rights Michelle Bachelet. They urged her not to extend the time frame for the Colombo government to comply with “transitional justice and accountability” requirements and to directly monitor the human rights violations.

Irrespective of their tactical differences, all the Tamil parties seek to secure the privileges of the Tamil elite by serving the imperialist powers. These formations are also nervous about the rising unrest amongst Tamil workers and poor in the North and East and the danger of unified action with their counterparts in the south of the island.

Exposure of the war crimes and human rights abuses of the Sri Lanka’s ruling elite are the concern of the entire working class, Tamil and Sinhala alike. However, prosecution of those responsible for these crimes, and the defence of all democratic rights can only be secured by a unified revolutionary movement of the entire working class for a Sri Lanka-Eelam Socialist Republic of workers and peasants as part of a Socialist Federation of South Asia. This is the perspective fought for by the Socialist Equality Party.



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