

# UN human rights commissioner calls for probe into Sri Lanka's war crimes

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UN Human Rights Commissioner Michelle Bachelet's recent report on Sri Lanka has recommended war crime probes and targeted sanctions, including asset freezes and travel bans, on those "credibly accused of human rights violations."

The 17-page report was prepared for the upcoming 46th session of UN Human Rights Council (UNHRC) and made public on January 27. The next session of the UNHRC is scheduled to begin at the end of February and continue until March 19.

Bachelet's report contains proposed "options" for member states to "advance criminal accountability" of Sri Lanka and refer it to the International Criminal Court (ICC). Member states, it says, "can actively pursue investigation and criminal prosecution committed by all parties in Sri Lanka" before their own national courts.

The report refers to the militarisation of the Sri Lankan state apparatus noting the appointment of serving and former senior officers to key government positions; the removal of constitutional safeguards; harassment of journalists and human rights activists; and the forcible cremation of all who have died from COVID-19. The UNHCR report describes these actions as curbs on civilian affairs and human rights by President Rajapakse's government.

The war crimes cited in the report relate to the Sri Lankan military attacks during the final months of the bloody conflict against the Liberation Tigers of Tamil Eelam (LTTE). The separatist organisation was defeated in May 2009.

UN experts have estimated that at least 40,000 civilians died in brutal indiscriminate attacks by the army. A number of LTTE leaders who surrendered were killed in cold blood, while hundreds of youth who gave themselves up to the army have been disappeared.

President Gotabhaya Rajapakse, who was defence secretary under Mahinda Rajapakse, his older brother and then president, oversaw these military operations.

Successive Sri Lankan governments committed numerous war crimes during the 30-year communal conflict which

began in July 1983. The final years of the war, which were re-launched in 2006 by the Mahinda Rajapakse regime with the backing of imperialist powers, including the US and India, saw an intensification of atrocities committed against the Tamils.

The brutal repression not only occurred in the war zones in Sri Lanka's north and east but in the south where journalists and others who criticised the government were abducted, "disappeared" or killed.

Like all its predecessors, the current Rajapakse regime vehemently denies all war crime allegations and calls for legal immunity for all military officers. Colombo attempts to cover up its own crimes by pointing to the anti-democratic and terror methods used by the LTTE against Tamils, Sinhalese and Muslims.

The chief responsibility for the war, however, lies with the Sri Lankan ruling elite and its successive governments since 1948 which have consistently used anti-Tamil chauvinism to prop up bourgeois rule by dividing and weakening the working class along ethnic lines.

Bachelet's report comes amid US moves to present a new human rights resolution on Sri Lanka in order to pressure the Rajapakse regime to remain within Washington's geostrategic orbit. The US has insisted since Rajapakse was elected president in November 2019 that Colombo remains integrated into its anti-China war push. This agenda was carried forward during President Maithripala Sirisena and Prime Minister Ranil Wickremesinghe's administration.

Sirisena became president in 2015 in a regime-change operation orchestrated by the US to replace the former President Mahinda Rajapakse. Washington was hostile to the Mahinda Rajapakse regime's close relations with Beijing for investment and military equipment and supplies during the war.

The Sirisena-Wickremesinghe regime immediately shifted Sri Lanka's foreign policy in favour of Washington and began strengthening ties and operations between the Sri Lankan armed forces and the US military.

In return, Washington helped to pass a resolution in the

UNHRC in October 2015 that assisted Colombo to suppress calls for an international war crimes investigation by agreeing to domestic inquiries into the human rights abuses through Sri Lankan tribunals. These tribunals were never established.

Washington and India, its regional strategic partner, are deeply concerned about the return of Gotabhaya Rajapakse and Mahinda Rajapakse to power. At the same time the COVID-19 pandemic has sharply impacted the heavily-indebted Sri Lankan economy, forcing the Rajapakse regime to increasingly turn to China for investment and loans.

Over the last month, the core UN group on Sri Lanka—Britain, Canada, Germany, Macedonia and Montenegro—has announced that it plans to present a resolution in the UNHRC on human rights violations.

US State Department spokesman Ned Price tweeted last week that “we are carefully reviewing the significant report” on Sri Lanka from the UNHRC. Sri Lanka’s future, he said, “depends on respecting rights today and taking meaningful steps to deal with the past.”

US “concerns” about human rights and similar statements from other major powers, who have all engaged in numerous documented war crimes and other atrocities, are cynical and hypocritical.

US imperialism, which is at the centre of the global crisis accelerated by the coronavirus pandemic, is aggressively pursuing its efforts to reassert its global hegemony. This is being continued and intensified under US President Biden’s administration.

Tamil parties in Sri Lanka, including the Tamil National Alliance (TNA), Tamil National People’s Front (TNPf) and the Tamil People’s Alliance, have rallied behind the latest US-led human rights charade.

US and UK diplomats have discussed the new human rights resolution with the TNA leadership, as well as leaders of the TPA and TNPf. Together with “civil society groups,” these parties have written to the UNHRC president calling for a war crimes probe in Sri Lanka and for it to be referred to the ICC.

In 2015, the TNA supported the US-led regime-change operation in Colombo and acted as a de facto partner of the Sirisena-Wickremesinghe government. The Tamil nationalist parties fully support the geo-political and military build-up against China. Their support for the “human rights concerns” of the “international community”—a euphemism for the US and other major powers—is an attempt to secure international backing for devolution of power to the Tamil bourgeoisie in the north and east.

Responding to the UNHRC report, Sri Lankan Foreign Secretary Admiral Jayanath Colabage told the *Sunday Times* that “nothing has been proven” against those accused

of war crimes. “Sri Lanka is much more peaceful and stable than any of the countries trying to discredit us,” he declared.

Colabage admitted that the UNHCR report was “worse” than previous ones but insisted that “nearly all the commitments” to the earlier UNHCR resolution, apart from the establishment of a judicial mechanism, had been fulfilled by the previous administration. He then claimed that the report had been influenced by “shadow reporting from here and the Tamil diaspora.”

The Rajapakse regime rejects all the war crimes allegations and consistently accuses the Sirisena-Wickremesinghe administration of betraying the military. In March last year, President Rajapakse announced that Sri Lanka was withdrawing from the UNHRC resolution passed in October 2015.

The Rajapakse administration is acutely nervous about the intensifying US-led pressure and is anxious to avoid any war crime probe.

On January 22, Rajapakse appointed a new three-member Commission of Inquiry headed by a retired Supreme Court judge. Its task is to find out whether previous commissions revealed any human rights violations and examine whether their recommendations were carried out. This is another desperate manoeuvre to buy time. Two previous commissions were appointed by the former President Mahinda Rajapakse regime in response to previous US pressure.

On January 24, Colabage told the *Sunday Observer*: “We want to engage with the UNHRC [and] maintain cordial relations with the US. I think the US should engage with Sri Lanka constructively.”

The core group on Sri Lanka, he said, “proposed a consensual resolution that would give us another year to implement human rights commitments... [I]f we are to agree to that the text of the resolution should be drafted jointly. We are now waiting to see the text of the new resolution.”

The UN Human Rights High Commissioner’s report and all the behind-the-scenes wheeling and dealing make clear that Washington will stop at nothing—including another regime-change operation or dragging Sri Lanka to the ICC—to ensure Colombo remains in line with its war plans against China.



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