

The Guardian

Sri Lanka is still denying civilian deaths

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All attempts to investigate atrocities in the Tamil Tiger conflict have been stifled, despite promises made to Ban Ki-moon

Sun 5 Sep 2010 11.59 EDT

During the Vietnam conflict, the US military developed some creative ways to increase the numbers of Viet Cong insurgents it claimed to have killed. "If they're dead, they're Viet Cong," meant that any Vietnamese killed by American soldiers would automatically count as enemy fighters.

Sri Lanka's defence secretary, Gotabhaya Rajapaksa, has taken such creative accounting to new heights. The United Nations reported that at least 7,000 civilians were killed and tens of thousands wounded during the final months of the brutal conflict with the Liberation Tigers of Tamil Eelam, which ended in May 2009. But Gotabhaya has repeatedly cast aspersions on the idea that there were any civilian casualties.

In his recent statement before a Sri Lankan commission looking at lessons learned from the war, Gotabhaya claimed that injured Tigers "changed their uniforms into civilian clothes" and that the Tigers must have suffered at least 6,000 dead and 30,000 injured - suggesting those counted as civilian casualties were really just Tamil Tiger fighters who had shed their uniforms.

As for the widespread war crimes and human rights abuses by both sides reported both during and after the conflict by various UN agencies, the US state department and human rights organisations, the defence secretary seems to be suffering from severe amnesia. He told the Lessons Learned Commission: "No complaints about human rights violations or abuses by the army were brought to my notice. None at all."

Despite the promises made by President Mahinda Rajapaksa to UN secretary general Ban Ki-moon in June 2009 to investigate wartime atrocities, as well as Sri Lanka's international legal obligations to investigate alleged laws of war violations, the president and his brothers in power have not lifted a finger to do so. The president often appears stunned when other governments both praise the government's victory yet insist on accountability for laws of war violations.

Gotabhaya also proclaimed that the military operation was a really a "humanitarian intervention" in which "we took great care to avoid [endangering] civilians ... our military had to stop operations and give protection to people, food convoys." In practice, however, rather than protecting civilians, the government blocked access by humanitarian organisations. The

International Committee of the Red Cross complained publicly that it was unable to reach those most in need.

There are genuine concerns that the Lessons Learned Commission will serve only to whitewash allegations of serious abuses, and that its conclusions will be used to brush off calls for an international investigation. The panel's mandate is deliberately limited: its main responsibility is to understand the reasons for the collapse of the 2002 ceasefire agreement, and there is no express mandate to investigate laws of war violations.

The government clearly wants to avoid an honest attempt to find the truth. During a BBC interview in June, Gotabhaya threatened to have the commander behind the final military offensive, Gen Sarath Fonseka, executed after he promised to co-operate with investigations into wartime violations. The government took Fonseka - who earlier this year unsuccessfully ran against the president - to court martial, where he was convicted, essentially cutting him off from any capacity to challenge the Rajapaksa version of events.

The government announced in June that it will deny visas to the members of a UN expert panel established to advise Secretary General Ban on mechanisms for accountability. For those who didn't get the message, protests against the panel led by a government minister outside the UN compound in Colombo should have: this government has no interest in investigating abuses and providing victims a measure of justice.

Add to this the continued suppression of government critics, civil society, and media, the restricted access for independent monitors to the northern and eastern parts of the country where the fighting occurred, the lack of information about an estimated 8,000 suspected Tamil Tiger fighters currently detained in "rehabilitation camps," and the conditions are ripe for a complete rewrite of history.

What the Lessons Learned Commission makes of the testimony it receives remains to be seen. One would hope that it would see the government's version of events for what it is: a cynical fabrication designed to avoid scrutiny. Unfortunately, there is every reason to fear that the panel will believe the story that is being spun by the Rajapaksa brothers, which basically runs to the formula from Lewis Carroll's *Alice in Wonderland*: "Nothing would be what it is because everything would be what it isn't."

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