

# The Guardian

## There must be an authoritative Sri Lankan war crimes inquiry

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The current government-led inquiry lacks independence and accountability. A whitewash won't do

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A photograph released by the Sri Lankan military on 18 May 2009 claims to show government troops inside the war zone. Photograph: Ho/REUTERS

Since the decisive end of the decades-long conflict with the Tamil Tigers in May 2009, the Sri Lankan government has expended a great deal of energy and expense to prevent an international war crimes inquiry. Now the news has emerged that as part of this campaign, the government has hired the UK's premier public relations firm, Bell Pottinger, to spin its story and salvage its reputation, said to be for almost £3m a year.

An independent inquiry is anathema to the Sri Lankan government. In spite of President Mahinda Rajapaksa's promise to UN secretary general Ban Ki-moon 18 months ago to examine wartime atrocities, the government has done nothing serious in that regard. Instead, government officials deploy the easy rhetoric of nationalism, claiming over and over again that they alone own the process of accountability and reconciliation.

As part of this defiant stance, in May the government established a panel of inquiry, the Lessons Learnt and Reconciliation Commission (LLRC), charged above all else with understanding the reasons for the collapse of the 2002 ceasefire agreement, a far cry from ensuring a factual accounting of wartime atrocities. Having established the commission, Rajapaksa went on to denounce the advisory panel of experts set up by Ban Ki-moon, permitting a cabinet member to stage protests outside the UN headquarters in the capital, Colombo, and threatening to deny visas to the panel members.

At first the UK government applauded the establishment of the LLRC, even though the deficiencies in the scope of its mandate and in its processes were evident from the outset. A UK government spokesperson went so far as to say the LLRC fulfilled Rajapaksa's promise to Ban, a surprising statement given the commission's restricted mandate and highly questionable independence. Its members include people who were senior government officials during the final years of the war and who were outspoken in defence of the government's wartime conduct. Other members have worked for the Sri Lankan government.

The EU, unlike the UK, was quicker to see through this farce: it suspended Sri Lanka's preferential trade agreement in light of the country's ongoing inaction and obfuscation, specifically citing its failure to abide by its obligations under three international human rights treaties.

As the LLRC has conducted its hearings, with government officials such as the defence secretary delivering incredulous statements, misrepresentations in the press of the testimony of several independent analysts, and dozens of refusals to allow witnesses to abuses to testify, it is clearer and clearer that this process is a deeply inadequate response to the need for accountability.

Fortunately the UK's position is now shifting. Last month foreign secretary William Hague, following a meeting with Sri Lanka's foreign minister, GL Peiris, emphasised the need for an independent and credible investigation of wartime abuses. Shortly afterwards David Cameron conceded at Prime Minister's Questions that an independent investigation of the conduct of the war was needed.

Hopefully these statements mark a permanent shift away from the previous diplomatically polite policy of quiet engagement. Perhaps the UK government has realised that the LLRC is not the easy answer it had hoped for. Perhaps the Sri Lankan authorities' own belligerent actions have made the UK government realise that the questions of wartime abuses will linger, in spite of Bell Pottinger's best efforts. Perhaps it is the refusal of the international community to engage in the "forgive and forget" attitude proposed by the Rajapaksa government.

Regardless of the reasons, Cameron's words should translate into further action, beginning with immediate and full co-operation with the UN's advisory panel of experts, and leading to an independent international inquiry into abuses by all sides to the conflict. The UK has a special

historical relationship with Sri Lanka, and has a sizeable Sri Lankan population who are deeply invested in these issues. As such, the UK is uniquely placed to take the lead on refusing to settle for the whitewash that the Sri Lankan government is putting forward, and to demand more.

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