

NEWS

Government killed 40,000 ...

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by AFP in April, quoting the Paris-based Reporters Without Borders (RSF), "[i]t is a disgrace that this war is being waged without independent journalists present...With a major humanitarian crisis and war crimes clearly taking place, the government must heed the international community's calls for a ceasefire and for better access for humanitarian workers and journalists."

Soon after Sri Lanka's declared victory over the LTTE in May 2009, the British newspaper, The Times, concluded an exten-

sive investigation into the last days of the offensive and confirmed that up to 20,000 Tamil civilians were slaughtered.

Pointing out that not only the United Nations but several Western governments knew of the ongoing slaughter of Tamil civilians by the Sri Lanka Army, but kept silent for fear of upsetting the Colombo Government, The Times also demanded international action to prevent further atrocities.

The Times reported that "UN chief knew Tamil civilian toll had reached 20,000," and that "UN officials told Vijar Nambiar, Ban

Ki Moon's chief of staff, that their figures indicated a likely final death toll of more than 20,000, during a briefing in preparation for Mr Ban's visit to the region on May 23."

"Such a monstrous collusion in covering up an atrocity must not go unchallenged. If the UN Human Rights Council refuses to investigate what has happened, the West must do so forthwith," the paper said in an editorial.

"The silence of those who were warned of civilian deaths in Sri Lanka is shameful. They must speak out now to prevent future atrocities," the editorial charged.

Fonseka arrested ...

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husband, but we never thought they would do it in such a disgusting manner," she said through sobs.

In a joint statement the main parliamentary opposition said they are in fear for his life while he is in detention and called for protests over the arrest.

"We will take this matter to courts, we will take it before the people and we will take it before the international community," said Rauf Hakeem.

Former Prime Minister Ranil Wickramasinghe, also leader of the main opposition party United National Party (UNP), alleged that the time taken to file charges is used by the government to fabricate evidence.

Mrs Fonseka has been a rallying point to the fractured opposi-

tion coalition, with press reports indicating that she will be spearheading his parliamentary election campaign unless he is released from detention.

Analysts say that he will contest the election with a new coalition, the Democratic National Alliance (DNA) which was formed in an alliance with the JVP and various other parties.

The government denied all claims that Fonseka was being ill-treated or denied access to his family or lawyers. "Family members are allowed to see him and he has been allowed to obtain legal advice also," said Major General Prasad Samarasinghe, a military spokesman, adding that the former army commander was not even in a cell.

President Rajapakse also defended the arrest. "Only after going through all the evidence

was the Army given the green light to do what they wanted," he told The Hindu.

"This is an enquiry [under military law] to see if there is a prima facie case against Fonseka. I don't want to get involved in the judicial process," he said.

"One thing is that I am a lawyer myself, so I always respect the law. I never say anything against the courts, against the judges," the President added in defense of the move against Fonseka.

Fonseka is boycotting all proceedings according to a statement by his attorney Mr. Wijedasa Rajapakse (no relation to the President) to The Sunday Times.

The Sri Lankan Supreme Court has agreed to hear a challenge to Fonseka's arrest. The court is expected to reconvene on 23 February to hear evidence.

Fonseka and democracy ...

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actors firmly believed that once the military threat from the LTTE had been contained, Sri Lanka would quickly resolve these issues and incorporate the Tamils on an equitable and dignified basis within an all island political system.

The Rajapakse regime's failure to live up to these expectations has produced a noticeable diplomatic chill in Colombo's relations with former western allies. Fonseka's campaign promised to restore relations with the west by making progress on war crimes and the Tamil question in order to restore western political, military and economic support.

Rajapakse's electoral triumph has laid bare the contradictions in Sri Lanka's relationship with the western block. Western states

have thus far backed Sri Lanka in the belief that it is progressing towards a stable and inclusive liberal democracy. Meanwhile many Sinhalese have believed that the west connived in the persecution of the Tamils because western capitals accepted the legitimacy of the Sinhalaha Buddhist order.

When Gotabaya ordered the slaughter of tens of thousands of Tamil civilians or when he sanctioned the murder of unarmed LTTE political officials, he could not have expected the level of alarm this caused in western capitals.

After all Sri Lanka was simply doing what it had always done with western backing and in full view of the international community, it was slaughtering Tamils and assassinating LTTE officials. What could be wrong that?

Just as the Rajapakse regime is causing consternation in west-

ern capitals, western insistence on the rule of law and an inclusive political solution is causing consternation in Colombo. While Sri Lanka is behaving to type, the west's response in Colombo's eyes has altered beyond measure.

Ironically it is only after the defeat of the allegedly anti liberal LTTE that the western liberal project is finally confronting the real impediment to creating a liberal and inclusive polity on the island; ascendant Sinhala Buddhist chauvinism and the now heavily militarised ethnocentric state.

Dismantling these structures will be far more of a challenge than militarily defeating the LTTE or destroying the fledgling Tamil de facto state.

How western policy makers respond to this challenge will determine the prospects for future peace and stability in Sri Lanka.

Accountability ...

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any other country in the world.

Politically motivated killings during Rajapaksa's first term also remain unresolved, including the extrajudicial executions of five students in Trincomalee in January 2006 and of 17 aid workers with Action Contre la Faim in Mutur in August 2006.

Rajapaksa took no effective steps to bring accountability for human rights violations, Human Rights Watch said.

In July 2009, Rajapaksa disbanded, before it could complete its work, a presidential commission of inquiry created in 2006 to investigate 16 cases of grave human rights violations.

In April 2008, the International Independent Group of Eminent Persons (IIGEP) had withdrawn from monitoring the commission because it had "not been able to conclude ... that the proceedings of the Commission have been transparent or have satisfied basic international norms and standards."

The vast majority of the hundreds of new "disappearances" and politically motivated killings from the past few years have

never been seriously investigated, and none of the perpetrators have been punished.

In May 2009 Rajapaksa promised Ban that the Sri Lankan government would investigate allegations of human rights and laws-of-war violations during the war's final months. No such investigation has taken place.

Instead, the government has set up a team of lawyers to respond to allegations about rights violations in reports by the US State Department and the UN special envoy on extrajudicial executions. Because of the government's failure to investigate serious human rights abuses, Human Rights Watch has long called for an independent international investigation, the statement noted.

Thus far, the secretary-general's office has stated that Ban was "considering" establishing a committee of experts to "assist the government" of Sri Lanka to look at evidence that its soldiers committed war crimes last year.

"The various investigatory bodies set up by President Rajapaksa have spent more energy trying to deflect serious inquiries into abuses than actually conducting them," Adams said.

Media ...

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tor, Chandana Sirimalwatte, was taken into custody by the Criminal Investigation Department.

Separately, the offices of the Lanka-e-News website were also surrounded by the police. "The Criminal Investigations Department officers have surrounded the Lanka office and sealed it today," the web edition of the paper said.

Prageeth Ekneligoda, a political reporter for Lanka eNews, disappeared on the night of January 24. He was described by colleagues as a political analyst who supported opposition presidential

candidate Sarath Fonseka, and they feared he had been abducted.

Dozens of Sri Lankan journalists are living in exile abroad because of the dangerous and sometimes deadly situation for media workers in Sri Lanka, according to rights groups.

Official figures show nine journalists have been killed and another 27 assaulted in the past three years in Sri Lanka. Activists say over a dozen journalists have been killed.

Human Rights Watch said it feared the latest attacks against the media were aimed at silencing critics ahead of parliamentary elections due shortly.

Freedom ...

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to the Tamil regions.

Sri Lanka has been able to fend off a potential United Nations war crimes investigation with the help of allies such as China. But this week, the European Union suspended trading privileges for the island under its GSP Plus scheme.

Sri Lanka has everything to gain from settling the ghosts of its

political past. Tourism is reviving and the country has started an advertising campaign, Visit Sri Lanka 2011.

But before it can truly welcome outsiders, the island needs to get its political house in order. Otherwise the Jaffna Peninsula may one day again hear the sound of gunfire.

The writer is the FT's Mumbai bureau chief