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Press Release: Sri Lanka Suspended from UN Peacekeeping.

27 September 2019

Johannesburg: The announcement by the UN of a suspension of Sri Lankan soldiers going abroad as peacekeepers is a sad day for the country. This is a direct consequence of the Sri Lankan President's move to woo election support by appointing alleged war criminal, Lt. Gen. Shavendra Silva, to the post of Army Commander, despite the warnings that this would affect peacekeeping.

Shavendra Silva commanded the Sri Lankan Army's 58 Division in the final phase of the civil war in Sri Lanka in 2008-9. There are reasonable grounds to say his forces were involved in indiscriminate and intentional attacks conducted against the civilian population, attacks on hospitals and medical staff, attacks on No Fire Zones and the use of prohibited and indiscriminate weapons. The scale of civilian casualties and injuries among the civilian population as a result was nothing short of catastrophic. However ten years after the war ended and despite committing itself to a transitional justice programme, Sri Lankan politicians still shamefully hail Silva as a "war hero". As a result younger soldiers who joined after the civil war are now barred from peacekeeping jobs.

"Shavendra Silva's appointment was a tragic own goal for the country. We would much rather see Sri Lanka enlist the help of the international community to implement genuine criminal accountability for the crimes of the past to give victims and their families truth and justice and reform its security services to eliminate ongoing torture," said ITJP's Executive Director, Yasmin Sooka.

The ITJP has been documenting recent cases of torture by the police and army in Sri Lanka - 79 such cases since 2015 - including in the last year.

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For many years, ITJP staff have been working on the vetting of security and public officials, meticulously researching individual units and their locations in the final phase of the civil war and building up expertise on units, as well as dossiers on individuals. The research was based on detailed knowledge of the conduct of the war derived from interviewing hundreds of survivors and eyewitnesses, combined with open source research, including the Army's own Situation Reports which had been deleted from the Internet but were retrieved. The work focused on identifying the regimental units present in a location where there were credible allegations that violations of international humanitarian law occurred, in order to argue that the risk to the United Nations in deploying such a person was unacceptably high.

"Many Sinhalese and Tamils who want their security forces to be held accountable, discreetly assisted in this research and we are immensely grateful to them though we can't name them for security reasons," said Yasmin Sooka. "Already the news that the UN is acting has given hope to Tamil victims of the war who have yet to see any justice."

What is known about the suspension suggests currently deployed Sri Lankan peacekeeping units will remain in place until their tour ends but then be replaced by soldiers from another country. However, the UN Department of Peacekeeping Operations appears to be adding a proviso that it might override the suspension if it exposed UN operations to serious operational risk.

"We will be looking for more clarity from the United Nations on what this means; the reputational risk to the Department of Peacekeeping Operations would be enormous if it tries to fudge this important human rights issue. If you are going to talk about a 'zero tolerance policy' it has to be zero and it has to be done with conviction," said Ms. Sooka.

Relevant ITJP Publications:

- In September 2017, the ITJP wrote to two commercial companies questioning their corporate sponsorship for a sporting event run by Shavendra Silva¹.
- In November 2017, the ITJP and Journalists for Democracy in Sri Lanka (JDS Lanka) published a joint report on the lack of criminal accountability for child sexual exploitation by Sri Lankan peacekeepers who were in Haiti from 2004-7².
- In February 2018, the ITJP questioned the deployment to Lebanon of a contingent led by an officer in frontline combat in the final phase of the Sri Lankan war and raised concerns that his three predecessors had also not been screened out.
- In April 2018, the ITJP shared with the UN a confidential list of more than fifty names of Sri Lankan paramilitary police from the Special Task Force, to be barred from serving in UN peacekeeping missions³.

¹ <http://www.itjpsl.com/assets/press/Letter-CEAT-Specialty-Tyres-Setember-2017.pdf>

<http://www.itjpsl.com/assets/press/Herbert-Alan-Coca-Cola-Sept-2017.pdf>

² A Joint Report with Journalists for Democracy in Sri Lanka: LACK OF ACCOUNTABILITY FOR CHILD SEXUAL EXPLOITATION BY SRI LANKAN PEACEKEEPERS, 13 Nov 2017, <http://www.itjpsl.com/assets/press/haiti-FINAL.pdf>

³ Press release: ITJP sends UN list of alleged perpetrators for vetting, 23 Apr 2018, <http://www.itjpsl.com/assets/press/final-STF-press-release.pdf>

- Later in 2018, the ITJP submitted a confidential dossier on peacekeeping vetting failures to the United Nations Department of Peacekeeping Operations⁴. The failures included Sri Lankan individuals deployed to East Timor, Dafur, South Sudan, Lebanon, Mali and Haiti.
- In July 2018, the ITJP called on the Sri Lankan Army to respond fully and coherently to a Right to Information request inside the country regarding accountability for peacekeeping violations in Haiti⁵.
- In October 2018, partly as a result of open source information submitted to the UN by the ITJP, the contingent commander in Mali who had served under Shavendra Silva's 58 Division was repatriated⁶.
- In January 2019, the ITJP published the most extensive dossier on Shavendra Silva to date which said there was more than enough evidence to suspend Sri Lanka's new Chief of Army Staff, Major General Shavendra Silva, and charge him with war crimes and crimes against humanity ⁷.
- In August 2019, the ITJP protested the decision to promote Shavendra Silva to Army chief, calling for a principled response from the international community⁸.

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⁴ <https://www.theguardian.com/world/2018/jul/21/sri-lanka-war-criminals-un-peacekeeping-missions-darfur-mali-south-sudan>

⁵ Press Statement: Haiti: More than a decade and still hiding, 17 July 2018
<http://www.itjpsl.com/assets/press/Press-Statement-haiti-f.pdf>

⁶ <http://www.itjpsl.com/assets/press/UN-repatriates-Sri-Lankan-peacekeeper-for-his-role-in-2009-war.pdf> Press Release: UN repatriates Sri Lankan peacekeeper for his role in 2009 war, 20 Oct 2018.

⁷ <http://www.itjpsl.com/assets/press/29-Jan-2019-Shavendra-Silva-press-release.pdf>

⁸ Press Release: Sri Lanka betrays its people by promoting alleged war criminal to head its army, 19 August 2019, <http://www.itjpsl.com/assets/press/SS-Press-Release-final-2.pdf>.

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