

INTERNATIONAL
TRUTH
AND JUSTICE
PROJECT

To Herbert Alan,
President,
The Board of Directors,
The Coca Cola Company.

Email: asktheboard@coca-cola.com

27 September 2017.

**Subject: Coca Cola Sponsorship of Event Headed by Sri Lankan
Alleged War Criminal.**

Dear Mr. Alan,

We would like to draw your attention to the sponsorship that Coca Cola has reportedly given to the “Gajaba Super Cross 2017” last month in Sri Lanka, according to the local media¹. We believe this is in violation of your company’s stated [Human Rights Policy](#).

As you can see from the Sri Lankan media, this sporting event is presided over by Shavendra Silva, who is alleged to be Sri Lanka’s most notorious war criminal. Moreover his Gajaba Regiment, which organised the event, has been implicated in alleged war crimes and violations dating back decades². Shavendra Silva is reported in the state run newspaper of Sri Lanka to be the head of the Gajaba Supercross Steering Committee³ and he is shown prominently in the photographs promoting the event (attached). Moreover the media in Sri Lanka has quoted Major General Silva as saying the funds raised by the championship will be used to help the families of the Gajaba regiment’s “heroes”⁴ which contradicts his claims it will assist reconciliation in the former conflict areas.

¹ (i) [Coca-Cola pumps up Gajaba Super Cross 2017, 31 August 2017, Lanka Business News,](http://www.lankabusinessnews.com/coca-cola-pumps-gajaba-super-cross-2017/)
<http://www.lankabusinessnews.com/coca-cola-pumps-gajaba-super-cross-2017/>

(ii) [Coca-Cola bolsters Gajaba Super Cross 2017, 3 September 2017, the Island,](http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=171107)
http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=171107

(iii) [Gajaba Supercross on August 27 at Saliyapura, The Sunday Times Lanka, 27 August 2017.](http://www.sundaytimes.lk/170820/sports/gajaba-supercross-on-august-27-at-saliyapura-255380.html)
<http://www.sundaytimes.lk/170820/sports/gajaba-supercross-on-august-27-at-saliyapura-255380.html>

² For example see ITJP’s dossier on Jagath Dias which highlights the disproportionate role of the Gajaba Regiment commanders in the 2009 war and also in Matale in the JVP uprising time – a mass grave was discovered recently in Matale.

³ [16th Gajaba Supercross brings Saliyapura track alive on August 27, 25 August 2017, The Daily News.](#)

⁴ Ibid.

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EXECUTIVE DIRECTOR:
YASMIN SOOKA

In reality this sporting event is an utter affront to Tamil war survivors who still live in poverty and without any accountability for extensive war crimes, including the shelling of civilian objects, torture, summary execution and enforced disappearance committed inter alia by the 58 Division during the final phase of the civil war in 2008-9 when it was under Shavendra Silva's command.

I would like to draw your attention to the United Nations Report of the OHCHR Investigation on Sri Lanka (OISL, 2015, A/HRC/30/CRP.2), which clearly states Shavendra Silva commanded the 58 Division (para 116). The OISL report repeatedly references the 58 Division in connection with alleged violations, such as killing of surrendees (para 287 onwards) torture (para 544), shelling of UN sites and hospitals (para 794 onwards, 804, 840, 846 [which names Silva], 873, 875).

The OISL report, as mandated by the Human Rights Council, used the standard of "reasonable grounds to believe" that an incident occurred when there was sufficiently corroborated information. This constitutes a prima facie case sufficient to indict someone in a court of law and should therefore constitute a reasonable threshold for the Coca Cola company to consider its support for this initiative.

It is perhaps pertinent to add that Major General Silva reported directly to General Jagath Jayasuriya during the end of the civil war in Sri Lanka; the ITJP has recently filed a lawsuit against General Jayasuriya in Latin America, where he was based as a diplomat, in connection with his command position in 2008-9.

In addition, Shavendra Silva's alleged role in war crimes has been extensively reported in the media for many years. The former UN High Commissioner for Human Rights, Navi Pillay, reportedly wrote to the UN Secretary General in 2012 raising concerns about Silva being an alleged war criminal⁵. A war crimes lawsuit was filed against Silva in New York in 2011⁶ and failed because he had diplomatic immunity. A South African NGO threatened litigation when it was reported that Silva was to be posted as deputy Ambassador to their country⁷.

What is most surprising is that your local Coca Cola representatives in Colombo thought it acceptable to sponsor an event so closely linked to Shavendra Silva and the Gajaba Regiment.

We urge you to examine the reports we have referenced and revert to us if you have any queries. We are a small human rights organisation that specialises in documenting testimony of war and torture survivors who have fled Sri Lanka to Europe, some of whom can directly implicate Shavendra Silva in knowledge of alleged crimes by his subordinates such as summary execution, torture, rape and enforced disappearance. The survivors we deal with are extremely traumatised, often suicidal, and are still struggling 8 years after the civil war ended in Sri Lanka, to reunite with family and restart their lives. I hope you can imagine what an insult it is to them to see a global company like yours sponsor the Sri Lankan military regiment and commander allegedly responsible for ruining their lives.

We humbly suggest the Coca Cola Company take the following steps:

1. Cancel all sponsorship for military events in Sri Lanka, and in particular those involving Shavendra Silva and the Gajaba Regiment.
2. Investigate how local Coca Cola officials in Colombo endorsed this sponsorship and take disciplinary action.
3. Apologise to the victims, including those who have fled the country.

⁵ "Last week the UN's human rights chief, Navi Pillay, said Maj Gen Silva was suspected of committing human rights violations", says UN body bars Sri Lanka diplomat Maj Gen Shavendra Silva, 23 February 2012, BBC online, <http://www.bbc.co.uk/news/world-asia-17137224>.

⁶ Civil lawsuit filed against Major General Shavendra Silva, 24 September 2011, BBC Sinhala Online, http://www.bbc.com/sinhala/news/story/2011/09/110924_lawsuit.shtml

⁷ SOUTH AFRICA'S OBLIGATION TO REFUSE TO RECEIVE AND RECOGNISE SRI LANKAN GENERAL AND SUSPECTED WAR CRIMINAL SHAVENDRA SILVA AS SRI LANKA'S DEPUTY AMBASSADOR TO SOUTH AFRICA, <http://webcache.googleusercontent.com/search?q=cache:QIHRSUk6t8J:www.southernafrialitigationcentre.org/1/wp-content/uploads/2012/12/SALC-Briefing-Paper-Shavendra-Silva-Sri-Lanka-061212.pdf+&cd=2&hl=en&ct=clnk&gl=uk&client=safari>

Yours Sincerely,

A handwritten signature in black ink, appearing to be 'Yasmin Sooka', written in a cursive style.

Yasmin Sooka
ITJP Executive Director

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