



Colombo's Secret War on Terror

by Angilee Shah



THE SRI LANKAN government is on the cusp of achieving what once seemed impossible. Its armed forces are crushing the Liberation Tigers of Tamil Eelam on the battlefield, having pushed the rebels out of their northern stronghold and surrounded them in a few coastal villages. The administration of President Mahinda Rajapaksa hopes that destroying the Tigers' organization will bring an end to the 26-year civil war that has claimed more than 70,000 lives.

But the president's own tactics make it difficult to imagine the peace holding. Far from healing racial tensions between the Tamil minority and Sinhalese majority populations, Mr. Rajapaksa has whipped up Sinhalese nationalism as part of his campaign against the Tigers. Credible accusations of human-rights abuses against the authorities suggest that after the war the same discrimination against Tamils that created the civil war in 1983 will persist.

This means the conflict will continue in another form, with Tamil separatists relying more on terrorist attacks rather than

pitched battles. Terror has long played a big part in the war—the Tigers pioneered the use of suicide bombing, and have repeatedly struck at top government leaders even in the heavily guarded capital of Colombo. And the government will continue to respond in kind, using extrajudicial means to silence its opponents. The civil war is going underground.

The Second Front

FAR FROM THE headlines, the government is waging another, less well-publicized battle. The security forces are alleged to have ordered or been complicit in the disappearance, torture and murder of thousands of Sri Lankan citizens. Since the president was elected in 2005, Sri Lanka has consistently been short-listed as one of the world's worst human-rights abusers

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and one of the most dangerous places on the planet to be a journalist. For instance, in December the island was listed alongside Iraq, Afghanistan, and Sudan as a “red alert” country by the New-York based Genocide Prevention Project.

Mano Ganesan, a member of parliament representing the Colombo district, explains the government’s second front in the war on terror this way: “In the name of wiping out terrorism, these government secret forces are systematically eliminating people for ethnic or political reasons.” He says that in his district over the past three years, more than 350 people have disappeared, mostly Tamils and political dissidents. “What is prevailing in this country is state terrorism,” Mr. Ganesan says. There have been no arrests and no convictions for these crimes. Government commissions of inquiry have been created but have been ineffectual.

In a 2007 statement, a United Nations Commission on Human Rights Working Group “expressed deep concern that the majority of new urgent action cases are regarding alleged disappearances in Sri Lanka.” A year later, a March 2008 Human Rights Watch report described 99 cases of disappearances from around the island, and listed 489 more reported to Sri Lankan human-rights groups. In most documented cases, the report said, “there is sufficient evidence to suggest the involvement or complicity of the Sri Lankan security forces—army, navy, or police—in the ‘disappearances.’”

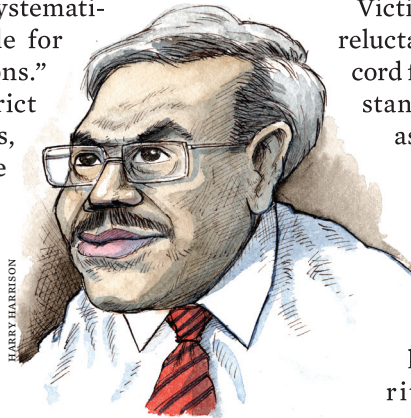
At a January U.S. Senate Foreign Relations subcommittee hearing, Human Rights Watch senior researcher Anna Neistat testified to the continued viola-

tions on the part of the government. People are going missing near government checkpoints and while being screened to enter sealed, government-run camps for internally-displaced people, she said. And if civilians are being detained by the police and military, there is no public record or notification given to the families of those who are arrested and interrogated. The government, Ms. Neistat said, is making a “clear effort to cover its abuses.”

Victims and their families are reluctant to be named on the record for fear of reprisals. For instance, a Tamil businessman asked not to be identified as he spoke about his experience being kidnapped in late 2006. He was abducted by a group of armed men in public and in plain view of Colombo’s ubiquitous security details, forced at gunpoint into a white van, the favorite vehicle of Sri Lanka’s death

and disappearance squads. As they passed through the city’s numerous checkpoints the van was never stopped. Instead, he says, it slowed only long enough for the soldiers and police manning their posts to salute the driver. He was held for 14 days in a small tent on what he describes as a “military base,” where he was guarded by men in uniform, and was released only after his family paid a ransom of 25 million Sri Lankan rupees, roughly \$230,000.

Others report months of torture and beatings, amidst questioning about their alleged involvement with the Tigers. One young man, who was released in 2008 from the infamous Boosa detention camp, created because of an overflow of prisoners in Colombo’s jails, remains despondent and in constant pain after suffering regular beatings over the course of five months. He says he was held under the provisions



Gotabaya Rajapaksa

of Emergency Rule and never charged with any crime.

Many victims do not live to tell their stories. Before he was gunned down on his way to work earlier this year, Lasantha Wickrematunge was one of Sri Lanka's last remaining investigative journalists, and one of the few people to publicly speak out against the president's brother, Defense Secretary Gotabaya Rajapaksa. In an interview late in 2007, just over one year before his assassination, Wickrematunge claimed that although the defense establishment has been very good at disguising its involvement, "there is a great deal of circumstantial evidence linking the defense secretary, the Defense Ministry, and in fact the government, to what's happening on the human-rights front: the disappearances, the abductions and some of the killings."

International observers say that the Rajapaksas are, at the very least, responsible for the lack of justice in these cases. Former U.S. Ambassador to Sri Lanka Jeffrey J. Lunstead told U.S. senators that the Rajapaksas' failure to investigate and prosecute these crimes sends a strong message that they are tacitly accepting the violence. "You don't have to give an order in that case," he explained.

The fact that these kinds of crimes are taking place inside the heavily fortified Sri Lankan capital is enough to give rise to conspiracy theories. Colombo is a labyrinth of police and army checkpoints. All major boulevards have been converted into one-way streets to make traffic easier to control and help security forces funnel vehicles into checkpoints. Even a foreign-passport holder cannot move more than a few kilometers at a time without being stopped, questioned, and sometimes searched by soldiers or police officers. So, as Wickrematunge asked, how is it possible for hundreds of people to go missing from this high-security city without a single kidnapper being detained?

Weeks before Wickrematunge was murdered, Gotabaya Rajapaksa sued him for defamation for articles published about an alleged kickback. The court issued an enjoining order, preventing the paper from publishing anything about the defense secretary as the case proceeds. In a self-penned obituary written before his murder and published by his paper, the *Sunday Leader*, Wickrematunge addressed the president directly, writing, "In the wake of my death I know you will make all the usual sanctimonious noises and call upon the police to hold a swift and thorough inquiry. But like all the inquiries you have ordered in the past, nothing will come of this one, too. For truth be told, we both know who will be behind my death, but dare not call his name. Not just my life, but yours too, depends on it."

In a recent interview with the BBC, Gotabaya Rajapaksa denied responsibility for Wickrematunge's death. He dismissed the editor as "somebody who was writing for a tabloid," and told BBC reporter Chris Morris, "In the whole world there are murders. Why are you asking about Lasantha [Wickrematunge]? Who is Lasantha?" He went on to say that there are only two kinds of people in Sri Lanka, "the people who want to fight terrorism, and the terrorists." When asked if he thought that dissent and criticism were treasonous, he answered simply and sharply, "Yes."

Gotabaya the Great

SRI LANKANS ON all sides of the political spectrum attribute the military's newfound success to Gotabaya Rajapaksa. Yet despite his crucial contribution to one of the most significant undertakings in Sri Lanka's history, the defense minister, who declined to comment for this story, remains mostly a mystery. A retired army major, he and his family moved to the United States in the early 1990s and settled

in a Southern California suburb, where he worked initially as a clerk at a 7-Eleven convenience store and later found employment in his preferred field of information technology.

By the time his brother announced his presidential campaign in 2005, Mr. Rajapaksa was a UNIX administrator at Loyola Law School in Los Angeles. His colleagues, who called him George or Georgie, describe him as hard-working and diligent. He was a well-organized and careful administrator who rode the bus 30 miles to and from work every day, and prayed every morning in front of the servers that they would stay up and running. On Sundays, he worked at a homeless shelter and worshipped at a local Buddhist temple.

Mr. Rajapaksa took a leave of absence to answer his brother's call for help on the campaign trail, and when his brother became the president, resigned from his Loyola Law School position. He first took up the second-in-command post at the ministry of defense, taking charge of the nation's army, air force, navy and police. To many Sri Lankans, he is now "Gotabaya the Great," a near savior who has put them on the cusp of defeating a group of thugs and murderers who have terrorized their country for over two decades.

Ananda Wickramasinghe, Sri Lanka's Consul General in Los Angeles, says Gotabaya Rajapaksa is still friendly and humble, a man who likes to take walks in the evening and is frustrated that the security situation in Colombo confines him to his home. He is extremely focused, though, and right now, "His only focus is the war," Mr. Wickramasinghe says.

But to many Tamil civilians, opposition politicians, independent journalists, and

human-rights workers, Gotabaya Rajapaksa is a kind of bogey-man. People don't like to say his name aloud, opting instead—when they are willing to talk openly about him—to call him simply "the defense secretary." Mangala Samaraweera, the Rajapaksas' first foreign minister and a one-time advisor to Mr. Mahinda, paints the picture of a man obsessed with the destruction of the LTTE. "[Gotabaya Rajapaksa and his brothers] see defeating the LTTE as the key to their political strength," he says. "They will stop at nothing to destroy Prabhakaran [and the Tigers]." Mr. Samaraweera was eventually dismissed from the president's cabinet. Soon after, he shifted his political allegiances and is now one of the

most vocal leaders in the opposition party.

Ironically, it was the Tigers themselves who made possible President Rajapaksa's rise to power. He won election in 2005 by a narrow majority over the much more dovish Ranil Wickramasinghe after the Tigers boycotted the election and disenfranchised hundreds of thousands of people living under their control, voters who would have almost certainly cast their ballots for Mr. Wickramasinghe. There is a great deal of speculation over why the Tigers chose to help Mr. Rajapaksa win, but it is now very obvious that they underestimated him and his family.

Despite the controversy surrounding Gotabaya Rajapaksa and the human-rights violations he is alleged to have sanctioned, the world's focus mostly remains fixed on the government's conventional offensive against the Tigers. So far, the international community has had very little to say about Colombo's second front in its war on terror.

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To many human-rights and policy experts, it seems as if the world is giving the Sri Lankan government a pass because it is so close to achieving a victory that will once and for all destroy the much-reviled Tamil Tigers. But when the government does rout the last of the LTTE's conventional fighting forces, it will be faced with what may prove to be an even greater set of challenges. In defeat, the Tamil Tigers are likely to return to their roots as a true guerrilla terrorist organization, striking from the shadows and hiding among civilian populations. It is then that this offensive's second front will become the major battlefield of the Sri Lankan civil war. This will more than likely mean more torture, more disappearances and more death.

Even if the world does want to get involved in Sri Lanka's uncertain future, it is not so easy. Sri Lanka does not have major geopolitical significance. The government maintains protectionist economic policies, is skeptical of foreign investment, and does not enjoy an abundance of any natural resources. Like the United States, the island is not a party to the International Criminal Court, so prosecuting its officials for the war crimes in the ICC is not possible. Given these obstacles, chances are slim that there will ever be justice for the thousands of Sri Lankan citizens who may have been tortured or killed by their government.

Another option may exist: At some point between managing a 7-Eleven and manag-

ing servers at Loyola Law School, Gotabaya Rajapaksa became an American citizen. If he is guilty of what the former foreign minister and so many others accuse him of, then he is indictable under U.S. law.

A Washington D.C.-based group, Tamils Against Genocide, has retained high-profile attorney Bruce Fein to seek these indictments. Mr. Fein submitted to the U.S. Department of Justice a 12-count model indictment against Gotabaya Rajapaksa and General Fonseka, a U.S. green card holder, under the Genocide Accountability Act, a 2007 law which allows criminal charges to be brought against U.S. nationals. The 1,000-page document, Mr. Fein says, chronicles 3,800 extrajudicial disappearances or killings since December 2005. As the leaders of the Sri Lanka's defense and security forces, Gotabaya Rajapaksa and Gen. Fonseka are responsible for the mass violence against Sri Lankan Tamils, according to Mr. Fein. The quest for national security, he says, should not include this kind of war. "It has never been a defense to genocide that you are fighting terror," Mr. Fein says.

Sri Lankan officials deny these claims. Los Angeles Consul General Mr. Wickramasinghe says that there are inevitably costs to ending a long bloody conflict like Sri Lanka's. "Our troops are fighting with a terrorist organization that doesn't respect any laws in war," he says. "These are the casualties of the conflict. It takes a long time to reach peace." ■