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## Human Rights Council

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### Human rights situations that require the Council's attention

## Written statement\* submitted by African Green Foundation International, non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[30 January 2020]

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\* Issued as received, in the language(s) of submission only.



## **Replying to Journalists for Democracy in Sri Lanka (JDS) and International Truth and Justice Project reports, on Sri Lanka**

Two Sri Lanka obsessed NGOs, Journalists for Democracy in Sri Lanka” and International Truth and Justice Project, Sri Lanka” have taken an interest in Sri Lanka’s contribution to United Nations (UN) Peacekeeping.

Journalists for Democracy in Sri Lanka” is a group of journalists, human rights workers and other activists exiled from Sri Lanka and now based in Germany. The group focuses on human rights and war crimes in Sri Lanka. The International Truth and Justice Project, Sri Lanka” is administered by the Foundation for Human Rights, based in South Africa, under the guidance of Yasmin Sooka.

In November 2017, Journalists for Democracy in Sri Lanka (JDS) together with International Truth and Justice Project, Sri Lanka” (ITJP) released a joint report on Sri Lanka. The report is titled Sri Lanka’s UN Peacekeepers: Let the Punishment Fit the Crime”. This report stated that more than 100 Sri Lankan peacekeepers were sent home from Haiti in 2007 for alleged child sexual exploitation. Strangely enough, while abusing the children, they have also taught them Sinhala. The interviews with the Haitian children were conducted in Sinhala.

Thereafter in 2018 ITJP issued on its own, a report titled Sri Lanka’s Special Task Force”. The report was released in London, with much publicity. Several United Kingdom of Great Britain and Northern Ireland (UK) newspapers including Guardian, reported its launch. Guardian said the document, seen by the Observer, claims that senior Sri Lankan officers accused of war crimes have been deployed to UN operations in Mali, Lebanon, Darfur and South Sudan.

ITJP’s Executive Director, Yasmin Sooka speaking at the launch said, one STF officer who appears currently to be observing in a UN peacekeeping mission in Africa is alleged to have ordered summary executions of Tamils in the East of Sri Lanka in 2006/7 ” This report can be downloaded at <http://www.itjpsl.com/reports/special-task-force>.

This ITJP report has not received the attention it deserves from the anti-Eelamists in Sri Lanka. The report is very generous with words. The report says the STF has from its inception in 1983 been steeped in allegations of human rights violations, including abductions, torture, killings and extrajudicial executions. The violations described in this report speak to an amoral attitude to the taking of life and to human dignity, and where dehumanization has become institutionalized”.

The STF never did routine policing during the war, continued the report. STF was specifically tasked with a frontline combat role. It was armed with heavy weapons and at times also spearheaded ground offensives in the East The army had stationed artillery units with heavy weaponry in STF bases.

Since the STF was a frontline combat unit at the climax of the war, it should be subjected to the same vetting and screening criteria as military units who fought in the war. ITJP has therefore helpfully prepared a confidential list of 56 names of individuals in the STF who should not be sent as UN peacekeepers. This consists of 32 names of STF officers involved in frontline command positions who should be barred from peacekeeping and 24 names of alleged perpetrators or individuals complicit in grave violations of human rights.

However, in order to protect witnesses, this information has not been made public. The names will be sent to the United Nations Department of Peacekeeping (DPKO), the Department of Field Support (DFS), the Conduct and Discipline Unit (CDU) and the Office of the High Commissioner for Human Rights (OHCHR), said the Report.

This report feeds on the Report of the OHCHR Investigation on Sri Lanka 2015, known as the OISL report. The OISL report has generously found that all the security forces of the government of Sri Lanka, have engaged in sexual violence. OISL charges everybody who was anywhere near the events of 2009 with war crimes. This includes Police, National Intelligence Bureau, Military Intelligence, STF, Criminal Investigation Department (CID), and the Terrorism Investigation Department (TID). Also of course, the army and navy.

The OISL has named specific units and the ITJP report repeats them. In the army it is 53rd, 55th and 58th brigades. These are the military units that were active in the final phase of the war, ‘when grave violations of international humanitarian law were committed’. In the STF, it is the Task Forces 2, 3, 4 and 8. In the Air Force, it is No. 10 Sqn operating Kfir ground attack aircraft out of Katunayake. No. 12 Sqn. Operating Mig-27 ground attack aircraft out of Katunayake and No. 111 Sqn. Operating AIA Searcher reconnaissance UAV out of Vavuniya.

Any Major General having a defined geographical area of responsibility and the combat divisions and supporting units under his command are also guilty. Each formation from battalion level upwards includes a ‘staff’ of professional advisers who assist the commander in formulating and executing plans”. They are also complicit in alleged war crimes. Anyone who ordered MBRL or heavy artillery fire at civilian objects is also guilty.

The ITJP report has a further assortment of guilty person. They are;

Those commanders active in the forward maintenance area, which was run by the former Army Commander who is now High Commissioner to Dhaka, Bangladesh. The FMA is where captured fighters were taken for initial interrogation.

Military and police deployed in Manik Farm or other IDP camps” post war58 where torture and sexual violence repeatedly occurred. .

Those who administered or worked in a rehabilitation centre post-war (PARCs).these include some SLA who were in logistics positions (engineering corps) in 2006-9.

Anyone involved in an interrogation of an LTTE suspect in rehabilitation or detention from 2008 onwards. This would include multiple wings of the security forces. These detainees did not enjoy any right of appeal and were subjected to mass arbitrary detention, as well as widespread torture and sexual violence.

Anyone in the security forces involved in organizing a forced abortion or forced contraceptive injections for women detainees.

Anyone who worked closely with any of the Tamil paramilitary groups who were involved in the commission of crimes. OISL says the paramilitaries were reportedly acting alongside, or on behalf of SLA, SLN and STF in particular. In particular 23 Division”59.

The role of the STF in abducting and killing suspects in detention in the latter part of the civil war is also well documented by the OISL report, says the ITJP report. On this basis alone, the vetting of UN peacekeepers should exclude all STF personnel who were involved in active combat in the East of Sri Lanka from 2005-7 and the North from 2007-9.

This is the first ITJP report to be based primarily on insider witnesses, interviewed in four different countries by multiple investigators. They include several former STF officers and Tamil paramilitaries. This is also the first time the ITJP has published testimony from Sinhalese witnesses and participants in some of the violations, indeed it has taken many years for even a handful of insider witnesses to emerge.

The section on sexual abuse was based primarily on the testimony of Sinhalese security force witnesses many of whom were involved in abductions, said the report. Several have confidentially provided the ITJP the names of commanding officers and colleagues. Witnesses also supplied photographs or other documentation or corroboration to show they served in the relevant security force unit, as well as in many cases map coordinates and detailed sketches of torture sites. Their exact units and times of service are not given here as it could reveal their identity.

The witnesses have not met one another and reside in 4 different countries. They have given very detailed accounts of operating procedures that overlap and anecdotes of specific events that would appear to be hard to fabricate on this scale. Much of this detail has been omitted from this report lest it identify the witnesses to their former colleagues. The statements were taken by three different extremely experienced investigators, two of whom worked in the East of Sri Lanka during the war.

Yasmin Sooka, executive director of the International Truth and Justice Project, plays an important role in Sri Lanka’s war crimes dance. Human Rights personnel do not stay for long,

in the topic, because they are usually on limited term, non-renewable contracts. But Yasmin Sooka, it appears, will go on forever. She is featured in several of the Sri Lanka war crimes” episodes.

On the face of it, the evidence that Yasmin Sooka’s organization claims to have ‘unearthed’ looks like the usual stories related by asylum claimants trying not to get expelled from Britain. It goes without saying that a refugee status claimant will say what is calculated to get them what they want. All those arriving in Europe seeking refugee status, claim to have been tortured and raped, he observed

Even though the ‘victim’s accounts’ and the ‘medical reports’ that professional human rights activists like Yasmin Sooka collect may not stand up to scrutiny by the UK immigration authorities or the courts, they can be used as purported evidence to file petitions in various courts against prominent Sri Lankan individuals and that is obviously what has happened in this case.

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Global Srilankan Forum ExCom and Global Srilankan Forum United Kingdom NGO(s) without consultative status, also share the views expressed in this statement.