



and the Labour opposition **pressed** Cameron to follow their example. Mindful of the central British role in the Commonwealth, he vowed to attend. Taking the bull by the horns, Cameron spearheaded the calls for an inquiry. He brought critical British journalists with him and visited the war-torn North of the island country as first foreign leader since 1948. Thus, with Sri Lanka's past and ongoing human rights violations in the

international spotlight, Cameron's attendance turned the summit into a **PR disaster** for the Sri Lankan hosts.

### Three challenges for the British government

If he is serious about the call for an inquiry into war crimes allegations, Cameron (and any like-minded Western leader) needs to consider three challenges to avoid perceptions of bias and selectivity.

First, he needs to calibrate his rhetoric. He should not underestimate the perception of a **former colonial master** pressing a small country with little economic importance. At home, the Rajapaksa government is **popular** among all ethnicities. This is not the least because Rajapaksa delivered what his predecessors had always promised: an end to random attacks by the Tamil Tigers that had terrorized the whole country.

Second, he needs to keep his coalition together. With the Sri Lankan government hyper-sensitized to bilateral pressure from the West, multilateral forums have proved to be most valuable. It was the UN Secretary General's threat to appoint a UN panel of experts on accountability issues that led Sri Lanka to appoint its own, albeit flawed, Lessons Learned and Reconciliation Commission (LLRC). Australia, that once **criticised** the Sri Lankan regime as well, has now **pledged** to assist Sri Lanka in its border management to "stop the boats" of illegal migration, as PM Tony Abbot had campaigned. During the CHOGM, Abbot even **expressed** some understanding for torture. If you look for a vote in the UN Human Rights Council, make sure you have the required majority (luckily, Australia is not a member).

Third, he should manage expectations about the consequences of an international inquiry. As long as the Rajapaksas are in power, there **won't be** a full-scale investigation that includes command responsibility up to the top. International pressure can push the Sri Lankan government to prosecute a few mid-level perpetrators, but not a member of the Rajapaksa family itself. Similarly, any referral of Sri Lanka to the International Criminal Court by the

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UN Security Council is highly unlikely given China's support for the regime. The current Kenyan and Sudanese examples of indicted leaders enjoying considerable international support don't bode well for going for the very top perpetrators as long as they are in power. Outsiders can help to promote an open political climate, but, ultimately, choosing the members of government remains an essentially domestic process.

### Prospects for engagement

To be clear, this does not mean giving in to impunity. Eventually, all those responsible for allegations of war crimes and crimes against humanity must be brought to justice. An international, independent Commission of Inquiry established by the UN, a universal organisation, might help to strengthen the credibility of allegations of war crimes among domestic constituencies in Sri Lanka. Even domestic voices otherwise highly critical of foreign meddling **admit** that the Rajapaksa government "brought this situation upon itself" **and** that it was high time he "goaded his government into getting its act together on the human rights front, [...] and took steps to implement the Lessons Learnt and Reconciliation Commission recommendations fully."

Indeed, the Sri Lankan government has announced two concessions since the Commonwealth summit. First, the **National Human Rights Commission** was tasked with looking into allegations of torture since 2009, to be assisted by the Commonwealth Secretariat. Second, the government started a **survey** of the whole island to establish a credible number of the Sri Lankans that died or were wounded during the war. While welcome, these measures do not, however, amount to the full and independent inquiry Cameron called for.

In dialogues on human rights and transitional justice, who is demanding changes matters as much as the substance of such claims. After the scandals surrounding the "war on terror", the Iraq war, the leaks regarding wide-spread surveillance and slow admittance of colonial atrocities, Western powers have **decreasing credibility** in the Global South on human rights accountability. Indeed, Sri Lankan newspapers are full these days with **calls** for Cameron to release the report of the Chilcot inquiry into the Iraq war and **stand up** to its own human rights violations. President Rajapaksa **noted** "people in glass houses should not throw stones."

Thus, the current South African diplomatic initiative for a **Truth and Reconciliation Commission in Sri Lanka** deserves full support. Apparently, discussing its details was one of South African President Jacob Zuma's most important motivations to attend the summit. The opposition Tamil National Alliance had been seeking advice on the South African experience for several years, and President Rajapaksa seems to catch on. If Cameron's pressure contributes to the establishment of such a commission, it would help the troubled island's society to finally move on.

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## ARCHIV

Wähle den Monat

## 2 Kommentare zu “The UK and Sri Lanka: avoiding pitfalls in engaging war crimes allegations”

**Mooks** | 4. Dez. 2013 um 19:23 |

**#1**

David Cameron hat meiner Meinung nach den Mund etwas voll genommen. Letztlich hat er selbst nichts in der Hand, um die Regierung in Sri Lanka zu Zugeständnissen zu bewegen. Er muss sich jetzt darauf verlassen, dass die regionalen Ordnungsmächte den Druck weiter erhöhen. Südafrika hat einen interessanten Vorschlag unterbreitet, der allen Beteiligten eine gesichtswahrende Lösung ermöglicht. Wichtig wäre jetzt, dass andere Regionalmächte diesen Plan unterstützen. Australien allerdings hat sich schon zurückgezogen, Indien durch den Boykott des Treffens seine Position geschwächt, China steht im Zweifel auf Seiten der Regierung. Ich befürchte, dass Rajapaksa das Problem einfach aussitzen wird. Über kurz oder lang wird die internationale Aufmerksamkeit weiterziehen.

ANTWORTEN

**Gerrit Kurtz** | 5. Dez. 2013 um 9:35 |

**#2**

Ganz so skeptisch sehe ich das nicht. Multilateraler Druck hat bereits Sri Lanka zu einigen Zugeständnissen bewegt, siehe LLRC, Missing Persons Commission und Survey of the Dead. In der Tat ist das noch nicht genug, und selbst die TRC allein kann die Probleme nicht lösen. Dennoch ist sie ein vielversprechender Ansatz, zumal von einem nicht-westlichen Land. China hat kurz nach dem CHOGM angefangen, Sri Lanka für seine Menschenrechtspolitik zu kritisieren. Die internationale Aufmerksamkeit ist jetzt seit über vier Jahren da – so schnell wird die nicht verschwinden, dafür werden nicht zuletzt die Diasporatamilen sorgen.

ANTWORTEN

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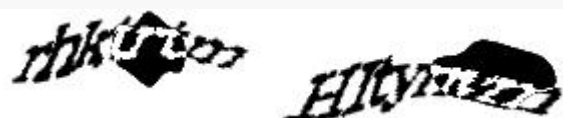
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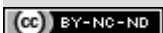
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