

Washington's curb on military aid: What justifies war?

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An Associated Press report said that the Appropriation Bill for 2008 of the United States' Federal Government was withholding military aid to Sri Lanka. It said that despite certain shortcomings in their human rights records, allocations in the bill for military aid to Indonesia and the Philippines had been substantially approved, whereas Congress "decided to bar all but a small amount of military aid to Sri Lanka until the Bush administration ... certified that the Sri Lankan government had made certain improvements in its human rights practices." (AP 18/Dec/07) The bill stated that future arms sales to the country was dependent on the secretary of state certifying that the Sri Lanka government was prepared to prosecute military officials who had allegedly recruited child soldiers and committed extrajudicial executions, provide access to humanitarian groups and reporters to the North and East and allow the United Nations to establish a human rights office in the country.

The ban makes it clear that unless the government agrees to adhere to basic principles of respecting human rights and international humanitarian law by making the armed forces more accountable and responsible, no more military aid would be forthcoming. To many Sri Lankans exasperated by the government's deplorable human rights record and its increasing confidence in committing violations with impunity, the strictures that "no defence export licence may be issued, and no military equipment or technology shall be sold or transferred," unless Colombo delivers on the three conditions insisted upon by Congress, are welcome. The question is however, what lies behind Sri Lankan security forces acting with impunity? Why is it that they commit atrocities that have led Washington to impose a curb on military aid?

We all know that actions of any military are driven by political agenda, whatever such agenda might be. The Sri Lanka army is no exception. From the 1950s it has been called upon to suppress Tamil rebellion demanding equal rights, which has taken different forms over the decades. In other words, a Sinhala-majority military was protecting a state that reflected Sinhala hegemony by suppressing the Tamils' struggle for their rights.

Therefore, it was the Sri Lankan state's project of using armed force to maintain a disparity of status between different communities in Sri Lanka that has led the present government to violate human rights with impunity, to bar humanitarian workers and the media from accessing IDPs in the North and East, and its cavalier attitude towards permitting a UN a human rights monitoring mission in the country. So, we have to agree that human rights violations by the security forces in their war against the Tamils, that began in the 1950s and which is today causing much suffering to civilians, is only a product or a consequence of a much deeper malaise. Therefore, if we want human rights violations to come to a halt, the fundamental problem faced by the Tamils and other communities living in Sri Lanka has to be addressed. This would mean addressing the core issue of access to political power, which would guarantee the rights of Tamil

citizens, as much as the rights of citizens of other communities are guaranteed.

The fact that the American government too believes that a lack of acceptable power-sharing lies at the heart of the ethnic problem in Sri Lanka is exemplified in the numerous statements by White House, the State Department, Congressmen, and the Co-chairs to the Sri Lankan Peace Process of which the US is a member. However, in its denial of military aid to the Sri Lankan government, the US only refers to the Sri Lankan military's continuing record of violating human rights and humanitarian law principles in prosecuting the war, and not to any power-sharing exercise whatsoever, not even the APRC, which all Tamils have regarded as grossly inadequate to address the complexity of Tamil demands.

In other words, hypothetically, if the culture of impunity by the Sri Lanka government comes to an end or even reduces (we should not forget the Rajapaksa government has been killing civilians, starving and abducting them from 2005, but the US has decided to take action against Colombo only now), humanitarian and media access is allowed to the North and East and a UN human rights field presence permitted, the ban on transferring arms to the Sri Lanka government would be withdrawn so that the military option could be pursued against the Tamils without hindrance. No one denies that enforcement of the rule of law and the transformation of the Sri Lankan security forces into a professional outfit is important. But, in today's context it is secondary.

The primary issue is bringing a halt to the conflict which can only be done by placing on the table a credible set of proposals to share power that would help evolve a political solution. But, by making further military aid dependent on fighting the war without large-scale, visible civilian casualties, the impression the US conveys is that it is supportive of a 'clean war' by a professional military outfit. And, we all know that in any strike by a military outfit - be it the Sri Lankan security forces in the Wannu or the world's most advanced, the US, in Iraq or Afghanistan - civilian casualties are inevitable. But these are obviously not Washington's concern. The fact that it is not is demonstrated in the bill's qualification on the ban of military exports, by allowing equipment for aerial and maritime surveillance. It is well known the Sri Lanka government is taking delivery of such equipment from the US after the LTTE knocked out some of its surveillance aircraft in the raid on Anuradhapura air base.

To the Tamils, as well as others who support them in fighting for a just solution for Sri Lanka's ethnic conflict, the only effective way of compelling Colombo to sincerely address not only human rights issues but also those of power-sharing, is by withdrawing the facility it enjoys - the ability to re-arm, while its opponent cannot. And the only way of doing that is by placing a strict embargo on the arms supply to Colombo. But, to implement this is to tie arms supply to an effective set of proposals for power-sharing that would eventually bring about a solution and not to make arms supply to Colombo contingent on its military measuring up to professional standards. War by a state on its own people cannot be justified just because it is fought professionally. The question should be whether it is a just war.

If it is only military professionalism Washington is looking for, it would mean committing the cardinal error of encouraging Colombo to fight, based on the premise that all wars against anti-state forces are justified, without looking into the fundamentals that drive such wars.