

Sri Lanka's new Chief of Army Staff should be prosecuted for alleged war crimes if he travels.

JOHANNESBURG, SOUTH AFRICA, January 10, 2019 /EINPresswire.com/ -- President Maithripala Sirisena's decision to appoint a notorious alleged war criminal as Chief of Army Staff is a shocking new low for Sri Lanka. Major General [Shavendra Silva](#) was named by a United Nations investigation for his part in commanding the 58 Division, which was the unit responsible for repeated and deliberate attacks on hospitals, food distribution queues and displacement camps in 2009, resulting in tens of thousands of civilian deaths in a matter of months. Units under Silva's direct command are also alleged to have been involved in summary executions including of women and children, hundreds of cases of enforced disappearance, as well as torture and sexual violence.



Shavendra Silva in May 2009 (man pointing)

"Sri Lanka now has a chief of army staff who risks arrest every time he travels abroad, if any country is foolish enough to give him a visa" said the executive director of the International Truth and Justice Project, Yasmin Sooka. "We have prepared a substantial dossier on Major General Silva which we shall be releasing shortly; we believe there is more than enough evidence to charge him for international crimes should the opportunity arise. This is arguably the most wanted man in Sri Lanka – a decade on, tragically, he is being promoted instead of standing trial"

Tamil survivors of the 2009 war, thousands of whom have been driven into exile since, have expressed horror that Silva has been chosen for such a senior military position.

"This is an incredible affront to the victims of that war – and jeopardises any reconciliation attempt in Sri Lanka," said Ms. Sooka. "We cannot imagine what the President is thinking in promoting a man who brings the whole country into disrepute and is a close ally of the former secretary of defence, Gotabaya Rajapaksa, serving in the same regiment together."

Silva is alleged to have been personally present at the location of the so called "white flag" surrenders on 18 May 2009, and has confirmed that he was in overall command of the area. An eyewitness says he saw Silva shake hands with the political leaders of the Liberation Tigers of Tamil Eelam (LTTE) as they surrendered to him; their corpses were seen on the roadside a few hours later. The UN's Investigation said the leaders were summarily executed, despite assurances from the Government that they could safely surrender under a white flag.

During the final phase of the war, Major General Silva reported directly to General Jagath Jayasuriya. In 2017 the ITJP 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. Both Brazil and Chile found there was jurisdiction to accept the case; Jayasuriya fled the country on the eve of the filing, rather than test his innocence in an independent international court of law.

Shavendra Silva's alleged role in war crimes has also been extensively reported in the media for many years. In 2011, a war crimes lawsuit was filed against Silva in New York but failed because he had diplomatic immunity. In 2012, the former UN High Commissioner for Human Rights, Navi Pillay, reportedly raised concerns with the UN Secretary General regarding Silva being an alleged war criminal. In 2012, Silva was removed from a top UN peacekeeping advisory committee because of the allegations of war crimes. A South African NGO also threatened litigation when it was reported that Silva was to be posted as a diplomat to their country.

"This latest development might have been avoided," said Ms. Sooka, if Major General Silva's promotions had been scrutinised and criticised more closely in recent years. In 2017, Silva was promoted to Adjutant General of the Sri Lanka Army – ironically putting him in charge of the directorate of human rights and humanitarian law. He even received funding from coca cola and CEAT to run sporting events to raise money for the men in his regiment who fought with him. "The Attorney General of Sri Lanka should seriously consider indicting him for war crimes and crimes against humanity," said Sooka.

Silva's official army biography says he was trained in the USA, Israel, Netherlands, Greece, Italy, France, Pakistan and India and was instructed in psychological operations by the US Army. It added that he taught an International Humanitarian Law Course for the Sri Lankan Army.

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