Neither Sri Lanka nor Israel should have impunity in their 'wars on terror'

By Antony Loewenstein

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Israel's war against the Gazan people in December and January devastated the tiny Strip, killing over 1,400 people, a majority of whom were civilians. The Western powers, including America, England and Australia, backed Israel's battle against Hamas and shared its belief that destruction of the Islamist group would benefit their interests.

More than six months later, however, the political realities in the region remain virtually unchanged, with Hamas still in control of Gaza, Israel and Egypt imposing an inhumane siege on the area and Israel regularly launching military strikes against "terrorist" targets.

During my visit there in July, I found many of the 1.5 million Palestinians desperate for a normal life, something denied to them for decades due to Israeli occupation and irregular bombardment.

The recent UN released report on Gaza, investigated by distinguished South African Justice Richard Goldstone, found overwhelming evidence that both Israel and Hamas committed war crimes during the conflict and should be held to account in an international tribunal. Goldstone stressed that the culture of impunity endemic in the Middle East must end the targeting of civilians and their infrastructure and the lack of international will to fully investigate the atrocities carried out in the name of "defeating terrorism."

Goldstone told US magazine Tikkun that, "the powerful are protected because of their power. But it's not prejudice it's politics. They use their power to protect themselves." Israel and US are determined that the former never face justice for its crimes. Compare the international outcry over the Gaza massacre to the relative silence toward Sri Lanka's war against the Tamil people in 2008 and 2009. Conservative estimates place the death roll at over 20,000 people, perhaps as high as 50,000. The Colombo regime dismissed all attempts to cease its military operations, negotiate with the Tamil Tigers or allow the transfer of hundreds of thousands of civilians to safety.

Today, close to 300,000 Tamils are trapped in government-imposed camps, surrounded by barbed wire and unable to leave.
The International Crisis Group told the European Parliament in early October that "such restrictions on freedom in the absence of due process are a violation of both national and international law."

Sri Lanka was fighting its own "war on terror" with the Israeli playbook. Ban all independent media from the war zone, demonize human rights groups as sympathetic to terrorists, dismiss all questioning of tactics as giving in to terrorism and support the doctrine of overwhelming fire-power. Like Israel, Sri Lanka won the battle, but will inevitably lose the war.

Israel has battled Palestinian nationalists for decades and remains unable to destroy the spirit of the people. Independence for the Palestinian people will come one day. Despite extensive media coverage and global sympathy for their cause, the Palestinians are today still stateless and under occupation. But their plight is far better understood than the Tamils.

Israel's ambassador to Britain, Ron Prosor, wrote in the London Times in late September that the "farcical" United States Human Rights Council, tasked to investigate the Gaza massacre, should not examine Israel because, it "did its utmost to direct Palestinian civilians out of harm's way." Every human rights group in the world has evidence to prove the fallacy of this argument. Israel should be treated like any other country calling itself a democracy and not excused because of its bellicose tactics in the global arena.

A growing number of Jewish groups are joining this call, unafraid of being labelled anti-Semitic or self-hating and simply believing in equitable justice. An initiative I co-founded, Independent Australian Jewish Voices, is part of this conversation, regularly working with Palestinians over our shared concerns.

Proser demanded to know why the UN wasn't investigating the "300,000 Tamil civilians currently languishing in Sri Lanka." It's a fair question, except his ideal outcome would be impunity for Western states fighting their own "war on terror." In this worldview, it's only developing or Third World nations worthy of sanction.

Sadly, the vast majority of Muslim and Middle East countries, except Bosnia, voted with Sri Lanka in the UN Human Rights Council in May to support its war against the Tamil people. The idea of non-democratic nations backing a brutal regime isn't new; defeating "terrorism" is a language democracies and dictatorships both share. The fact that the UN is a flawed body doesn't prevent it from conducting important work in the field of human rights and abuse prevention.

Sri Lanka doesn't enjoy favored nation status like Israel but it should face a thorough examination of its conduct during the war. Many states, such as Israel and China, have no desire to discover the truth behind the conflict because they provided arms to the Sri Lankan government. Israel is reportedly protecting Sri Lanka from any American pressure against its actions. But obstacles to international justice should not preclude their commencement. Crimes in Congo, Sierra Leone, Cambodia and the

former Yugoslavia were thoroughly investigated by legal bodies, even if the final outcomes were not perfect.

It is time for the Sri Lanka leaders to understand that destroying a terrorist infrastructure without political and social assistance to the vanquished is doomed to failure. The Sri Lankan government will need to be convinced that normal relations with the world will not be possible until its crimes against the Tamils are acknowledged.

Peace with justice demands nothing less.

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