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Tainted Peace: Torture in Sri Lanka since May 2009, Medical Foundation for the Care of Victims of Torture, UK

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Of the two terms which form the title of this August 2015 publication, the word “taint” etymologically comes from “to dye”. Among its current meanings one is, “a corrupt condition or infection”. The other term in the noun phrase (“Peace”) can be divided into two broad categories, negative and positive. Negative peace is merely the absence of overt war and can be an imposed, a Carthaginian, peace. Positive peace connotes harmony (the product of justice), safety and a degree of well-being. The question prompts itself: Can a peace that is tainted be called “peace”?

The style of *Tainted Peace* is a contrast between content and manner. Based on evidence clinically established by medical doctors and psychiatrists; written by trained researchers, horrific material is presented dispassionately. Encountering dates and charts, percentages and statistics, it is almost as if one were reading the trading-report of a business company. (The style I think is deliberate, the intention being to be objective, and to allow the evidence to speak for itself.). “In accordance with the Istanbul Protocol, Freedom from Torture routinely consider the issue of alternative causation of physical injury and psychological symptoms, including the possibility of fabrication of torture accounts and of injury through self-harm or by proxy” (p. 44). In other words, Freedom from Torture always thoroughly probes the possibility that injuries were not the result of the alleged torture or that they were caused by the victim herself / himself, with or without the help of someone else.

The organisation which produced this Report was established in 1985 and is “dedicated to the treatment and rehabilitation of torture survivors” - irrespective of the victims’ continent and country of origin. Their services include “psychological and physical therapies, forensic

documentation of torture, legal and welfare advice, and creative projects”. Their “expert clinicians prepare medico-legal reports” and their ultimate aim is “a world free from torture”, even as, for example, the aim of Oxfam is the eradication of hunger worldwide. The goal may not be reached but the effort is worthy: ideals are approximated to; rarely realized. Not surprisingly, Freedom from Torture is intensely disliked by “torturing states” and their ardent and adamant supporters. I quote from Page 9: “This report is about torture practised by the military, police and intelligence services in Sri Lanka. It is based on a study conducted by Freedom from Torture of 148 Sri Lankan torture cases forensically documented by expert doctors in our Medico-Legal Report (MLR) Service, in accordance with the standards set out in the UN Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (known as the ‘Istanbul Protocol’).”

The Report claims there is a “culture” of torture in Sri Lanka; that is, torture is accepted as a general part of life, albeit not spoken about. There is no public outrage or investigation, only an indifferent acceptance or outraged, patriotic, denial. The study states that people were detained and tortured in “state facilities of different types located in fifteen districts and seven of the nine provinces of Sri Lanka”. There is, the Report says, “evidence of ongoing torture since Maithripala Sirisena became President in January 2015” (p. 15). “Methods of torture used [...] included blunt force trauma, such as beating and/or assault, burning including with heated metal, sexual torture including rape, suspension and other forced positioning, asphyxiation, cutting or stabbing with sharp implements and/or electric shock” (p. 10). Sexual torture includes rape (“anal, vaginal, oral and/or instrumental”), violent assault to genitals, sexual molestation and forced nakedness. The perpetrators often smelt strongly of alcohol; sometimes, female officers accompanied their male counterparts “and took part in the sexual humiliation and molestations” (p. 46). “Other forms of humiliation included being urinated on and being forced to drink “another person’s urine” (p. 54).

Evidence is difficult to extract, analyse and evaluate. Often, victims were subject to “sensory deprivation or rendered unconscious”. They were blindfolded, confused and terrified. Consequently, their evidence can be partial, confused or even contradictory. “Questions about the torture and the circumstances of detention are very distressing... in the interview [victims] are asked to describe the finest details of what was done to them, by whom and how many times... Many patients are unable to speak of the acts done to them which they find *unbearable to recall and impossible to put into words to a stranger and through an interpreter* (pp. 17-18. Italics added). “It can take many sessions with a clinician writing an MLR before a survivor of torture feels comfortable enough to disclose sexual torture. Some survivors are never able to disclose sexual torture, or all aspects of what has been done, due to high levels of distress and trauma induced by recounting the experiences (p. 45). As a result, the incidences of rape and other sexual torture may be even higher (ibid). “If a girl talks to a boy late at night then this is inappropriate. Imagine what it is like to be raped in a community like this, there is nothing to live for” (p. 47).

An acquaintance here in Berlin said she was “fed up” with news on television being presently (September 2015) dominated by the mass influx of refugees into Europe. (In an illustration of how language can create or conceal reality, UK politicians, particularly those in power now, prefer the term “migrants” to “refugees”. The former helps soothe the conscience; the latter makes a moral claim, and is therefore troubling and troublesome.) And yet what is boring, if not an annoyance, to that “fed up” lady has been described as the greatest

humanitarian crisis Europe has faced since the end of the Second World War. What is boredom to some is desperation and danger, hardship and distress to others: witness the pictures of distraught parents carrying and trying to comfort little children crying, crying through confusion and fear, hunger and tiredness. (So too many are fed up with the plight of the Palestinians abandoned, if not opposed, by most of their co-religionists.). This reaction of *déjà vu*, of being bored, irritated or “fed up” may meet Freedom from Torture’s report about torture and sexual abuse in Sri Lanka.

Yet another response heard is that we must “move on”, a facile phrase which suggests a looking to the future and, therefore, being positive and progressive. Torture victims have after all, and unlike those who died, survived. True, they exist but they never regain anything like their former self. Some are suicidal, and wish for the release of death: to take a liberty with the words of the poem ‘Asleep’ by Wilfred Owen (killed in action, 1918, at the age of 25), the dead sleep less “tremulous” than torture-victims “who must awake, and waking, say Alas!” Victims of torture and rape, apart from physical injury, are crippled both emotionally and psychologically for life. One can expand Shakespeare’s “He jests at scars that never felt a wound” to read: Those who are fortunate and live unscathed lives can make light of injury sustained by strangers, particularly by those seen as the ‘Other’. It is easy to say, “You must move on” to those who are “crippled” and find it difficult to move away, let alone move on.

According to the Istanbul Protocol, one of the aims of torture is to “disintegrate the individual’s personality. The torturer attempts to destroy a victim’s sense of being grounded in a family and society as a human being with hopes, dreams and aspirations” (see, p. 62). Among the lasting effects of torture are: intense feelings of shame; involuntary and intrusive memories, nightmares and flashbacks; self-hatred; severe anxiety symptoms; social withdrawal; labile emotions; “suicidal ideation, self-harm and suicide attempts” (pp. 62-63). (In this context, see also ‘Depersonalisation disorder’, usually abbreviated as DPD.)

In such cases, to debate numbers, for example whether 40,000 or “only” 20, 000 Tamils were killed at the end of the war – or was it an even more “only” 10,000? - is callous and irrelevant, unethical and inhumane. After all “only” about 8,000 Muslims were massacred at Srebrenica in July 1995, and yet the UN investigated and Holland, *though under no outside pressure*, voluntarily appointed its own commission; found its soldiers were guilty of dereliction, and faced that consequence. A numerical, statistical, approach and valuation denies and erases what Toni Morrison describes, in relation to the work of Primo Levi, as “the singularity of human existence”: the uniqueness, worth and value of every single life. That approach is for those who see the wood, and are either unable or refuse to see the individual tree.

“The most common form of sexual torture reported by men and women was forced nakedness... As noted by doctors, forced nakedness causes intense humiliation and distress to men and women, as well as invoking a profound sense of vulnerability and fear that further sexual torture and particularly rape may be imminent... Some reported being kept naked in their cells during detention and being kept naked in front of other detainees, including the opposite sex” (p. 47).

Physical torture has non-physical (emotional and mental) effects; psychological torture makes a physical impact: a body/soul dichotomy is

tempting and convenient but ultimately misleading. Justice would help towards healing, and also serve to help to ensure there is no repetition: "Who, after all, speaks today of the annihilation of the Armenians?" challenged Hitler in 1939, encouraged by international failure in the case of the Armenians to launch his own genocidal attack on Poland. In Sri Lanka, lack of an impartial investigation ("Justice must not only be done but must also be **seen** to be done") confers immunity. Immunity appears to condone murder, torture and rape, and so licenses and encourages murder, torture and rape.

The Report ends by urging member-states of the United Nations Human Rights Council and Security Council to investigate gross violations of human rights "in the years of 'peace' since the fighting ended" (p. 66). It appeals to President Sirisena to publicly acknowledge that torture, including sexual torture, is ongoing in peacetime Sri Lanka and, as Commander-in-Chief of the Army, to issue a clear and public command to the military not to practise torture, and announce that perpetrators will be held to account (p. 67).

The intention here is to draw attention to this document which can be accessed from the Internet, free of charge. Readers can form their own opinion: to condemn the Report without having read it would not be reasonable.

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