

S R I L A N K A D E M O C R A C Y F O R U M

Australia Canada France Germany India Japan Netherlands Norway United Kingdom United States
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For Immediate Release

11 March 2007

SLDF expresses its grave concern over the continuing deterioration of the human rights and humanitarian crisis in Sri Lanka and reiterates its call for UN Human Rights Monitoring

The current situation

Despite international and local condemnation, the situation in Sri Lanka has continued to worsen on many fronts since the last sessions of the Human Rights Council in 2006.

Daily military offensives without respite by the Sri Lankan security forces, the LTTE, and the Karuna group, have led to the displacement of a large number of people and brought the country to the brink of a humanitarian disaster. The recent announcement by the LTTE that they will be targeting civilian vessels if they are accompanied by troops is an indication of the total disregard of all armed parties for civilian lives, and forewarns us of the humanitarian disaster that awaits Sri Lanka, unless urgent action is taken.

The conclusion of the magisterial inquiry into the execution of the 17 ACF aid workers that there were serious flaws in the government investigation, and that the government has attempted to circumvent the use of foreign forensic experts, indicate the lack of seriousness of the government in carrying out impartial investigations. This further indicates that only an international monitoring mechanism reporting to an independent international body such as the UN can effectively investigate political killings and human rights abuses and identify perpetrators.

The ceasefire is virtually non-functional, as the parties display total disregard for the provisions of the Ceasefire Agreement. The role of the SLMM has been rendered totally inoperative. There is an all out war, even while the All Party Conference (APC) continues its exercise of trying to find a basis for a political solution.

SLDF appeal to the International community

SLDF appeals to the international community, particularly the United Nations Human Rights Council, to take urgent steps to ensure respect for international humanitarian and human rights law in Sri Lanka by establishing an International Human Rights Monitoring mechanism, including extensive field operations, under the good offices of the United Nations Office of the High Commissioner for Human Rights (UNOHCHR).

SLDF welcomes the Sri Lankan government's appointment of a Presidential Commission of Inquiry (COI) and the appointment of the International Independent Group of Eminent Persons to oversee the COI. While it is important to bring perpetrators to justice, it has become clear that in the face of continued failure on the part of the state to stem the tide of escalating human rights violations, only human rights monitoring on the ground by an international presence can rein in the current trend of killings, abductions, child recruitment and disappearances and successfully challenge the culture of impunity prevalent in the country.

Disappearances and Extrajudicial killings

The National Human Rights Commission of Sri Lanka has recorded over 100 abductions and disappearances so far this year in Colombo, Batticaloa in the east and Jaffna peninsula in the north. This is in addition to over 1000 cases reported during 2006. The LTTE, the Karuna faction and the security forces are all being held responsible for these violations. In the Jaffna peninsula, scores of civilians have approached the local branch of the Human Rights Commission and pleaded with its officials to be held in jail for fear of becoming victims of abduction and/or murder.

Outside the North and East the Civil Monitoring Mission has documented 12 killings and 50 abductions in the last three months alone. Of those abducted, only a few have been released and only after the payment of large sums of money. Alleged abductions by the Karuna group with the objective of extorting large sums of money are continuing unabated with strong evidence of state complicity. There is unwillingness on the part of the law enforcement authorities to crack down or investigate these abductions.

In the North and East, the LTTE are continuing to kill dissidents, and civilians are being targeted by all sides. The University Teachers for Human Rights (Jaffna) has documented 35 killings in Jaffna alone in November and December of last year with 14 of this attributed to the LTTE, and the rest to state security forces and groups connected to them. The Jaffna Human Rights Commission has stated that they have received 60 complaints of disappearances since the beginning of this year alone.

The Asian Human Rights commission has reported that that there is at least one abduction taking place in Sri Lanka every five hours.

Child Recruitment

It is a publicly recorded fact that both the LTTE and the Karuna faction are continuing to forcibly recruit children to join their ranks as child soldiers. Contrary to assurances given to the UN Special Advisor and Special Representative for Children and Armed conflict these abducted children are not being released and indeed there are credible reports that there is state complicity in forcible recruitment of children by the Karuna faction. This is indeed a serious allegation which the State has to address immediately.

Enforced induction of civilians

There is clear evidence that the LTTE's practice of forcibly inducting civilians of both sexes and varying age groups for compulsory military training has been intensified in the North and East. In recent months, those living in the LTTE-controlled areas in Vanni, where the civilian population is trapped without any rights of free movement or escape have been subjected to this by the LTTE, with a view to augmenting its ranks. This has caused much fear amongst the civilian population who are now going into hiding or taking huge risks to flee, which when they are caught invites severe punishment by the LTTE. The intensification of this enforced recruitment campaign by the LTTE is strongest in the Kilinochchi and Mullaitivu districts of the

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Vanni, but there is substantial evidence showing that it has now spread through LTTE infiltration to other areas such as Mannar, Vavuniya and Jaffna districts.

Humanitarian Access

There has been no significant improvement in the humanitarian aid and support in the North and East to those displaced by war and indeed continues to be denied to many conflict areas. Increasingly, unnecessary restrictions are being placed on relief organisations operating in the North and East.

It is estimated that there are at least 250,000 internally displaced persons and another 16,000 have found refuge in India during the last year. Refugee outflows are now beginning to reach countries even further a field, such as the 83 Sri Lankan refugees arriving in Australia in February this year.

There is strong evidence that the LTTE is preventing the movement of people trying to leave conflict areas.

Authoritarianism and crack down on press freedom

There are increasing incidents of journalists and other human rights defenders being arrested and detained either for expressing dissenting views or exposing human rights violations.

The current economic embargo, and the consequent shortage of newsprint has prevented the publication of newspapers in Jaffna, curtailing dissent, and vital flow of public information.

SLDF calls for the following actions

The Government

- Immediately halt killings and abductions, and respect international humanitarian law. As evidence of their commitment to the above, we call on the government to initiate prosecutions against violators of such international humanitarian and human rights law in the government ranks and in the armed forces
- Set a date for the visit of the UN Special Rapporteur on torture, whose visit has been unduly postponed.
- Ensure that humanitarian and medical supplies reach all affected areas, and grant free access to international humanitarian, and human rights organisations, and journalists to conflict areas.
- Invite an international human rights monitoring operation to be set up under the auspices of the UNOHCHR, as a way of arresting the rapidly declining human rights situation and the climate of impunity that is prevailing in the country.

The LTTE

- Stop recruitment of children, and release all children in the ranks
- Stop political killings
- Stop the forceful recruitment of young adults.

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- Stop extortions
- Stop restricting the movement of people
- Stop forcibly inducting civilians for military training
- Allow free and safe access, to journalists, both local and foreign, and NGOs carrying out humanitarian work and other aid workers, to areas under its control

The Karuna group

- Stop recruitment of children, and release all children in the ranks
- Stop political killings
- Stop the forceful recruitment of young adults.
- Stop abductions and extortions

International Community

- Impress upon all parties, without further delay, the gravity of violating international humanitarian law.
- Set clear deadlines for the parties to redress actions, and clearly delineate the consequences of not meeting the deadlines. These should include sanctions and prosecutions in international tribunals for war crimes.

The United Nations Human Rights Council

- The United Nations High Commissioner for Human Rights, and the Special Rapporteur on torture and Special Rapporteur on IDPs to visit Sri Lanka to do an independent assessment of the situation.
- Table a resolution on Sri Lanka immediately, with a view to establishing UN Human Rights Monitoring (including a country wide field operation) in Sri Lanka. International monitoring is the only mechanism that can;
 - Deter on going human rights violations
 - Function without intimidation and interference
 - Ensure accountability from the LTTE and the Karuna group

The continuing deterioration of the human rights situation in Sri Lanka reveals the callous disregard of the State security forces, LTTE, and the Karuna group have for human rights and civilian protection. Human life is being devalued and being treated as a summarily expendable means in the process of achieving political, military, and financial ambitions.

As the UNHRC begins its fourth session, we draw attention to the abysmal human rights situation in Sri Lanka, and highlight one of the fundamental tenets and commitments of the UN found in the preamble to the UN Charter; "... to reaffirm faith in fundamental human rights, [and] in the dignity and worth of the human person..."

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A few examples of widely reported human rights related issues during the past few months:

- 15 December 2006: Abduction of Professor S. Raveendranath, Vice Chancellor of the Eastern University, in Colombo by an unidentified gang.

- 9 February 2007: the older sister of a young woman who went into hiding to avoid forced conscription was taken by force in the village of Vattakachchi (within LTTE control) by the LTTE. The abducted woman's maternal uncle Gajan Kanagarajah presently residing in Canada has protested and requested the assistance of International Human Rights Organisations to secure the release of his niece Pathmaseeli.

- 2 March 2007: Five bullet-riddled bodies of male persons were recovered from a swamp in Mutturajawela in Kandana police division, not very far from the capital Colombo. The bodies have been identified by relatives as those of Tamil persons from Batticaloa district.

- 5 March 2007: Kidnapping of 15-year-old daughter of a Tamil millionaire businessman in Negombo, demand of a ransom of Rs.4 million for her release; according to police sources both the daughter and her elder brother were kidnapped near their home when returning from school; the son escaped and reported the kidnapping of his sister.

- 6 March 2007: Police discovered five burned bodies near an abandoned field in north-central Sri Lanka. The bodies, burned beyond recognition, were found in Thirapappane village in Anuradhapura district. They have yet to be identified.

- 6 March 2007: The Inspector General of Police Victor Perera, in a press briefing conceded that officers in the military and the police and those who have deserted the forces were involved with under world gangs and were carrying out abductions for extorting ransom. He said that the police have made several arrests during the past few weeks based on intelligence reports, which include officers from the forces, police and journalists. Some of those held in custody had "LTTE connections". And according to video allegedly found in their possession the suspects had received military training from the LTTE.

- 6 March 2007 the LTTE has ordered civilians not to board Sri Lankan vessels plying between Trincomalee and Jaffna declaring that it would attack such vessels with immediate effect. The warning statement was announced on the Voice of Tigers (VOT) radio, and pro-LTTE website www.puthinam.com and the Tamil daily Sudar Oli. The LTTE said that civilian vessels would become a legitimate military target if they were suspected of carrying Sri Lankan troops also.