

Six months on: end of the war brings no respite and little hope for Sri Lanka's minorities

Introduction

On 19 May 2009 Sri Lankan President Mahinda Rajapakse declared to parliament that the country's 30-year-old war had come to an end with the defeat of the Liberation Tigers for Tamil Eelam (LTTE). He led Sri Lanka through a week of celebrations as people were asked to hoist the national flag at homes and schools, while the media, especially the Sinhala language press, trumpeted praise for the country's heroic armed forces. In northern Sri Lanka, however, the scenario was very different. Over 280,000 people were pouring into Internally Displaced Persons' (IDPs) camps that were struggling to cope with the numbers. The government was completely unprepared for the exodus. Although International Non-Government Organizations (INGOs) had warned that more than 200,000 people were trapped in the fighting, the Government of Sri Lanka (GoSL) and the Indian government stuck to a figure of 70,000.¹ Many children were suffering from malnutrition, having been starved for days by the LTTE and having no access to food.² The majority were severely traumatized, having watched numbers of people killed by the LTTE and by the Sri Lankan army. They brought with them stories of dead bodies scattered across the roads.³ In the run-up to their escape, when

they were held hostage by the LTTE, shot at by the militants whilst trying to escape, and faced incessant shelling by the Sri Lankan military, thousands were killed.⁴ During the escape many families were separated.⁵

In the capital Colombo and in other major towns there was a wave of triumphalism. Several civil society activists and journalists, from both the Tamil and Muslim minority communities and also the majority Sinhala community, were not happy with the stark contrast between the celebrations in the south and the situation in the north.⁶ Victory had, however, strengthened the Sri Lankan government and army enormously, and they were seen as heroes by a large section of the population, making it very dangerous to raise issues of human rights and minority rights. The government had run its entire military campaign as a fight against terrorism; criticizing this victory, therefore, could mean one was portrayed as supporting or sympathizing with terrorists. Under Sri Lanka's draconian anti-terrorism laws, this is a criminal activity that could lead to prosecution.⁷

The end of the war in Sri Lanka was a singular historic moment that is unparalleled in the country's contemporary history. During the conflict, both the Sri Lankan state and the LTTE perpetrated large-scale human rights violations. Through the 30 year period, the LTTE carried out some of

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the most ruthless targeted civilian attacks across the country.⁸ The rebels, who were pioneers of suicide bombings, conducted several such attacks in the capital Colombo, killing scores of people. In 1990, the LTTE ethnically cleansed the areas under their control, evicting over 60,000 Muslims, in a period of between one and three days. They tolerated no dissent and eliminated several moderate Tamil political leaders, civil society activists and journalists.⁹ Several attempts had been made throughout the 30 years both to talk peace with the rebels and to defeat them militarily. None had been successful. This is why President Mahinda Rajapakse's announcement of the military victory was a landmark.

19 November marks six months since this victorious announcement was made.¹⁰ This briefing aims to provide a snapshot of the situation of minorities since the end of the war, focusing on the most crucial problems affecting them. It is not possible to analyze all of the issues affecting minorities in this paper, which will instead consider four key areas that specifically affect the country's minority communities. These are: displacement, return and resettlement; accountability and reconciliation; the GoSL's response to dissent; and political participation and political settlement. It is important to state here that the focus on these specific areas does not mean that other human rights violations do not exist in the country. There are a number of human rights problems in Sri Lanka including cases of extra-judicial killings, abductions, torture, arbitrary arrest and detention.¹¹ There are also several cases of violations of economic and social rights. These rights violations, though perhaps to a lesser extent, are also faced by the majority community. In selecting particular focal issues, this briefing does not negate the importance of other issues; it simply focuses on those that are current and critical to minorities.

The research for this report is based on interviews conducted by Minority Rights Group International (MRG) with activists and aid workers, media reports and communications, and reports provided by various civil society groups in Sri Lanka. In view of the serious threat faced by human rights defenders and aid workers in Sri Lanka, none of those interviewed for this paper have been named here. The report is based on eyewitness accounts of some IDP camps in Vavuniya. The details on the IDP camps are based on these accounts and on interviews conducted with local NGO staff who have access to the camps.

Displacement

The situation of those Tamils who were displaced in the last stages of the fighting, now numbering approximately 170,000, remains dire. In the final week of October, the GoSL speedily began returning and resettling a number of IDPs based on a pledge made to a group of visiting South Indian politicians.¹² On 23 November 2009, following a visit to Sri Lanka, John Holmes, UN Under-Secretary-General for Humanitarian Affairs, said that nearly half the number of people in the camps had been returned to their

villages in the districts of Jaffna, Vavuniya, Mullaitivu, Trincomalee, Batticaloa and Ampara.¹³ Approximately 135,000 of recent IDPs remain in the camps.¹⁴

The largest number of IDPs are being held in an area of 5 sq km in the infamous Menik Farm camp in Vavuniya.¹⁵ The remaining IDPs are scattered across smaller camps in Vavuniya, Trincomalee, Mannar and Jaffna.¹⁶ The Menik Farm camp has been constructed in a barely habitable area in Vavuniya. As one aid worker explained, the government officials in charge of building the camp, devoid of local knowledge, chose a location for the camp which is not conducive to human habitation.¹⁷ The Menik Farm camp is situated some 30 km west of Vavuniya on an arduous road. Upon reaching the camp, one is first greeted by huge billboards boasting the military victory with pictures of the President, his brothers and military leaders.¹⁸ One then sees miles of land cordoned off by barbed wire, behind which lie lines of thousands of small white tents.

The Menik Farm camp is divided into five major zones, with several divisions within each of these zones. The first is the model camp, which has semi-permanent housing, and other facilities such as a shop and bank. The conditions in this zone are comparatively better than in the rest of the camp; this is also the zone most often open to visiting foreign delegates.¹⁹ Zone four is considered the worst and shelters many of the last batch of IDPs who left the warzone, who are weaker and have suffered more from malnutrition than others. It is extremely overcrowded and, as in most of the other zones, the people have merely a tent for shelter. The material out of which the tents are made is not strong enough to resist the scorching heat or heavy rains. When it is sunny, the tents are too thin to keep the heat away and there are reports of people developing skin diseases. In the rains water drips in. 'The camps have been built with no consideration paid to people having to live there. In the daytime there is not even a tree for people to sit under for some shade,' an aid worker explains.²⁰

The main issues with regard to the conditions in the camps are: poor quality tents for shelter; severe overcrowding; water shortages; and poor and limited sanitation facilities. The main food items such as dry rations are provided only by the World Food Programme (WFP), but other food items such as vegetables and meats (complementary food items) can be provided by local NGOs. Many local NGOs, however, have recently stopped providing these items for varying reasons, ranging from donor limitations to restricted access.²¹ There have been no recent reports of food shortages but, because of the overcrowding, there are delays in people receiving food items. 'People have to stand for hours in the hot sun in long queues to collect their food,' said one IDP. There were several complaints about the quality of the food items, and some said the food was not easy for children to digest.²² There have also been complaints that coordination of relief distribution between various NGOs and international agencies has been poor. As a result, there are instances where some people have not

received a particular food or sanitary item, while others in the same zones and/or divisions within the camps have received that item in bulk.

Access to drinking water is severely limited. The commonest scenes in the camps are people queuing for water for several hours, and long lines of cartons left to be filled with water. 'Each family manages to collect just one bucket of water; they need to use that for drinking, bathing, washing their clothes and their eating utensils,' a camp manager explains.

Overcrowding is now much less of an issue, but the large numbers still exacerbate the problems within the camps. Some tents house one or two families; others are bigger tents where several families live together. Families and individuals have no privacy at all. There is neither space nor privacy within the tents for couples to engage in sexual relations. The lack of privacy also leads to security issues that are particularly a problem for single young women; not all toilets, for instance, are properly covered or secured, and quite often women bathe in front of an audience of male IDPs and soldiers.

Health and sanitation

Sanitation has been a problem in the camps from the inception. The toilet facilities are poor and limited. When there are heavy rains the toilets overflow, stinking up the camps and posing a huge health hazard.²³ Menik Farm camps have been built in a flood-prone area. The rains have already started and the camps are flooding. Aid agencies and INGOs have been warning that the monsoon rains could cause a major health and sanitation crisis within the camps.²⁴

Access to health services for IDPs is limited. There is an ambulance service that runs from the camps to the Vavuniya hospital twice a day. In the hospital, patients who need to be transferred to the camps are moved to a tent outside and may be kept there for several hours until the ambulance arrives. In most cases, unless it is very urgent, a patient in the camps has to wait for one of the twice-daily ambulances to be able to get to the hospital. According to aid workers, doctors are also reluctant to refer people to hospitals because they are under pressure by the military to restrict the movement of IDPs. The Vavuniya hospital is also faced with overcrowding. Patients with minor ailments have no beds and sit lining the corridors on either side. There have also been occasions when very ill patients were observed sleeping on mattresses and mats on the floor.

One of the biggest problems with regards to access to health services is that most of the doctors working in the camps do not speak Tamil. Some IDPs spoke of situations where pregnant women faced many difficulties, having had to wait for medical help in the late stages of delivery. There were also examples where patients had been misdiagnosed and given the wrong treatment because the doctors did not understand Tamil.

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Most of the aid workers and activists interviewed by MRG attested to the fact that many IDPs were facing mental trauma and psychological difficulties, but the military was restricting psycho-social work done in the camps. 'This is one area where they are very strict, they don't let us do much work and when we do so, they monitor us. Obviously they know that through psycho-social counselling people will start talking about all that they saw and the military does not want that known,' an aid worker said.

Freedom of movement

On 21 November 2009, the Sri Lankan government announced that it would open the camps in Vavuniya from 1 December 2009. This is a welcome announcement; it is as yet unclear how the government measures will be put into practice. The understanding is that while IDPs will not be able to leave the camps permanently, they will be allowed to move in and out of the camps for short periods of time.²⁵

From inception, freedom of movement has been one of the biggest problems in the camps. IDPs are not allowed to move outside of their zones and under no condition out of the camps. They are prisoners; they cannot exit the camps even to visit a relative.²⁶ Compounding the overcrowding and poor conditions, the inability to leave even for a short while during the day is traumatic for most people.

In the immediate aftermath of the war, there were some 50,000 children in the camps.²⁷ In the initial stages, many families were separated in the camps. Now most families have been put together, but they are still not even allowed to visit family members in an adjoining zone. If the camps are opened up it could improve the situation for the IDPs in Vavuniya considerably. Considering the tight security controls and restrictions on freedom of movement imposed even on IDPs who have been returned or resettled to their places of origin, it is important that the Sri Lankan government provides details, as soon as possible, about how it will implement this decision and ensure real improvements in the conditions of IDPs.²⁸

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Access

The camps are heavily fortified. Entering the town of Vavuniya itself is restricted. Without a Defence Ministry pass no vehicle can go beyond Medawachchiya, some 24 km south of Vavuniya. At the Medawachchiya checkpoint, every person is screened and identity card details are taken down. In many instances, if the person is associated with an international organisation or a Colombo NGO, they could be prevented from travelling past the check point. After passing Medawachchiya, there is a second checkpoint at Vavuniya, where identity cards and other items are again checked.

Entrance to the camps is only allowed to people who possess a Defence Ministry permit. Previously a permit granted by the most senior government representative at district level, the Government Agent, was admissible, but this has now been done away with. The checkpoints into Menik Farm are manned by military police; at the checkpoint people are often asked if they have any foreign connection. Similarly stringent security exists at the entrance to the Vavuniya hospital and the other IDP camps. In most cases people who get entrance into the camps or the hospital are not permitted to take mobile phones, cameras or any electronic equipment.

At present some UN agencies have access to all the camps. Even their access is impeded and sometime restricted. A select number of international humanitarian organisations and development organisations also have access, and a few local NGOs that are providing services to the camps have passes to enter. The International Committee of the Red Cross (ICRC), which earlier had access to all camps, has now been denied access.

Local NGOs working in the camps and in the areas to which IDPs are being returned or resettled face numerous restrictions, the latest being that NGOs have to obtain a permission from the Presidential Task Force (PTF) to carry out their projects. This permission procedure takes several months, and in some cases the NGO surpasses the time-frame allocated by the donor to use the funds. 'The general attitude of the government is that they don't want us to carry out the project. They tell us to give them the funds and they will decide what to do with it,' says one local NGO activist.²⁹

Protection

Protection remains one of the major concerns in the camps. Due to the limited access, it is impossible to ascertain and verify information and complaints about protection concerns. There are reports of people being abducted, disappeared and arrested from within the camps; however none of these reports can be independently verified. Figures provided for the number of people missing from the camps range from around 13,000–20,000.³⁰

The Government's failure to follow existing procedures, such as the country's current Emergency Regulations, in arresting individuals, only intensified fears that IDPs are being disappeared.³¹ A substantial number left the camps before they were fortified or by bribing Tamil political groups working with the state or security personnel.³² 'Those who wanted to escape did so at the very beginning. Those of us left back are innocent but are being checked all the time,' one IDP said. In late October, Judy Devadasan, Trincomalee public relations officer to the Chief Minister of the Eastern Province, said in a media interview that increasing numbers of people were being arrested from the camps. 'People are being arrested from three centres: Chenayur MV, a school in Eachchalampattu, and Kuchchiveli school. Nobody knows where they are taken to,' she said.³³ In May 2009, the Coalition to Stop the Use of Child Soldiers issued a statement accusing paramilitary groups of abducting children from the camps and made an urgent call to protect children within the camps.³⁴

In all of the camps there is a strong military presence and there are 'vigilantes' or state agents/paramilitaries who operate in civilian clothes. It is almost impossible for visitors to speak to the IDPs freely because military personnel or state agents observe or question them. Most IDPs fear these 'vigilantes' and the military presence, accusing them of taking people away for providing information or on suspicion of their involvement with the LTTE.³⁵

On 26 September, the military reportedly fired at a group of IDPs, injuring two people. The military blamed the incident on LTTE cadres trying to cause problems in the camps.³⁶ Human Rights Watch, however, issued a statement accusing the military of threatening and attacking the IDPs. 19 people were arrested after the incident. A week earlier, IDPs in the Poonthotham camp attacked police and military officials after police arrested a man from the camp. The violence subsided after the man was released.³⁷

There have also been reports of sexual abuse. In June, the dead bodies of six women were found by the side of a bathing area. The women were found naked by other IDPs. The military immediately dispersed the crowds and got rid of the bodies. 'We can't say that the military was involved in anything, but the way they tried to cover up the incident made the people very suspicious,' an aid worker said.³⁸

There are reports of unknown men entering the camps at nights, molesting women, then leaving. There have been reports of soldiers using threats to intimidate women into

having sex with them. There have also been reports of rape. None of these reports can be verified. The manner in which the camps are constructed and the close proximity in which people reside leaves room for sexual assault.³⁹ There was a case in which a young man was seen sleeping next to, and hugging, a small girl child; when questioned, he responded that he came into the tent in the dark and slept in the first available place, not knowing it was next to a young girl.⁴⁰ 'The men spend their whole day doing nothing and it leaves a lot of room for them to harass or abuse the women. All the mothers are pleading with us to get their young girls out of there,' a local human rights activist said. 'Mothers are terrified about the security of their daughters. They keep telling us to find a way to get their young daughters out of the camp,' she added.⁴¹

Non-combatant camps

There are an estimated 11,000 'suspected former LTTE cadres' in 'rehabilitation camps' in Vavuniya.⁴² This figure has not been updated, despite continual reports of arrests from within the camps. There are also approximately 571 suspected child soldiers in 'rehabilitation camps' across the country.⁴³ Access to these camps is much more limited than to IDP camps. Until recently, it was believed that whilst the UN and other INGOs were not given access to these camps, the ICRC had some limited access. It was reported recently, however, that the ICRC does not have access either.⁴⁴ The barring of the ICRC is extremely worrying, as there is virtually no information coming out of these camps: it is not known who is in the camps, how many people are there, or what their condition is. Families and children of those who have been taken into these camps are uninformed as to the fate of their loved ones. Some local NGOs have on occasion been allowed into the camps to distribute clothing and food items. They are not given an opportunity to speak to the suspected ex-combatants and they have not reported witnessing anything out of the ordinary, such as bruises that could have been caused by torture. According to a doctor working at the Vavuniya hospital, people from these camps have been brought to the hospital for treatment by the army, with injuries that resembled being beaten or attacked. It was unclear, however, if these injuries were sustained through torture methods used by military personnel, or in fighting with others held in the camps.

Return and resettlement

In May, the GoSL, reportedly in a promise made to the Indian government, stated that they would return and resettle up to 80 per cent of IDPs before the end of 2009.⁴⁵ Subsequently, various government ministers began to retreat from this pledge.⁴⁶ Based on the current levels of progress on return and resettlement, it is virtually impossible that this promise can be met. The main reasons that the

government has given for the delay in returning the IDPs are: demining in the areas the displaced have to be settled; and the need to screen for suspected LTTE cadres.⁴⁷ The de-mining process is taking much longer than originally anticipated: by October, the government had reportedly demined only 445 sq miles.⁴⁸ De-mining is not a sufficiently strong excuse to delay the return and resettlement process, as there are many displaced persons who could be returned to stay with relatives or friends. There are also areas that the LTTE left in great haste towards the latter stages of the war, and it is unlikely they would have been able to mine these areas before leaving. The GoSL has also not been consistent with this de-mining argument. They have, for instance, returned a small number of people to Killinochchi and Mullaitivu, without getting the green light from the UN that the area has been de-mined and is safe for civilian movement. In addition to the security risks for returnees, it also means that humanitarian agencies are unwilling to access these areas because of the risk of unexploded ordnance and mines.

The other reason given for keeping people in camps is the need to screen them. There is no formal screening process and existing mechanisms are not transparent. Sri Lanka's Ambassador to the European Union, Ravinatha Aryasinha, said in October, in his address to the Human Rights Subcommittee of the European Parliament, that over 150,000 IDPs had been registered and 110,000 issued with ID cards.⁴⁹ The government have not made clear how they are determining who is a LTTE cadre. When the first group of IDPs began arriving at Omanthai between January and April 2009, the military reportedly told people that, even if they had worked a single day for the LTTE, they should surrender or they would be hunted down. Many who were not LTTE cadres, but had been forced by the rebels to work for them in the latter stages of the war, surrendered through fear. In the camps, 'vigilantes' are reported to be one of the main groups used to identify suspected LTTE cadres.⁵⁰

In October the GoSL hastily began to return and resettle a number of IDPs, again based on a commitment to India – this time to a group of visiting Tamil Nadu politicians.⁵¹ This process was marred by controversy as it later became known that some IDPs had been moved to detention centres in other parts of the north rather than being sent home.⁵² Almost all of those removed to the detention centres, except for some IDPs who were arrested, have been returned or resettled in their original villages.⁵³ This return and resettlement process is not, however, systematic or properly organized. According to local and international NGOs, it is supposedly being undertaken in three phases: the first, to resettle people in Jaffna, Vavuniya, Trincomalee, Ampara, Mannar and Batticaloa, all areas that have been under government control for some time; the second phase, to return and resettle to Mannar mainland, including Manthai area; and finally, to Killinochchi and Mullaitivu, where the last stages of fighting took place.

People have been returned to their homes and villages without provision for basic needs and facilities. The access to these areas is poor, the roads are in bad condition, there is no proper transport. There are very poor educational and medical facilities. 'There isn't even a shop to buy food from. In some villages, bushes have grown over people's houses and now with the rains it is difficult for people to clear their homes'

The first phase is reportedly complete, but has not occurred in line with international standards. People have been returned to their homes and villages without provision for basic needs and facilities. The access to these areas is poor, the roads are in bad condition, there is no proper transport. There are very poor educational and medical facilities. 'There isn't even a shop to buy food from. In some villages, bushes have grown over people's houses and now with the rains it is difficult for people to clear their homes,' one activist explains. Many of the houses are in poor condition and people have not been given funds to rebuild their homes. Dry rations are being provided but access to other food is limited.

In some cases, people have been returned to their relatives. In effect, a large number of returnees in the East and Jaffna should still be considered IDPs, as they have opted to return to their relatives' homes simply in order to get out of the camps.

The government's return and resettlement plans are limited to the most recent IDPs. There are however an estimated 390,000 'old IDPs', or those displaced throughout the course of the conflict.⁵⁴ At least 90,000 of them are Muslims who were evicted by the LTTE in 1990 and remain in IDP camps. The situation of the Muslims is unique because they have been displaced for many years; those who came as children are now married and have children of their own. They have settled in Puttalam, in north west Sri Lanka, but have not been properly compensated. Those Muslims who wish to return are concerned that they may never get the opportunity to do so. A senior Muslim politician told MRG that the Defence Secretary had reportedly stated that the Muslims evicted by the LTTE can no longer be classified as IDPs.⁵⁵

The GoSL has no clear plan for return or resettlement of Muslim IDPs. A number of Muslims, particularly those who originate from Mannar, want to return to their homes. Some were able to return to their villages in Musali after lobbying by politicians and civil society activists. Upon their return, however, they face a host of restrictions and

problems. As is the case with Tamils returning home, Muslims too have no access to proper facilities, schools, hospitals and food shops. There are also no places of religious worship such as mosques. Additionally, the government has taken civilian land in the Musali division to build a major army and navy base. 'They have created these high security zones near the main town areas, so people are not allowed to live near them. They are also afraid of the military presence,' says a Muslim IDP.⁵⁶ There have also been restrictions placed without proper reason on Muslim resettlement, leaving room for speculation amongst people of a racist agenda on the part of the state. 'There are some villages that adjoin Sinhala villages, which Muslims are not being given permission to settle in. The government says it is because these villages are mined, but people are allowed to settle just 3 km from that village. This makes the people suspicious and they feel the government has some plans to settle Sinhalese in these minority areas,' says a Muslim activist.⁵⁷

Muslims who wish to return to their places of origin should be allowed to do so and the government should facilitate that return. Tamil MPs in the north should also work with the Tamil community to welcome Muslims back and the reintegration of both communities should be supported.⁵⁸

Up until now, the government's efforts to return and resettle IDPs have been mostly *ad hoc* and in response to international pressure. It is crucial that the government puts in place a more comprehensive plan to return and resettle IDPs and ensure that all communities are meted out the same treatment so as not to cause inter-ethnic discord to fester.

Accountability and process of reconciliation

The government has strongly resisted any suggestion from the international community concerning the need to investigate allegations of war crimes and crimes against humanity. In the latter stages of the fighting, several thousand civilians, in some estimates as many as 30,000, are reported to have been killed in fighting. This figure is believed to represent mainly non-combatants, who were not LTTE cadres but may have been used by the militants in the latter stages to work for them. It is very difficult to get witness testimonies of the incidents in the last stages of the war. The strong military presence in the camps does not enable one to conduct interviews with IDPs nor can this be done in the hospitals. Many people interviewed informally attested to seeing large numbers of dead bodies strewn across the roads as they were fleeing towards Omanthai from Mullaitivu.

We dug bunkers to protect ourselves from the shelling. But because it was a beach we couldn't dig deep. We were able to dig only a few feet and then we lay flat

*under the sand, but still the water would come and we had to just make sure our heads were above the water so we could breathe. We had no food towards the end. Even the children were starving. There was shelling throughout, we could hear it. Sometimes it would fall near us. People would fall dead to the ground and their bodies would fall on top of us. Their blood would drip into our bunkers and we would just have to wait like that. This went on for days. When we finally left I saw lots of dead bodies all over on the roads.*⁵⁹

The accusations of possible war crimes and crimes against humanity have mainly come from the international media and foreign governments. *The Times*, in a piece of investigative journalism, provided satellite pictures that showed several thousand graves in the area where the last round of fighting took place.⁶⁰ In August, Channel Four News aired video footage of soldiers shooting a group of unarmed people in civilian clothes, reportedly filmed on a mobile phone by a soldier.⁶¹ The Sri Lankan government says the footage was fake but Phillip Alston, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, has called for an investigation.⁶²

On 21 October 2009, the Office of War Crimes Issues of the US State Department presented a report to Congress detailing a series of war crimes committed by both the LTTE and the GoSL in the last stages of the war.⁶³ Sri Lanka, in response, has appointed a five-member team to investigate the allegations made by the US. The credibility, independence and impartiality of a government-appointed team to investigate accusations of war crimes by the government are seriously questionable, particularly in the light of the government's continuing defence of its military record.⁶⁴

Virtually every family who escaped the last stages of fighting would have lost family members. Many of them will search for answers. The government must account particularly for artillery attacks into the no-fire zone that they declared unilaterally. Based on the military's guarantees, several thousand people took refuge in these zones during and after January 2009. Government forces then attacked these zones on April 2009.⁶⁵ Such attacks could amount to deliberate targeting of civilians and amount to war crimes or crimes against humanity under international law.

While it is crucial that there is an independent and impartial investigation into the possibility of war crimes and crimes against humanity, the process of accountability must not be limited to the latter stages of the war. Throughout the 30 year conflict, all sectors of society suffered immensely from crimes perpetrated by the several parties to the conflict. Sri Lanka needs a comprehensive process of accountability and reconciliation ensuring justice for all communities affected by the conflict.

The government's current post-war initiatives are often reactive and do not appear to be well thought through. For instance, the government is conducting a demilitariza-

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tion programme called the 'Framework Proposal for the Integration of Ex-Combatants into Civilian Life', which targets only those who they have identified as LTTE cadres.⁶⁶ In 2006, many former militants broke away from the LTTE and, together with Vinyagamorthy Muralitharan or Col Karuna, formed the Tamil Makkal Viduthalai Pulikal (TMVP), which became an ally of the GoSL. This group later split into the Karuna group and the Pillayan group, the latter led by a former child soldier, Sivanesanthurai Chandrakanthan, or Pillayan.⁶⁷ Cadres belonging to both these groups continue to possess arms and use them against civilians in the east. In the north there are other paramilitary groups (former militants who got into mainstream politics after the 1987 Indo-Lanka accord) who also carry arms. There is currently a demilitarization programme being conducted for TMVP cadres in the East but it appears to be outside the framework outlined above. There appears to be no demilitarization programme for other Tamil paramilitary groups.

While the GoSL makes tough statements about prosecuting, demilitarizing or rehabilitating LTTE cadres, there is no mention of the crimes committed by the TMVP or other Tamil militant groups. Karuna's cadres have been accused of horrific civilian killings in the East of Sri

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Lanka, especially of Muslims. Karuna is now the Minister for National Integration. His cadres have offices in the East, the province with the highest Muslim population. Many Muslims in the east who suffered under Karuna's rebels for several years believe they will never have access to justice. Meanwhile the government has demanded that Muslim armed groups give up their arms, and this was highly publicised in the local media. Muslim politicians argue that the government's action was partial and attempted to portray militancy amongst Muslims, which they insist does not exist.⁶⁸

War on dissent

Six months after announcing the defeat of terrorism, the government continues more stringently to use the rhetoric of their war on terror to clamp down on international organizations, civil society activists and the media. Since the conclusion of the war there has been no easing of restrictions placed on civil society or the media. The government has used several multi-pronged strategies to attack groups that are critical of them. They range from direct to tacit threats and other means.

The intolerant climate also extends to the media, particularly the Sinhala-language press, and nationalist political parties and fringe groups. Since 19 May 2009, the following minority rights activists, international representatives and media personnel have been threatened, attacked or imprisoned:

- In June, Poddala Jayantha, editor of the Sinhala language *Silumina* newspaper, which reported stories critical of the government, was abducted, severely tortured and released.⁶⁹
- In August, J. S. Tissanayagam, a prominent Tamil journalist, was sentenced to 20 years imprisonment. He was arrested under the Prevention of Terrorism Act (PTA) and accused of causing communal disharmony, bringing the government to disrepute, and taking funds from the LTTE.⁷⁰
- In October, Vetrivel Jasiharan and his partner Vadivel Valarmathy, both journalists working with Tissanayagam, were also arrested under PTA and then released. Their lives are still under threat and they are in hiding.⁷¹
- In September, Dr Paikiasothy Saravanamuttu, Executive Director of the Centre for Policy Alternatives, received a death threat from an unnamed group. The threat was made in a letter posted to his office. A few weeks later, he was detained at the Colombo International Airport

for a few hours and released. 17 civil society activists subsequently published an open letter to the President by placing advertisements in some newspapers requesting that the threat be investigated. A number of these activists were then questioned by the Criminal Investigation Department.⁷²

- Dr Jehan Perera, who works with the National Peace Council, has also been attacked and criticized in the media and accused of contributing to the US State Department's report on war crimes.⁷³
- In October, Frederica Jansz and Munza Mushtaq, both editors at the *Sunday Leader* newspaper received death threats in a letter sent to the newspaper. Earlier this year, Lasantha Wickrematunga, the editor of the *Sunday Leader*, was shot dead while he was in his car on a main road in the outskirts of the capital Colombo.⁷⁴
- Ravi Nessman, the Bureau Chief of the Associated Press, was not granted an extension to his work visa and was asked to leave the country. Nessman was accused by the government of being critical of the military offensive in the north.⁷⁵
- Several staff working for the UN and INGOs have been asked to leave the country. In September, James Elder, Chief of Communication for UNICEF, was asked to leave the country. Since May, the government has either deported or refused to grant visas to staff of several organizations, including Campaign for Development and Solidarity (FORUT), CARE, International Crisis Group and Non-Violent Peace Force.⁷⁶

The cases mentioned above are those that have been reported and are well known, but beyond these, small local NGOs, particularly minority community-based organizations (CBOs), are constantly threatened, questioned and harassed by members of the armed forces.⁷⁷ The Criminal Investigation Department (CID) of the police often questions CBOs outside of Colombo. Minority human rights activists have also been threatened; some have been forced to leave the country while others are in hiding or operate underground.⁷⁸ While well-known human rights activists often find it easy to get visas to leave the country when they are under threat, many grassroots activists who face such threats have little opportunity to leave the country, and have to go into hiding in Sri Lanka at great risk. The police have to be given information of any NGO activity, such as trainings and conferences, that take place outside of Colombo. In most cases, the names and ID card numbers of all participants have to be presented to the police. There have been several instances where participants attending such events have been questioned by the police. According to local NGOs, it is now almost impossible to work publicly on issues of human rights, minority rights, peace or federalism.⁷⁹

There is a powerful climate of fear in which most of Sri Lanka's minority and human rights activists are forced to survive. It is difficult to explain the level of fear: people fear

speaking in public or on mobile phones; they are constantly looking over their shoulders and observing who is around them. There are state agents, in civilian clothes, who monitor the activities of such groups and individuals. They could be present in restaurants, cafés, public places or could be working as three-wheeler drivers.⁸⁰

The need for minority rights guarantees

Six months after the end of the war, the GoSL has not made mention of a political package for minorities. During the course of the conflict, successive governments of Sri Lanka have had several rounds of negotiation with the LTTE during which proposals have been made for different levels of political autonomy for Tamils in the north and east. The present government began an All Party Representative Committee (APRC) process in 2007. This process was undermined from the inception because it did not include representatives from the pro-LTTE Tamil National Alliance (TNA).⁸¹ Subsequently a number of political parties, including the main opposition United National Party, boycotted the proceedings. Professor Tissa Vitharane, who heads the APRC, has reportedly given the President a final set of proposals on political autonomy for minorities. There has been no official acknowledgement of these proposals from the government, nor any suggestion of what the government plans to present to minorities. There have been some guarantees given to different international leaders; here too the emphasis has been on finding a 'home grown' solution.⁸²

There is some speculation amongst political analysts in Sri Lanka that the President wants to conduct elections first with the expectation of returning with a stronger support base, rather than having to rely on Sinhala nationalist parties to pass a package for minorities through parliament. There is other speculation that the President will offer a watered-down version of the APRC's proposals, and may not even amount to a full implementation of the 13th Amendment which created provinces as the unit to which powers, including land administration and police, would be

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The GoSL is also not under any pressure to present a political solution for minorities. The minority political parties have been passive and disorganized, and are yet to present any specific demands. The only pressure, and that very limited, has come from India and a few other foreign governments.

devolved.⁸³ There have been media reports to suggest that Presidential and parliamentary polls will be conducted together as early as January 2010. Following the military victory, the ruling party has swept every election conducted in the country and it is likely that they will win with a significant majority in a parliamentary poll and Presidential poll. Both the President and his party have been known to take a majoritarian and nationalist position in previous polls, playing into the Sinhala vote base. This is an opportunity for the President and the ruling party to campaign from a minority-friendly position, attempting to get a larger number of minority votes whilst getting a mandate from the majority community for minority protection. As the conflict originated in reaction to violations of minority rights – notably the status of Tamil as official language, and the degree of decentralization of power to minority regions – the only way to consolidate peace in the long term will be to address these concerns effectively.

The fear amongst minority politicians is that, without the LTTE, the GoSL has no particular opposition. The GoSL is also not under any pressure to present a political solution for minorities. The minority political parties have been passive and disorganized, and are yet to present any specific demands. The only pressure, and that very limited, has come from India and a few other foreign governments. The most significant step made on this issue since 19 May was the announcement by the TNA that they were working on a set of political proposals. This announcement was followed by an invitation from the President, for the first time in many years, for a meeting with the party. There has, however, been no major positive development since then. Worryingly, while the TNA may be preparing their political position, other minority parties, particularly the Muslims and Tamils of Indian origin, are divided and disorganized. There is an urgent need for minority political parties to present their demands to the government for a political package acceptable to their communities. In the absence of any minority position, the government could take a minimalist position offering minorities the least possible in terms of autonomy or devolution. This would not only be extremely disappointing to the country's minorities, but it could also foster discontent and pave the way for future conflict.

The government appointed a Northern Task Force to oversee the development of the Northern Province, whose population is more than 90 per cent Tamil. Eighteen of the 20 members of the Task Force are Sinhalese, with only one Tamil (who was a late appointee) and one Muslim.

The work done through the APRC process was substantive and should not be cast aside. The GoSL should use the reports produced by the APRC and the body of experts advising them as the basis for initiating a more comprehensive and inclusive process. The process must include all minority political parties and minority civil society activists, within a fixed but realistic time frame allowing for full and effective consultations.

Models for political participation

Sri Lanka's existing model of political autonomy for minorities is the provincial council system, which devolves power to the country's nine provinces. The eastern province has been the test case for assessing the level to which political power can be effectively devolved to regions heavily populated by minorities. In August 2009, the Eastern provincial council celebrated a year in power. The Council has, however, been constantly affected by issues of power-sharing between the centre and the province. In early 2009, Pillayan, the Chief Minister of the Eastern Province, complained that he did not have enough power to conduct regular activities within the province.⁸⁴

The political participation of Tamils and Muslims in the areas that they inhabit is virtually non-existent. The government produced an ambitious 'Eastern Awakening' project for the economic development of the Eastern province; however, many Muslim and Tamil political parties and activists have complained that they were not consulted in this process. Civil administrative positions in the east, such as the post of Governor, are held by former military personnel who are from the Sinhalese community. The government appointed a Northern Task Force to oversee the development of the Northern Province, whose population is more than 90 per cent Tamil. Eighteen of the 20 members of the Task Force are Sinhalese, with only one Tamil (who was a late appointee) and one Muslim.

Conclusion

We have removed the word minorities from our vocabulary three years ago. No longer are there Tamils, Muslims, Burghers, Malays and any other minorities.

There are only two peoples in this country. One is the people that love this country. The other comprises the small groups that have no love for the land of their birth. Those who do not love the country are now a lesser group.⁸⁵

These were President Mahinda Rajapakse's words when he addressed parliament six months ago to declare the war over. The comment worried some sections of Sri Lanka's minority community, but most people were afraid to protest or raise their concerns. The comments must also be viewed in the context of the Sinhala nationalist rhetoric under which the war was fought and won.⁸⁶

Undoubtedly the end of the war in Sri Lanka should bring hope for every Sri Lankan, but for minorities this is less certain. A large number of Sri Lanka's Tamil population suffered in the last stages of the war and continue to suffer in IDP camps. Human rights violations such as killings, arrests, torture and disappearances continue, and Tamils face daily harassment because of their identity in the north, east and other parts of Sri Lanka. Muslims continue to be marginalized and neglected. Minority political parties and civil society groups have been weakened and/or silenced. The government's post-war initiatives towards minorities are almost always *ad hoc* or in response to foreign pressure. The GoSL appears to have no coherent and constructive strategy towards minority rights protection and political inclusion. Their actions, for example resettling only some groups of IDPs or demilitarizing only recently captured LTTE cadres, point towards a level of partiality and divisive politics that is contributing towards festering inter-community tensions.

If Sri Lanka is to make the transition from post-war to lasting peace, minority rights protection is crucial. The GoSL appears to have lost sight of the fact that the country's long-standing conflict originated in and developed because of legitimate minority grievances. These grievances and other human rights problems continue to exist in Sri Lanka and need to be prioritised and addressed by the Sri Lankan government for the country to have any prospect of peace.

Recommendations

To the GoSL:

- The GoSL should make a policy statement recognizing and valuing ethnic and religious diversity in the country.
- The GoSL should begin immediate and inclusive consultations with all political parties and political representatives of all communities in order to agree a political settlement that addresses the root causes of the conflict and is acceptable to all communities in Sri Lanka, and includes full legal protections of minority rights and prohibition of discrimination, with mecha-

nisms to enforce these rights; equitable distribution of resources to support services in minority communities; and mechanisms to ensure minorities can participate in decision-making affecting their communities.

- The GoSL should work together with civil society to develop a justice and reconciliation mechanism to account for atrocities committed by successive Sri Lankan governments and the LTTE throughout the 30 year conflict.
- Recognizing that the recommendations above must be a participatory and consultative process and could take time, the GoSL should set out a reasonable timeframe for implementation. In the interim, the GoSL should implement fully the 13th and 17th amendments to the Sri Lankan constitution. The 13th amendment aims to devolve power to regional units, while the 17th amendment requires the appointment of a Constitutional Council that subsequently has power to appoint several bodies including the National Police Commission and the Human Rights Commission.
- The GoSL should immediately grant unimpeded access to the ICRC, UN, INGOs and Sri Lankan civil society activists to all IDP and rehabilitation camps in the north.
- The GoSL, in consultation with the UN, INGOs, civil society activists and minority political parties, should come up with a comprehensive plan to return and resettle all IDPs, including Muslims. Where there are insurmountable obstacles to resettlement, properties of an equal value and quality should be offered. All communities must be treated with rigorous fairness. The GoSL should declare a realistic and achievable date by which all IDPs can be returned or resettled, and should work towards meeting that target.
- The GoSL should ensure that the IDP camps are opened effectively with no restrictions on freedom of movement. The GoSL should also ensure that once IDPs return to or are resettled in their homes they no longer face restrictions on freedom of movement.
- The GoSL should work with the UN, international agencies, INGOs and NGOs to improve the conditions within the camps. The government should particularly take measures to equip the camps to meet the monsoon rains.
- The GoSL should develop a plan for providing assistance to the various categories of persons who have been released and returned, in line with the UN Guiding Principles on Internal Displacement.
- The GoSL should work with the UN, international agencies, INGOs and NGOs to do a full assessment of families who have been separated, and to account for people sent to 'rehabilitation' and 'detention' camps. Measures should be taken with urgency to reunite separated families.
- The GoSL should declare the number of Tamils arrested and detained from the camps. Detention centres should be open to the ICRC and the UN. The govern-

ment should adhere to due process when arresting and detaining IDPs.

- The UN Independent Expert on Minority Issues should be granted an invitation by the GoSL to visit the country in order to report to the UN Human Rights Council (UNHRC) on the situation of minorities in Sri Lanka.
- The GoSL should request assistance from the Office of the High Commissioner for Human Rights to develop an independent human rights monitoring and reporting mechanism in Sri Lanka.

To the UN

- The UN agencies and offices in Sri Lanka should take a coordinated approach based on a human rights framework.
- The UN High Commissioner for Human Rights should call on the UNHRC to appoint a team to investigate the possibility of war crimes and crimes against humanity committed by the GoSL and the LTTE, and other human rights violations committed in Sri Lanka. GoSL should grant the investigative team access to the IDP camps and to the former war zone to enable their investigation.

To the donor community including the UK, EU, Japan and China:

- The donor community must review its funding to IDP camps and other government programmes such as disarmament, demobilization and reintegration (DDR) and return and resettlement. Donors should undertake an internal assessment of the likely impact of programme on inter-ethnic relations and human rights promotion and protection in Sri Lanka. All donors to Sri Lanka should use their influence with the Sri Lankan government to promote state sector reform, human rights protections, and independent monitoring of human rights in the country. These should include an independent human rights monitoring mechanism, complete and unimpeded access for international organizations and media to IDP camps, guarantees of right to return for Tamils, and for Muslims and other minorities who were evicted from the north in 1990, and a political settlement for ethnic minorities.

The Government of India:

Recognizing the positive relationship between the governments of India and Sri Lanka, the GoI should:

- Work with the GoSL, through providing expertise, to strengthen minority rights guarantees and put in place a minority rights protection mechanism. India has, for instance, its own National Minority Commission, and could offer advice to the GoSL based on this experience.
- Put pressure on the GoSL to return and resettle both 'old' and 'new' IDPs ensuring that the process of return and resettlement meets international standards.

- Put pressure on the GoSL to offer a political autonomy package to minorities as per recommendation 3 above. Again India can offer advice based on its own experiences of political autonomy for minorities including Tamils.

To the Governments of Pakistan, Malaysia and other members of the Organization of Islamic Conference:

Recognizing that many of the OIC countries remain major donors of Sri Lanka and have strong bilateral ties with the country often supporting the GoSL in multilateral forums such as the UN Human Rights Council, the Governments of Pakistan, Malaysia and other members of the OIC should:

- Take up issues concerning the human rights of Muslims and other minorities with the GoSL.
- Call on the GoSL to ensure the right to return of displaced Muslims, and to facilitate the return and resettlement process according to international standards.

Notes

- 1 The *Guardian*, 'Sri Lankans face humanitarian crisis trapped in 'no fire zone', warns UN', 23 March 2009 <http://www.guardian.co.uk/world/2009/mar/23/srilanka-tigers-humanitarian-crisis>. Also see Security Council Report, http://www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.5003025/k.CB5B/Sri_Lanka_br_26_February_2009.htm. Minority Rights Group statement <http://www.minorityrights.org/7684/press-releases/humanitarian-catastrophe-unfolding-in-sri-lanka-mrg-warns.html>. See Indian External Affairs Minister Pranab Mukherjee's comments to parliament <http://edition.cnn.com/2009/WORLD/asiapcf/02/18/srilanka.india.warzone/>.
- 2 See media reports, <http://www.bloomberg.com/apps/news?pid=20601091&sid=aLKUt8Ah3Dig&refer=india> and the *Guardian*, 'Sri Lanka rebels forcing children to fight, UN says', 25 April 2009 <http://www.guardian.co.uk/world/2009/apr/25/sri-lanka-tamil-tigers-rebels-children>; see MRG photo story <http://www.minorityrights.org/7807/minorities-in-the-news/humanitarian-crisis-in-sri-lanka.html>.
- 3 BBC, 'Sri Lanka violence leaves 16 dead', 12 April 2006, http://news.bbc.co.uk/1/hi/world/south_asia/4901952.stm. University Teachers for Human Rights (Jaffna), 'Blood, Tears, and the End of an Ordeal' in: 'A marred victory and a defeat pregnant with foreboding', Special Report 10 June 2009, http://www.uthr.org/SpecialReports/spreport32.htm#_Toc232409723.
- 4 CNN, 'Paper: 20,000 killed in Sri Lanka conflict', 29 May 2009, <http://edition.cnn.com/2009/WORLD/asiapcf/05/29/srilanka.death.toll/index.html>. See also: Times Online, 'Times photographs expose Sri Lanka's lie on civilian deaths at beach', 29 May 2009, <http://www.timesonline.co.uk/tol/news/world/asia/article6383477.ece>. The *Guardian*, 'Sri Lankans divided by war: Tamils trapped in internment camps tell of desperate hunt for loved ones', 26 May 2009, <http://www.guardian.co.uk/world/2009/may/26/sri-lanka-tamil-tigers-camps>.
- 5 Save the Children, 'Children separated from parents in chaotic Sri Lankan camps', 15 May 2009, <http://www.savethechildren.net/alliance/media/newsdesk/2009-05-15a.html>. See also: the *Guardian*, 'Sri Lanka' untold story', 19 May 2009, <http://www.guardian.co.uk/commentisfree/2009/may/19/tamil-cause-global-awareness>.
- 6 *New York Times*, 'Sri Lanka Tamils voice misgivings', 20 May 2009, <http://www.nytimes.com/2009/05/21/world/asia/21lanka.html>. For further perspective on the aftermath of the war see: Al Jazeera, 'Sri Lanka: uneasy peace', 19 May 2009, <http://english.aljazeera.net/news/asia/2009/05/200951922822739228.html>.
- 7 See Human Rights Watch statement on 3 June 2009, <http://www.hrw.org/en/news/2009/06/03/sri-lanka-avoid-postwar-witch-hunt>.
- 8 Sri Lanka state-owned newspaper *Daily News* provides a comprehensive list of attacks against civilians perpetrated by Tamil Tigers from 1984 to 2009: "Victory and beyond", 22 May 2009, <http://www.dailynews.lk/2009/05/22/supstory.asp?id=s18>.
- 9 Human Rights Watch, 'Tiger by the tail', 21 May 2009, <http://www.hrw.org/en/news/2009/05/21/tiger-tail>.
- 10 BBC, 'Sri Lanka leader 'hails victory'', 19 May 2009, http://news.bbc.co.uk/1/hi/world/south_asia/8056752.stm; the *Guardian*, 'Sri Lanka declares end of the war with Tamil Tigers', 19 May 2009, <http://www.guardian.co.uk/world/2009/may/18/tamil-tigers-killed-sri-lanka>. On the announcement of Velupillai Prabhakaran's death see: *New York Times*, 'Sri 29 May 2009, says leaders of rebels has died', 18 May 2009, <http://www.nytimes.com/2009/05/19/world/asia/19lanka.html>.
- 11 For more information check Human Rights Report 'Sri Lanka Human Rights Crisis', 15 June 2007. Also: Asian Human Rights Commission, 'SRI LANKA: East Has Become Bihar-like', 25 March 2009.
- 12 Relief Web, 'South Indian politicians to discuss refugee issues in Sri Lanka', 12 October 2009, (<http://www.reliefweb.int/rw/rwb.nsf/db900SID/AMMF-7WRSFY?OpenDocument>). For information following the South Indian politicians' visit check: Relief Web, 'Half of Sri Lanka's war displaced civilians resettled: official', 4 November 2009, <http://www.reliefweb.int/rw/rwb.nsf/db900SID/VVOS-7XGN9J?OpenDocument>.
- 13 The usage of the term 'return' is slightly problematic here as the return process does not meet the international standards and while IDPs may be sent back to the general area they lived in, due to several security restrictions it may not be their home village. At present there is a lot of gray area on whether this can be classified as 'return' and/or 'resettlement'.
- 14 See comments made by Under-Secretary-General for Humanitarian Affairs John Holmes, <http://www.un.org/apps/news/story.asp?NewsID=33043&Cr=holmes&Cr1=sri+lanka>
- 15 OCHA, 'Common Humanitarian Action Plan for Sri Lanka 2009', 21 July 2009, <http://ochaonline.un.org/humanitarianappeal/webpage.asp?MenuID=13113&Page=1767> See also: Irinnews, 'Sri Lanka: too many people at a huge IDPs camp - UN', 11 June 2009, <http://www.irinnews.org/Report.aspx?ReportId=84805>
- 16 For a detailed breakdown of IDPs in the smaller camps of Vavuniya, Mannar, Jaffna and Trinco, check the *Sunday Times*, 'Dark cloud over IDPs camps', 4 October 2009, http://sundaytimes.lk/091004/News/nws_23.html.
- 17 MRG interview July, August 2009.
- 18 One of the President's brother's, Gotabhaya Rajapakse, is Sri Lanka's Defence Secretary; the other, Basil Rajapakse, is the head of the Presidential Task Force.
- 19 This includes UN Secretary General Ban Ki Moon, UK Minister for International Development Mike Foster, Vice Chairman of the Foreign Affairs Committee of the Chinese People Zhao Qizheng, and Indian MP Aaron Rashid.
- 20 All interviews with IDPs, aid workers and local NGO and human rights activists on the issue of displacement were conducted in Vavuniya in mid 2009. Exact details of time and location have been kept out of this briefing to ensure the security of all those who provided information.
- 21 Many foreign donors are holding back funds to the camps as they do not want to be associated with the human rights violations taking place in the camps. They don't want to be seen to be funding a GoSL project to keep tens of thousands of people in detention. Some NGOs are also running short of funds as they had not originally envisaged that the assistance would have to be provided for such a long period of time. Many smaller NGOs find it impossible to work with the defence authorities in the distribution work, which has also affected the process.
- 22 People often complained that the rice they received was inedible. Some people who had access into the camps also witnessed the trash bins containing cooked food that people had discarded because they were unable to eat it.
- 23 For information on fear for the monsoon consequences in the camps: BBC, 'Sri Lanka refugee camps flooded', 17 August 2009, http://news.bbc.co.uk/1/hi/world/south_asia/8206290.stm; Also: *The New York Times*, 'Downpours Flood the Camps of Sri Lankan Refugees', 15 August 2009, http://www.nytimes.com/2009/08/16/world/asia/16lanka.html?_r=1&partner=rss&emc=rss.
- 24 BBC, 'Monsoon worry in Sri Lanka camps', 10 September 2009, http://news.bbc.co.uk/1/hi/world/south_asia/8247195.stm. On the same issue see also: the *Guardian*, 'Monsoon threatens Sri Lankan refugees with humanitarian disaster, warns UN', 11 October 2009, <http://www.guardian.co.uk/world/2009/oct/11/sri-lanka-monsoon-flooding-refugees>.
- 25 See media reports: <http://www.reuters.com/article/featuredCrisis/idUSCOL466455>.
- 26 On the issue of freedom of movement in Sri Lanka check: UN Press Release, 'Freedom of movement for a quarter of a million displaced, UN Representative discusses with Sri Lankan government', 29 September 2009, <http://www.unhcr.ch/hurricane/hurricane.nsf/0/159F1F74192D219CC12576400036FFD9?opendocument>. See also: DFID, 'Freedom of movement is our top priority for the displaced people of Sri Lanka-Foster', 06

- October 2009, <http://www.dfid.gov.uk/Media-Room/Press-releases/2009/Freedom-of-mo>; Centre for Policy Alternative, 'Internment', 31 July 2009, <http://www.cpalanka.org/page.php?id=0&pubid=566&key=9bdd5f06c37bdab66735ca41a9457925>; Department for International Development, 'Joint FCO/DFID Written ministerial statement on the wider political and humanitarian situation in Sri Lanka', 14 October 2009, <http://www.dfid.gov.uk/Media-Room/Speeches-and-articles/2009/joint-FCO--DFID-Written-Ministerial-Statement-on-the-wider-political-and-humanitarian-situation-in-Sri-Lanka>.
- 27 Amnesty International, 'Unlock the camps in Sri Lanka', 7 August 2009, <http://www.amnesty.org/en/news-and-updates/news/unlock-camps-sri-lanka-20090807>
- 28 According to local aid workers and NGOs working with the returning IDP population there are several restrictions that have been imposed on the travel and movement of these IDPs. This is partly due to several high-security zones that have been created in the north and also because the GoSL and the military continue to screen the population for those linked to the LTTE.
- 29 MRG interview November 2009.
- 30 See comments made to the media by OCHA <http://www.sibernews.com/200906033178.html> and media articles, including, the *Star*, 'Keeping Peace Locked Up', 25 October 2009, <http://www.thestar.com/comment/article/715592>. Also see, Amnesty International, 'Unlock the camps in Sri Lanka', 7 August 2009, <http://www.amnesty.org/en/news-and-updates/news/unlock-camps-sri-lanka-20090807>
- 31 See Emergency (Miscellaneous Provisions and Powers) Regulations, No. 1 of 2005. For more information on the impact of Emergency regulations and the Prevention of Terrorism Act on minorities in Sri Lanka see *Minority Rights Group International* (2007) 'One year on: counter-terrorism sparks human rights crisis for Sri Lanka minorities.' <http://www.minorityrights.org/4583/briefing-papers/one-year-on-counterterrorism-sparks-human-rights-crisis-for-sri-lankas-minorities.html>.
- 32 *Sunday Times*, 'Freedom at high price', 6 September 2009, http://sundaytimes.lk/090906/News/nws_24.html.
- 33 BBC, 'Released IDPs re-arrested', 25 October 2009, http://www.bbc.co.uk/sinhala/news/story/2009/10/091025_tmvp_idps.shtml.
- 34 See statement by the Coalition to Stop the Use of Child Soldiers <http://www.reliefweb.int/rw/rwb.nsf/db900SID/SNAA-7S989L?OpenDocument>.
- 35 The term 'vigilantes' is used by IDPs and local aid workers and activists. Many of these details were obtained in interviews conducted by MRG in July/August 2009.
- 36 Interviews conducted by MRG July/August 2009.
- 37 For further information see Human Rights Watch, 'Sri Lanka: Tensions mount as camp conditions deteriorate', 9 October 2009, <http://www.hrw.org/en/news/2009/10/09/sri-lanka-tensions-mount-camp-conditions-deteriorate>. See also: *Asia News*, 'Refuge camps: concern for the fate of Tamil child soldiers' 22 July 2009, <http://www.asianews.it/index.php?l=en&art=15855&size=A>.
- 38 Interviews conducted by MRG July/August 2009.
- 39 *Ibid*.
- 40 A local aid worker related this story in an interview with MRG, July, August 2009.
- 41 *Ibid*.
- 42 DFID, 'Joint FCO/DFID written ministerial statement on the wider political and humanitarian situation in Sri Lanka', 14 October 2009, <http://www.dfid.gov.uk/Media-Room/Speeches-and-articles/2009/joint-FCO--DFID-Written-Ministerial-Statement-on-the-wider-political-and-humanitarian-situation-in-Sri-Lanka>.
- 43 See MSNBC, 'Former child soldiers move on in Sri Lanka', 25 October 2009, <http://www.msnbc.msn.com/id/33463834>
- 44 The *Guardian*, 'Sri Lanka: access denied', 8 September 2009, <http://www.guardian.co.uk/commentisfree/2009/sep/08/sri-lanka-aid-un>.
- 45 See Joint press statement issued after India's National Security Adviser M K Narayanan and Foreign Secretary Shivshankar Menon met President Mahinda Rajapaksa in Colombo on 20 and 21 May 2009, <http://www.lankaweb.com/news/items/2009/05/22/indo-lanka-joint-statement-india-and-sri-lanka-agree-on-idp-timetable-political-solution/>. See also *International Crisis Group*, 'The situation in Sri Lanka', 1 October 2009, <http://www.crisisgroup.org/home/index.cfm?id=6335>; UNHCR, 'Sri Lanka concerns growing over pace of IDPs resettlement', 30 September 2009, <http://www.unhcr.org/refworld/country,LRIN,LKA,4562d8cf2,4ac482e8c,0.html>.
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Six months on: end of the war brings no respite and little hope for Sri Lanka's minorities

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