

Sri Lanka

On January 2, 2008, the Sri Lankan government formally pulled out of its ceasefire agreement with the secessionist Liberation Tigers of Tamil Eelam (LTTE). The agreement had effectively been a dead letter since mid-2006, when major military operations by both sides resumed. Since then, the human rights situation in the north and east of the country has deteriorated markedly, with numerous reports of killings, abductions, and enforced disappearances by government forces, the LTTE, and paramilitary groups.

All parties are responsible for harmful and unnecessary restrictions on humanitarian access to populations at risk. The LTTE has continued bomb attacks on civilians in several cities, including the capital Colombo.

The government's state of emergency continued in 2008, with increasing numbers of arrests and detentions taking place under emergency regulations and the Prevention of Terrorism Act (PTA). The culture of impunity deepened, with investigations and inquiries into human rights violations failing to bring significant results, and a group of prominent international figures pulling out of an inquiry into grave human rights abuses because of "an absence of political and institutional will" on the part of the government.

Humanitarian Crisis

Since mid-2006, fighting in the north and east has created a series of humanitarian crises. On September 8, 2008, the government ordered the United Nations and other international agencies to withdraw foreign and non-resident local staff and suspend their aid operations in the LTTE-controlled Vanni region. At this writing, reports indicated there were over 240,000 displaced persons in Kilinochchi and Mullativu Districts. The withdrawal raised fears of shortages of food and essential items in the area and inadequate shelter.

Restrictions imposed by the LTTE make it extremely difficult for civilians to leave the Vanni for government areas, including the LTTE requirement that civilians have a “guarantor”—in effect, a hostage—who remains behind. Such restrictions have resulted in entire communities being trapped in areas threatened by fighting and with minimal humanitarian assistance.

Those who manage to escape the Vanni have faced an uncertain future, as the government suspects Tamils from the area of being LTTE supporters. Many families have been moved by the government to “welfare centers,” as in Kallimodai and Sirukondal in Mannar District, where their movements are severely restricted. Concerns remain about security, sustainability, and freedom of choice for displaced persons returning to or resettling in areas in the east, particularly in the High Security Zone in Sampur, Trincomalee District.

Threats and Attacks against Civilians

Threats and attacks against civilians continue. In 2008 bomb blasts in urban areas resulted in over 70 civilian deaths and some 250 casualties; the LTTE was the prime suspect. According to local media, as many as 47 civilians were killed in Kilinochchi District after hostilities escalated in May. T. Maheswaran, a Tamil member of parliament and vocal critic of the government, was killed on January 1, 2008, while attending religious services at a Hindu temple in an area with high security.

Fear of killings and abductions in the northern Jaffna peninsula is so great that at this writing over 300 people were in protective custody in the Jaffna prison. Many serious abuses in Jaffna have been reported during curfew hours and in high-security areas, suggesting the complicity of government security forces.

As many as 22 people were killed and 26 abducted in May 2008 before and after council elections in Eastern Province. The elections resulted in the appointment of Pillayan, a former LTTE member and current Tamil Makkal Viduthalai Pulikal (TMVP) leader, as chief minister. The TMVP, originally a breakaway faction of the LTTE called the Karuna Group, continues to be responsible for abductions and child recruitment with the complicity of the security forces.

Tamil civilians, including many who relocated to Colombo from Jaffna and other locations in the north and east, continue to face arbitrary arrests and detentions, round-ups, orders of eviction, and new forms of registration.

Abductions and Enforced Disappearances

Abductions and enforced disappearances continued in 2008, with approximately 43 reported cases in Vavuniya in August alone. Many cases are not reported due to fear of reprisals. Besides a few arrests of persons alleged to be involved in abductions for ransom, Human Rights Watch is unaware of any serious action by the government to address the hundreds of new “disappearances” of the past few years, the great majority of which remain unresolved. Most cases of enforced disappearances implicate government security forces.

Emergency Regulations and the Prevention of Terrorism Act

Emergency regulations provide broad powers to the security forces to investigate, arrest, and detain people in the name of “national security.” The government uses the regulations to arrest and detain political opponents, journalists, human rights defenders, and members of the Tamil minority community.

On March 7, 2008, the Terrorist Investigative Department arrested prominent journalist J.S. Tissainayagam and detained him without charge for more than 150 days for alleged links to the LTTE. He was later charged both under the emergency regulations and the Prevention of Terrorism Act for printing and distributing *North Eastern Monthly* magazine in 2006. A new emergency regulation introduced in August 2008 gives the secretary of defense power to detain persons for 18 months without producing them before the courts.

Impunity

Despite government commitments to address impunity, rights violators continue to face no serious threat of prosecution. There were no convictions of perpetrators of serious human rights violations in 2008. The Presidential Commission of Inquiry, formed under international pressure to investigate 16 incidents of grave human rights abuses, failed to make any significant progress. The process was so flawed

that the International Independent Group of Eminent Persons, after regularly raising serious concerns, eventually withdrew from its observer role. Four Sri Lankan commissioners also resigned.

In a shocking display of impunity, Karuna Amman, former LTTE deputy commander implicated in numerous serious abuses both with the LTTE and his breakaway armed group, was reinstated as a leader of the TMVP upon his return to Sri Lanka in July 2008. He had just been released after serving time for immigration fraud in the United Kingdom. On October 7 he was inducted as a member of parliament with the full support of the president and government.

Child Soldiers

In October the United Nations Children's Fund reported 1,424 outstanding cases of recruitment of child soldiers by the LTTE, including 108 still under age 18, and 133 by the TMVP, including 62 still under age 18. New child recruitment continues: reports from Ampara District indicated an increase in TMVP abductions in late 2008 and unconfirmed reports suggest that the LTTE has sharply increased child recruitment in response to government military operations in Kilinochchi District. Many cases are not reported due to fear of reprisals.

Human Rights Defenders, Journalists, and Humanitarian Workers

Threats and attacks against human rights defenders and journalists worsened in 2008. On September 27, grenades were thrown at the house of human rights lawyer and executive director of Transparency International Sri Lanka, J.C. Weliamuna. According to the Free Media Movement, since 2005, 14 journalists have been killed, 7 abducted, and 13 arrested.

Humanitarian space shrunk considerably in 2008, with the government ordering withdrawal of agencies from the Vanni region. Aggressive public statements from senior government officials continued against international agencies, including the UN, with many accused of being LTTE supporters or sympathizers. Humanitarian aid agencies' operations were significantly affected with restrictions on movement and difficulties obtaining visas and work permits for expatriate staff. No progress was

made in the August 2006 execution-style slayings of 17 Action against Hunger (ACF) aid workers despite strong new evidence that state security forces were responsible.

Sri Lankan Migrant Workers

More than 710,000 Sri Lankan women work abroad as domestic workers, nearly 90 percent of them in Saudi Arabia, Kuwait, Lebanon, and the United Arab Emirates. Once abroad, many domestic workers face abuses, including long hours, no rest days, forced confinement, low and unpaid wages, physical and sexual abuse, and conditions that amount to forced labor (see Saudi Arabia and Lebanon chapters).

Some Sri Lankan foreign missions have created shelters to assist the thousands of domestic workers complaining of unpaid wages and abuse each year. These foreign missions have inadequate staffing and resources, the shelters are grossly overcrowded and unhygienic, and the services they provide often fail to meet minimum standards. The government and the Sri Lankan association of recruitment agencies have attempted to negotiate higher salaries for Sri Lankan domestic workers working abroad, but enforcement in labor-receiving countries is uneven.

Key International Actors

On May 21, Sri Lanka lost its bid for reelection to the UN Human Rights Council. A broad coalition of national and international NGOs raised strong objections to Sri Lanka's candidacy, pointing to its poor human rights record and failure to meet past commitments to the HRC. In May during the HRC's triennial review of Sri Lanka's record, the government agreed to implement a national action plan on human rights.

In 2008 several influential actors, including co-chairs of the peace process in Sri Lanka—the European Union, Japan, Norway, and the United States—denounced abuses by government and LTTE forces and called on all sides to respect civilian life and humanitarian space.

Many eminent international figures who commented on the deteriorating human rights situation in Sri Lanka were sharply criticized by senior government officials, some even accused of being LTTE dupes or sympathizers, including UN Secretary-

General Ban Ki-moon and Nobel Laureates Bishop Desmond Tutu, Adolfo Pérez Esquivel, and Jimmy Carter.