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COUNTRY OF ORIGIN INFORMATION REPORT

SRI LANKA

15 NOVEMBER 2007

Border & Immigration Agency
COUNTRY OF ORIGIN INFORMATION SERVICE

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Preface

i This Country of Origin Information Report (COI Report) has been produced the Country of Origin Information Service (COIS), Home Office, for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 31 October 2007. The 'latest news' section contains further brief information on events and reports accessed from 1 November to 12 November 2007.

ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any Home Office opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.

iii The Report aims to provide a brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.

iv The structure and format of the COI Report reflects the way it is used by Home Office decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.

v The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated.

vi As noted above, the Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.

viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the Home Office upon request.

ix COI Reports are published regularly on the top 20 asylum intake countries. COI Key Documents are produced on lower asylum intake countries according to operational need. Home Office officials also have constant access to an information request service for specific enquiries.

x In producing this COI Report, the Home Office has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to the Home Office as below.

Country of Origin Information Service
Home Office
Apollo House
36 Wellesley Road
Croydon CR9 3RR
United Kingdom

Email: cois@homeoffice.gsi.gov.uk
Website: http://www.homeoffice.gov.uk/rds/country_reports.html

ADVISORY PANEL ON COUNTRY INFORMATION

xi The independent Advisory Panel on Country Information was established under the Nationality, Immigration and Asylum Act 2002 to make recommendations to the Home Secretary about the content of the Home Office's country of origin information material. The Advisory Panel welcomes all feedback on the Home Office's COI Reports and other country of origin information material. Information about the Panel's work can be found on its website at www.apci.org.uk.

xii It is not the function of the Advisory Panel to endorse any Home Office material or procedures. In the course of its work, the Advisory Panel directly reviews the content of selected individual Home Office COI Reports, but neither the fact that such a review has been undertaken, nor any comments made, should be taken to imply endorsement of the material. Some of the material examined by the Panel relates to countries designated or proposed for designation for the Non-Suspensive Appeals (NSA) list. In such cases, the Panel's work should not be taken to imply any endorsement of the decision or

proposal to designate a particular country for NSA, nor of the NSA process itself.

Advisory Panel on Country Information
Email: apci@homeoffice.gsi.gov.uk
Website: www.apci.org.uk

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Latest News

EVENTS IN SRI LANKA, FROM 1 NOVEMBER TO 12 NOVEMBER 2007

12 November — According to the military, 12 Tamil Tiger rebels were killed in clashes with Sri Lankan troops in the northern district of Vavuniya and the eastern district of Ampara on the previous day in 'the latest engagements in intensified fighting between government forces and Liberation Tigers of Tamil Eelam (LTTE) fighters'. There was no independent account of events or confirmation of the death toll.

Reuters Foundation Alertnet, Sri Lanka says 12 rebels killed in fighting, 12 November 2007
http://www.alertnet.org/thenews/newsdesk/COL174016.htm
Date accessed 12 November 2007

10 November — A military spokesman said that Sri Lankan troops had killed 23 Tamil Tiger rebels in clashes in the northern district of Vavuniya and northwestern district of Mannar in which a soldier also died. A government security spokesman also said that the Tamil Tigers were believed to be behind a roadside explosion in the Yala wildlife park in the south of the country, which killed one civilian and injured another.

Reuters Foundation Alertnet, Sri Lanka violence claims 25 lives, 10 November 2007
http://www.alertnet.org/thenews/newsdesk/COL130933.htm
Date accessed 12 November 2007

The new TMVP [Tamil People's Liberation Party] leader Pillayan was reported to be "continuing to extend his control over the party by appointing his close allies to some of the top posts with reports that cadres loyal to Karuna Amman had vacated their offices in Ampara and some 35 others were under 'house arrest' in Batticaloa."

Daily Mirror, Pillayan strengthens grip on TMVP, 10 November 2007
http://www.dailymirror.lk/2007/11/10/news/6.asp
Date accessed 12 November 2007

9 November — A military spokesman said the army had declared an amnesty in place between 12 and 25 November 2007 for all deserters, those 'Absent Without Official Leave' and those who left the army during training. The amnesty applies to soldiers who had left the army on or after 1 November 2004. Those affected would not face punitive action and could re-join the army at the rank held when they deserted.

Government-controlled Daily News, Amnesty for Army deserters, 9 November 2007
http://www.dailynews.lk/2007/11/09/news21.asp
Date accessed 9 November 2007

7 November — Dozens of Sri Lankan soldiers and Tamil Tiger rebels were reported to have been killed or wounded in clashes near Muhamalai on the Jaffna peninsula. The two sides gave conflicting accounts of the death tolls caused by the heavy fighting and there were no independent accounts of the facts.

President Rajapaksa annonced plans to increase defence spending by 20% in an attempt to "completely eradicate terorrism".

BBC News, Heavy fighting in Sri Lanka north, 7 November 2007
http://news.bbc.co.uk/1/hi/world/south_asia/7083335.stm
Date accessed 9 November 2007

Reuters Foundation Alertnet, RPT-Sri Lanka raises rebel death toll in clash to 60, 8 November 2007
http://www.alertnet.org/thenews/newsdesk/COL83876.htm
Date accessed 9 November 2007

The Sri Lanka Police have reportedly introduced new regulations restricting periiods of temporary stay for Tamil civilians visiting Colombo from the north and east provinces. To travel to Colombo Tamils now require letters from the local Grama Sevakar (officers at village level) stating the reason for the visit and they must register their presence. Some Divisional Secretaries were reported to have instructed the Grama Sevakar officials not to issue letters to persons who wish to travel to Colombo. The new restrictions caused difficulties for Tamils travelling to Colombo to attend medical examinations, interviews and wishing to make arrangements to go abroad.

Pro-LTTE website TamilNet, Sri Lanka restricts North East Tamils from visiting Colombo, 7 November 2007
http://www.tamilnet.com/art.html?catid=13&artid=23714
Date accessed 9 Novembedr 2007

6 November The Sri Lankan Parliament voted to extend the Emergency Regulations, with 124 votes in favour and four against. The UNP abstained and the JVP voted with the Government.

The Official Government News Portal of Sri Lanka, Emergency extended by a majority of 120, 6 November 2007
http://www.news.lk/index.php?option=com_content&task=view&id=3895&Itemid=44
Date accessed 7 Novembedr 2007

4 November The head of the Presidential Commission of Inquiry (COI) announced that the commisssion's madate had been extended by one year and it would begin public inquiries on 20 November 2007 into two high profile massacres that took place in January and August 2006.

Daily Mirror, Comm. on HR violations gets one year more, 5 November 2007
http://www.dailymirror.lk/2007/11/05/front/08.asp
Date accessed 5 Novembedr 2007

Vavuniya district Judge ordered a senior Sri Lanka Army officer to appear before the courts as five unidentified bodies – of persons reported to have been detained by the army - were found shot dead near a military camp in the area.

BBC Sinhala, SLA accused of killing civilians, 4 November 2007
http://www.bbc.co.uk/sinhala/news/story/2007/11/071104_vavuniya_sla.shtml
Date accessed 9 Novembedr 2007

3 November The military increased security in Colombo in fear of retaliation by Tamil Tiger rebels mourning the death of SP Thamilselvan, leader of

the Tigers' political wing who was,killed the previous day. "Reuters reporters saw security personnel erect snap checkpoints in Colombo, which is already bristling with green sandbag turrets and road blocks manned by heavily armed troops and police, as a new chapter in a two-decade civil war opens."

Reuters Foundation Alertnet, Sri Lanka ups security as rebels mourn top Tiger, 3 November 2007
http://www.alertnet.org/thenews/newsdesk/L03219556.htm
Date accessed 9 Novembedr 2007

2 November

The Tamil Tigers' political wing leader SP Thamilselvan, was killed by a Sri Lankan air force strike near Kilinochchi, northern Sri Lanka, along with five others. Thamilselvan, who held an important position in the LTTE's hierarchy, was known as the militant group's public face, senior negotiator and key contact point between the Tigers and the external world. He was the the most senior Tamil Tiger leader to have been killed in recent years.

Reuters Foundation Alertnet, Sri Lanka jets kill Tamil Tiger political head, 2 November 2007
http://www.alertnet.org/thenews/newsdesk/COL230961.htm
Date accessed 2 November 2007

Reuters Foundation Alertnet, Obituary - Slain Sri Lanka Tiger was public face of rebels, 2 November 2007
http://www.alertnet.org/thenews/newsdesk/L02540893.htm
Date accessed 2 November 2007

BBC News, Senior Tamil Tiger leader killed, 2 November 2007
http://news.bbc.co.uk/1/hi/world/south_asia/7074450.stm
Date accessed 2 November 2007

BBC News, Public face of the Tamil Tigers, 2 November 2007
http://news.bbc.co.uk/1/hi/world/south_asia/7075158.stm
Date accessed 2 November 2007

LTTE's military spokesman Irasiah Ilanthiryan announced that - following the demise of S.P. Thamilchelvan - the Liberation Tigers of Tamileelam (LTTE) leader V. Pirapaharan had appointed B. Nadesan as the new political head. It was announced that Nadesan, currently in charge of Tamileelam Police, would be in charge of the two departments.

Pro-LTTE website, Nadesan appointed new Political Head of the LTTE, 2 November 2007
http://www.tamilnet.com/art.html?catid=13&artid=23659
Date accessed 5 November 2007

Former LTTE commander, Karuna Amman (real name is Vinayagamoorthy Muralitharan) who in March 2004 split from the main body of the Tigers to head a breakaway rebel faction, was arrested and detained at an immigration detention centre in the UK. Amnesty International, Human Rights Watch and the Coalition to Stop Child Soldiers were looking into the possibility of initiating an official investigation for war crimes and urged the British government to prosecute Karuna for human rights abuses.

There were also unconfirmed reports that Colonel Karuna had left Sri Lanka using a fake passport under the name Kokila Gunawardena and a visa issued by the British High Commisison in Colombo after a recommendation by the Sri Lankan foreign ministry.

Reuters Foundation Alertnet, Sri Lankan rebel breakaway leader held in UK, 2 November 2007
http://www.alertnet.org/thenews/newsdesk/L02328120.htm
Date accessed 5 November 2007

The Guardian, Tamil paramilitary held over immigration offences, 6 November 2007
http://www.guardian.co.uk/humanrights/story/0,,2205876,00.html
Date accessed 5 November 2007

BBC News, Sri Lanka in false UK visa report, 8 November 2007
http://news.bbc.co.uk/1/hi/world/south_asia/7085334.stm
Date accessed 5 November 2007

Reporters Without Borders condemned the Sri Lankan Supreme Court's decision to uphold the withdrawal of the Asia Broadcasting Corporation's (ABC) licence on the grounds that its president gave the court false information, with the intent to mislead it. On 26 October 2007 ABC expressed its outrage on learning about the Information Ministry's decision to suspend the licence of five radio stations (Sun FM, Gold FM, Hiru FM, Shaa FM and Sooriyan FM) belonging to its group for broadcasting an erroneous report.

Reporters Without Borders, Court upholds withdrawal of ABC's licence, says group's president tried to mislead it, 2 November 2007
http://www.rsf.org/article.php3?id_article=24177
Date accessed 7 November 2007

The pro-LTTE website TamilNet reported that 56 girls - predominantly Tamils and residents of North-East province - had been taken into custody in a combined 'cordon and search operation' conducted by the army and air force at Galkissa in Colombo district. The police said the girls' failure to prove their identity and provide a reason for their stay in the area had caused them to be taken for further 'interrogation' by the government security forces.

Pro-LTTE website TamilNet, 56 girls arrested at Galkissa, 2 November 2007
http://www.tamilnet.com/art.html?catid=13&artid=23680
Date accessed 5 November 2007

1 November Heavy clashes between government troops and the Tamil Tigers were reported in the northern districts of Mannar, Vavunija, Jaffna and Mullaittivu. The military said that Sri Lankan troops had killed 31 rebels as warplanes bombed rebel training camps, while the LTTE claimed they had killed 25 soldiers.

Reuters Foundation Alertnet, Jets bomb S.Lanka rebels, troops kill 31 Tigers-Army, 1 November 2007
http://www.alertnet.org/thenews/newsdesk/COL194334.htm
Date accessed 2 November 2007

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REPORTS ON SRI LANKA PUBLISHED OR ACCESSED BETWEEN 1 NOVEMBER AND 12 NOVEMBER 2007

International Press Institute (IPI) and International Federation of Journalists (IFJ)
Media in Eastern Province of Sri Lanka Face Formidable Obstacles
A Fact-Finding Report by the International Press Freedom Mission to Sri Lanka, 12 November 2007
http://www.ifj-asia.org/files/ampara_eastern_sri_lanka_report.pdf
Date accessed 14 November 2007

Sri Lanka Monitoring Mission (SLMM)
http://www.slmm.lk/
Weekly monitoring report 29 October – 4 November 2007, undated
http://www.slmm.lk/W_Report/2007%2010%2029-11%2004%20SLMM%20Weekly%20Report.pdf
Date accessed 12 November 2007

International Crisis Group (ICG)
Sri Lanka: Sinhala Nationalism and the Elusive Southern Consensus, Asia Report N°141, 7 November 2007
http://www.crisisgroup.org/library/documents/asia/south_asia/sri_lanka/sri_lanka___sinhala_nationalism_and_the_elusive_southern_consensus.pdf
Date accessed 9 November 2007

LTTE Peace Secretariat
http://www.ltteps.org/

Human rights and humanitarian situation report in Tamil Eelam for October 2007, 10 November 2007
http://www.ltteps.org/mainpages/images/2007/11/Oct_-_2007_HR_report.pdf
Date accessed 12 November 2007

Civilian toll at the hands of Sri Lanka Government forces in October 2007, 6 November 2007
http://www.ltteps.org/mainpages/images/2007/11/HR-Stats-Oct-07.pdf
Date accessed 7 November 2007

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Background Information

1. GEOGRAPHY

1.01 As recorded in the CIA World Factbook, Sri Lanka (website accessed on 7 September 2007), the Democratic Socialist Republic of Sri Lanka, formerly known as Ceylon, lies in the Indian Ocean, south of India. The country covers an area of 65,610 square kilometres. The capital is Colombo [Note: Sri Jayewardenepura Kotte is the legislative capital] which has a population of 20,926,315 (July 2007 estimate). There are eight provinces: Central, North Central, North Eastern, North Western, Sabaragamuwa, Southern, Uva and Western. **[30]** As recorded by the Sri Lanka Department for Census and Statistics (Statistical Abstract 2006, Population of principal towns by sex, census, years) (Table 2.4, website accessed on 10 September 2007) the principal towns are Colombo, Dehiwala-Mount Lavinia, Moratuwa, Sri Jaywardene Kotte, Negombo, Kandy, and Galle. **[58a]**

1.02 The Sri Lanka Department of Census and Statistics recorded in their Statistical Data Sheet 2007 (undated, website accessed on 10 September 2007) that the provisional estimated population for 2006 was 19,886,000 (10,060,000 females and 9,826,000 males). **[58c]**

1.03 The CIA World Factbook, Sri Lanka records that the population can be divided into the majority Sinhalese (73.8 per cent), Sri Lankan Moors [Muslims] 7.2 per cent, Indian Tamil 4.6 per cent, Sri Lankan Tamil 3.9 per cent, other 0.5 per cent, unspecified 10 per cent (2001 census provisional data) **[30]** However, as recorded by the Sri Lankan Department of Census and Statistics (Statistical Abstract 2006, Chapter II, tables 2.10 - 2.11, undated, website accessed on 10 September 2007), based on a total population of 18,797,257 the population comprises: Sinhalese (82 per cent), Sri Lankan Tamil (4.3 per cent), Indian Tamil (5.1 per cent), Moor (7.9 per cent), Burgher (0.2 per cent), Malay (0.3 per cent), Sri Lankan Chetty (0.1 per cent) and other (0.1 per cent). However, data from Jaffna, Mannar, Vavuniya, Mullaitivu, Kilinochchi, Batticaloa and Trincomalee districts, in which the 2001 census enumeration was not completed, were not included. **[58a]**

1.04 As recorded in the US State Department Report for 2007 on Religious Freedom in Sri Lanka published on 14 September 2007 Buddhism, Hinduism, Islam, and Christianity are practised. Approximately 70 percent of the population is Buddhist, 15 percent Hindu, eight percent Christian, and seven percent Muslim." **[2a] (Section I)**

1.05 The CIA World Factbook Sri Lanka also records that three languages are spoken: Sinhala (official and national language) 74 per cent, Tamil (national language) 18 per cent, Tamil and English (commonly used in Government and spoken competently by about 10 per cent of the population). Other languages are also spoken (8 per cent). **[30]**

1.06 As recorded by the Sri Lankan Department of Census and Statistics (Statistical Abstract 2006, Chapter II, table 2.10) the highest concentration of Sinhalese population is in the districts of Gampaha, Colombo, Kurunegala, Kandy and Galle. The districts of Colombo, Ampara, Gampaha, Kandy, Puttalam and Nuwara Eliya have a high concentration of Tamils. However,

data from Jaffna, Mannar, Vavuniya, Mullaitivu, Kilinochchi, Batticaloa and Trincomalee districts, in which the 2001 census enumeration was not completed, were not included. **[58a]**

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MAP

1.07

http://www.un.org/Depts/Cartographic/map/profile/srilanka.pdf **[6a]**

For additional maps:

http://www.unhcr.org/publ/PUBL/3dee2ccd0.pdf
http://www.unhcr.lk/statistics/index.html
http://www.unhcr.lk/offices/
http://ochaonline2.un.org/Default.aspx?tabid=6745

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2. ECONOMY

2.01 As recorded in the CIA World Factbook, Sri Lanka (website accessed on 7 September 2007):

> "In 1977, Colombo abandoned statist economic policies and its import substitution trade policy for more market-oriented policies, export-oriented trade, and encouragement of foreign investment. Recent changes in government, however, have brought some policy reversals. Currently, the ruling Sri Lanka Freedom Party has a more statist economic approach, which seeks to reduce poverty by steering investment to disadvantaged areas, developing small and medium enterprises, promoting agriculture, and expanding the already enormous civil service. The government has halted most privatizations. Although suffering a brutal civil war that began in 1983, Sri Lanka saw GDP growth average 4.5% in the last 10 years with the exception of a recession in 2001. In late December 2004, a major tsunami took about 31,000 lives, left more than 6,300 missing and 443,000 displaced, and destroyed an estimated $1.5 billion worth of property. Growth, partly spurred by reconstruction, reached 5% in 2005 and more than 6% in 2006…About 800,000 Sri Lankans work abroad, 90% in the Middle East. They send home more than $1 billion a year. The struggle by the Tamil Tigers of the north and east for an independent homeland continues to cast a shadow over the economy."
> "GDP per capita: $4,700 (2006 est.); Unemployment rate: 7.6% (2006 est.); Population below poverty line: 22% (2002 est.). " **[30]**

2.02 The Human Development Index (HDI) for Sri Lanka was 0.755 for 2004, giving Sri Lanka an HDI rank of 93 out of 177 countries. The GDP per capita was US$ 4,390 for the same year. "The HDI provides a composite measure of three dimensions of human development: living a long and healthy life (measured by life expectancy), being educated (measured by adult literacy and enrolment at the primary, secondary and tertiary level) and having a decent standard of living (measured by purchasing power parity, PPP, income)." **(UNDP, Human Development Report 2006) (p263 & p283-286) [60a]**

2.03 As noted in the Economist Intelligence Unit (EIU), Country Report Sri Lanka, Main report, August 2007, "Average annual inflation stood at 13.7% in 2006. A combination of supply shortages in domestic food crops stemming from unfavourable weather conditions, adjustments to state-mandated fuel prices and a sharp increase in demand-induced inflationary pressures pushed up inflation to an average of 17.1% in January-July 2007." **[75a] (p11)**. The actual real GDP growth for the year 2006 was 7.4 per cent while the EIU forecast for the real GDP growth for 2007 was 6 per cent. The EIU also gave the actual unemployment rate at 6.4 per cent in 2006 and their forecast was 6.3 per cent for 2007 and 6.2 per cent for 2008. **[75a] (p12)**

2.04 The Sri Lanka Department of Census and Statistics recorded in their Statistical Data Sheet 2007 (undated, website accessed on 10 September 2007) that in 2006, out of a total labour force of 7,598,762 (excluding Norther and Eastern provinces) there were 493,440 unemployed with an unemployment rate of 6.5 per cent (female 9.7 per cent; male 4.7 per cent). The mean household per month was in 2006 20,048,000 Sri Lankan rupees. **[58c]**

2.05 The EIU Country Report Sri Lanka, August 2007 noted that "Between them, the four Rajapakse brothers (Mahinda, Basil, Chamal and Gothabhaya) control the vast majority of public spending, through the key portfolios of finance, defence, ports and aviation, and nation-building." **[75a] (p13)**

2.06 The approximate rate of exchange from xe.com Universal Currency Converter on 8 November 2007 was £1 = 232 Sri Lankan rupees. On 24 July 2007 it was £1 = 226 Sri Lankan rupees and on 25 April 2007 it was £1 = 220 Sri Lankan rupees. **[33]**

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3. HISTORY

3.01 As recorded in the Foreign & Commonwealth Office (FCO) country profile of Sri Lanka (last reviewed on 30 March 2007):

"Sri Lanka's history has reflected its close links with the subcontinent and with South East Asia. The colonial European powers arrived in 1505. The Portuguese, the Dutch and then the British ruled Sri Lanka. Sri Lanka (or Ceylon, as it was then known) gained independence from Britain in February 1948… Following independence from Britain in February 1948, the political scene has been dominated by two parties: the United National Party (UNP) and the Sri Lanka Freedom Party (SLFP), which is now part of the People's Alliance (PA). The SLFP was founded by S W R D Banadaranaike, who was Prime Minister until he was assassinated in 1959 by a Buddhist extremist. His widow, Sirimavo Banadaranaike, became leader of the SLFP and served as both Prime Minister and leader of the opposition. A republican constitution was adopted in 1972 and the ruling coalition, led by Sirimavo Banadaranaike, gave itself an extra two years in power. The UNP returned to power in 1978 and adopted a new constitution based on an executive presidency. It introduced for the first time elections based on proportional representation. The UNP's Ranasinghe Premadasa, who won the presidential election in 1988, was President until his assassination in 1993." **[15j] (History and Recent Political History)**

3.02 "The SLFP became part of the People's Alliance (PA) coalition which, headed by Mrs Chandrika Kumaratunga (the daughter of S W R D and Sirimavo Bandaranaike), won general elections in August 1994. Mrs Kumaratunga then went on to win a landslide victory in elections in November 1994 and 1999 and served as President until November 2005. The PA also won the next Parliamentary elections in October 2000. Although there were reports of violence, intimidation and voting irregularities, the EU Election Observation

Mission acknowledged that the result overall reasonably reflected the opinion of the people. In 2001, less than a year after being re-elected, the PA lost their majority and new elections were held in December 2001. The United National Front coalition, lead [sic] by UNP Ranil Wickremasinghe, won with 109 seats and the President's PA came second with 77 seats, which led to an arrangement of political cohabitation between two rival parties, with the PA's leader as President and the UNP's leader as Prime Minister." (FCO Sri Lanka country profile) **[15j] (Recent Political History)**

3.03 "In November 2003, President Kumaratunga suspended parliament, sacked three key ministers taking over their portfolios (including defence) and declared a state of emergency (which was lifted a few days later). This was done on the grounds of national security, and the actions were within her Constitutional powers. No agreement on working arrangements was reached between the President and Prime Minister, and in January 2004, the SLFP signed an alliance with the JVP [Janatha Vimukthi Peramuna] forming the United People's Freedom Alliance (UPFA). In February, the President dissolved Parliament and called general elections in April. The elections in April 2004 produced a new political order with the victory of the UPFA (SLFP and JVP alliance). Support for the traditional parties dropped, and smaller parties - JVP, TNA [Tamil National Alliance] and JHU [Jathika Hela Urumaya] gained significant numbers of seats. The UPFA formed a minority government." (FCO Sri Lanka country profile) **[15j] (Recent Political History)**

3.04 "At the general election, which took place on 2 April 2004, the UPFA won 105 of the 225 seats, having taken 45.6% of the votes cast; Wickremasinghe's UNP retained 82 seats (with 37.8% of the votes), while the TNA won 22 seats (with 7%). In an unexpected development, the Buddhist Jathika Hela Urumaya (JHU—National Heritage Party) won nine seats. The LTTE had openly supported the TNA during the election campaign and described the large number of seats won by the alliance as an endorsement and recognition of the LTTE as 'the sole representative' of the Tamil population. Participation at the election was reported to have reached 75% of eligible voters. The poll concluded peacefully. However, there were claims of voter intimidation and electoral malpractice, particularly in the north and east of the country. The UPFA, which had not secured an outright majority of seats in Parliament, undertook negotiations with a view to forming a coalition administration. Meanwhile, Mahinda Rajapakse, a senior member of the UPFA and former fisheries minister, was sworn in as Prime Minister on 6 April." (Europa World Online) **[1b] (Recent History)**

3.05 The final official results were published in the official website of the Department of Elections. **[39a]**

United People Freedom Alliance (UPFA)	105
United National Party (UNP)	82
Tamil National Alliance TNA	22
Jathika Hela Urumaya (JHU)	9
Sri Lanka Muslim Congress (SLMC)	5
Eelam People's Democratic Party (EPDP)	1
Up-Country People's Front (UCPF)	1

3.06 "In September 2004, the Ceylon Workers' Congress (CWC – representing Indian-origin Tamils) with 8 seats joined the government giving it a small

majority. In June 2005 the JVP left the Government after the President's decision to sign a post-tsunami funding arrangement with the LTTE." (FCO Sri Lanka country profile) **[15j] (Recent Political History)**

3.07 On 26 December 2004, BBC News reported that thousands of people had been killed across southern Asia in massive sea surges triggered by the strongest earthquake in the world for 40 years. **[9dl]**

3.08 "Sri Lanka was one of the countries most seriously affected by the devastating tsunami caused by a massive earthquake in the Indian Ocean on 26 December 2004. More than 31,000 Sri Lankans were killed in the disaster, which also left thousands homeless and without livelihoods. The tourism industry was badly affected by the catastrophe, with many hotels and resorts being damaged or destroyed. It was initially hoped that the scale of the disaster would serve to ease tensions between the Government and the LTTE, particularly as the Tamil areas of the island were amongst those worst hit. However, conflicts soon surfaced over the distribution of aid; the LTTE claimed that the Government was restricting the flow of international aid into Tamil-controlled areas and demanded that it be delivered directly to them." (Europa World Online) **[1b] (Recent History)**

3.09 "In August 2005 the peace process between the Government and the LTTE was seriously threatened when the Minister of Foreign Affairs, Lakshman Kadirgamar, was assassinated by unidentified gunmen at his home in Colombo. Although they denied responsibility, the LTTE were held responsible for the attack. In the aftermath of the murder, President Kumaratunga declared a state of emergency, granting the security forces broad powers of detention. Amidst widespread fears that the cease-fire would collapse, both sides announced their commitment to its maintenance, and the LTTE agreed to meet with the Government to review the truce agreement."(Europa World Online) **[1b] (Recent History)**

3.10 "Meanwhile, there was controversy over when the country's next presidential election was scheduled to take place…In August the Supreme Court brought an end to the controversy, ruling that the election should be held by 22 November 2005. In September it was announced that the election would take place on 17 November. Former Prime Minister Ranil Wickremasinghe subsequently declared that he would stand as the candidate of the UNP. The JVP offered its support to Rajapakse, on the condition that were he to secure victory he would commit his government to the retention of a unitary state, renegotiate the ongoing cease-fire with the LTTE and end the privatization of state assets. Rajapakse concluded a similar agreement with the JHU." (Europa World Online) **[1b] (Recent History)**

3.11 As reported by BBC News on 18 November 2005:

"Sri Lankan premier Mahinda Rajapakse has won the presidential election by a narrow margin, officials have said. Mr Rajapakse secured a little over 50% of the popular vote against main opposition rival Ranil Wickramasinghe… Elections Commissioner Dayananda Dissanayake said the poll turnout was about 75% but the boycott in Tami-dominated [sic] areas was almost total. In Jaffna, turnout was put at only 0.014% of more than 700,000 registered voters - the lowest ever anywhere in the country. In the 1999 election, 19% of voters in Jaffna cast ballots…Officials said there were roadblocks and intimidation in

rebel-held areas. More than 13m people were eligible to vote in Sri Lanka's fourth national poll in six years. The poll ends the tenure of President Chandrika Kumaratunga. She has dominated the island's politics since taking office for the first of her two terms in 1994." **[9fl]**

3.12 On 21 November 2005 BBC News reported that: "Sri Lanka's newly-elected president, Mahinda Rajapakse, has appointed a hardliner as his prime minister…Like Mr Rajapakse, Mr Wickremanayake is a Sinhala nationalist…Under Sri Lanka's constitution, the prime minister's role is overshadowed by the much more powerful post of executive president." **[9fm]**

3.13 A major cabinet reshuffle took place in January 2007. As reported on the Official Government News Portal of Sri Lanka on 28 January 2007:

"This is the first major cabinet reshuffle of the United Peoples Freedom Alliance (UPFA) government. Several members of the main opposition United National Party (UNP) and the Sri Lanka Muslim Congress (SLMC) led by Rauff Hakeem also joined the government…Mr Ratnasiri Wickremanayake retains his Prime Minister post in the reshuffle. Mr Rohitha Bogollagama has been appointed new Foreign Minister." **[10d]** On the same day BBC Sinhala reported that "Over 20 members of Sri Lanka's opposition parties have defected to the government cementing the parliamentary majority of President Mahinda Rajapkasa's administration…Thirty three Non-cabinet ministers and nineteen deputy ministers were also sworn in before the President on Sunday. With the latest reshuffle, 104 members of the 225-member parliament are ministers and deputy ministers." **[9z]** Further cabinet reshuffles took place in February and August 2007. (BBC News, 9 February 2007) **[9a]**; (Official website of the Government of Sri Lanka, Current Affairs, 22 February 2007) **[44b]**; (Keeing's Record of World Events, Sri Lanka, August 2007) **[23c]**
The current list of Government ministers can be accessed from the official website of the Government of Sri Lanka. (http://www.priu.gov.lk, last updated on 11 October 2007) **[44a]**

THE INTERNAL CONFLICT AND THE PEACE PROCESS

3.14 "The ethnic conflict in Sri Lanka has been going on for over 20 years as the Liberation Tigers of Tamil Eelam (LTTE) fight for an independent homeland. Some 70 000 people are estimated to have been killed and some one million displaced. The roots of the conflict lie in the deterioration of relations between the Tamil and Sinhalese communities from the 1950s. By the late 1970s a number of armed groups were operating in the north and east of the island. In 1983 there were serious anti-Tamil riots in Colombo resulting in the lynching and killing of some 2000 Tamils. Some Ministers in the Government of Sri Lanka were implicated in the event. Many Tamils returned to traditional Tamil areas in the North and many others began to seek asylum abroad. One of the highest profile violent acts was the assassination of the Mayor of Jaffna in 1975 by Vellupillai Prabhakaran who later became established as the leader of the LTTE. In mid 1987 when a Government of Sri Lanka embargo of Jaffna began to result in severe hardship, the Government of India, pushed by public opinion in Tamil Nadu, forced the Sri Lankan Government to sign the Indo-Sri Lankan Accord. This provided for an Indian peacekeeping Force (IPKF) in the North and East. However relations between the IPKF and the LTTE broke down and there was heavy fighting and reports of human rights violations on

both sides. President Premadasa negotiated the IPKF's withdrawal, which was completed in March 1990. During 1988, in part against the India intervention, among [sic] the Sinhalese community grew into a violent insurgency by the Janatha Vimukthi Peramuna (JVP) and a counter-terrorist campaign. The rebellion ended in 1989 after JVP leaders were murdered. The Sri Lankan army undertook a ruthless counter-insurgency campaign and tens of thousands were killed. There followed a period of relative peace before the situation in the North and East deteriorated in June 1990. After 18 months, negotiations fell apart and the LTTE again resorted to violence. They extended their control until they held the Tamil heartland: the Jaffna Peninsula and large areas of the North and East. The security forces succeeded in winning back most of the East, but the North remained outside their control." (FCO Sri Lanka country profile) **[15j] (The Internal Conflict)**

3.15 "In July 1995, the Sri Lankan army launched a military operation, culminating in the fall of Jaffna in December 1995 to Government forces. At the end of January 1996 the LTTE began a bombing campaign in Colombo... During 1996, the Sri Lankan army secured enough of the Jaffna Peninsula to allow the civilian population to return to Jaffna town. The LTTE reasserted themselves in the Eastern province and infiltrated back into the Jaffna Peninsula. LTTE inspired terrorist attacks continued in the south, including on the Temple of the Tooth in Kandy, the most sacred Buddhist site in Sri Lanka. In March 1999 the Sri Lankan Army launched two major offensives in the Vanni and captured over 800 sq kms of territory from the LTTE. Fighting in the North intensified in late 1999 and the Vanni (jungle areas in the North) fell to the LTTE after some of the fiercest fighting since the conflict began. In April 2000 the LTTE carried out a major assault which led to the withdrawal of Sri Lankan troops from Elephant Pass (which links the Jaffna peninsula to the rest of Sri Lanka). With control of Elephant Pass, the LTTE continued further attacks into the Jaffna Peninsula. Fighting continued until December 2001 when the announcement of a new ceasefire by the LTTE was reciprocated by the newly elected UNF government. A Ceasefire Agreement was signed in February 2002 by the government and LTTE." (FCO Sri Lanka country profile) **[15j] (The Internal Conflict)**

3.16 As recorded on the website of the Sri Lanka Monitoring Mission (SLMM):

"The Ceasefire Agreement entered into force between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE). The Ceasefire document is signed by Sri Lankan Prime Minister Ranil Wickremesinghe and the LTTE leader Velupillai Prabhakaran. The overall objective of the Parties is to find a negotiated solution to the ongoing ethnic conflict in Sri Lanka. They recognize the importance of bringing an end to the hostilities, improving the living conditions and restoring normalcy for all inhabitants of Sri Lanka, whether they are Sinhalese, Tamils, Muslims or others. The Ceasefire Agreement also commits the Government of Sri Lanka and the LTTE to accept on-site monitoring of the implementation of the Agreement by the Sri Lanka Monitoring Mission (SLMM). The Head of SLMM is the final authority on the interpretation of the Ceasefire Agreement." **[22i]**

3.17 Article 1 of the agreement deals with the modalities of a ceasefire; article 2 deals with measures to restore normalcy. This includes both parties, in accordance with international law, abstaining from hostile acts against the civilian population, including such acts as torture, intimidation, abduction,

extortion and harassment; the parties refraining from engaging in activities or propagating ideas that could offend cultural or religious sensitivities; the parties reviewing security measures and the set-up of checkpoints, particularly in densely populated cities and towns, in order to prevent harassment of the civilian population; the parties agreeing that search operations and arrests made under the Prevention of Terrorism Act shall not be made, and that arrests shall be conducted under due process of law in accordance with the Criminal Procedure Code; and the parties agreeing to provide family members of detainees access to those detainees. Article 3 deals with the role and functions of the Sri Lanka Monitoring Mission. The full text of the Ceasefire Agreement is available from the SLMM website. (SLMM website, Ceasefire Agreement) **[22i]**

3.18 "In mid-March 2002 Prime Minister Wickremasinghe visited Jaffna, the first premier to do so since 1982. In early April the Government lifted a six-year ban on domestic flights and allowed commercial airlines to resume flights to Jaffna. A week later an important road linking the Jaffna peninsula with the rest of the country was opened for the first time in 12 years. On 10 April Prabhakaran addressed an international press conference for the first time in more than 10 years. He demanded the lifting of the ban on the LTTE as a prerequisite to negotiations and declared his commitment to peace and full support of the cease-fire." (Europa World Online) **[1b] (Recent History)**

3.19 The BBC News Timeline: Sri Lanka (last updated on 3 August 2007) recorded that during 2002 the Government lifted its ban on the Tamil Tigers, while the rebels dropped their demands for a separate Tanmil state. It also noted that the de-commissioning of weapons began **[9fo]** The peace agreement "meant that members of the LTTE were no longer subject to arrest simply because of their status." (US State Department Report 2003) **[2b] (p8)**

3.20 As summarised on the official website of the Sri Lankan Government's Secretariat for Co-ordinating the Peace Process (SCOPP), Session One of the peace talks was held in Thailand on 16 – 18 September 2002; Session Two also in Thailand on 31 October – 3 November 2002; Session Three in Norway on 2-5 December 2002; Session Four in Thailand on 6 – 9 January 2003; Session Five in Germany on 7 – 8 February 2003 and Session 6 in Japan on 18 – 21 March 2003. Further details on all the peace talk sessions are available from the website of SCOPP. **[41j]**

3.21 "In early March 2004 a rift within the LTTE appeared after a senior Tamil eastern regional commander declared his independence from the rest of the group. V. Muralitharan (commonly known as Col Karuna) withdrew his 6,000 fighters from the 15,000-strong LTTE in a dispute with the northern-based LTTE leader, Prabhakaran. Karuna, who accused northern Tamil groups of ignoring and discriminating against eastern groups, made it clear that he would not resume violence. However, he would not recognize the cease-fire agreement between the Government and Prabhakaran, and instead demanded a separate truce agreement with the Sri Lankan administration. Analysts feared that the schism might escalate into factional war; the split also raised questions about Prabhakaran's control over the LTTE and undermined the Tamil militants' claims that the main obstacle in the peace process was political divisions among Sinhalese political parties. The rift also adversely affected Norway's fresh attempt to revive the peace initiative. In late March [2004] the LTTE vowed to remove Karuna from Sri Lanka. The Tamil political

candidate and supporter of Karuna, Rajan Sathyamoorthy, was shot dead by suspected Tamil militants in the eastern town of Batticaloa, raising fears of factional fighting. Although the LTTE denied any involvement in the killing, government troops were deployed to Batticaloa to maintain law and order. On 9 April fighting between the two factions broke out. The conflict ended on 13 April with Karuna reported to have fled from his base and gone into hiding, his forces having dispersed and the LTTE assuming full control of the eastern areas." (Europa World Online) **[1b] (Recent History)**

3.22 "From June 2004 onwards the cease-fire between the LTTE and the Government came under increasing pressure. During discussions with Hagrup Haukland, leader of the Norwegian team monitoring the ongoing peace process, the LTTE accused the Sri Lankan armed forces of sheltering Col Karuna and of assisting him in waging a campaign against them. The armed forces initially denied that they had helped Karuna to escape following the April [2004] conflict; however, later in that month the Minister of Ports and Aviation and of Information and Media, Mangala Saramaraweera, admitted that the army had helped Karuna to escape, while insisting that the plan had been carried out without government knowledge." (Europa World Online) **[1b] (Recent History)**

3.23 "Fears that the cease-fire was close to collapse were heightened when a suicide bomber blew herself up during questioning at a police station in Colombo in early July [2004], having first attempted to meet the Tamil Secretary-General of the EPDP, Douglas Devananda, who was a long-standing opponent of the LTTE. Although the LTTE denied any involvement in the attack, they were widely believed to have been responsible both for the bombing, and for the assassination of an EPDP politician in Ampara district later in that month. Meanwhile, clashes continued to occur between the LTTE and members of the faction that had broken away under the leadership of Karuna." (Europa World Online) **[1b] (Recent History)**

3.24 "In December 2005 violence in the country escalated. At least 60 people died over the course of the month as a result of various attacks believed to have been co-ordinated by the LTTE. At the end of that month President Rajapakse stated that he was ready to hold talks with the LTTE…In February [2006] negotiators representing the LTTE and the Government convened in Geneva, Switzerland, to hold talks on how to control the recent increase in violence. A joint statement issued following the conclusion of the talks committed both sides to uphold the cease-fire. The LTTE agreed to try and prevent further attacks on the security forces, while the Government pledged to try and disarm the Karuna faction of the LTTE, which was thought to have been acting on behalf of the armed forces against its erstwhile colleagues. However, prior to the second round of talks, scheduled to take place in Geneva in mid-April, the violence intensified once again…Later that month the LTTE stated that they would not attend talks, alleging that government forces had perpetrated attacks on Tamil civilians. In late April a suicide bombing believed to have been perpetrated by the LTTE at the army headquarters in Colombo killed at least 11 people and seriously injured the Chief of Staff of the Army, Lt-Gen. Sarath Fonseka."(Europa World Online) **[1b] (Recent History)**

3.25 "The Government subsequently ordered a number of air strikes on alleged LTTE bases near Trincomalee, which, according to the LTTE, caused the displacement of approximately 15,000 people. The violence continued, further

jeopardizing the ongoing cease-fire: in May [2006] Maj.-Gen. (retd) Ulf Henricsson of the SLMM acknowledged that a 'low intensity war' was taking place. At the end of the month the EU classified the LTTE as a terrorist organization, which entailed a suspension of LTTE fund-raising in EU member states, a `freeze' on the organization's assets and a ban on travel to the EU. The LTTE responded by demanding the withdrawal of EU members of the SLMM, resulting in the departure of Danish, Finnish and Swedish monitors in July and August. Amid escalating violence the LTTE withdrew from peace talks planned for June. In mid-June fears about the intensification of the conflict were realized when landmine explosions killed some 64 civilians, including several children, on a crowded bus in Kebithigollewa. Despite the LTTE's condemnation of the attack, the Government retaliated by launching air attacks on Kilinochchi. A new front in the fighting opened up over access to the Maavil-Aru waterway, which became the scene of a number of air and ground offensives in July. The violence spread to the town of Muttur, north of the waterway, forcing thousands of inhabitants, many of them Muslims, to flee in August." (Europa World Online) **[1b] (Recent History)**

3.26 "Clashes between LTTE fighters and army troops continued in the north and east of the country, with rising death tolls of civilians, rebels and government forces. At the end of September [2006] the SLMM estimated that the resumption of hostilities had resulted in the displacement of some 200,000 people. In October, following a suicide bombing near Habarana which killed approximately 100 naval officers, it was feared that relatively unaffected areas of the country would be drawn into the conflict when the LTTE attacked a naval base in the southern town of Galle. Little progress was made at peace talks held in Geneva at the end of October, although both sides agreed to uphold the terms of the cease-fire agreement. In November [2006] it was reported that an army attack on a Tamil refugee camp in LTTE-held territory had resulted in at least 65 civilian fatalities…At his annual speech, given at the end of November, Prabhakaran declared the cease-fire to be 'defunct' and blamed the Government for failing to find a solution." (Europa World Online) **[1b] (Recent History)**

3.27 "Peace talks held on Oct. 28-29 [2006] between government negotiators and the separatist Liberation Tigers of Tamil Eelam (LTTE) in Geneva, Switzerland, ended without any agreement between the parties. Both sides promised to abide by the terms of the 2002 ceasefire agreement, despite at least seven months of escalating violence since the last round of peace talks in February [2006]...The LTTE negotiators, who accused the government of pursuing a military strategy to end the conflict, were willing to set a date for another round of talks, but on condition that the government reopened the A9 highway into the Jaffna peninsula, where about 600,000 people had been cut off by the fighting since August." (Keesing's Records of World Events, October 2006 – Sri Lanka) **[23i]**

3.28 As reported by Reliefweb (quoting AFP) on 29 November 2006:

"The Tamil Tigers have renewed a campaign to partition Sri Lanka, but the guerrillas already have a surreal separate 'state' of their own. Tigers' supremo, Velupillai Prabhakaran, in his annual policy speech on Monday [27 November 2006], wrote off four years of peace talks and said he had no option but to resume a campaign for full independence in this majority-Sinhalese nation. But the Tigers already run their own civil administration, courts and police in

large swathes of land in the island's northeast and have 'customs' and 'visa' formalities for people crossing de facto front lines…They have a bank, but no currency. They use Sri Lankan cash and have even threatened to print their own money unless the Central Bank of Sri Lanka improves its monetary policy to make the rupee stronger. The Tigers collect 'taxes' from minority Tamils in areas under their control as well as those outside and even abroad, and boast that compliance is 100 percent. International rights groups, however, have accused them of extortion…Although the guerrillas boast of a parallel administration, it cannot survive without the Sri Lankan state, said former Tamil militant-turned-politician Dharmalingam Sithadthan. Doctors, teachers and all other public servants working in areas under rebel control are paid by the Sri Lankan government but must take orders from the local Tiger area commanders." **[31c]**

3.29 On 1 December 2006 BBC News reported that President Mahinda Rajapakse's brother [the Defence Secretary Gotabhaya Rajapakse] had escaped a suspected suicide bomb attack in Colombo and that the Government had blamed Tamil Tiger rebels for the explosion, which killed at least one person and hurt 14 others. **[9k]**

3.30 As reported by BBC News on 6 December 2006:

"Sri Lanka's cabinet has announced sweeping anti-terror measures after months of worsening violence between security forces and Tamil Tiger rebels. Ministers stopped short of banning the rebels but tightened existing emergency laws which have been dormant since a 2002 ceasefire that is now in shreds. Security forces will have wide-ranging powers to search, arrest and question…The government said the far-reaching measures, which do not mention the Tamil Tigers by name, would take effect immediately…Sri Lanka's government lifted its ban on the Tamil Tigers ahead of the [2002] ceasefire deal and peace talks brokered by Norway. The old Prevention of Terrorism Act was effectively suspended following the truce." **[9o]**

3.31 As recorded in Europa:

"The violence continued into 2007, with government forces reportedly securing the eastern town of Vakarai in January after a series of battles and the displacement of an estimated 30,000 people. According to SLMM estimates published in February, the conflict had resulted in almost 4,000 fatalities over the preceding 15 months…In March there was a renewal of hostilities in eastern areas, reportedly as part of a larger government drive to secure the east of the country, as concerns mounted for the estimated 155,000 civilians left homeless by the fighting.In late March the strengthened capability of LTTE forces was demonstrated by an air attack on the government airbase at Katunayake, which was followed in late April by air bombings of fuel depots in the Colombo area." (Europa World Online) **[1b] (Recent History)**

3.32 As reported by Keesing's Record of World Events, February 2007, Sri Lanka:

"The Sri Lankan Army (SLA) continued to apply pressure on districts held by the separatist Liberation Tigers of Tamil Eelam (LTTE) in the north of the country, including the Jaffna peninsula, and the east, in the areas around the coastal cities of Trincomalee and Batticaloa…There was an apparent intensification of naval activity as the Sri Lankan Navy (SLN) attempted to

maintain a maritime stranglehold on the LTTE and cut the rebels off from supplies smuggled from India." **[23k]**

3.33 During March 2007 there were also numerous reports of violence, fighting and confrontations between Government security forces and LTTE cadres, in the Jaffna, Ampara and Mannar districts (SATP Sri Lanka Timeline – Year 2007) **[37d]** with Government troops claiming continuing success in clearing eastern coastal areas of LTTE rebels and thousands of civilians fleeing the fighting. (BBC News Timeline: Sri Lanka, 3 August 2007) **[9fo]** A battle near the border of Vavuniya on 23 March 2007 "marked the opening of a new front in escalating hostilities between soldiers and the outfit cadres in the Northwest, as fighting had previously been concentrated in Northern and Eastern districts." (SATP Sri Lanka Timeline – Year 2007) **[37d]**

3.34 "On 26 March 2007] The LTTE carried out their first ever air attack on the main Sri Lankan Air Force base in Katunayake, killing three air force personnel and injuring another seventeen at 12:45 am on, the military said. A light wing aircraft manned by the outfit dropped two bombs near the engineering section of the base. There were no damages to the fighter jets. [On 27 March 2007] The LTTE carried out a suicide attack targeting the Army main base at Chenkalady in the Batticaloa district against [sic]. Three members of the Eelam People's Democratic Party (EPDP), identified as Carthic, Chandru and Vicky, a 12-year-old boy Navarathnam two security force (SF) personnel were killed in the explosion. Five civilians, two Army soldiers and two Policemen were injured." (SATP Sri Lanka Timeline – Year 2007) **[37d]**

3.35 As recorded in Keesing's Record of World Events, March 2007, Sri Lanka:

"The LTTE had claimed as far back as 1995 to have an 'Air Tiger' wing, but this was the first time that the rebels had used aircraft in an attack. According to government sources it was thought probable that the LTTE had imported aircraft in kit form and other arms disguised among aid shipments following the Dec. 26, 2004, tsunami, which devastated much of the country's eastern and northern coast, including Tamil-majority areas. Raids by SLAF jets--Israeli Kfir and Russian Sukhoi-27 aircraft--had featured increasingly in the military escalation in both the eastern and northern districts of the island, followed by claims that the bombs had caused many civilian casualties." **[23l]**

3.36 As noted in the International Institute for Strategic Studies (IISS) Armed Conflict Database, Sri Lanka (undated, website accessed on 16 August 2007):

"During January–March [2007] the five-year-old Sri Lankan peace process, brokered and monitored by Norway, finally appeared to have collapsed, with little more than lip-service being paid to it. The agreement had been in trouble since the talks in 2006 which yielded little substance. Both sides now seem firmly committed to a solution based upon military action, despite claiming that they remain open to a negotiated settlement…Offensives in the north-east in Ampara, Varakai, Trincomalee, Vavuniya and Batticaloa confirm that the Sri Lanka army is in a far stronger position than it was when the peace deal was signed and that it appears keen to press home its advantage." **[80] (Latest Update)**

3.37 Keesing's Record of World Events, April 2007, Sri Lanka, recorded:

"The separatist Liberation Tigers of Tamil Eelam (LTTE) mounted at least two further air raids during April, showing that the bombing of the main air base of the Sri Lanka Air Force (SLAF) in March was not a one-off exploit but the introduction of a new dimension into the conflict. In the first attack on April 24, two light aircraft of the 'Tamileelam Air Force' (TAF) dropped bombs by night on the government's military complex at Palaly, its main military base on the northern Jaffna peninsula, apparently unscathed by anti-aircraft fire. In what seemed the most ambitious night attack yet, in the early hours of April 29 the TAF's aircraft bombed petrol and gas depots around Colombo (the commercial capital). The government responded by imposing a blackout in the city, claiming that the raid was a failure that caused no casualties. However, local residents told the media that they had heard powerful explosions…The SLAF retaliated on April 29 by mounting its own air raids in Kilinochchi district of the Jaffna peninsula, apparently trying to hit the TAF airstrip." **[23m]**

3.38 "The Sri Lankan Army (SLA) on April 25 [2007] claimed to have killed 20 LTTE fighters for the loss of two of its own soldiers in a heavy exchange of mortar and artillery fire in the north-western district of Mannar that also wounded about 40 on both sides. The LTTE said that it had killed 10 SLA troops and wounded 50. The government also claimed on April 11 to have killed 20 Tamil Tigers in northern Vavuniya district, on the southern edge of LTTE-controlled territory, whilst the rebels said that they had killed 10 SLA soldiers in repelling an offensive.The army claimed on April 3 that in its continuing operations in eastern districts it had captured four LTTE bases in Batticaloa district and killed 23 rebels. The SLAF also claimed on April 4 to have destroyed in an air raid the headquarters of the Sea Tigers' attack boats in the north-eastern district of Mullaitivu…A bomb exploding on April 2 on a crowded bus near the eastern town of Ampara killed at least 16 civilians and injured 25. Another bus was hit by a claymore mine on April 7 near the town of Vavuniya, killing seven people and injuring 26 (including seven soldiers). The government blamed both bombs on the LTTE." (Keesing's Record of World Events, April 2007, Sri Lanka) **[23m]**

3.39 As recorded in Keesing's Record of World Events, May 2007, Sri Lanka:

"Government defence spokesman Keheliya Rambukwella said on May 7 [2007] that Norway should review the ceasefire signed in 2002 between government forces and the separatist Liberation Tigers of Tamil Eelam (LTTE) because it was being constantly violated by the rebels, and the government would not hesitate to breach it if national security were at stake. Although the ceasefire still existed on paper, according to reporters both sides were routinely ignoring it and conducting offensive operations…Military spokesman Brig. Prasad Samarasinghe said on May 21 that 541 Tamil Tigers had been killed since January [2007], but an LTTE spokesman dismissed this figure as an exaggeration, conceding that the number of rebels who had died was around 60. The government claimed on May 5 to have sunk two LTTE Sea Tiger gunboats in a naval encounter off the northern Jaffna peninsula, killing at least 10 rebels, but the LTTE denied that any boats were sunk…According to the LTTE, a seaborne assault on May 24 overran a naval base on the island of Delft off Jaffna, killing some 35 Sri Lankan Navy (SLN) sailors for the loss of four LTTE fighters dead. Brig. Samarasinghe said that in the gun battle on Delft only four sailors had been killed but 18 Tigers were dead, following which an LTTE boat was sunk in an air and sea counterattack. Generally it was

impossible for reporters to verify the differing accounts of the two sides. It was thought that some 5,000 people had been killed in an undeclared war since December 2005." **[23n]**

3.40 On 28 May 2007, BBC News reported that:

"A blast near the Sri Lankan capital, Colombo, has killed six civilians and wounded 14 more and four police. The blast targeted a truck carrying police commandos near the suburb of Ratmalana, military spokesman Lt Col Upali Rajapakse said. He blamed the separatist Tamil Tigers for the attack. The Tigers have denied any involvement…This is the second bomb attack in and around Colombo in recent days. On Thursday [24 May] a blast hit an army bus near the capital's harbour killing one soldier and wounding three more. Three civilians were also hurt." **[9ac]**

3.41 The Keesing's Record of World Events, June 2007, Sri Lanka recorded that:

"The Sri Lankan Navy (SLN) claimed on June 20 [2007] to have destroyed five and disabled nine Sea Tiger gunboats in a battle with about 20 LTTE vessels off Pedro Point in the northern Jaffna peninsula, killing some 40 rebel sailors. It was the latest of a number of recent naval actions [see pp. 47928-29; 47807]. A military spokesman also said that the SLA had destroyed seven LTTE camps in the Thoppigala area near the eastern city of Batticaloa, and that 47 rebel fighters had been killed in these and other encounters. It was reported by TamilNet on June 3 that an LTTE commando raid on army forward positions in the northern district of Vavuniya had destroyed an artillery position, killed 30 SLA soldiers, and captured heavy military equipment, including an armoured vehicle." **[23b]**

See also Section 28

3.42 As noted in the IISS Armed Conflict Database, (undated, website accessed on 16 August 2007):

"The Sri Lankan government appeared to have the upper hand in the conflict with the Liberation Tigers of Tamil Eelam (LTTE or Tamil Tigers) between April and June [2007]. An estimated 650 combatants were killed out of a total of 900 fatalities, of which only around 50 belonged to government forces. The main thrust of operations was again in Batticaloa, where the Sri Lanka Army (SLA) concentrated its efforts on consolidating control and eradicating any remaining pockets of Tamil Tiger resistance. The Army employed heavy weaponry including shells and mortars, and deployed troops in door-to-door investigations, attempting to flush out Tamil Tiger forces who had merged into the civilian population. The Special Task Force (STF) also sent reinforcements to the area and to Amparai, setting up 21 new bases. Towards the north, there were skirmishes along the Line of Control and on the Jaffna peninsula, where the Army reinforced its front line with the movement of 2,000 STF troops." **[80] (Military & Security Developments)**

3.43 The Human Rights Watch (HRW) report 'Return to War, Human Rights under Siege', published on 6 August 2007 noted that "The ceasefire between the government and the armed secessionist Liberation Tigers of Tamil Eelam (LTTE) exists only in name. Since mid-2006, when major military operations resumed, civilians have paid a heavy price, both directly in the fighting and in

the dramatic increase in abductions, killings, and 'disappearances.' The return to war has brought serious violations of international human rights and humanitarian law." **[21f] (Summary)**

"Some of the most serious international law violations have taken place during armed hostilities, when civilians have died in unlawful attacks and others were displaced. Both the government and the LTTE have shown a brazen disregard for the well-being of non-combatants." **[21f] (Summary)**

3.44 A letter from the British High Commission (BHC) in Colombo, dated 29 October 2007, noted that:

"The Nordic Sri Lanka Monitoring Mission (SLMM) are re-establishing themselves in Jaffna after an absence of nearly a year, to verify violations of the 2002 ceasefire agreement and act as a visible deterrent to the two sides to the conflict. The SLMM in October confirmed that they no longer recorded individual ceasefire violations (essentially because of resources and because the confrontational nature of the exercise makes it difficult in the current environment). Instead they are focussing on addressing more generic problems and keeping lines of communications open." **[15q]**

3.45 For information on developments of the conflict in Sri Lanka between August and October 2007 and for additional details on previous months, please refer to Annex B and to the Useful sources for updates at the end of Section 4.

See also Annex A, B, E and F

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4. RECENT DEVELOPMENTS

4.01 The SATP Sri Lanka Timeline for the year 2007 recorded that:

"[On 8 and 9 June] Sri Lankan troops captured four camps of the LTTE in the Batticaloa district after two days of fighting that left at least 30 LTTE cadres and one soldier dead…[On 19 June] The SLN destroyed five LTTE boats and severely damaged nine others in a clash off the Vettilaikerni coast in the Jaffna district. 40 Sea Tigers were reportedly killed in the confrontation that erupted when SLN Fast Attack Craft engaged around 20 LTTE boats which had tried to attack naval craft off Point Pedro. Troops engaged in the battle at Thoppigala in Batticaloa district captured more than 42 square kilometers of area between Akkaraththaviai and Kattuvelikulam, killing more than 30 LTTE cadres. Five SF personnel were injured due to anti-personnel mines and mortar attacks by the LTTE…Sri Lanka Army reported that as of June 20-afternoon, troops killed 188 LTTE cadres and wounded 133 others during their operations to wrest control of Thoppigala. Nine soldiers were killed and 78 others sustained injuries during these operations…[On 22 June] SFs engaged in clearing operations in the Thoppigala area of Batticaloa district confronted a group of LTTE cadres and subsequently recovered 15 dead bodies of the LTTE cadres…[On 23 June] 13 LTTE cadres were killed during a clash with the Army troops in the Murunthankulam area of Vavuniya district. The

confrontation began as the LTTE cadres attempted to breach the forward defences in the west of Omantahi." **[37d]**

4.02 As recorded in the IISS Armed Conflict Database, "[On 4 July 2007] The Sri Lanka Air Force increases pressure on the Tamil Tigers, launching intense air raids against the militant group in strategically important jungle areas in eastern Sri Lanka. Particular focus was given to the area around Thoppigala where pockets of resistance remain following significant gains made by government troops across Batticaloa district." Armed clashes and violent incidents were reported on 5 and 6 July 2007. **[80] (Latest timelines)**

4.03 As recorded in Keesing's Record of World Events, July 2007, Sri Lanka:

"With the capture on July 11 [2007] of a Liberation Tigers of Tamil Eelam (LTTE) stronghold in the Thoppigala area of the eastern district of Batticaloa, the Sri Lankan Army (SLA) claimed that the last Tamil Tiger base in the Eastern province had fallen. An LTTE spokesman admitted that the Tigers had suffered a defeat in face-to-face fighting, but claimed that guerrilla operations in the province would continue. President Mahinda Rajapakse on July 19 attended a military parade in Colombo (the commercial capital) to celebrate victory in the east. It was the first time the government had been in overall control of the province since the early 1990s." **[23a]**

4.04 "There were indications after the capture of Thoppigala that military pressure was growing in the LTTE's northern strongholds in the Wanni (also rendered Vanni) district and the Jaffna peninsula. The army claimed on July 20 that nine LTTE fighters had been killed in an attack on an SLA camp near the north-western town of Mannar, for the loss of three SLA soldiers. According to the LTTE, 10 soldiers and four Tamil Tigers had been killed, whilst the LTTE had captured numerous weapons from the camp. At least 10 off-duty SLA soldiers were killed on July 24 when a roadside claymore mine exploded beside their bus in northern Vavuniya district. The Sri Lankan Navy (SLN) said on July 28 that in a clash at sea off Mannar a naval patrol craft sank two Sea Tiger boats, killing six rebel sailors." (Keesing's Record of World Events, July 2007, Sri Lanka) **[23a]**

4.05 On 22 October 2007 BBC News reported that nine members of the Sri Lankan military and 20 LTTE fighters from the Black Tigers suicide squad were killed after the rebels attacked an air force base in Anuradhapura in a combined air and land operation. **[9ah]** On the following day, the Government – despite earlier statements - admitted that eight aircraft were destroyed in the attack. (BBC News, 24 October 2007) **[9ai]**

4.06 "The security situation in the northern region (NR) last week [22 – 28 October 2007] was strongly influenced by the Liberation Tigers of Tamil Eelam (LTTE) attack on Anuradhapura Air Base on 22 October. This event has led to an increased alert status among the security forces in general, with the establishment of new checkpoints in addition to imposing more restrictive procedures for movement, including the crossing procedure at Omantai Entry/Exit (E/E) point. Shelling continued throughout the week from Jaffna town and surroundings…The overall situation around the Forward Defense Line (FDL) is getting worse every week and the current security situation in the region has a negative impact on the living condition for the local population. The ICRC is now going to be present at the Omantai E/E point six days a

week. New regulations for NGOs at Omantai E/E include giving notice 48 hours in advance to the security forces. Killings, abductions and cases of harassment continued to occur in the eastern region (ER) this week. (SLMM Weekly monitoring report 22 – 28 October 2007) **[22c]**

4.07 For additional information on developments in Sri Lanka between August and October 2007 and for additional details on previous months, please refer to Annex B and to the Useful sources for updates mentioned below.

See also Annex A, E and F

USEFUL SOURCES FOR UPDATES

4.08 A list of some selected key sources of information on Sri Lanka is provided below, together with weblinks. These sources may be useful if additional up to date information is urgently required to supplement the material in this COI Report. For the full list of sources contained in this COI Report, please refer to Annex H – References to source material.

Alert Net http://www.alertnet.org/db/cp/srilanka.htm

Amnesty International http://web.amnesty.org/library/eng-lka/index

BBC News http://newssearch.bbc.co.uk/cgi-bin/search/results.pl?scope=newsukfs&tab=news&q=sri+lanka&go.x=32&go.y=8

BBC Sinhala http://www.bbc.co.uk/sinhala/

Daily Mirror http://www.dailymirror.lk/

European Country of Origin Information Network
http://www.ecoi.net/index.php?countrychooser_country=190162%3A%3ASri%20Lanka&step=1&command=showcountryhome

Free Media Sri Lanka http://www.freemediasrilanka.org/

Human Rights Watch http://www.hrw.org/doc?t=asia&c=slanka

International Institute for Strategic Studies (IISS) Armed Conflict Database, Sri Lanka, Latest Timelines
http://acd.iiss.org/armedconflict/MainPages/dsp_ConflictTimeline.asp?ConflictID=174&YearID=1010

IRIN News Sri Lanka http://www.irinnews.org/Asia-Country.aspx?Country=LK

Peace in Sri Lanka
(The Offiicial website of the Government Secretariat for Co-ordinating the Peace Process – SCOPP) http://www.peaceinsrilanka.org/

The Official Government News Portal of Sri Lanka
http://www.news.lk/

The Official Website of the Democratic Socialist Republic of Sri Lanka http://www.priu.gov.lk/

Relief Web http://www.reliefweb.int/rw/dbc.nsf/doc104?OpenForm&rc=3&cc=lka

South Asia Terrorism Portal http://www.satp.org/satporgtp/countries/shrilanka/database/index.html

Sri Lanka Monitoring Mission http://www.slmm.lk/

Asian Human Rights Commission http://www.srilankahr.net/index.php

The Lanka Academic http://www.theacademic.org/

UNHCR Sri Lanka http://www.unhcr.lk/

UNICEF Sri Lanka http://www.unicef.org/srilanka/

COI Service is not responsible for the content of external websites.

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5. CONSTITUTION

5.01 "The Constitution of the Democratic Socialist Republic of Sri Lanka was approved by the National State Assembly (renamed Parliament) on 17 August 1978, and promulgated on 7 September 1978...The Constitution guarantees the fundamental rights and freedoms of all citizens, including freedom of thought, conscience and worship and equal entitlement before the law." (Europa World Online, Sri Lanka: Government and politics, The Constitution) **[1b]**

5.02 "Amendments to the Constitution require endorsement by a two-thirds' majority in Parliament. In February 1979 the Constitution was amended by allowing members of Parliament who resigned or were expelled from their party to retain their seats, in certain circumstances. In January 1981 Parliament amended the Constitution to increase its membership from 168 to 169. An amendment enabling the President to seek re-election after four years was approved in August 1982. In February 1983 an amendment providing for by-elections to fill vacant seats in Parliament was approved. An amendment banning parties that advocate separatism was approved by Parliament in August 1983. In November 1987 Parliament adopted an amendment providing for the creation of eight provincial councils (the northern and eastern provinces were to be merged as one administrative unit). In December 1988 Parliament adopted an amendment affording Tamil the same status as Sinhala, as one of the country's two official languages." (Europa World Online, Sri Lanka: Government and politics, The Constitution) **[1b]**

5.03 The Seventeenth Amendment to the Constitution was published as a Supplement to Part II of the Gazette of the Democratic Socialist Republic of Sri Lanka of October 5, 2000. It introduced the Constitutional Council; the Public Service Commission; the Election Commission; the Judicial Service Commission and the National Police Commission. (The official website of the Government of Sri Lanka, The Constitution) **[44i]** For the full text of the Constitution and of the Seventeenth Amendment:
http://www.priu.gov.lk/Cons/1978Constitution/Introduction.htm **[44i]**

See also Section 8 on Avenues of complaint

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6. POLITICAL SYSTEM

6.01 "A presidential form of government was adopted in October 1977 and confirmed in the Constitution of September 1978. The Constitution provides for a unicameral Parliament as the supreme legislative body, its members being elected by a system of modified proportional representation. Executive powers are vested in the President, who is Head of State. The President is directly elected for a term of six years and is not accountable to Parliament. The President has the power to appoint or dismiss the Prime Minister and members of the Cabinet; may assume any portfolio; and is empowered to dismiss Parliament. Sri Lanka comprises nine provinces and 25 administrative districts, each with an appointed Governor and elected Development Council. In November 1987 a constitutional amendment was adopted, providing for the creation of eight provincial councils (the northern and eastern provinces were to be merged as one administrative unit). A network of 68 Pradeshiya Sabhas (district councils) was inaugurated throughout the country in January 1988." (Europa World Online, Sri Lanka: Government) **[1b]** The head of State is President Mahinda Rajapakse, the head of Government is Prime Minister Ratnasiri Wickremanayake. (Europa World Online, Sri Lanka) **[1b]**

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Human Rights

7. INTRODUCTION

7.01 In October 2007 the High Commissioner for Human Rights Louise Arbour visited Sri Lanka. In a press statement issued on 13 October summing up her visit she noted inter alia:

"I regret that time did not permit me to visit the Eastern Province. I also regret that I did not have the opportunity to visit Killinochchi, where I would have liked to convey directly to the LTTE my deep concern about their violations of human rights and humanitarian law, including the recruitment of children, forced recruitment and abduction of adults, and political killings. I am very concerned by the many reports I have also received of serious violations by the TMVP and other armed groups. I was struck in my discussions by the fact that broader human rights issues affecting all communities on the island have largely been eclipsed by the immediate focus on issues related to the conflict. These include issues of discrimination and exclusion, gender inequalities, the low participation of women in public and political life, the rights of migrant workers and press freedom. These challenges will remain before and after any peace settlement, and they are deserving of greater and more focussed attention." (A Press Statement from Ms. Louise Arbour, UN High Commissioner for Human Rights forwarded by the Asian Human Rights Commission) **[47e]**

7.02 "Sri Lanka has many of the elements needed for a strong national protection system…However, in the context of the armed conflict and of the emergency measures taken against terrorism, the weakness of the rule of law and prevalence of impunity is alarming. There is a large number of reported killings, abductions and disappearances which remain unresolved… While the Government pointed to several initiatives it has taken to address these issues, there has yet to be an adequate and credible public accounting for the vast majority of these incidents. In the absence of more vigorous investigations, prosecutions and convictions, it is hard to see how this will come to an end. While Sri Lanka has much of the necessary human rights institutional infrastructure, critical elements of protection have been undermined or compromised. The application of treaties in domestic law has been questioned by the Supreme Court in the Singarasa case. The Government's proposed legislation to address this problem, tabled this week in Parliament only partially addresses the issues and risks confusing further the status of different rights in national law…In my view the current human rights protection gap in Sri Lanka is not solely a question of capacity. While training and international expertise are needed in specific areas, and I understand would be welcomed by the Government, I am convinced that one of the major human rights shortcomings in Sri Lanka is rooted in the absence of reliable and authoritative information on the credible allegations of human rights abuses." (A Press Statement from Ms. Louise Arbour, UN High Commissioner for Human Rights forwarded by the Asian Human Rights Commission) **[47e]**

7.03 In a press statement issued on 4 September 2007:

"Amnesty International urges the United Nations Human Rights Council to call on the government of Sri Lanka to address ongoing failures to respect human

rights in the context of the armed conflict between government forces, the Liberation Tigers of Tamil Eelam (LTTE) and other armed groups. Grave violations of human rights and international humanitarian law by all parties to the conflict characterize the hostilities which have escalated since April 2006. Unlawful killings, abductions and enforced disappearances of civilians are daily occurrences in Sri Lanka. Several hundred cases of enforced disappearances and several hundred unlawful killings have been registered in the first six months of 2007. Amnesty International is also concerned about a rising incidence of killings of journalists by unidentified armed men, and tightened restrictions on freedom of expression." **[3l]**

7.04 The AI press statement of 4 September 2007 continued:

"There is an urgent and ongoing need for sustained and effective protection for civilians…Amnesty International is gravely concerned that civilians have not just been 'caught in crossfire', but have also been deliberately targeted by the security forces, the LTTE and other armed groups. Amnesty International remains particularly concerned over the failure to protect civilians in the north and east of the country. The number of reported unlawful killings and enforced disappearances has increased amid a continued failure to identify and bring to justice those responsible for human rights violations…Many internally displaced persons (IDPs) continue to live in fear, sustained in part by the LTTE's continued involvement in widespread human rights abuses including unlawful killings and abductions. In addition to the threat of LTTE reprisals, many IDPs report that they are reluctant to return to their places of origin because of the threat of forced LTTE recruitment of both adults and children. Amnesty International has repeatedly raised its concerns on this issue with the LTTE and urged the organization to fulfil its pledge to release all child soldiers. The Karuna faction, a breakaway group from the LTTE, continues to recruit children in government-controlled areas particularly in Batticaloa District." **[3l]**

7.05 "The number of attacks on journalists, particularly those considered part of the Tamil media, has escalated…There are grounds to fear a return to a pattern of the security forces involvement in extrajudicial killing of journalists and others…Amnesty International remains concerned at the restrictions placed on civil and political rights under the Emergency Regulations which were made more restrictive in 2006 after their reintroduction in August 2005." (AI public statement, 4 September 2007) **[3l]**

7.06 "As human rights abuses in the context of the conflict have increased, Amnesty International is gravely concerned about a persistent climate of impunity reported by human rights activists and other civil society actors in Sri Lanka. A need for systematic monitoring and prompt, impartial and effective investigations remains acute, made all the more necessary by an extremely small proportion of these human rights violations ever having proceeded to trial or conviction of perpetrators in the past." (AI public statement, 4 September 2007) **[3l]**

7.07 As noted in The International Crisis Group document 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007:

"The resumption of war between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE) has been accompanied by widespread human rights abuses by both sides. While the LTTE has

continued its deliberately provocative attacks on the military and Sinhalese civilians as well as its violent repression of Tamil dissenters and forced recruitment of both adults and children, the government is using extra-judicial killings and enforced disappearances as part of a brutal counter-insurgency campaign." **[76a] (Executive Summary)**

7.08 The Amnesty International Report 2007 (covering events for the year 2006), released in May 2007, recorded that:

"The human rights situation in Sri Lanka deteriorated dramatically. Unlawful killings, recruitment of child soldiers, abductions, enforced disappearances and other human rights violations and war crimes increased. Civilians were attacked by both sides as fighting escalated between the government and the Liberation Tigers of Tamil Eelam (LTTE). Hundreds of civilians were killed and injured and more than 215,000 people displaced by the end of 2006. Homes, schools and places of worship were destroyed. Although both sides maintained they were adhering to the ceasefire agreement, by mid-2006 it had in effect been abandoned. Emergency regulations, introduced in August 2005, remained in force. A pattern of enforced disappearances in the north and east re-emerged. There were reports of torture in police custody; perpetrators continued to benefit from impunity." **[3u] (Introduction)**

7.09 As noted in the US State Department (USSD) Report 2006, Sri Lanka, released on 6 March 2007:

"The government's respect for the human rights of its citizens declined due in part to the breakdown of the CFA [ceasefire agreement]. Credible sources reported human rights problems, including unlawful killings by government agents, high profile killings by unknown perpetrators, politically motivated killings by paramilitary forces associated with the government and the LTTE, and disappearances. Human rights monitors also reported arbitrary arrests and detention, poor prison conditions, denial of fair public trial, government corruption and lack of transparency, infringement of religious freedom, infringement of freedom of movement, and discrimination against minorities. There were numerous reports that armed paramilitary groups linked to government security forces participated in armed attacks, some against civilians. Following the December 1 [2006] LTTE attempt to assassinate Defense Secretary Gothabaya Rajapaka, the government strengthened emergency regulations that broadened security forces' powers in the arrest without warrant and non-accountable detention of civilians for up to 12 months. The LTTE continued to control large sections of the north and east and engaged in politically motivated killings; suicide attacks; disappearances; torture; arbitrary arrest and detention; denial of fair public trial; arbitrary interference with privacy; denial of freedom of speech, press, and of assembly and association; and the recruitment of child soldiers." **[2c] (Introduction)**

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8. SECURITY FORCES

8.01 The security forces comprise the 66,000-member police force (which included the 6,000-strong paramilitary Special Task Force) **(USSD 2006) [2c] (Section 1d)**;

the 151,000-strong armed forces, and paramilitary forces of around 88,600 (including 13,000 Home Guard, an estimated 15,000 National Guard and a 3,000-strong anti-guerrilla unit). (Europa World Online, Defence) **[1b]**

POLICE

8.02 As noted in the USSD report 2006:

"Following the November 2005 presidential election, the government eliminated the Ministry of Internal Security and placed control of the 66,000-member police force, which included the 6,000-strong paramilitary Special Task Force, under the Ministry of Defense. Senior officials in the police force handled complaints against the police, as did the civilian-staffed National Police Commission (NPC). Few police officers serving in Tamil majority areas were Tamil and generally did not speak Tamil or English. Impunity, particularly for cases of police torture and disappearances of civilians within high security zones, was a severe problem. Several NGOs claimed that corruption was also a problem in the police force." **[2c] (Section 1d)**

8.03 "The NPC, composed entirely of civilians, was authorized to appoint, promote, transfer, discipline, and dismiss all police officers, except for the inspector general of police. The NPC also has the power to establish procedures to investigate public complaints against the police. In practice, however, the NPC devolved responsibility for discipline of less senior police officers to the inspector. In November 2005 the three-year term of the NPC lapsed, and by year's end, the government had not appointed new commissioners to the NPC." (USSD 2006) **[2c] (Section 1d)**

8.04 "In the majority of cases in which security force personnel may have committed human rights abuses, the government had not identified those responsible or brought them to justice. Human rights organizations noted that some judges were hesitant to convict on cases of torture because of a seven-year mandatory sentence for committing torture." (USSD 2006) **[2c] (Section 1d)**

8.05 As noted in the report of the UN Special Rapporteur on his Mission to Sri Lanka (28 November to 6 December 2005), published on 27 March 2006:

"Significant levels of police brutality and impunity were reported to me by a wide range of sources. The underlying causes are not difficult to discern. In the course of more than three decades of civil strife and violence, the police force has been transformed into a counter insurgency force. More than two thirds of today's police officers belong to the 'reserve' rather than the regular force and most of these have never received significant training in criminal detection and investigation…To make matters worse, police operations during the armed conflict were subject to 'emergency' legislation that permitted prolonged detention without habeas corpus, the admission into evidence of confessions which would be inadmissible under the ordinary law of evidence, and the disposal of the bodies of persons killed by the armed forces or the police without a formal inquest. It is regrettable that many of these provisions are now back in force in emergency regulations promulgated since the assassination of Foreign Minister Kadirgamar. Today, too many police officers are accustomed to 'investigating' by forcibly extracting confessions and to operating without meaningful disciplinary procedures or judicial review." **[6x] (Paragraph 50)**

8.06 BBC Sinhala reported on 9 October 2006:

"The judiciary in Sri Lanka has ordered the police authorities to invalidate appointments offered to those accused of human rights violations. The Appeals Court ruled that a circular issued by Inspector General of Police (IGP) promoting suspended officers was null and void. The officers suspended as they were accused of human rights violations during the 'era of terror' in late 80s.The circular was issued in January 2001 by then Deputy Inspector General (DIG) Victor Perera on behalf of the IGP. Victor Perera was appointed as the new IGP by President Mahinda Rajapaksa last week. Appeals Court judge S Sriskandharajah issued the ruling after considering a petition by the relatives of those disappeared during late 80s. The court ruled that the circular was contradictory to the promotions code." **[9n]**

8.07 As recorded on the website of the Sri Lanka Police Service:

"The Special Task Force [STF] is the Para military arm of the Sri Lanka Police, deployed essentially for counter Terrorist and Counter Insurgency operations within the country. They are also deployed in the close protection Units providing security for VVIP's [sic] and at Key Installations… The nucleus of the Special Task Force (STF) was formed in 1983, drawing on Policemen already in service and having them trained by the Army in the handling of Infantry weapons and given basic training in 'jungle operations'. The first few Platoons formed were deployed mainly to provide support for Police Station [sic] in the North of Sri Lanka… As the STF grew in numbers, they took on the added responsibilities of providing protection to Key Installations in the Colombo District and providing personnel for the protection of the President, Prime Minister and several Ministers of the Cabinet." **[7]**

8.08 On 15 June 2007, SCOPP (the Sri Lankan Government's Secretariat for Co-ordinating the Peace Process) reported that the Special Task Force in the Eastern Province had moved to enhance its programme to teach Tamil to its officers:

"The STF which was set up in 1983/84 and began by taking over operations in the East from the Sri Lanka Army, found from the outset that the work was severely handicapped due to a grave communication problem,' [the STF commandant] Lewke said, explaining the rationale for the introduction of a comprehensive language training progamme for officers who are not conversant in Tamil…In 2003, Tamil was included in the curriculum as a compulsory subject at the STF Training School and today, out of 3600 officers deployed in Batticaloa, 45% have been taught Tamil. This is in addition to 18-20% of the total cadre who belong to the Muslim and Malay communities whose first language is Tamil and a further 12% of Sinhalese who are from villages adjacent to Tamil villages and who are therefore conversant in this language. Every year approximately 250 STF officers take 3-month Tamil language courses. Forty officers are due to receive Tamil language training beginning in August this year." **[41a]**

8.09 In addition to the Special Task Force, police divisions include: Mounted Police; Traffic Police; Human Rights Division; Women & Child Bureau; Police Narcotics Bureau and Tourist Police. The Inspector General of Police (IGP) controls both the Functional Command and the Territorial Command. (Website

of the Sri Lanka Police Service Special Information, accessed on 13 September 2006) **[7]**

8.10 As recorded in Jane's Sentinel Security Assessments, Country profile - At a glance, Sri Lanka, 26 April 2007:

"Policemen are poorly paid and susceptible to corruption at lower levels. Senior police officials are recruited more on a basis of class than ability. (Sri Lanka is a highly class-conscious society.) Human rights organisations have been highly critical of the Sri Lankan police, whose rapid expansion and poor training have contributed to lack of professionalism…Policing is conducted through over 300 police stations located throughout the country. Police stations are graded into six categories and are under the charge of officers in the rank of chief inspectors, inspectors and sub-inspectors, depending on the grade of the station. Police stations are further grouped into 132 territorial districts, each under the charge of a superintendent/assistant superintendent of police. These districts are in turn grouped into 35 police divisions. Each division is under the charge of a senior superintendent of police/superintendent of police." **[5a] (Security and foreign forces, 22 January 2007)**

8.11 "The Sri Lankan police recruits personnel directly at three levels - probationary assistant superintendent of police, probationary sub-inspector of police, and police constable. There is little if any chance of promotion from constable to senior rank. A six-month training programme is intended to impart traditional police skills as well as providing instruction in the role of the police in the community and the criminal justice system. Induction training includes: origin and nature of police work; general police responsibilities; elements of organisation and administration; ethics; operations and patrol systems (techniques, tactics and patrol), and the handling of public disorder. The US is increasingly involved in the police training process and in September 2004 provided further funding and assistance for programmes." **[5a] (Security and foreign forces, 22 January 2007)**

8.12 In the second half of August 2007 the Government announced a mass recruitment drive of Tamils and Muslims to join the police in the Batticaloa district with more than 500 applications being received and the plan to open more than 50 police stations in the recently captured areas in then east. (South Asia Terrorism Portal, Sri Lanka Timeline - Year 2007, 19 August) **[37d]**

8.13 "The 'Tamil Eelam Police', with its headquarters at Kilinochchi was formed in [the] year 1993, and reportedly has several wings, including traffic, crime prevention, crime detection, information bureau, administration and a special force. LTTE cadres collect taxes, its courts administer their version of justice and the entire law and order machinery is LTTE-controlled." (South Asia Terrorism Portal, Terrorist Groups, Liberation Tigers of Tamil Eelam (LTTE) **[37a]**

Arbitrary arrest and detention

8.14 As noted in the USSD report 2006:

"The law prohibits arbitrary arrest and detention; however, such incidents occurred. [In 2006] There were 528 arrests while the emergency regulations were active. The government stated that most of those arrested were released

within a few days [Section 1c of the report observed that 288 of those arrested were released within 12 hours]. In December [2006] in a reaction to the December 1 LTTE attempt to assassinate the defense secretary, the government reinstated certain provisions of the pre-CFA Prevention of Terrorism Act (PTA) as an additional emergency regulation. This gives security forces broader arrest and detention prerogatives than previously allowed." **[2c] (Section 1d)**

8.15 On 19 August 2007 BBC News reported that the police had detained three ethnic Tamils incommunicado in Colombo (having arrested them upon arrival from Thailand after their asylum applications had been refused by the UNHCR). The police had refused to disclose where the detainees were kept. **[9c]** An Amnesty International (AI) statement of 17 August 2007 noted that detentions in Sri Lanka were becoming 'increasingly arbitrary' and went on to comment that '[i]n many cases, no receipts or records of detention had been provided to family members of those who had been arrested, despite a Presidential warrant of July 2006 requiring this'. AI also stated that the uncertainty on where significant numbers of detainees were held put them 'at increased risk of torture and enforced disappearance'. **[3h]**

8.16 The Human Rights Watch (HRW) report 'Return to War, Human Rights under Siege', published on 6 August 2007 recorded that:

"Over the past 18 months, the Rajapaksa government has detained an undetermined number of people reaching into the hundreds under the regulations. The primary targets are young Tamil men suspected of being LTTE members or supporters, but the government has recently cast a wider net, arresting non-Tamils for allegedly supporting the LTTE. The overbroad and vaguely worded regulations allow for the detention of any person 'acting in any manner prejudicial to the national security or to the maintenance of public order, or to the maintenance of essential services.' The authorities may search, detain for the purpose of a search, and arrest without a warrant any person suspected of an offense under the regulations." **[21f] (Summary)**

8.17 The HRW report of August 2007 further noted:

"The number of people arrested under the Emergency Regulations remains unclear. In March 2007 the government announced it was holding 452 persons under the Emergency Regulations (372 Tamils, 61 Sinhalese, and 19 Muslims), among them 15 soldiers, five policemen, one former policeman, and three military deserters. Human Rights Watch requested updated figures in June [2007], as well as the status of cases and the locations of detention, but the government failed to provide the information requested." **[21f] (Summary)**

8.18 "According to Sri Lankan lawyers and human rights activists, the typical profile of a detainee under the Emergency Regulations is an ethnic Tamil man between the ages of 18 and 40. But since late 2005, arrests under the regulations have expanded beyond the Tamil community. By February 2007, at least 11 Sinhalese civilians had been arrested and detained under the Emergency Regulations charged with being LTTE supporters from areas such as Matale, Ratnapura, and Galle." (HRW, 'Return to War, Human Rights under Siege', 6 August 2007) **[21f] (Section VII, The Emergency (Miscellaneous Provisions and Powers) Regulations (EMPPR), August 2005)**

8.19 The HRW report of August 2007 added that:

"According to Sri Lankan lawyers and human rights activists, detainees under the Emergency Regulations are kept in regular prisons as well as police stations and other detention facilities, including those run by the Terrorism Investigation Division…The government has failed to provide complete lists of those detained, the charges they face, and the locations where they are being held."

"The use of unauthorized places of detention has become a source of enormous anxiety for the families of detainees. Often families don't know where a relative is being held and the authorities are reluctant to give information. Under the Emergency Regulations, there is no requirement to publish the places where people are held…Human Rights Watch asked the Sri Lankan government where it was holding those arrested under the Emergency Regulations. The government did not provide this requested information, saying it was being tabulated by the police." **[21f] (Section VII, The Emergency (Miscellaneous Provisions and Powers) Regulations (EMPPR), August 2005)** The same question – but related to the additional set of emergency regulations promulgated in December 2006 – produced exactly the same reply by the government. **[21f] (Section VII, Emergency Regulation (Prevention and Prohibition of Terrorism and Specified Terrorist Activities) No. 7 of 2006)**

8.20 The International Crisis Group document 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007, noted that "…arre sts under the Emergency Regulations are sometimes hard to distinguish from enforced disappearances, as when non-uniformed government agents arrest people without announcing under what authority they are acting, the reason for the arrest or where the arrested person is being taken." **[76a] (p13)**

8.21 A letter from the British High Commission (BHC), Colombo, dated 26 September 2005 noted that:

"One of our political officers and I have spoken to several NGOs to discuss the Emergency Regulations. The Western Province Peoples Front (WPPF, a political party representing Tamils in Colombo which has 1 MP in alliance with the United National Party) said that there was serious harassment of Tamils. They had documented over 500 detentions under the regulations and the reintroduction of House Registration (used to track the identity of individual members of houses) which had been suspended since 2002. They also linked the Emergency regulations to the abduction and murders of five Tamil civilians in Colombo…The Government (Marasinghe, Legal Director Secretariat for Co-ordinating the Peace Process) said that in the 'chaos' after the assassination of Kadirgamar some members of the Police had gone too far and had detained 'everybody they could find'. However the situation was settling down and the ERs were aimed at finding the killers and not at suppressing legitimate political activity." **[15d]**

Cordon and search operations

8.22 The Human Rights Watch (HRW) report 'Return to War, Human Rights under Siege', published on 6 August 2007 noted that "Large-scale arrests of Tamil youth under the Emergency Regulations are particularly common after attacks attributed to the LTTE…"

"The police take advantage of the powers granted them under the regulations to arrest all those suspected in any way of supporting the LTTE…"
"Also problematic is that the 2005 Emergency Regulations allow joint operations between the army and the police, with no clarity on responsibility. Lawyers working on cases of arrests under the regulations say that the police often round up alleged suspects in cordon and search operations in conjunction with the military and then tell lawyers and family members that they must speak to the military because the police have no information about the arrest." **[21f] (Section VII, The Emergency (Miscellaneous Provisions and Powers) Regulations (EMPPR), August 2005)**

8.22 The International Crisis Group (ICG) report, 'Sri Lanka's Human Rights Crisis', of 14 June 2007 noted that:

"The Emergency Regulations are the legal framework for the government's counter-terrorism and counterinsurgency strategy. Since their re-enactment following the assassination of Foreign Minister Kadirgamar in August 2005, they have been used to detain hundreds, mostly Tamils. Suspects are often arrested in mass 'cordon and search' operations in Tamil neighbourhoods and often purely on suspicion. No warrants or evidence of terrorist involvement is required. Many are quickly released once their identity is proven but hundreds have remained in prison for long periods. The Emergency Regulations allow detention without charge for 90 days, following which a suspect can be charged and held without bail indefinitely. Suspects can also be held for up to a year under 'preventive detention' orders issued by the defence secretary." **[76a] (p13)**

8.23 On 31 December 2005 the pro-LTTE website TamilNet reported that:

"Sri Lankan Military troopers and the Colombo Police have arrested 920 Tamils, including 105 Tamil women, in a joint cordon and search operation in Colombo between Friday midnight and Saturday noon, police said. The arrested were taken in busses to 8 different police stations and were being photographed, finger-printed and videoed by the Sri Lankan Intelligence agencies, informed sources said. The search operation was conducted in Tamil residential areas in Wellawatte, Bambalapitiya, Maradana, Kotahena, Grandpass and Mutuwal. Fifty three Tamils were detained after identity-registration in the operation code named 'Strangers Night III,' Police said…A number of Tamil persons were arrested during the search operations conducted in Colombo over the past weeks. Only five persons, from the earlier search operations were still in custody, the Police sources claimed." **[38u]**

8.24 In a letter from the British High Commission, Colombo to the Home Office dated 13 February 2006, it was observed that:

"The Sri Lankan authorities had launched a number of 'cordon and search' operations in recent weeks. Of these the largest, in Colombo on 31 December [2005], had been called Strangers Night III. About 1000 people had been arrested, most had been detained briefly, but released after fingerprinting or photographs had been taken. The HRC had summoned the Inspector General [of] Police, Defence Secretary, Attorney-General, the Police Deputy Inspector General in charge of the operation and the Deputy Inspector General in charge of the Criminal Investigation branch to explain the purpose of these operations. They had initially argued that the operations were aimed at

ordinary criminals, but also caught some security suspects. The HRC disagreed, the ethnic balance of the suspects show it was a security operation i.e. most arrested were Tamil. The HRC reminded the police that they could not simply round up hundreds of suspects. If they were operating under normal law they must first demonstrate reasonable suspicion, they could not detain and then begin to investigate. If the arrests were part of a security operation (i.e. Prevention of Terrorism Act or the Emergency Regulations) then the police had to inform the HRC within 48 hours even if the suspect had been released in the interim." **[15c]**

8.25 The letter from the BHC dated 13 February 2006 continued:

"The Attorney General told the HRC he concurred with this analysis and accepted there had been some lapses. He said that during the ceasefire the security forces had got out of practice of complying with Human Rights regulations as they had not been conducting security operations. More broadly the HRC said they did not oppose these type [sic] of operations, they were a necessary part of security. The Security Forces had an obligation to protect the state and its citizens, during the ceasefire the LTTE had abused the lower security presence to transport arms, ammunition and operatives to Colombo. The HRC described conditions of detention to me as 'broadly OK'. Most terrorist suspects would be kept in Police stations or at the Terrorist Investigation Branch HQ away from other prisoners. There was no evidence of torture in any of the cases they had investigated since the current outbreak of violence." **[15c]**

8.26 The letter from the BHC, Colombo, of February 2006 and a further letter dated 4 April 2006 provided some data from the HRC on the arrests since the declaration of the state of emergency in August 2005. As of 8 February 2006, the overall figure for those still in detention was 87. Most detainees had been arrested by the police; 17 of them had been arrested by the army, the air force or the navy but, as of 8 February 2006, the overwhelming majority were in detention in police stations in various locations. **[15g]**

8.27 In a further letter from the BHC, Colombo, dated 7 July 2006 it was reported that, "There are no further HRC figures that we have been able to obtain. The Security Forces have issued detention orders 1 to 247 this year, suggesting that about 250 people have been detained under the emergency regulations, which were extended for another month on 6 July." **[15k]**

8.28 The HRW report of August 2007 recorded that "It remains unclear how many of these people remain in detention at this writing. Human Rights Watch asked the Sri Lankan government how many of those arrested in 'Strangers Night III' are still under detention, how many have been charged, and how many have been brought to trial, but the government did not reply." **[21f] (Section VII, The Emergency (Miscellaneous Provisions and Powers) Regulations (EMPPR), August 2005)**

8.29 A letter from the BHC, Colombo, dated 24 August 2006, reported that:

"The Sri Lankan authorities often require households in predominantly Tamil areas to register all residents. These lists are then used in cordon and search operations to identify people who the police consider need to give a fuller explanation of why they are residing or travelling in a location. Lists of failed asylum seekers could form part of this, although the areas covered by cordon

and search operations (normally a few blocks) would not yield very many. Normally the police detain those who have not registered, for further questioning. After a big push in November and December 2005, when police registration forms were distributed throughout Colombo and which culminated in Operation Strangers Night II[I], the authorities have become more relaxed about this. In June [2006] there was public discussion about implementing police registration island wide as was done in the past, but nothing has come of this. Occasional cordon and search operations still take place, mainly where there are Tamil pockets in predominantly Sinhalese or Muslim areas. In July [2006] the government published large advertisements in the press reminding security officials of their responsibilities when they detain anyone. This is a partial response to complaints that those detained in cordon and search operations were not being treated according to the law." **[15h]**

8.30 On 12 January 2007 the pro-LTTE website TamilNet reported that "Tamil civilians arrested by the Sri Lanka's forces under the newly introduced Prevention of Terrorism (PTA) Act are now sent to Boosa detention camp located in Galle in the south of the island due to lack of space in Colombo jails." **[38f]**

8.31 On 13 January 2007, the pro-LTTE website TamilNet reported that:

"Sri Lanka Security forces assisted by Police arrested 209 youths in Gampaha, 36 in Nittambuwa, 22 in Minuwangoda, and 7 in Borelesgamuwa Friday and Saturday during separate cordon and search operations, sources in Colombo said. Many were released after proving their identity, and others were detained for further questioning, sources said. Majority of the arrested youths are Tamils. Most of the youths are natives of Trincomalee, Killinochchi, Jaffna, Batticaloa, and Upcountry, and have been working in factories and other worksites in Sinhalese dominated areas, according to sources." **[38e]** On 20 January 2007, the same source reported that 145 persons (majority of them Tamils) had been arrested during a combined cordon and search operation by the Sri Lanka army and police in the district of Puttalam in the north-west province." **[38g]**

8.32 BBC Sinhala reported on 24 January 2007:

"The President of Sri Lanka, Mahinda Rajapaksa, has ordered the police to take immediate steps to release detained Tamil youths of Indian origin. In a meeting held with union leaders of plantation workers, Mr. Rajapaksa has ordered the police to produce those accused of any wrongdoings before the courts…Nearly 400 Tamils of Indian origin were arrested by the security forces during the last few weeks, Deputy Minister for Vocational Training Radhakrishnan told BBC Sandeshaya. 116 of those arrested - 108 boys and eight girls - have been sent to the 'infamous' military detention camp in Boossa, the minister said…Police authorities, meanwhile, accused the minister of 'exaggerating' the figures." **[9e]** As noted on the following day by the pro-LTTE website TamilNet "Of the 116 held in Boosa camp, inquiry against 74 suspects have been completed and 33 of them are expected to be released soon as no evidence has been found against them involving in any illegal activity, sources said." **[38h]**

8.33 On 4 February 2007, the pro-LTTE website TamilNet reported that:

"More than 300 persons, majority of them Tamils, were arrested during a combined cordon and search operation conducted by Sri Lanka security forces in Fort and Pettah areas in Colombo, [ahead of Independence Day celebrations] Sunday [4 February] morning. Police said the suspects were been [sic] arrested when they failed to prove their identities and the reasons for their presence in their location. These persons are being held in police stations and being interrogated. Also on Saturday [3 February 2007], 266 Tamils were arrested in Fort area in Colombo city. Of them about 70 are being detained in police station and the rest were released after inquiry, police said.They are being interrogated following the recovery of a claymore mine in a three-wheeler during the search operation at Maligawatte on Saturday, according to the police said [sic]." **[38c]**

8.34 On the following day the same source noted that:

"Government security forces in two-day cordon and search operations arrested more than six hundred Tamil civilians including about one hundred women, majority of them natives of North East. They were taken into custody allegedly for failing to prove their identity and reasons for their stay in Colombo. Majority of them were staying in lodges at that time of arrest, police said. Most of the arrested have been detained in about nine police stations in Colombo police division. They were produced in court Monday [5 February 2007] and police moved that they be sent to Boosa detention camp until the inquiry is completed. Police told court that some of the suspects had been involved in terrorist activities according to preliminary investigation conducted so far, sources said. Police said these suspects would be released only after intensive investigation." **[38i]**

8.35 A letter from the BHC, Colombo, dated 10 April 2007, noted that:

"There seems to be a link between large scale Cordon and Search Operations and the environment created by the ERs. We are not aware of the total number of arrests – many of whom are only detained briefly, but ICRC reports that about 900 people have been registered as detained for longer periods since September 2006 and have been visited by them. Our assessment of the profile of the detainees is similar to that reported in the media. They are overwhelmingly Male, Tamil (either Sri Lankan or Hill Tamil) and generally young. Most are detained because they [are] unable to produce ID, or unable to explain the reason for being in a particular area. Migrant and casual workers are therefore particularly vulnerable. Some of the largest Cordon and Search operations have taken place in the Hill Country near Nuwraya Eliya." **[15a]**

8.36 The letter dated 10 April 2007 from the BHC continued:

"We spoke to a senior officer in Boosa detention centre who said that at 0930 on 10 April there were 110 people in security detention in Boosa. These are almost all Tamils (there are also 150, mainly Sinhalese, drug suspects in another part of Boosa) and the bulk are detained following Cordon and Search operations. The numbers have varied over the last few months between 100 and 150. There is quite heavy churn of detainees as investigations come up blank or the courts order releases and new detainees arrive. We have no independent confirmation on conditions. The ICRC have access, which provides a safeguard, but it would compromise their neutrality to ask them to

share information on their findings. I am not aware of former Boosa detainees complaining about conditions." **[15a]**

8.37 The pro-LTTE website TamilNet reported a number of large-scale arrests of civilians in Colombo between May and July 2007. "Sri Lankan armed forces Thursday and Friday [3 and 4 May] arrested thirty-five civilians, majority of them Tamils, in cordon and search operations conducted in Wellawatte, and Vaalaithoddam in Colombo city. Five have been remanded on the orders of the Colombo Magistrate and the others are detained in police station and are being interrogated, police sources said." (TamilNet, 4 May 2007) **[38l]** "More than sixty Tamils were arrested during a cordon and search operation carried out by Sri Lanka Police between midnight Friday and early morning Saturday [2 June 2007] in Mt Lavinia, Ratmalana, Wellawatte, Bambalapitiya, Mattakuliya, Kirilapone and Kohuwela... Those who proved their identity and provided satisfactory reasons for their stay in the location were released after preliminary inquiry, police sources said. Forty-three of them are now being detained in police stations and are being interrogated, sources said." (TamilNet, 2 June 2007) **[38m]**
"About three hundred civilians were taken into custody in a cordon and search operation conducted by the Sri Lanka Army (SLA) and Sri Lanka Police from midnight Tuesday till the dawn of Wednesday in Welikada division in Colombo district…Majority of them are Tamil civilians, and residents of north and east and upcountry…Police sources said they were taken into custody as they failed to prove their identity with valid documents and give valid reason for their stay in the location." (TamilNet, 27 June 2007) **[38p]** "Sri Lanka Army (SLA) and Police, in a joint pre-dawn cordon and search operation, arrested 39 civilians, many of them Sinhalese, in Mount Lavinia, a suburb of Colombo on Sunday [8 July 2007]…Many of the arrested did not have identity cards, the Police claimed." (TamilNet, 9 July 2007) **[38q]**

8.38 In a letter dated 13 August 2007, the British High Commission in Colombo noted that "The cordon and search operations seem to target Tamils with casual employment and temporary accommodation. While most detained are released quickly, a proportion end up in more long term detention." **[15e]**

8.39 As reported by the pro-LTTE website TamilNet on 28 August 2007 "About 220 Tamils, men and women are being still detained in the Boosa detention camp in the Galle town in the southern province under the Prevention of Terrorism Act (PTA). A Tamil woman of Dematagoda in Colombo city was released Sunday after 86 days in Boosa detention centre without any charge." **[38b]** In September 2007 the number of Tamil PTA detainees in Boosa was reported to be 118. "The Tamil detainees, including five women, were arrested in the districts of Colombo, Monaragala, Trincomalee, Jaffna, and Batticaloa, and have been held for several months without investigation." (TamilNet, 8 September 2007) **[38d]**

See also Sections 12, 28 and 31

Disappearances/Abductions

8.40 In August 2007 Amnesty International reported that there were 5,749 outstanding cases of enforced disappearance in Sri Lanka being reviewed by the UN Working Group on Enforced or Involuntary Disappearances and that since 2006, hundreds of people had reportedly been abducted and forcibly

'disappeared' by the security forces or armed groups (including the Liberation Tigers of Tamil Eelam and the Karuna group) in the north and east of the country, as well as in Colombo. AI also mentioned the case of the vice-chancellor of Eastern University, Sivasubramanium Raveendranath, (reportedly abducted while at a conference in Colombo, on 15 December 2006 and had not been heard from since) noting that when he disappeared he was in an area of the capital tightly controlled by the army and it was therefore likely that his captors were military agents. (Amnesty International, Whereabouts unknown - thousands still missing worldwide, The Wire, August 2007) **[3k]**

8.41 On 23 August 2007 the Government-controlled *Daily News* reported that:

"The People's Action for Free and Fair Election (PAFFEREL) yesterday said there is a drastic drop in abductions, disappearances and other acts of Human Rights violations over that reported a few months earlier in the country. The PAFFEREL in an interim report on abductions, disappearances, indiscriminate arrests and assassinations [not available in English] said there appears to be a significant decrease in arrests, disappearances and abductions during July-August [2007] compared to the figures during May -June…PAFFEREL Chairman Kingsley Rodrigo said the setting up of a one man Commission to receive complaints of abductions and a special desk at the Presidential Secretariat directing investigations of such complaints have contributed in some way to this situation. Police have arrested certain groups of persons allegedly involved in abduction and extortions. Such effective measures have an impact, the report stated." **[16e]**

8.42 A joint press release by the Law & Society Trust, the Civil Monitoring Commission and the Free Media Movement, issued on 23 August 2007, reported that 396 persons disappeared during the period January to June 2007. "As with killings, Tamils suffered disproportionately from abductions – 64.6%, compared with 3% Sinhalese and 3% Muslims. Men represented nearly 98% of all missing persons. By district, Jaffna was again worst affected by disappearances (49.5%). However Colombo was next worst affected, at 17.7%, underlining the concern expressed by many local NGOs at the situation with respect to this particular violation." **[13a]**

8.43 A further press release issued by the Law & Society Trust, the Civil Monitoring Commission and the Free Media Movement on 31 October 2007 reported that the total number of persons disappeared between January and August 2007 was 540 (civilians only). Tamils were now reported to represent 84 per cent of the victims of disappearances. The press relase also noted that more than half of reported disappearances took place in Jaffna ("Approximately 22% of all reported disappearances from January to August – one in five – affected young, male Tamils in Jaffna."), followed by Colombo (14.4 per cent) and Mannar and Batticaloa (7 per cent each). **[13b]**

8.44 The Human Rights Watch (HRW) report 'Return to War, Human Rights under Siege', published on 6 August 2007 recorded that:

"The number of abductions and enforced disappearances is spiraling. The national Human Rights Commission (HRC) said it recorded roughly 1,000 cases in 2006, plus nearly 100 more in the first two months of 2007. A government commission established in September 2006 to investigate

'disappearances' said in June 2007 that 2,020 people were abducted or 'disappeared' between September 14, 2006, and February 25, 2007. Approximately 1,134 of these people were found alive but the others remain missing. On the Jaffna peninsula alone, an area under strict military control, more than 800 persons were reported missing between December 2005 and April 2007. According to a credible non-governmental organization that tracks 'disappearances,' 564 of these persons were still missing as of May 1[2007]. While the LTTE has long been responsible for abductions, the majority of recent 'disappearances' in Jaffna and the rest of the country implicate government forces or armed groups acting with governmental complicity. While many of the 'disappeared' likely have been killed, some may be in detention, held under the newly imposed Emergency Regulations." **[21f] (Summary)**

8.45 "Human Rights Watch conducted interviews with the family members of 109 people who said their relative had been abducted or 'disappeared' since 2006. These included cases from Jaffna, Colombo, Vavuniya, Mannar, Trincomalee, and Batticaloa. The cases can largely be grouped into two basic types: those by the state in the name of counterinsurgency, and those by allied armed groups or the LTTE to eliminate rivals, recruit fighters, or extort funds. In the lawlessness that has grown in the past two years, criminal elements also appear to have committed some of the abductions. Over the course of late 2006 and 2007 scores of abductions were accompanied by huge ransom demands and the victims were mostly businessmen from the minority Tamil community. By May-June 2007, members of the Muslim community, particularly in the eastern district of Ampara, were targeted as well." (HRW, 'Return to War, Human Rights under Siege', 6 August 2007) **[21f] (Summary)**

8.46 "Under growing pressure from within Sri Lanka and abroad, the government has taken some steps to address abductions and enforced disappearances, including some arrests of alleged perpetrators, but none of these steps has significantly slowed the abuse. A one-man government commission on "disappearances" established in September 2006 has issued strong statements about the abuse and the government's inability to halt it, but the government has not made public any of the commission's interim reports, nor is it obliged to implement any of the recommendations.Public statements by the government have rejected the overwhelming evidence of government involvement as "unfounded" and cast those who accuse government forces as sympathizers of the LTTE." (HRW, 'Return to War, Human Rights under Siege', 6 August 2007) **[21f] (Summary)**

8.47 As noted in the International Crisis Group document 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007:

"While many people were simply killed, primarily by shooting, the practice of abduction and enforced disappearance has perhaps been more common. The number of 'disappeards' [sic] over the last eighteen months is hard to determine with certainty. Various reliable sources suggest there have been more than 1,500 complaints of enforced disappearance in 2006 and 2007, with at least 1,000 still unaccounted for, meaning they have not returned, been discovered in detention or that their bodies have not been found. These figures do not include children abducted by the LTTE or the TMVP." **[76a] (p10)**

8.48 "Given the hidden and violent nature of involuntary disappearances, it is difficult to gather a full picture of the motives behind specific cases. Some turn out in fact to be extrajudicial killings done in secret, perhaps after the victim was interrogated; others are meant to allow the victim to be interrogated more freely and with deniability, without risk to the interrogator's identity. Often the abduction and detention are intended to place the victim in limbo and produce a particular form of terror in the victim, the family and the community at large. Like those being killed, most of those targeted have been young Tamils suspected of working with the LTTE, although as usual many people with no connection to militant politics have also been 'disappeared'. In Jaffna, the military, sometimes with assistance from former Tamil militants, is the prime suspect. In the Eastern province the TMVP is suspected in the bulk of abductions, either with the active support or passive complicity of the military. Despite vehement denials by government and military officials, there is eyewitness evidence that at least some of those who later disappeared were initially abducted or arrested by the police or military." (International Crisis Group, 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007) **[76a] (p11)**

8.49 "There have also been more than 70 reported abductions and disappearances in the Colombo area. There was some hope that this wave was starting to subside in May 2007 but on 1 June two Tamil staff from the Sri Lankan Red Cross were abducted at Fort Railway station by men claiming to be police. Their bodies were found one day later in Ratnapura district, a few hours south of Colombo. While most of the current wave of disappearances are carried out by pro-government forces, the LTTE, which has a long history of 'disappearing' its political opponents – often abducting and detaining and then killing them in its secret prisons – is clearly still in the business." (International Crisis Group, 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007) **[76a] (p11)**

8.50 "The government has been particularly quick to downplay disappearances and abductions, not only dismissing the possibility of involvement by state agents but also arguing that many are carried out by the LTTE or are simple mistakes, caused by young people eloping or going abroad for employment. In a meeting with newspaper editors and media officials on 27 March [2007], President Rajapakse is reported to have presented a list of 116 cases of reported disappearances from six police divisions, from September 2006 through February 2007. Of these, he claimed, 95 had returned home, two had been killed and one abducted. In a recent case, the president was reported to have said, a Tamil woman alleged to have been abducted was found to be on honeymoon. At a meeting with relatives in late May 2007, the president announced that 90 per cent of all abductions and disappearances had been solved. These figures are very different from those presented to the president by the Civil Monitoring Commission, which arranged the meeting." (International Crisis Group, 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007) **[76a] (p18)**

8.51 The International Crisis Group report of June 2007 added that:

"Since mid-2006, there has been a wave of abductions for ransom in Colombo, generally targeting Tamil but lately also Muslim business owners. Few victims have anything to do with politics; in most cases the abductions seem to have been designed to extract money to fund Tamil militant groups,

primarily the TMVP. Most remain missing; some have been found dead; others were released after paying large ransoms. Given that many of the abductions are done in the day amid very tight security, the assumption is that most are committed with the knowledge or connivance of security forces." **[76a] (p11)**

8.52 As announced on the the Official Government News Portal of Sri Lanka on 27 June 2007:

"Under the direction of the President Mahinda Rajapaksa, the Government has established center to gather information about the abductions that occur in Colombo and the in the suburb…In last week [sic] the Government initiated two special operation cells to collect information and take immediate action on complaints of abductions and extortions in Colombo and suburbs. These two units will function 24 hours of the day and are operated from Presidential Secretariat and from the Police." **[10j]**

8.53 On 4 July 2007, Reuters reported that a military spokesman had said the Sri Lankan police "have arrested 16 people, including four policemen and a member of the air force, in connection with a rash of abductions and extortion and that the investigations were ongoing." **[4b]**

8.54 The *Daily Mirror* (Sri Lanka) reported on 22 May 2007:

"The number of disappearances in and around Colombo rose to a staggering 116, with the abduction of an owner of a popular department store in Colombo, and several others…The first lot of 11 complaints forwarded to the UN Working Group on Enforced or Involuntary Disappearances (WGEID) by the Civil Monitoring Commission [CMC] has been accepted for investigations…Mr. Ganesan [CMC convener and Western Peoples Front leader]…said these eleven complaints were the first lot. He was confident that the other complaints would also be accepted by WGEID soon. The mandate of the UN's WGEID facilitates the Group to assist families in determining the fate and whereabouts of their missing relatives who have been arrested, detained or abducted against their will or otherwise deprived of their liberty by officials of different branches or levels of Government or by organized groups or private individuals acting on behalf of, or with the support of, direct or indirect consent or acquiescence of the Government. Many complaints of disappearances were coming in from all parts of the country according to the CMC, of which many have been passed to the WGEID. 'We understand that all our complaints are being processed by the UN Working Group and would be accepted for investigations. The complainants to the CMC, the family members of the victims have also lodged complaints with the local police and with the Human Rights Commission,' Mr. Ganesan added." **[11l]**

8.55 As noted in the USSD report 2006:

"[In 2006] The Sri Lanka Human Rights Commission (SLHRC) reported 345 instances countrywide of politically motivated disappearances at the hands of the security forces or by paramilitary forces allegedly tied to the government, or the LTTE…The SLHRC reported 33 known abductions in the Colombo district with ransom paid ranging from $23,251 (rupees 2,526,221) to $558,035 (rupees 60,630,502). Of those abducted, 12 have not been released although ransom was paid. President Rajapaksa appointed former High Court

Judge Mahanama Tilakaratna to inquire into incidents of abductions, but at year's end no report had been issued…There were no developments in any of the unclassified disappearance cases cited by the 2000 UN Working Group on Enforced or Involuntary Disappearances; neither was there any apparent effort put forth by the government to gather information on these cases." **[2c] (Section 1d)**

8.56 "At year's [2006] end the HRC continued to investigate 16,305 past cases of disappearance by security forces, some of which had been pending for over a decade. There were no indictments, investigations, or prosecutions of security force personnel for past disappearances. During the year the LTTE continued to detain civilians, often holding them for ransom...The SLMM reported that LTTE and Karuna Faction abductions increased significantly during the year." (USSD 2006) **[2c] (Section 1d)**

8.57 As reported by the Asian Human Rights Commission (AHRC) on 13 September 2006:

"The Human Rights Commission of Sri Lanka (HRCSL) gives the number of the disappeared from the Jaffna peninsular since December last year [2005] as 419. Not all these disappearances are attributed to 'armed men coming in white vans without number plates', which usually means the military. The LTTE and other militant Tamil groups alleged to be working with the military have also been accused of such abductions which end up as disappearances. International human rights groups have accused the LTTE and other militant groups also on that score…In Sri Lanka causing [sic] of forced disappearances has been treated by the state as a legitimate means by which to deal with 'terrorism'. The failure to investigate and to take appropriate legal action is also evidence of the state's involvement in such matters…Within Sri Lanka at the moment there is no government authority with the capacity to efficiently investigate the disappearances like the one in the case mentioned above. The HRCSL may record some facts of such disappearances but it does not have the capacity to investigate them in any manner that could be called a credible, criminal investigation. The assurance of some state authorities to the effect that if soldiers are found to be guilty of such acts they would be punished is a mere rhetorical gesture in the face of heavy criticism from local and international sources. There is no state machinery to give credibility to such assurances." **[47l]**

8.58 A Statement released by the AHRC on 3 October 2006 noted:

"Civil society organizations in Sri Lanka made a great advance during the last week when they were able to identify a group of persons who are allegedly involved in the abductions in Colombo. On the basis of their information the police at Kotehena have been able to arrest several persons who are said to belong to this group. Sri Lanka has a long history of abductions which often end up in disappearances and this is the first time that it has been possible to arrest alleged abductors. The People's Monitoring Committee (PMC) yesterday claimed that they had played a major role in arresting the suspects. According to the Committee members, including Democratic Left Front Leader Vasudeva Nanayakara, Wickramabahu Karunaratne and Western People's Front Leader Mano Ganeshan they visited the Kotahena police station when they heard of the arrest and requested the police to do their duty, despite of political interference. However, the PMC has also informed the public that the

government is attempting to release the alleged suspects of these abductions. A spokesperson for the PMC alleged that the Kotahena police have already received orders from the top, to release the gang leader. He alleged that there are plans to release him and claim that he escaped." **[47f]**

8.59 The AHRC statement of 3 October 2006 further noted that:

"The causing of large scale abductions can only happen with the connivance of those who control the territory, which in Colombo means the government. In fact, it would have been the duty of the government to investigate and to arrest the abductors and with the huge machinery at their disposal this would not have been a difficult task. The very fact that it has been the civil society monitoring groups that had to investigate and uncover information of such abductors is itself a severe indictment against the government. Now that these monitoring groups were able to provide the information and to get the alleged abductors arrested it is shocking that the top government officials are said to be involved in trying to get these same persons released." **[47f]**

See also Section 4

8.60 On 6 November 2006 the *Daily Mirror* (Sri Lanka) reported that "The Committee for the Investigation of the Disappeared said in a media release yesterday that according to evidence they had gathered, armed groups loyal to the government were responsible for abductions including those who were taken for ransom. It said that the movement had to build pressure both locally and internationally to change the undemocratic activities and the find [sic] the disappeared." **[11d]**

8.61 As noted in the UNHCR Position on the International Protection Needs of asylum-seekers from Sri Lanka dated December 2006 "Tamils in Colombo are especially vulnerable to abductions, disappearances and killings. Such actions are allegedly conducted by the paramilitary 'white vans' suspected to be associated with the security forces, as well as by the Karuna faction and the LTTE…Young Tamil professionals including several women, businessmen, as well as Tamil political figures and activists with a pro-Tamil stance can be specifically targeted." **[6b] (Paragraph 25)**

8.62 An AI document issued on 20 December 2006 reported that:

"Professor Sivasubramanium Raveendranath, the Vice-Chancellor of Eastern University, was reportedly abducted while at a conference in the capital, Colombo, on 15 December [2006]. Since he was in an area tightly controlled by the military, it seems likely that his captors are an armed group operating with the tacit support of the security forces. He is at risk of torture…In recent months in areas in the north and east of Sri Lanka, there have been reports of a number of people 'disappearing' or being abducted by the security forces or armed groups. Such people are often called or taken in 'for questioning' and held incommunicado. No receipts or records of their detention are made available, and the official mechanisms for reporting such events, such as through the National Human Rights Commission, are often unable to find where the missing people are. Anyone held this way is in clear danger of torture or ill treatment." **[3a]** As of 2 May 2007 S. Raveendranath was still missing and there was no progress in the investigations. (Daily Mirror, 2 May 2007) **[11j]**

8.63 As recorded in a statement issued by the Asian Human Rights Commission on 2 February 2007:

"The former Minister for Foreign Affairs, Mr. Mangala Samaraweera was quoted in several news agencies stating that a disappearance takes place in Sri Lanka every five hours. 'It has been reported by local and international human rights organisations that a person is abducted every five hours. Kidnappings, abductions and killings have become common incidents. No matter who does it, as a government we are responsible for it,' (Sunday Leader, January 28, 2007). It is also reported that the minister refused to retract the charges despite of [sic] the pressure brought upon him to do so.These comments, which he wrote in a letter to the president, Mahinda Rajapakse do not come as much of a surprise to close observers of the human rights situation in Sri Lanka in recent months… Anyone might be a target of a disappearance including businessmen, journalists and anyone that may be suspected as having 'terrorist links'…People in Colombo, particularly the Tamils, who had made Colombo their home for generations, as well as businessmen, are those who are most scared when darkness falls. Everyone is aware that once a disappearance takes place there is hardly anything that can be done." **[47b]**

8.64 The AHRC statement of 2 February 2007 continued:

"A disappearance, as it happens in Sri Lanka can be done in circumstances which are completely secretive. The perpetrators of such kidnappings and those who give commands for such an exercise can all take cover behind anonymity. A disappearance in Sri Lanka is a legal construct. Its basic concept is to remove all possibilities available within the law to attribute responsibility for arrest, detention, torture, killing and illegal disposal… A senior minister's criticism on this issue has not lead to any constructive response on the part of the government. The remarks have been dismissed as having been made for political reasons of dissent with the line of the government. However, whatever is the motive of the minister concerned criticism of this grave nature should have been taken seriously by the government if it wishes to counteract the present trend of the escalation of lawlessness. However, the government seems to be unwilling or incapable of dealing with this present situation." **[47b]**

8.65 BBC News reported on 6 March 2007:

"A senior police officer has said that serving and former police and security force personnel have been arrested over abductions in Sri Lanka. His statement at a media briefing came on the same day as the bullet-riddled bodies of five people were found in a field in the north of the country. Their remains were burned beyond recognition, according to police in the north-central district of Anuradhapura. It follows the discovery of five other bodies near the capital on Saturday… At a media briefing attended by Sri Lanka's police chief, Deputy Inspector General of Police Ashoka Wijethileka said former soldiers, serving soldiers and police officers were among those arrested in connection with abductions…There have been an increasing number of kidnappings in Sri Lanka as the country has slid back towards a full-scale war. Correspondents say that some of these have been kidnappings for ransom, and others have been kidnappings carried out to commit politically motivated murders. According to the Civil Monitoring Commission, which

campaigns for investigations, there have been 100 cases in the past 12 months in areas of the country controlled by the government - and far more in rebel-held areas. Most of the victims have been members of the minority Tamil community." **[9y]**

8.66 The ACHR (Asian Centre for Human Rights) Weekly Review 157/07, 'Sri Lanka: Spectre of abductions by the security forces officially admitted', March 2007, reported that:

"On 6 March 2006 [sic, actually 2007], Sri Lanka's Inspector General of Police (IGP), Victor Perera stated that over 400 persons including 'ex-soldiers, serving soldiers, police officers and underworld gangs and other organised elements' had been arrested since September 2006 on charges of abduction. Mr Perera refused to divulge further details. But Asian Centre for Human Rights (ACHR) believes that majority of those abducted have been killed. The announcement of the IGP appears to be the first official admission about the role of the police and the army in abductions and enforced disappearances. Often, the Sri Lankan government dismissed such allegations and set up inquiry commissions which whitewashed the gross human rights violations… According to HRCSL, about 100 abductions and disappearances have been reported so far in 2007. The majority of these abductions have taken place in the capital Colombo, Batticaloa in the Eastern Province and Jaffna peninsula in the Northern Province. Over 1,000 cases of abductions were reported in 2006 and ethnic Tamil minorities were the main victims…Blanket impunity and the lack of systemic protections intensified human rights violations. Rather, laws were adopted which facilitate abductions and disappearances." **[64b]**

8.67 The Human Rights Watch (HRW) report 'Return to War, Human Rights under Siege', published on 6 August 2007 recorded that:

"The government has yet to provide any details of those arrests, let alone whether those arrested face prosecution. On June 18 Human Rights Watch asked the government how many soldiers and police had been arrested, and on what charges. The government replied that 'this information is being tabulated by the police, which maintains detailed records of persons arrested and places of detention.' Why the government could not provide any information on this issue remains unclear." HRW also asked the government 'how many people the police had arrested over the previous year on charges of kidnapping or other involvement in abductions or enforced disappearances, and the current status of those cases' and could not obtain any information. **[21f] (Section V, The government's response)**

8.68 An Amnesty International document of 29 March 2007 recorded that "A number of people have recently been reported as 'disappearing' or being abducted by the security forces or armed groups. Such people are often called or taken in 'for questioning' and held incommunicado. No receipts or records of their detention are made available, and the official mechanisms for reporting such events, such as through the National Human Rights Commission, are often unable to locate the missing people." **[3e]**

8.69 A letter from the British High Commission in Colombo, dated 10 April 2007, noted that:

"According to victims families reports to the Civil Monitoring Committee since August 2006 there have been 84 disappearances in Colombo. Of these 80 are Tamil, 2 Muslim, 2 Sinhalese. 23 of the victims are business people and 61 appear to be political crimes. Victims are generally males and the political actors tend to be young – although there are exceptions. In addition about 50 other business people have been abducted for ransom and then released but have asked the Civil Monitoring Groups not to reveal their identities or consider them among the disappeared. There are three other hotspots of disappearance activity, Jaffna, Vavuniya and Batticaloa. A reliable NGO, who did not wish to be named thought that 584 people had disappeared in Jaffna in 2006, with 165 in the first three months of this year. A Senior Tamil MP thought that the countrywide figure was 900 since August 2006. However the SLMM warned that many NGOs are unable to draw a distinction between 'Missing' and 'Disappeared' so these [sic] sort of figures cannot be considered more than a general indication." **[15a]**

See also Section 8 on Avenues of complaint

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Torture

8.70 In a statement issued on 29 October 2007 after his visit to Sri Lanka from 1 to 8 October 2007 the UN Special Rapporteur on Torture Manfred Nowak noted:

"Though the Government has disagreed, in my opinion the high number of indictments for torture filed by the Attorney General's Office, the number of successful fundamental rights cases decided by the Supreme Court of Sri Lanka, as well as the high number of complaints that the National Human Rights Commission continues to receive on an almost daily basis indicates that torture is widely practiced in Sri Lanka. Moreover, I observe that this practice is prone to become routine in the context of counter-terrorism operations, in particular by the TID [Terrorist Investigation Department]. Over the course of my visits to police stations and prisons, I received numerous consistent and credible allegations from detainees who reported that they were ill-treated by the police during inquiries in order to extract confessions, or to obtain information in relation to other criminal offences. Similar allegations were received with respect to the army. Methods reported included beating with various weapons, beating on the soles of the feet (falaqa), blows to the ears ('telephono'), positional abuse when handcuffed or bound, suspension in various positions, including strappado, 'butchery', 'reversed butchery, and 'parrot's perch' (or dharma chakara), burning with metal objects and cigarettes, asphyxiation with plastic bags with chilli pepper or gasoline, and various forms of genital torture. This array of torture finds its fullest manifestation at the TID detention facility in Boossa." (ReliefWeb, quoting the United Nations Human Rights Council) **[31d]**

8.71 As noted in the USSD report 2006:

"The law makes torture a punishable offense but does not implement several provisions of the UN Convention Against Torture. Human rights groups maintained that while torture is prohibited under specific circumstances, it was allowed under others. According to the HRC and other credible sources, the use of police torture to extract admissions and confessions was endemic and

conducted with impunity. In addition, the Emergency regulations make confessions obtained under any circumstance, including by torture, sufficient to hold a person until the individual is brought to court; 528 arrests were made under the Emergency regulations during the year, although 288 of those arrested were released within 12 hours. The majority of those arrested were Tamil, although detainees included Sinhalese and Muslims as well. In addition to suspicion of terrorism, people were detained for lack of identification, narcotics, and outstanding warrants...Observers estimate that 200 persons remained in custody under detention orders at years [2006] end. The SLHRC reported that 433 individuals were tortured in police custody during the year… Methods of torture included beatings-often with sticks, iron bars or hose; electric shock; suspending individuals by the wrists or feet in contorted positions; burning; genital abuse; and near-drowning. Detainees reported broken bones and other serious injuries as a result of their mistreatment." **[2c] (Section 1c)**

8.72 A statement by the Asian Human Rights Commission issued on 23 June 2006 noted that:

"It is now acknowledged that there is endemic torture practiced at all police stations as the routine method of criminal investigation. This acknowledgment is made by UN agencies in international reports. The Sri Lankan government has also admitted the problem as do high ranking police officers, including the IGP himself… Furthermore, the Supreme Court of Sri Lanka has mentioned the increasing number of credible complaints of torture on many occasions. Despite of [sic] all such acknowledgment nothing has been done to eliminate the practice of torture." **[47m]**

8.73 As noted in the Report on civil and political rights (including the question of disappearances and summary executions) of the UN Special Rapporteur, Philip Alston on his Mission to Sri Lanka (28 November to 6 December 2005), published on 27 March 2006:

"The other [in addition to the shooting of criminal suspects taken into custody] main cause of deaths in police custody is torture. (Deaths are an inevitable side-effect of the widespread use of torture.) Government officials were generally candid in recognizing that torture is widespread. While some officials said that the problem's magnitude had been exaggerated, they did not dispute that in Sri Lanka's police stations physical mistreatment is frequently used to extract confessions from suspects, sometimes resulting in death. However, this recognition of torture's prevalence was often accompanied by a complacent and fundamentally tolerant attitude. One high-ranking official acknowledged to me that torture was widespread and problematic but then proceeded to note that while he could understand why police tortured 'in the line of duty', he felt it was completely inexcusable for police to torture in pursuit of private ends. This casual acceptance of torture is highly problematic. It also downplays the systemic nature of the problem. There is a nationwide pattern of custodial torture in Sri Lanka, and the Government has a legal responsibility to take measures to bring that pattern to an end. The vast majority of custodial deaths in Sri Lanka are caused not by rogue police but by ordinary officers taking part in an established routine. It is essential that government officials accept that disrupting this pattern of custodial torture is a necessary step not only in ensuring the human rights of those arrested but of retaining public trust and confidence." **[6x] (Paragraph 54)**

8.74 The AI Report 2007 on Sri Lanka (covering events from January – December 2006) recorded that "There were numerous reports of torture in police custody. According to the non-governmental Asian Commission for Human Rights, two people died in custody in 2006." **[3u] (Torture)**

Extra-judicial killings

8.75 A joint press release by the Law & Society Trust, the Civil Monitoring Commission and the Free Media Movement, issued on 23 August 2007, reported that 547 persons were killed during the period January to June 2007.

"The largest proportion of people killed in the first six months of 2007 were Tamil – 70.7% across the island, as compared with 9.1% Sinhalese and 5.9% Muslims. The gravity of this situation becomes even more pronounced when considered against the fact that the Tamil people make up only 16% of the total population. Men were killed in much larger numbers than women – 89.9% vs. 9.7%. By district, Jaffna was worst affected by killings (23.2%), followed by Batticaloa and Vavuniya (21.5% and 21.3 respectively)." **[13a]**

8.76 A further press release issued by the Law & Society Trust, the Civil Monitoring Commission and the Free Media Movement on 31 October 2007 reported that the total number of persons killed between January and August 2007 was 662 (civilians only). Tamils were now reported to represent 78 per cent of the victims of killings. The press release also noted that 28 per cent of reported killings took place in Jaffna, followed by Batticaloa (20 per cent) and Vavuniya (18 per cent) **[13b]**

8.77 As noted in the International Crisis Group document 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007:

"The response of the military to LTTE terror has been to resort to its own dirty war. As there has been no adequate investigation into any cases in which government forces and their proxies are implicated, it is hard to be definitive about the identity of the culprits. But it is clear that the problem goes beyond a few undisciplined soldiers or out-of-control paramilitaries and is part of a policy devised and conducted by senior military officials. As noted, on 25 December 2005 Tamil National Alliance (TNA) parliamentarian Joseph Pararajasingham was murdered in Batticaloa. On 10 November 2006 another TNA member, Nadarajah Raviraj, was murdered in broad daylight in Colombo. Most suspicions point to progovernment paramilitary groups in both cases. Beyond these high-profile murders, hundreds of alleged LTTE sympathisers or supporters have been killed, particularly in Jaffna, Vavuniya, and Batticaloa districts." **[76a] (p9-10)**

8.78 "In the Eastern province, the military has primarily used the TMVP paramilitaries to carry out its dirty work. Killings have also targeted LTTE sympathisers, particularly those termed 'messengers', who take food and supplies to the rebels, and those who may report on military movements or other strategic information. But in many cases, this campaign has become repression against anybody who goes against the TMVP, which is carrying on the LTTE tradition of eliminating those who protest its excesses. In Jaffna, where the TMVP is not active, the killings seem to be the work of what one analyst calls 'hybrid groups', which comprise military intelligence cadres with

Tamil militants, some of whom may be from the EPDP. Other sources suggest these are former, but no longer active, members of the EPDP now working closely with the military. Either way, there is little doubt the securityservices are actively involved in these extra-judicial killings. Shadowy gunmen from these groups seem able to travel around the city after the night curfew, unfazed by the ubiquitous roadblocks and patrols…There seemed to be a lull in the killings in May 2007, raising hopes that international pressure had brought some change in tactics. But in early June there were further reports of unexplained murders in Jaffna." (International Crisis Group, 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 20 07) **[76a] (p10)**

8.79 The USSD report 2006 reported that "There were no confirmed reports of politically motivated killings by the government; human rights organizations and other credible sources reported an increase in encounter killings by police. Sources further alleged that paramilitary groups, sometimes with the aid of government security forces, engaged in targeted killings of political opponents and civilians. The government and the army denied the allegations." **[2c] (Section 1a)**

8.80 The Human Rights Watch (HRW), World Report 2007, Sri Lanka, January 2007 noted that:

"Politically motivated killings and abductions drastically increased in 2006. Sri Lankan security forces are believed responsible for a number of serious incidents in 2006, including the summary execution of five Tamil students in Trincomalee on January 2 [2006], the 'disappearance' of eight young men from a Hindu temple in Jaffna on May 6, the 3 execution-style slaying of five Tamil fishermen on Mannar island on June 17, and the killing of 11 Muslims in Pottuvil on September 18." **[21b]**

8.81 As recorded in Keesing's Records of World Events, November 2006 – Sri Lanka:

"Prominent Tamil legislator Nadarajah Raviraj, a former mayor of Jaffna city, was shot dead on Nov. 10 in Colombo by gunmen on a motorcycle. Raviraj was an MP for the Tamil National Alliance (TNA), a group of small parties acting as the unofficial political representatives of the LTTE in the legislature. He was an outspoken campaigner against extra-judicial killings and other human rights abuses for which the security forces were held responsible, but he had also recently criticised the LTTE leadership." (Keesing's Records of World Events, November 2006 – Sri Lanka) **[23j]** As reported by the *Daily Mirror* (Sri Lanka) on 11 November 2006, during the previous few months, Raviraj had participated in the Civil Monitoring Committee (CMC), working with Mano Ganesan and others to monitor extra judicial killings, abductions and disappearances mainly in Colombo. On the day before the attack he had taken part in a TNA protest campaign condemning the killing of civilians in Vakarai and in a live TV interview where he had spoken on the rights of Tamils." **[11c]**

8.82 The Foreign & Commonwealth Office 2006 Annual Report on Human Rights, dated October 2006, noted that:

"There have been credible reports that members of the government security forces were involved in extra-judicial killings and repeated allegations that

some civilians detained during large anti-terrorist operations have disappeared. Anti-LTTE paramilitary groups have also engaged in violence and intimidation. Despite promising to do so, the government has not succeeded in preventing these armed groups operating in government-controlled areas, and there are allegations of collusion by the security forces." **[15l] (p212)**

8.83 As noted in the Report of the UN Special Rapporteur, on his Mission to Sri Lanka, published on 27 March 2006:

"The Special Rapporteur visited Sri Lanka from 28 November to 6 December 2005, at a time when the Ceasefire Agreement (CFA) of February 2002 between the Government and the rebel Liberation Tigers of Tamil Eelam (LTTE) was under unprecedented stress. Extrajudicial executions are a singularly important element in the exacerbation of the conflict… Almost none of these extrajudicial executions has been effectively investigated. Police and military investigations into the killing of Tamils or the broader range of deaths in custody have too often been poorly handled and remarkably few convictions have resulted." **[6x] (Summary)**

8.84 The UN Special Rapporteur further commented:

"The issue of killings, in many respects, provides an important window into many facets of the overall situation in Sri Lanka. They are symptomatic of the widespread use of police torture, of the failure to rein in abuses committed or tolerated by the military, and of the systematic efforts by various armed groups, and particularly the LTTE, to kill Tamils who refuse to support the LTTE and to provoke military retaliation." **[6x] (Paragraph 3)**

8.85 "The police are now engaged in summary executions, which is an immensely troubling development. Reports, unchallenged by the Government, show that from November 2004 to October 2005 the police shot at least 22 criminal suspects after taking them into custody. It is alleged that the use of force became necessary when, after having been arrested, presumably searched, and (in most cases) handcuffed by the police, the suspects attempted either to escape or to attack the officers. In all cases the shooting was fatal, and in none was a police officer injured. The Government confirmed that in none of these cases had an internal police inquiry been opened. The reason proffered was that no complaints had been received. The pattern of summary executions that emerges demands a systematic official response that brings those responsible to justice and discourages future violations." (UN Special Rapporteur, report dated 27 March 2006) **[6x] (Paragraph 53)**

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ARMED FORCES

8.86 "As assessed at November 2006, the armed forces totalled 150,900 (including recalled reservists): army 117,900, navy 15,000, air force 18,000. There were also paramilitary forces of around 88,600 (including 13,000 Home Guard, an

estimated 15,000 National Guard and a 3,000-strong anti-guerrilla unit). Defence expenditure for 2006 was budgeted at Rs 70,000m. Military service is voluntary." (Europa World Online, Defence) **[1b]**

8.87 As recorded in Jane's Sentinel Security Assessments, 'Country profile - At a glance, Sri Lanka', 26 April 2007:

"Certain factors have tended to act upon the army as constraints on maintaining motivation, commitment and efficiency among its cadres. Foremost among these is the stark reality that the overwhelming majority of personnel in the army's lower ranks are from the lowest income strata of civilian society whose presence in the force is due largely to their inability to find other employment. There has never been an indoctrination of an ideological fervour comparable in intensity and effect to the ethno-nationalist indoctrination of its cadres by the Tamil Tiger leadership. There is certainly no impulse for the soldiers to die as martyrs, emulating the suicide bombers among the Tigers. There has hardly ever been a risk of punishment for deserters. Instead, some of them reap enormous benefits by engaging in crime, often under the patronage and protection of politicians. There is, in addition, the sense of frustration and cynicism generated by the waywardness of military policy, and the corruption that is believed to prevail both at the higher levels of the army hierarchy as well as among the civilians who control policy matters…The role of the Sri Lankan Army is to protect the sovereignty and territorial integrity of Sri Lanka and to assist (when called upon) to maintain law and order. " **[5a] (Army, 9 November 2006)**

8.88 "Unlike in the early post-independence decades, the army, navy and the air force are now almost exclusively Sinhalese institutions. In consequence the army is regarded by most northern and eastern Tamils as a foreign force. Their excesses, especially in operations that have involved confrontations with guerrilla fighters who found shelter among civilians, have had the effect of reinforcing this perception. There have been attempts to improve civilian-military relations in the northeast, although these are yet to have a perceptible impact. In the past few years, however the government has cracked down hard on military personnel accused of crimes committed against the civilians." (Jane's Sentinel Security Assessments, 'Country profile - At a glance, Sri Lanka', 26 April 2007) **[5a] (Armed Forces, 28 December 2005)**

8.89 The Human Rights Watch (HRW) report entitled 'Improving Civilian Protection in Sri Lanka', released on 19 September 2006 noted that:

"In violation of this [international] law, the Sri Lankan armed forces have engaged in indiscriminate shelling and aerial bombing, attacking targets with disregard to the expected harm caused to civilians. At least 19 young women and girls (the LTTE have claimed 51) died in an August [2006] bombing raid in LTTE-controlled territory where the evidence indicates that there was no genuine military target. The security forces have summarily executed persons in their control and are believed responsible for a number of 'disappearances'". **[21p] (Introduction)**

Arbitrary arrest and detention

8.90 See Section on Police since many reports refer to 'security forces' in general

Torture

8.91 See Section on Police since many reports refer to 'security forces' in general

Extra-judicial killings

8.92 See Section on Police since many reports refer to 'security forces' in general

AVENUES OF COMPLAINT

8.93 As noted in the International Crisis Group document 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007:

> "There are supposed to be a number of independent institutions to act against abuses. However, they have lost much of their independence because of the president's handling of a complex problem relating to the seventeenth amendment to the constitution. According to this amendment, passed unanimously by parliament in 2001, the Constitutional Council is to nominate members of several bodies, notably the Human Rights Commission, the National Police Commission, the Public Service Commission and the Bribery Commission." **[76a] (p19)**

8.94 The Human Rights Watch (HRW) report 'Return to War, Human Rights under Siege', published on 6 August 2007 recorded that:

> "Impunity for human rights violations by government security forces, long a problem in Sri Lanka, remains a disturbing norm. As the conflict intensifies and government forces are implicated in a longer list of abuses, from arbitrary arrests and 'disappearances' to war crimes, the government has displayed a clear unwillingness to hold accountable those responsible for serious violations of international human rights and humanitarian law. Government institutions have proved inadequate to deal with the scale and intensity of abuse. One barrier to accountability lies in the failure to implement the 17th amendment to the constitution, which provides for the establishment of a Constitutional Council to nominate independent members to various government commissions, including the Human Rights Commission. Ignoring the amendment, the president has directly appointed commissioners to the bodies that deal with the police, public service, and human rights, thereby placing their independence in doubt. The 17th amendment has been similarly bypassed in the unilateral appointment of the attorney general, which undermines the independence of that office." **[21f] (Summary)**

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Human Rights Commission of Sri Lanka (HRCSL)

8.95 In a press release issued on 31 March 2006, Amnesty International stated:

> "The [Human Rights] Commission carries out investigations into cases of torture, 'disappearances', political killings and other human rights violations. It also acts to promote and protect human rights…The Human Rights Commission (HRC) of Sri Lanka was established under the Human Rights Commission Act of 1996. It started its work in 1997 as an independent

statutory body to investigate reports of human rights violations. It has ten regional offices and five commissioners. The HRC set up a Torture Prevention and Monitoring Unit in 2004 and a Database on Disappearances Unit in January 2005." **[3n]**

8.96 The USSD 2006 noted that:

"By statute the SLHRC has wide powers and resources and may not be called as a witness in any court of law or be sued for matters relating to its official duties. However, according to many human rights organizations, the SLHRC often was not as effective as it should have been. The SLHRC did not have enough staff or resources to process its caseload of pending complaints, and it did not enjoy the full cooperation of the government. The SLHRC had a tribunal-like approach to investigations and declined to undertake preliminary inquires in the manner of a criminal investigator…Like in previous years, HRC was not able to function without interruptions." **[2c] (Section 4)**

8.97 The USSD report 2006 recorded that "The HRC provided extra training for officers assigned to this unit and established a policy of quick investigation for torture complaints. The HRC also assigned special teams to investigate deaths in police custody. By year's [2006] end the HRC had opened cases on 433 torture complaints." **[2c] (Section 1c)** Information available from the website of the Institute of Human Rights – Sri Lanka, (accessed on 8 November 2007) confirmed that specialised training programmes including intensive training in human rights for the Sri Lanka Army and paralegal training for Gramasevaka Nildaris (village-level government officers) and selected NGO personnel were also available. **[24]**

8.98 The International Crisis Group document 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007 noted that:

"When the terms of office of the members of the Human Rights Commission expired in April 2006, the president appointed new members directly, arguing that this was required due to the non-functioning of the Constitutional Council…Since its appointment in May 2006, the present Human Rights Commission has issued no reports on high-profile human rights violations, disappearances, the Emergency Regulations or any other matter. It has occasionally published some figures on complaints but these are incomplete or contradictory.The commissioners downplay the many reports of disappearances and abductions received, arguing that in the majority of cases the person has returned and that media reports are 'highly exaggerated, unfounded, and malicious' and are 'being made to tarnish the image of the country'. Commissioner Jayawickrama claims that since May 2006, there have been 'no cases of torture' by the police.This contradicts the Commission's own statistics, which show 528 complaints of torture in 2006 and another 159 through April 2007." **[76a] (p20)**

8.99 As noted I a letter from the British High Commission, Colombo to the Home Office dated 11 September 2007:

"You asked about the SLHRC which has been the subject of controversy and concerns over its performance following the end of the previous Commissioners terms in mid 2006 and their replacement by Commissioners directly appointed by the President, not by the Constitutional Council, in

contravention of Sri [Lankan] Law. As I mentioned before the formal position of the SLHRC remains strong, appointed by an all party selection committee (the Constitutional Council) and with extensive legal powers to summon witnesses and demand information – but the practice rarely reflects the theory. There have been extensive discussions between the SLHRC and the UN who have been the main capacity builders and between the UN and the diplomatic community who have previously provided much of the funding. There are widely differing views with some members of the International Community believing that the SLHRC remains relevant and others believing that civil society groups provide a better answer to SL's human rights issues." **[15p]**

8.100 "There are some clear themes that emerge. Among the successes was the implementation of a 'Zero Tolerance' policy on torture, along with police station visits and awareness-raising, the Help Desk to receive complaints from the public and on-going police liaison; fact-finding missions to the East and North; the Committee on Disappearances in Jaffna, and the National Database on Disappearances; tsunami disaster relief monitoring, especially the consultation process; monitoring generally, including 'surprise' visits to institutions; liaison in the North and East on IDP and Child Rights issues, supported by UNHCR and UNICEF; staff training programmes, especially in 2003 and the role of United Nations Volunteers in some regional offices. However, despite these successes, many core activities have not been achieved. This especially applies to those relating to improving the efficiency and effectiveness of the Commission as an organisation – for example, the complaints system is chaotic. Additionally the remit of SLHRC extends to include areas that might be handled by public administration ombudsman in other countries, such as resolving disputes over pensions or benefits payments or employment in the public sector." (Letter from the British High Commission, Colombo, to the Home Office, 11 September 2007) **[15p]**

8.101 The letter from the BHC of September 2007 further noted that:

"The monitoring of legislation for human rights implications has lapsed. The Commission's institutional links with NGOs have faded, so when SLHRC encountered problems it had already has lost the confidence of a significant part of the NGO community. No annual 'state of human rights' report (a mechanism for both accountability and awareness-raising) has been published since 2003. There was a general failure to harness state media in any awareness-raising role and, in recent months, the Commission's high profile has been lost. The Commission's credibility has been impaired by 17th amendment controversy and the low profile of the new Commission, although this is less so in the regions. In both Jaffna and the east the Commission enjoys more respect. In Jaffna the local office has worked well under pressure from all sides and its interventions, if unorthodox, have provided a degree of protection to those seeking help." **[15p]**

8.102 "The deterioration in the climate for speaking out against human rights violations both reinforces the need for the Commission to defend human rights publicly and increases the risks involved in doing so. Following the tragic aerial bombing of a facility in LTTE controlled territory in 2006 in which over 50 people lost their lives, the SLHRC carried out a[n] investigation which was so weak as to virtually replicate government propaganda. This was a real lost opportunity as many observers were genuinely uncertain about the merits of this case and whether the government or LTTE version of events was more

correct. International support to the Commission has waned pending resolution of the appointment issue. The GoSL is providing insufficient support to the Commission and its work. Official championing of the well run and funded, but government controlled, Ministry of Disaster Management and Human Rights has undermined the Commission. The GoSL has failed to strengthen the Commission as it undertook to do during its candidacy for the UN Human Rights Council and has failed to address the Commission's budgetary problems. In summary the SLHRC is a vehicle with real powers that has the potential to provide genuine human rights interventions and be the basis of a domestic human rights architecture that provides real protection. But, despite the odd glimmer of hope, the reality is very different. We cannot expect the Commission to address serious human rights concerns with vigour, particularly when the government is the agency alleged to have carried out the abuse. "(Letter from the British High Commission, Colombo to the Home Office, 11 September 2007) **[15p]**

8.103 As recorded in a letter from the BHC in Colombo dated 29 October 2007:

"Since the beginning of the 2007, the Sri Lanka Human Rights Commission (HRC) have recorded 294 abductions and 118 political murders in Jaffna. We understand that the local office have also given protective custody to about 130 people, although instructions from the centre now prevent regional HRC offices reporting directly to diplomatic missions. Disappearance victims' families expressed helplessness and frustration as the security forces failed to investigate effectively complaints. Key human rights actors in the peninsula told us that the victims do not have any redress. NGO's were deeply concerned about protecting witnesses and victims. Although the army cannot obtain the names of people making complaints to the Human Rights Commission, they could find them out through other ways including through the magistrate's court. NGO's also find the Army reluctant to engage with them - often the military simply assert that human rights violations do not exist in Jaffna…The Army will not normally allow entire families to leave Jaffna. The majority do not want to report any abuses for fear of reprisals. As a result of the loss of income, alcoholism and gender based violence is high. Child abuse also goes unreported" **[15q]**

Protective custody

8.104 On 30 September 2007 *The Sunday Times* (of Sri Lanka) reported that:

"The Government is to set up a rehabilitation centre in Jaffna to accommodate people who seek protection at the Human Rights Commission (HRC). In the wake of increasing number of surrendees at the Jaffna HRC, Justice and Social Services ministries sought approval for such a centre. At present, the surrendees are sent to the Jaffna prisons where some 100 such people are housed. Social Services Minister Douglas Devananda said the new centre will give the inmates job training and find them employement locally and abroad." **[11n]**

8.105 As recorded in the SLMM [Sri Lanka Monitoring Mission] Weekly monitoring report 1 – 7 October 2007 "Security concerns in Jaffna continued, and 12 people asked for protective custody during the week. It was revealed that the new courthouse to be opened on 25 October would serve as shelter for those asking [the Human Rights Commission] for protective custody." **[22a]** Four men

asked for protective custody in Jaffna duringh the week 22 – 28 October 2007. (SLMM Weekly monitoring report 22 – 28 October 2007) **[22c]**

8.106 On 17 October 2007 it was reported that the Chief Justice (CJ) of the Supreme Court had issued a special order to the Government agent to move to the High Court's building in Kurunagar more than one hundred civilians who had sought the HRC protection and were kept in protective custody in Jaffna prison. (TamilNet 17 October 2007) **[38r]** On 27 October 2007 the CJ directed the authorities to relocate the men held in protective custody in Jaffna prisons to the Rehabilitation Centre in Kaarainakar. (TamilNet 17 October 2007) **[38s]**

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Ad hoc commissions of inquiry

8.107 As noted by Amnesty International on 17 November 2006:

"On 4 September 2006 the President of Sri Lanka announced that the government would invite an international independent commission to probe abductions, disappearances and extra-judicial killings in all areas of the country. Amnesty International welcomed the Government of Sri Lanka's commitment to address past human rights violations. On 6 September 2006 the President, instead announced that he would invite an International Independent Group of Eminent Persons (IIGEP) to act as observers of the activities of the Commission which will investigate alleged abductions, disappearances and extra judicial killings. The eight Sri Lankan commissioners were formally announced on 6 November with a mandate to inquire into fifteen specific incidents [a further case was added at a later stage] that have occurred since August 2005 and the possibility of broadening their investigations to include cases arising during their inquiries and complaints received by the commission on other serious violations." **[3b]**

8.108 As announced on the the Official Government News Portal of Sri Lanka on 11 January 2007:

"The Commission of Inquiry to probe into the recent allegations of human rights violations [officially called Presidential Commission of Inquiry to investigate and inquire into serious violations of human rights] has begun its hearing of evidence…The eight-member Commission is headed by former Supreme Court Judge Nissanka Udulagama. According to him the International Independent Group of Eminent Persons' (IIGEP), will be monitoring the investigations of the commission as pre scheduled. Initially the commission has focused attention on fifteen major incidents…Apart from these specific cases the committee has a provision to broaden their investigations on cases arising during the inquiries and on complaints received to the commission from public on other serious violations of human rights, based on the opinion of the commission. The IIGEP headed by the former Chief Justice of India P.N. Bhagwathie will observe the investigations and inquiries conducted by this Commission of inquiry. The IIGEP is authorised to over see the mode of operation of the commission's inquiries is in par with the international norms and standards." **[10e]**

Additional information on the Presidential Commission of Inquiry - including the full list of cases under investigation - is available, from their website: http://www.pchrv.gov.lk **[59] [59a]**

8.109 On 3 June 2007 the Official Government News Portal of Sri Lanka reported that "…the President has appointed a committee to look into extra judicial killings and abductions. The Committee headed by the Minister of Human Rights and Disaster Management Mahinda Samarasinghe will look into issues of disappearances and abductions." **[10i]**

8.110 The International Crisis Group document 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007 noted that:

"In the face of this explosion of political crimes and rights violations, law enforcement agencies and the judicial system have failed almost completely. There have been almost no credible police investigations and very few arrests or indictments in any of the hundreds of killings, abductions, and disappearances over the past year and a half of sustained violence. Of the sixteen high-profile cases to be investigated by the Presidential Commission of Inquiry into Serious Human Rights Violations, for instance, the police have filed indictments in only one – the assassination of Lakshman Kadirgamar. The public position of the police and the attorney general's department is that there are no suspects or insufficient evidence in the other cases. The government claims to have arrested some soldiers and police under the Emergency Regulations in connection with recent abductions and disappearances but it has given no information about the arrests, and no charges have been filed." **[76a] (p16)**

8.111 The ICG report of June 2007 further noted that:

"After an agonisingly slow start, the CoI [Commission of Inquiry] began work in May 2007, having spent six months dealing with innumerable bureaucratic and procedural issues, such as hiring staff, translating documents and devising policies and procedures. Given the urgency of the cases, the delay seems inexcusable, but more worrying are issues relating to its freedom of action, ability to protect witnesses and impact on the broader human rights situation." **[76a] (p24)**

8.112 "In order to forestall calls for a fully international enquiry, the government agreed to the present hybrid, with an observer group of independent 'eminent persons' attached to the CoI…Its limited mandate, however, poses major challenges. It is not permitted to conduct its own investigations, only to observe the CoI's and report to the president on them. The IIGEP does in principle have access to all documents that come to the CoI and has a limited right to interview witnesses… On 11 June [2007], the IIGEP released its first public statement, summarising its first quarterly report submitted to the President ten days earlier." (International Crisis Group, 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007) **[76a] (p25)**

8.113 The International Independent Group of Eminent Persons (IIGEP) noted in their first statement issued on 11 June 2007: "We remain concerned that current measures taken by the Government of Sri Lanka and the Commission to address issues such as the independence of the Commission, timeliness

and witness protection are not adequate and do not satisfy international norms and standards." The statement concuded by saying:

"We regret that public statements from State officials are creating the misleading impression that the Commission and IIGEP have wide mandates and powers and the resources to address ongoing alleged human rights violations in Sri Lanka. This is not the case. In the current context, in particular, the apparent renewed systematic practice of enforced disappearance and the killings of Red Cross workers, it is critical that the Commission and IIGEP not be portrayed as a substitute for robust, effective measures including national and international human rights monitoring." **[59b]**

8.114 As noted in the IIGEP's second public statement released on 15 June 2007:

"Further to our previous public statement of 11 June 2007, we, the International Independent Group of Eminent Persons (IIGEP) are concerned that the conduct of the President's Commission of Inquiry to Investigate and Inquire into Alleged Serious Violations of Human Rights (the Commission) is inconsistent with international norms and standards. Failure to take corrective action will result in the Commission not fulfilling its fact-finding mandate in conformity with those norms and standards. Central to our concerns is the role of the Attorney General's Department in the Commission…The Commission does not seem to have taken sufficient corrective measures to ensure that its proceedings are transparent and conform with international norms and standards of independence, impartiality and competence." **[59c]**

8.115 The Human Rights Watch (HRW) report 'Return to War, Human Rights under Siege', published on 6 August 2007 recorded that:

"The Commission of Inquiry has serious deficiencies, and it remains to be seen whether it can effectively promote accountability where state institutions have failed. First, the commission does not appear to have made much headway in the 16 serious cases it has the mandate to investigate, while additional atrocities by all sides continue to occur. Second, the commission can only recommend to the government the steps to take, so its findings will not necessarily result in prosecutions. Third, investigations are stymied by an inadequate witness protection program that would encourage rightly fearful victims and witnesses to testify about abuses by government security forces. Fourth, the attorney general's office has a direct role in commission investigations — a potential conflict of interest that may undermine the commission's independence. Finally, the head of the commission is limiting the work of the international experts to a narrow observer-only role, which would prohibit them from conducting investigations and speaking with witnesses." **[21f] (Summary)**

8.116 On 19 September 2007, BBC News reported that the International Independent Group of Eminent Persons, (IIGEP) appointed to oversee the presidential commission investigating human rights abuses had said that the commission was in danger of failing. **[9aj]**

8.117 As noted in their third public statement issued on 19 September 2007:

"The IIGEP remains concerned about the speed of the Commission's investigation proces…While recognizing the practical steps taken by the

Commission to accelerate the investigation phase, the IIGEPconsiders that the Commission is unlikely to have completed any case before the expiry of theCommission's mandate in early November 2007…The IIGEP reiterates its opposition to the leading role of the officers of theAttorney General's Department in the Panel of Counsel to the Commission, which involves serious conflicts of interest. This situation lacks transparency and compromises both national and international standards of independence and impartiality that are central to the credibility of and public confidence in the Commission…The IIGEP is also concerned that the Commission does not have sufficient financialindependence enabling it to exercise direct control of its resources and avoid delays to itsoperations…The IIGEP is concerned that the Commissionstill has no functioning Victim and Witness Assistance and Protection Unit...Taking into account the areas of concern identified in this public statement, theIIGEP concludes that the investigation and inquiry process to date fails to comply effectively withinternational norms and standards." **[59d]**

See also Latest News section

8.118 As reported by the pro-LTTE website TamilNet on 29 June 2007:

"Justice Mahanama Tilakeratne, head of the Special Commision on Disappearances, speaking to the media at BMICH Colombo Thursday [28 June], said that between September 2006 and February 2007, more than 430 Sri Lankans, mostly Tamils were killed, and 886 cases of abduction or disappearance remain unresolved, sources in Colombo said. During the same five month period, a total of 2,020 people were either abducted or disappeared. 1,134 were later found alive and reunited with their families, Mr. Tilakeratne said…Tillakaratne was named in 2006 by Sri Lankan President Mahinda Rajapakse as the head of the Commission to investigate the wave of killings and disappearances. Bodies of many abductees were found executed with their hands tied behind their backs and shot through the head.Many of the cases of disappearances are very complicated and pose challenge to local law enforcement authorities to identify those responsible, Tilakeratne added." **[38j]**

See also Section 8 on Police, Disappearances/Abductions

Police abuses: investigations and prosecutions

8.119 In a statement issued on 29 October 2007 after his visit to Sri Lanka from 1 to 8 October 2007 the UN Special Rapporteur on Torture Manfred Nowak noted:

"Intimidation of victims by police officers to refrain from making complaints against them was commonly reported, as were allegations of threats of further violence, or threatening to fabricate criminal cases of possession of narcotics or dangerous weapons. Detainees regularly reported that habeas corpus hearings before a magistrate either involved no real opportunity to complain about police torture given that they were often escorted to courts by the very same perpetrators, or that the magistrate did not inquire into whether the suspect was mistreated in custody. Medical examinations were frequently alleged to take place in the presence of the perpetrators, or directed to junior doctors with little experience in documentation of injuries." (ReliefWeb, quoting the United Nations Human Rights Council) **[31d]**

8.120 The UN Special Rapporteur on Torture further noted:

"I appreciate that by enacting the 1994 Torture Act, the Government has implemented its obligation to criminalize torture and bring perpetrators to justice. I am also encouraged by the significant number of indictments filed by the Attorney General under this Act. However, I regret that these indictments have led so far only to three convictions. One of the factors influencing this outcome is reportedly because of the Torture Act's high mandatory minimum sentence of seven years; it is effectively a disincentive to apply against perpetrators. Other factors are the absence of effective ex-officio investigation mechanisms in accordance with Art 12 CAT, as well as various obstacles detainees face in filing complaints and gaining access to independent medical examinations while still detained. Given the high standards of proof applied by the Supreme Court in torture related cases, it is regrettable that the facts established do not trigger more convictions by criminal courts." (ReliefWeb, quoting the United Nations Human Rights Council) **[31d]**

8.121 The Human Rights Watch (HRW) report 'Return to War, Human Rights under Siege', published on 6 August 2007 noted that:

"Since the beginning of Sri Lanka's civil war more than two decades ago, successive governments have consistently failed to adequately investigate or prosecute those in the security forces responsible for serious violations of human rights and international humanitarian law. In cases of enforced disappearances, torture, indiscriminate attacks, and targeted killings, successive Sri Lankan governments have consistently failed to hold accountable members of the police or military who commit serious crimes." **[21f] (Section X, Impunity for Rights Violations)**

8.122 The HRW report of August 2007 further referred to a 'culture of impunity' and to "the government's lack of political will to prosecute soldiers, police, and other government officials and agents implicated in wrongdoing. "Even when there is overwhelming evidence of government forces responsibility for abuse, successive governments have rarely conducted an investigation resulting in a successful prosecution." **[21f] (Section X, Impunity for Rights Violations)**

8.123 "The Sri Lankan government claims that it prosecutes abusive members of thesecurity forces to the fullest extent of the law. It said that in 2006 the attorney general issued 10 indictments against security force personnel, followed by seven indictments in 2007. In addition, the government said that the military took disciplinary action against six members of the military in 2006, and the police did the same against 26 members of that force. The government has not provided details on any of these cases." (HRW, 'Return to War, Human Rights under Siege', 6 August 2007) **[21f] (Section X, Impunity for Rights Violations)**

8.124 The International Crisis Group document 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007 noted that:

"The failure of the police and judiciary is not simply the result of inadequate training or lack of resources. It is the direct result of a lack of political will and a refusal by the government to acknowledge the extent of the problem. Throughout 2006–2007, the official response to allegations of abuses has been denial, obfuscation, ad hominem attacks on its critics and threats against

activists and journalists. In an attempt to counter international pressure, the government has established a number of institutions to investigate human rights abuses but these have been singularly ineffective." **[76a] (p18)**

8.125 The USSD report 2006 stated that:

"The majority of the 44 allegations of police torture came from police stations outside the north and east. The government continued to investigate most cases of torture, according to the SLHRC, with 14 torture cases pending in courts at year's [2006] end, with no convictions…Special sections of the attorney general's office and the criminal investigation unit focused on torture complaints. During the year [2006] the units forwarded 218 cases for indictments against 139 police and security personnel, in which 65 resulted in an indictment, with 30 cases still pending. The interparliamentary permanent standing committee and its interministerial working group on human rights issues also continued to track criminal investigations of torture. In October the Appeals Court ruled that the Inspector General of Police (IGP) must invalidate promotions offered to officers accused of human rights violations." **[2c] (Section 1c)**

8.126 "In the majority of cases in which security force personnel may have committed human rights abuses, the government had not identified those responsible or brought them to justice. Human rights organizations noted that some judges were hesitant to convict on cases of torture because of a seven-year mandatory sentence for committing torture…According to human rights organizations, obtaining medical evidence was difficult, as there were only 25 forensic specialists, and medical practitioners untrained in the field of torture assessment examined most torture victims. In some cases doctors were intimidated by police, making accurate medical reporting on torture victims difficult." (USSD 2006) **[2c] (Section 1c)**

8.127 In a statement issued by the Asian Human Rights Commission (AHRC) on 24 July 2007 it was reported that an Inspector of Police (IP) and a Police Constable (PC) who had been accused of torturing a woman in December 2000, were sentenced to seven years of 'rigorous imprisonment' and a fine of Rs. 10,000. However the report noted that though illegal only a few officers have been punished for using torture and its practice was believed to be widespread. **[47a]**

8.128 The Human Rights Watch, World Report 2007, Sri Lanka, January 2007 noted that:

"Impunity for perpetrators of human rights abuses remained the greatest obstacle to ending the daily political killings in Sri Lanka's north and east. The government has frequently initiated investigations into alleged rights violations by government security forces, but rarely have these investigations led to prosecutions, let alone convictions…President Mahinda Rajapakse's effective immobilization of the Sri Lankan Human Rights Commission and the Police Commission because of an ostensible constitutional dispute weakened two important arms for accountability." **[21b]**

8.129 As noted in a press release by the Asian Human Rights Commission issued on 9 November 2006:

"The Attorney General yesterday (November 8, 2006) filed an appeal against the acquittal of Sub Inspector Kaluhandi Gervin Premalal Silva by the High Court judge of Kalutara on two counts of torture, one of assaulting Palitha Thissa Kumara with a cricket pole and hands causing serious physical injuries and the second of getting a tuberculosis patient to spit into his mouth. The High Court judge in his judgement stated that the police officer used unnecessary force and caused serious injuries, as mentioned in the medical report, but that it was not sufficient to prove a charge of torture under Sri Lankan law. He acquitted the accused on both charges on the basis that the prosecution had not proved their case beyond reasonable doubt. The Attorney General has filed the appeal on the basis that the High Court judge has erred in law and fact in coming to that conclusion. Earlier Palitha Thissa Kumara also filed papers seeking leave to appeal against the same judgement. His appeal gives twenty two counts on which the High Court judgement is being challenged. On the same incident the Supreme Court earlier held that the police officer had violated the rights of Palitha Thissa Kumara by torturing him and ordered the police officer to pay Rs. 5000= in compensation and the state to pay a further Rs. 20,000=." **[47d]**

8.130 As noted in a statement by the Asian Human Rights Commission issued on 23 June 2006:

"It is now acknowledged that there is endemic torture practiced at all police stations as the routine method of criminal investigation…The former commissioners of the Human Rights Commission of Sri Lanka lead [sic] by Dr. Radhika Coomaraswamy acknowledged the problem and declared a zero tolerance policy on torture, which unfortunately was not implemented due to a lack of cooperation from the police as well as other state agencies. The former commissioners of the National Police Commission also acknowledged the problem and interdicted 102 police officers in 2005 after they were indicted in courts for offenses under the CAT Act (Act No. 22 of 1994). Furthermore, the Supreme Court of Sri Lanka has mentioned the increasing number of credible complaints of torture on many occasions. Despite of [sic] all such acknowledgment nothing has been done to eliminate the practice of torture." **[47m]**

8.131 As noted in the Report of the UN Special Rapporteur, on his Mission to Sri Lanka (28 November to 6 December 2005), published on 27 March 2006:

"The lack of investigative capacity is due to a lack of police training and resources, ineffective forensics, and an unwillingness to ensure the security of witnesses. The Judicial Medical Officers (JMOs) who carry out most autopsies typically lack the requisite vehicles, equipment and specialized training. The range of obstacles to a prompt and effective examination means that too much evidence simply bleeds out onto the floor. Investigations are also impeded by the lack of effective witness protection. This makes witnesses especially reluctant to provide evidence on crimes committed by police officers, and led several interlocutors to joke that it would be better to be a victim than a witness. Inadequate investigations result in evidence insufficient to sustain a conviction. Various police and forensic training programmes have been supported through development assistance initiatives. In the absence of any detailed evaluations, my impression is that they have been worthwhile but regrettably limited in scope." **[6x] (Paragraph 56)**

8.132 "The frequent failure to prosecute police accused of responsibility for deaths in custody is due partly to deficiencies in internal investigation. Complaints about police misconduct are received by the Inspector General of Police (IGP), who selects either the Special Investigations Unit (SIU) or the Criminal Investigation Department (CID) to carry out an internal investigation. Internal investigations into serious incidents typically last from two to four years, and it seems likely that by no means all such complaints are investigated at all. When grave misconduct, such as torture or murder, has been alleged, the investigation is generally conducted by CID. The primary role of CID is assisting local police, and for it to also conduct internal investigations undermines both their actual effectiveness and outside perceptions of impartiality. Reform is needed, and it may be hoped that this can be spearheaded by a strong National Police Commission." (UN Special Rapporteur, report dated 27 March 2006) **[6x] (Paragraph 57)**

8.133 "Cases that are referred to the Attorney-General seldom lead to convictions. This is partly due to the lack of evidence gathered, and partly to a judiciary that moves cases along slowly, sometimes tolerating years of delay preceding verdicts. One government official suggested that the judiciary was so overloaded that judges would seize on any plausible excuse to allow a postponement and cut the caseload. He pointed out that if indictments reliably resulted in interdiction, as the law requires, police officers and other government officials would be less likely to seek dilatory adjournments. I regret that I did not have the opportunity to meet with judges, but I note the widespread perception that the courts manage cases inefficiently. Prosecutors must also share the blame for the low conviction rates. The Attorney-General has become increasingly active in prosecuting police torture cases, and he informed me that there have been 64 indictments, 2 convictions, and 2 or 3 acquittals (most cases are pending). Time will tell whether this is the beginning of accountability or a further exercise in shadow boxing." (UN Special Rapporteur, report dated 27 March 2006) **[6x] (Paragraph 58)**

8.134 The Asian Human Rights Commission stated in a press release issued on 20 May 2005:

"The attorney general of Sri Lanka has received praise for filing charges against the alleged torturers of Chamila Bandara in the high court…The attorney general had ensured 'proper implementation of law' by filing charges against the accused under the country's Convention against Torture Act (No. 22 of 1994), the Hong Kong-based regional human rights group said…'It is an indication that the impunity enjoyed by some state officers who flout the law is now being challenged,' he said." **[47k]**

8.135 As noted by Human Rights Watch on 2 June 2005:

"Last week's acquittal by the Sri Lankan Supreme Court of all defendants in the mob killing of 27 Tamil detainees at the Bindunuwewa detention facility in October 2000 demonstrates the failure of the Sri Lankan justice system to address crimes against alleged Tamil Tiger members, Human Rights Watch said today. Human Rights Watch called for a new investigation to be launched immediately to identify those, including senior police officials, responsible for the killings…Though there were approximately 60 police officers stationed around the camp, not a single officer arrested any member of the attacking crowd. Subsequent independent investigations revealed that not only did the

police not do anything to prevent or stop the killings, but some police officers also participated in the attack." **[21h]**

8.136 As stated by the Asian Human Rights Commission in a press release issued on 7 January 2005:

"The Asian Human Rights Commission (AHRC) criticised Sri Lanka's attorney general on Friday [7 January 2005] for undermining the dispensation of justice after deciding not to indict the police officers in charge involved in two torture cases. The Hong Kong-based regional human rights group said it was 'completely erroneous' and had 'no basis in law' for the attorney general to exclude the two officers from prosecution. Under the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment Act, No. 22 of 1994, in Sri Lanka, aiding and abetting of torture and conspiracy to commit the crime are much an offence as direct participation in torture." **[47j]**

Witness protection

8.137 The Human Rights Watch (HRW) report 'Return to War, Human Rights under Siege', published on 6 August 2007 noted that:

"A key problem in prosecuting cases is the lack of a witness protection law or program, which discourages cooperative individuals from giving evidence against members of the security forces. Without adequate protection, the risk of retaliation for some remains too high. According to Sri Lankan lawyers and human rights activists, witnesses in criminal cases who implicate members of the security forces have been targeted in the past with threats, harassment, and violence." **[21f] (Section X, Lack of witness protection)**

8.138 The USSD report 2006 reported that "There was no witness protection program." (USSD 2006) **[2c] (Section 1c)** The Human Rights Watch (HRW), World Report 2007, Sri Lanka, January 2007 noted the "…the failure of the government to institute meaningful witness protection…" **[21b]**

8.139 The Asian Legal Resource Centre's written statement of 17 February 2005 commented:

"This murder [of Gerald Pereira] has raised serious concerns about the future of cases under the Convention against Torture Act of Sri Lanka (Act No. 22 of 1994). If a chief witness were killed before a trial takes place, then it would be virtually impossible to proceed with the criminal trial as required under this act. The result might be that more alleged perpetrators accused in criminal cases, particularly those involving torture, may resort to the killing of key witnesses in the hope that trials against them will be withdrawn. Indeed, there have been other cases where there have been attempts at murder and serious torture of victims for a second time with the expectation that legal proceedings will be terminated due to a lack of evidence." **[49a]**

8.140 The Asian Legal Resource Centre's statement continued:

"Though serious representations have been made to the Inspector General of Police, Attorney General and other relevant state agencies to implement a witness protection programme, there has been no attempt to bring about such a programme through the law. Although regrets are expressed over deaths, no

positive attempt has been taken to introduce a witness protection programme and to provide resources for it….Under these circumstances victims of torture who take cases to trial are faced with serious danger. On the one hand they wish to have the perpetrators of torture punished. On the other hand they are afraid of jeopardising the life and freedom of their family members and also themselves. Many torture victims have relocated to other areas in search of security." **[49a]**

Position on UN Human Rights Committee recommendations

8.141 On 29 September 2006, the AHRC noted in a statement that:

"The Sri Lankan government has consistently failed to respect or to take any measures to implement the view expressed by the [UN] Human Rights Committee although Sri Lanka became a signatory to the Optional Protocol in 1997. Since then there have been many communications filed by Sri Lankan's [sic] before the Committee and the Committee has expressed its views and made recommendations in six cases…The government of Sri Lanka has paid no respect for [sic] any of these views of the Committee and has not done anything to implement the recommendations…The situation of the state party's disregard of the Human Rights Committee's views reached an even more critical level due to a case which came up before the Supreme Court of Sri Lanka, Nallaratnam Singarasa vs. The Hon. Attorney General (S.C. Spl(LA) No. 182/99). An application was filed on behalf of Nallaratnam Singarasa [by way of review and/or revision of the earlier judgment of the court affirming the prison sentence against him on the basis of error in law. Lawyers on behalf of the prisoner requested the court to use the Human Rights Committee's view as a persuasive authority and to revise the earlier judgment on that ground and several other grounds. A five bench judgment led by the Supreme Court without going into the issues of law raised instead decided that the accession of Sri Lanka to the ICCPR in 1980 has no internal implications for Sri Lanka and that the signing of the Optional Protocol in 1997 by the president is ultra vires and unconstitutional. This judgment of the Supreme Court virtually sealed off the possibility of implementation of any of the recommendations of the [UN] Human Rights Committee [sic] in the future in Sri Lanka…The failure of [the] state party to respect its international obligations and also the failure to implement the Human Rights Committees views and recommendations of UN human rights bodies has placed the citizens in an extremely helpless situation. It is commonly admitted even by the state authorities that the rule of law situation is at its lowest ebb at the moment." **[47n]**

8.142 With regard to the case of Singarasa the AHRC reported that it "was the case of the sentencing of the author for 35 years of imprisonment without fair trial solely on the basis of a confession from the author without any collaboration, taken in a language that the author did not understand and without addressing that [sic] claim that the confession was taken under torture. The [UN] Human Rights Committee held that the facts disclosed violations of article 14 (1), para 1, 2, 3, (c) and 14, para (g) read together with article 2, para 3, and 7 of the Covenant. The Committee recommended release or retrial of the prisoner and compensation and to amend the Prevention of Terrorism Act to make it compatible with the provisions of the Covenant." **[47n]**

See also Section 8 on Police

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9. MILITARY SERVICE

9.01 Military service is voluntary. **(Europa World Online, Defence) [1b]** As recorded by War Resisters International in their document 'Refusing to Bear Arms: A worldwide survey of conscription and conscientious objection to military service, 1998-2005 (Sri Lanka Country Report dated 27 July 1998, website accessed on 28 June 2005), conscription does not exist. The legal recruitment age for the armed forces is 18. There is no known legal provision for conscientious objection. **[36]**

9.02 War Resisters International also reported that desertion is punishable under article 103 of the Army Act by up to three years' imprisonment. Although desertion has been widespread, because of the paucity of recruits, the punishment of deserters rarely occurs. Amnesties for deserters have been announced several times, usually in the context of recruitment drives. According to these amnesties, deserters are allowed to return to their units without facing further penalties. Deadlines for amnesties are often extended as not all deserters apply in time to meet the initial deadline. **[36]**

9.03 As announced on the the Official Government News Portal of Sri Lanka on 12 January 2007:

"Government has declared another amnesty period for Army deserters from January 20 to January 31of this year, Sri Lanka Army Headquarters stated in a media release. Accordingly the Army personnel who deserted the service after December 31, 2003 are requested to take this opportunity and re-join to the service by reporting for duty at their respective Regiment Centres… They will be reinstated in the same ranks they held and are assured that they will not be subjected to any punishment for absconding. The period of this amnesty will not be extended." **[10f]**

See also Section 8 on Armed Forces

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10. ABUSES BY NON-GOVERNMENT ARMED FORCES

10.01 The US State Department (USSD) Report 2006, Sri Lanka, released on 6 March 2007 noted that "The LTTE routinely used excessive force in the war, including attacks targeting civilians. Since the peace process began in 2001, the LTTE has engaged in targeted killings, kidnapping, hijackings of truck shipments, and forcible recruitment, including of children." **(USSD 2006) [2c] (Section 1g)**

10.02 As noted in the Foreign & Commonwealth Office 2006 Annual Report on Human Rights, dated October 2006,"The LTTE continued to recruit children, extort 'taxes' and harass civilians in the north and east. In November 2005, the LTTE used violence and threats to prevent much of the Tamil population participating in the Sri Lankan presidential election. The LTTE exercise

complete control in parts of Sri Lanka, preventing any form of rival political activity or freedom of expression." **[15l] (p212)**

10.03 As noted in the Amnesty International report 'Sri Lanka – A climate of fear in the East', published on 3 February 2006:

"While the east has always been volatile, the relative calm that followed the CFA was broken when the LTTE's eastern commander, known as Colonel Karuna, split from the LTTE in April 2004, taking with him thousands of cadres. Following the split, LTTE troops moved from the north into the east to engage Karuna and his cadres in battle, resulting in substantial casualties. Although Karuna disbanded his cadres and went into hiding after four days of fighting, this split has profoundly altered the political and military situation in the east. Since the split, the remaining elements of the Karuna group have continually ambushed and attacked the LTTE and those affiliated with it, while the LTTE has sought to regain control of the east through a violent crackdown, not just on Karuna supporters, but on any dissent within the Tamil community. The LTTE has accused the Sri Lankan Army (SLA) of providing support to Karuna's group, in the same way as the SLA has reportedly supported other Tamil armed groups opposed to the LTTE." **[3m] (Introduction)**

10.04 "Initially following the breakaway of the Karuna faction in April 2004, the post-split violence was confined largely to the Batticaloa district. However, in 2005, it increasingly spread to Ampara and Trincomalee districts, where it has added to existing tension between ethnic communities. Tensions in the north and east escalated still further following the killing of Foreign Minister Lakshman Kadirgamar on 12 August and the state of emergency that was declared as a result. Towards the end of 2005 there was also a dramatic increase in violence in the north, with numerous killings and armed clashes between the LTTE and Sri Lankan security forces prompting fears of a return to war." (AI report of 3 February 2006) **[3m] (Introduction)**

10.05 The conclusions of the AI report of February 2006 noted that "It is clear that, as the situation in the east - and now also in the north - deteriorates and civilians are increasingly targeted and caught up in the violence, the improvements in the human rights situation made since the signing of the CFA are being rapidly reversed." **[3m] (Conclusions)**

10.06 As noted in the report of the UN Special Rapporteur, on his Mission to Sri Lanka (28 November to 6 December 2005), published on 27 March 2006:

"The LTTE's characterization of the Karuna group has evolved. When the split first occurred, the LTTE maintained that it was a purely internal matter. However, when I spoke with LTTE representatives, their position was that the Karuna group was a 'Tamil paramilitary' within the meaning of the CFA, that it received assistance from the Government, and that it must be disarmed by the Government. As evidence, the LTTE representatives pointed to statements made by alleged defectors from the Karuna group…Regardless of the veracity of these allegations, the LTTE's position on the Karuna group is untenable. Notwithstanding any support it may be providing, it is far from clear that the Government would be capable of disarming the Karuna group, and any future attempt at a comprehensive revised agreement would have to address the realities created by the Karuna group." **[6x] (Paragraph 15)**

10.07 The report of the UN Special Rapporteur continued:

"The Government's position on the Karuna group is also problematic. I was informed by a number of military personnel that ex-President Chandrika Kumaratunga had issued an order prohibiting any links with Karuna except by intelligence officers. I unsuccessfully requested a copy of that order. While I found no clear evidence of official collusion, there is strong circumstantial evidence of (at least) informal cooperation between Government forces and members of the Karuna group. I received credible reports from civil society groups of persons abducted by the Karuna group being released at military bases, a credible account of seeing a Karuna group member transporting an abductee in view of a Sri Lanka Army (SLA) commander, and equivocal denials from SLA personnel. Moreover, the stock line that members of both factions of the LTTE (Vanni or Karuna) were terrorists, between whom the Government does not distinguish, is disingenuous. Many of the people I spoke with in the Army and the Police Special Task Force (STF) candidly noted that the split had been beneficial for the Government, because the Karuna group was undermining the LTTE. (There has been a notable increase in the number of LTTE cadres killed since the split.) The strategic logic is undeniable, but it imperils the ceasefire and shows a dangerous indifference to the many civilians in the East who have been killed as a consequence of the low-intensity conflict between the LTTE and the Karuna group." **[6x] (Paragraph 16)**

10.08 As noted in the summary and recommendations of the HRW report entitled 'Funding the "Final War" - LTTE Intimidation and Extortion in the Tamil Diaspora', released on 15 March 2006:

"Between 1983 and 2002, the armed conflict between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE or Tamil Tigers) cost an estimated 60,000 or more lives, and was marked by gross human rights abuses and violations of the laws of war on both sides. The war prompted nearly one-quarter of Sri Lanka's Tamils to leave the country, many fleeing government abuses, creating a Tamil diaspora that now numbers approximately 600,000-800,000 worldwide. As Sri Lankan Tamils established themselves in Canada, the United Kingdom (U.K.) and other Western countries, the Tamil community became a significant source of financial and political support for the LTTE in its struggle to establish an independent state, 'Tamil Eelam,' for the Tamil minority in Sri Lanka's North and East. While many members of the Tamil diaspora willingly and actively support the LTTE, others have been subject to intimidation, extortion, and physical violence as the LTTE seeks to suppress criticism of its human rights abuses and to ensure a steady flow of income. " **[21l] (Summary and Recommendations)**

10.09 "Journalists and activists in the Tamil diaspora who openly criticize the LTTE or are perceived to be anti-LTTE have been subject to severe beatings, death threats, smear campaigns, and fabricated criminal charges. In 2005, the LTTE detained two British Tamils for several weeks in Sri Lanka in order to gain control over a Hindu temple in London. Such incidents have created a culture of fear within the Tamil community, stifling dissent and discouraging individuals from organizing activities that are not sanctioned by the LTTE. The LTTE has for many years pressured members of the Tamil community to provide financial support for its operations…Individuals who refused were sometimes threatened. Some were told that if they didn't pay the requested sum, they would not be able to return to Sri Lanka to visit family members.

Others were warned they would be 'dealt with' or 'taught a lesson.'…The LTTE identifies Tamils from the West who return to Sri Lanka to visit family members, and systematically pressures them for funds when they arrive in LTTE-controlled territory in the North of Sri Lanka." (HRW report of 15 March 2006) **21l] (Summary and Recommendations)**

10.10 "The LTTE's use of intimidation, harassment, extortion, and even physical violence against members of the Tamil diaspora is effectively stifling Tamil dissent regarding on-going LTTE human rights abuses in Sri Lanka. LTTE extortion is also forcing Tamils, including those who do not support the LTTE, to provide financial support for LTTE operations, including its continuing pattern of child recruitment and political killings. Both intimidation and extortion have significantly limited the ability of Tamils in the West who do not support the LTTE's pattern of human rights abuses to effectively speak out and influence LTTE behavior." (HRW report of 15 March 2006) **[21l] (Conclusions)**

See also Annex B and F

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ARBITRARY ARREST AND DETENTION

10.11 The USSD report 2006 stated that "During the year the LTTE continued to detain civilians, often holding them for ransom...The SLMM reported that LTTE and Karuna Faction abductions increased significantly during the year." **[2c] (Section 1b)** The LTTE reportedly held a number of political prisoners; however, the number was impossible to determine because of the secretive nature of the organization, and the LTTE refused to allow the ICRC access to these prisoners..." **[2c] (Section 1g)**

10.12 The SLMM [Sri Lanka Monitoring Mission] Weekly monitoring report 17 – 23 September 2007 recorded that:

"In addition to the reported involvement in abductions, the TMVP/Karuna group remained visible in the ER [Eastern Region]. The TMVP/Karuna group reportedly operate a parallel legal system, summoning people to their offices and taking them into custody. Persons in TMVP/Karuna group custody are often severely physically abused and threatened with death. The TMVP/Karuna group continued to extort money from local businesses, and was reportedly involved in general harassment of civilians. The SLMM received several complaints of persons being summoned to TMVP offices, threatened or harassed...All in all, the TMVP/Karuna group activities added to a situation of general insecurity for the civilian population." **[22b]**

10.13 As noted in the Amnesty International report 'Sri Lanka – A climate of fear in the East', published on 3 February 2006:

"Amnesty International has received regular reports of abductions of adults by the LTTE following the 2004 split. Most of those abducted have reportedly been Tamil civilians whom the LTTE suspects of working against it or whom it wishes to interrogate. Some victims of abductions, who have since been released, have told Amnesty International how they were taken to LTTE camps and subjected to torture and ill treatment. Local sources told Amnesty

International that the actual number of abductions is far higher than reported, as many families do not report the abduction of a family member to any authority, but seek their release directly from the LTTE." (AI report of February 2006) **[3m] (Abductions)**

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DISAPPEARANCES/ABDUCTIONS

10.14 As recorded in the SLMM Weekly monitoring report 1 – 7 October 2007:

"There was a continuing trend of abductions and assassinations in the Eastern Region (ER). The SLMM received reports on 21 people being abducted, including complaints and cases occurring previous to the period of reporting. Two cases included children. The TamilEela Makkal Viduthalai Pulikal (TMVP)/Karuna group was the reported perpetrator in eight of the abductions, including both child abductions. There were concerns on ongoing reports on TMVP/Karuna group harassment and abductions and police reluctance to intervene. Information gathered by the SLMM said police did not act unless other organisations intervened. A high-ranking police officer told the SLMM the police should act on complaints. Furthermore it was reported that TMVP/Karuna group members passed through checkpoints without hindrance when carrying guns or transporting abductees." **[22a]**

10.15 The SLMM Weekly monitoring report 17 – 23 September 2007 noted that "The SLMM continued to receive reports on abductions, extortions, harassment, and threats by the Tamileela Makkal Viduthalai Pulikal (TMVP)/Karuna group in the ER [Eastern Region]…The SLMM furthermore received several complaints regarding abduction of minors in the ER, also involving the TMVP/Karuna group." **[22b]**

10.16 The Human Rights Watch (HRW) report 'Return to War, Human Rights under Siege', published on 6 August 2007 noted that:

"Over the past two years the Karuna group has been implicated in numerous abductions resulting in summary killings. Most of the victims are alleged supporters of the LTTE…The Karuna group has also engaged in kidnappings for ransom of wealthy, predominantly Tamil, businessmen to raise money. Such kidnappings, which one journalist called an 'industry,' have happened in Colombo and other towns, most recently Vavuniya. A few businessmen have been killed, apparently because they or their families refused or were unable to pay, or perhaps as a message to others that they should comply. According to the Civil Monitoring Commission, out of 78 cases of reported abductions of Tamil businesses in Colombo in late 2006-early 2007, 12 abductees have been murdered, 15 released after the ransom had been paid, and 51 are still missing. Media reports have suggested that security forces were implicated in these abductions, either directly facilitating them or providing a cover and not taking any action against them." **[21f] (Section V, Karuna group)**

TORTURE

10.17 The USSD report 2006 noted that the LTTE engaged in torture. **[2c] (Introduction)** The USSD report 2004 stated that the LTTE used torture on a

routine basis. **[2d] (Section 1c)** The USSD report 2003 recorded that "In the past, Tamil militants aligned with the former PA government engaged in torture; however, there were no such reports during the year [2003]." **[2b] (p6)**

10.18 Reports of torture and ill-treatment in LTTE camps were mentioned by Amnesty International in 2006 (AI report of February 2006) **[3m] (Abductions)**

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EXTRA-JUDICIAL KILLINGS

10.19 As noted in the International Crisis Group document 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007:

"The LTTE has from its inception used assassination of its Tamil opponents as a way of suppressing rival nationalist movements. It also has a long history of assassinations and attempted assassinations against political and military leaders. On 12 August 2005 Foreign Minister Lakshman Kadirgmar was killed at his home by a sniper. Exactly a year later, the deputy secretary general of the government's Peace Secretariat, Kethesh Loganathan, was shot dead. He was a former member of a rival Tamil political party and a well-known human rights activist and critic of the LTTE, which was widely suspected in both killings. In December 2006 the LTTE tried to kill Gotabhaya Rajapakse, the defence secretary, with a suicide attack. It has continued a string of murders in the north and east, primarily targeting those it accuses of collaboration with the military." **[76a] (p9)**

10.20 The USSD Country Reports on Terrorism, released on 30 April 2007 recorded that:

"The LTTE conducted a campaign of targeted assassinations against political and military opponents. This included the April [2006] assassination attempt of Sri Lanka Army Commander General Sarath Fonseka and the assassination of the Army Third-in-Command; the August 12 assassination of the Government of Sri Lanka's Secretariat for the Coordination of the Peace Process, Deputy Director Keteshwaran Loganathan; and the December 1 suicide bomber's attempt on the life of Defense Secretary Gothabaya Rajapaksa, the President's brother. The Karuna faction, a dissident faction of the LTTE, conducted its own assassination campaign against the LTTE and pro-LTTE civilians in the east." **[2e] (Chapter 2, Country Reports: South and Central Asia Overview, Sri Lanka)**

10.21 The USSD report 2006 reported that:

"There were several reports of high profile killings by unknown actors during the year. For example, on April 7 [2006], unknown gunmen killed Tamil National Alliance parliamentary nominee V. Vigneswaran within sight of a navy checkpoint. Police had made no arrests at year's end…During the year the LTTE was implicated in attacks on high-profile political opponents and civilians. An April 17 suicide attack at Army Headquarters severely wounded Army Commander General Sarath Fonseka and killed eight others...In June a LTTE suicide bomber killed Army Third-in-Command General Kulatunga in a Colombo suburb...On August 13 [2006], presumed-LTTE gunmen killed

Ketheshwaran Loganathan, Deputy Secretary of the Secretariat for Coordination of the Peace Process (SCOPP)…On August 14, Pakistan's High Commissioner escaped when a bomb hit his convoy; according to HRW at least seven people died in the incident. On September 17, authorities discovered the mutilated bodies of 10 Muslim construction workers in Pottuvil, near Arugam Bay. A survivor implicated the LTTE in the killings. A Presidential Commission of Inquiry to investigate serious violations of human rights, appointed in December, has a mandate to investigate this and a number of other cases." **[2c] (Section 1b)**

10.22 "During the year [2006] there were credible reports that the LTTE killed 531 members of the police and military, more than 34 members of anti-LTTE Tamil paramilitary groups such as the Eelam People's Democratic Party (EPDP), LTTE cadres loyal to the Karuna faction, alleged Tamil informants for the security forces, and civilians. The LTTE targeted both current and former members of anti-LTTE Tamil political parties. During the year 59 current and past anti-LTTE EPDP members were killed. Credible sources indicated that the LTTE killed 30 members of the breakaway military leader Karuna's group. There was also credible evidence that the LTTE killed 10 members of the military intelligence apparatus in a targeted campaign." **(USSD 2006) [2c] (Section 1b)**

10.23 "Gunmen from Karuna's paramilitary group allegedly killed 16 LTTE cadres, including (alias) Ramanan (Deputy Military Commander for Batticaloa) and Akbar (Artillery Division Director). Karuna's group was believed also to have killed several hundred civilians, including the 10 killings in conjunction with abductions...There were reports that the government provided protection and military aid to Karuna and his cadres to assist them in their fight against LTTE cadre. The government denied any connection to Karuna and his cadres." (USSD 2006) **[2c] (Section 1g)**

See also Annex F

10.24 The Human Rights Watch, World Report 2007, Sri Lanka, January 2007 noted that "Since the beginning of the 2002 ceasefire, the LTTE has been implicated in more than 200 targeted killings, mostly of Tamils viewed as political opponents. " **[21b]**

10.25 As noted in the Amnesty International report 'Sri Lanka – A climate of fear in the East', published on 3 February 2006:

"Although the LTTE had reportedly continued to kill those it viewed as opponents since the signing of the CFA, the scale and scope of these killings has risen dramatically since the April 2004 split, with killings reported almost daily towards the end of 2005…Given the nature of the struggle between the LTTE and Karuna group to control the Tamil community in the east, it is inevitable that most of the victims of killings have been Tamil, although there have been some killings of Muslims and Sinhalese. However, the range of people being targeted by both sides appears to be expanding. While most of those killed immediately following the split had clear links either to the LTTE or the Karuna faction, increasingly many of those killed are civilians with little or no evident connection to armed activity, including journalists, academics, teachers and farmers, as well as former members of Tamil armed groups who have not been involved in armed activities for a long time. As the killings

escalate, civilians are increasingly trapped between the two sides. They are often forced to cooperate with one group and then seen as complicit with them and targeted by the other." **[3m] (Political killings)**

10.26 "Not only is the number and range of people being killed expanding, but so also are the areas in which killings are taking place. Initially following the split [in April 2004] the killings were mainly in Batticaloa district, but in 2005 killings were reported from Ampara and Trincomalee districts, as well as from Jaffna and other areas in the north. People interviewed by Amnesty International in the east said that the widespread political violence is increasingly fusing with criminal violence, further confusing the situation and heightening the population's sense of insecurity… For the families of those killed by armed groups, there is no possibility of redress or reparation. Many of them are too afraid to report the killings and are themselves living in fear of further attacks." (AI report of 3 February 2006) **[3m] (Political killings)**

10.27 As noted in the 'UNHCR Position on the International Protection Needs of asylum-seekers from Sri Lanka', dated December 2006 "The LTTE has proven on numerous occasions that it can track down its opponents throughout the country, and kill them, as illustrated by the number of targeted killings and the increased number of claymore and other explosive devises discovered and detonated in Colombo and elsewhere in government-controlled areas." **[6b] (Paragraph 16)**

10.28 As noted in the report of the UN Special Rapporteur, on his Mission to Sri Lanka (28 November to 6 December 2005), published on 27 March 2006:

"On the rebel side, the LTTE regularly issues unconvincing denials of responsibility for various killings but fails to denounce any of those which suit their purposes. The 'Karuna group', who split from the LTTE in the Eastern Province in March 2004, have killed and terrorized LTTE cadres and suspected supporters. Its efforts have succeeded in weakening the latter's grip in the area. The Government insists that the group is an internal problem for the LTTE, while the latter now portray the Karuna group as a paramilitary formation acting in collusion with the Government which the Government is obligated to disarm under the CFA. Both positions are oversimplifications and neither is conducive to bringing an end to the conflict." **[6x] (Summary)**

10.29 The UN Special Rapporteur commented that it was impossible to determine with precision the number of post-ceasefire killings. "Virtually no deaths have been effectively investigated, and it is not always possible to distinguish common murders from conflict-related political killings. The most credible estimates that I received placed the total number of such in 2005 at over 300." (UN Special Rapporteur, Report dated 27 March 2006) **[6x] (Paragraph 10)** This figure is consistent with figures reported in the SATP (South Asia Terrorism Portal) chart 'Fatalities District-Wise 2005' which quoted an overall figure of 330 for the year 2005. **[37b]**

10.30 "The Government has failed to effectively investigate most political killings. This is due both to the police force's general lack of investigative ability and to other impediments. When I asked police officers why a particular killing had not been resolved, I generally received the same answer: the suspect escaped into an LTTE-controlled area. While it is true that the police are unable to enter these areas, two observations are in order. First, in many

cases the belief that the suspect was in an LTTE-controlled area was speculation inasmuch as no investigation had been carried out. Second, the police have lost much of their appetite for serious investigations of political killings. Many officers operate under the impression that investigating any crime presumed to involve the LTTE would imperil the ceasefire. These cases are simply too hot to handle. The Government should unambiguously instruct the police that, while they are obligated not to violate the CFA, they continue to be obligated to investigate crimes and apprehend suspects within the terms of the law, regardless of who those suspects might be." (UN Special Rapporteur, report dated 27 March 2006) **[6x] (Paragraph 34)** The police also lack sufficient linguistic ability and cultural sensitivity to interview witnesses and gather the information required to effectively investigate killings that occur within the Tamil and Muslim communities. The political killings have disproportionately affected these communities, both of which speak Tamil. The police force, however, is only 1.2 per cent Tamil and 1.5 per cent Muslim, and Sinhala officers seldom speak Tamil proficiently." **[6x] (Paragraph 34)**

10.31 The UN Special Rapporteur further noted that:

"CFA article 1.8 provides that 'Tamil paramilitary groups' shall be disarmed by the Government and that those of their members integrated into the armed forces be transferred away from the Northern and Eastern Province. Representatives of these groups - notably, EPDP, EPRLF, and PLOTE - informed me that they had been disarmed and now function solely as political parties. Compliance has not been perfect, however. One example, confirmed by a government official, is the continuing operation of armed EPDP cadres in the islands off the Jaffna peninsula. Various Government officials suggested to me that the CFA required only a one-time disarming of these groups by the Government with no obligation to prevent them from rearming." **[6x] (Paragraph 11)** "While that position is untenable, there is little evidence that most members of these groups do other than non-military, political work. Thus, reflexive references to 'paramilitaries' rather than 'political parties' dangerously distort the facts. As long as these groups continue to be targeted, they will require protection from the military, which is facilitated by locating their residences and political offices near military posts. This protection unavoidably results in the appearance of cooperation with the military, but this cannot be generally assumed. Nor can particular allegations of cooperation be too readily discounted." **[6x] (Paragraph 12)**

"Post-ceasefire killings of members of these groups have continued, and most circumstantial evidence points to the LTTE. While some killings may have been motivated by the quest for military advantage, many appear to have been aimed only at upholding the LTTE's proclaimed role as the 'sole representative' of the Tamil people. Members of these groups are justifiably concerned that CFA article 2.1, prohibiting hostile acts against the civilian population, has not provided greater protection to them." **[6x] (Paragraph 13)**

10.32 "One of the most disturbing aspects of post-ceasefire violence has been the use of killing to control the Tamil population…the LTTE and, to a lesser extent, other groups have elected to reinforce their political and financial support from the Tamil population through the use of violence. The LTTE's classification of its political opponents within the Tamil community as 'traitors' and its efforts to enforce obedience with killings constitute fundamental violations of human rights." **[6x] (Paragraphs 21- 22)**

10.33 As noted in the 'UNHCR Position on the International Protection Needs of asylum-seekers from Sri Lanka', dated December 2006, "Apart from alleged state-sponsored paramilitary groups, the army, the LTTE, armed elements of the Eelam People's Democratic Party (EPDP, a Tamil opposition party with associations with the security forces), and the Karuna faction have also been implicated in abductions, disappearances, extrajudicial killings." **[6b] (Paragraph 16)**

See also Annex B, E and F

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FORCED CONSCRIPTION

10.34 As noted in the 'UNHCR Position on the International Protection Needs of asylum-seekers from Sri Lanka', dated December 2006:

"Young Tamil men and women continue to be at risk of forced recruitment by the LTTE and/or Karuna faction in the North and East of the country… Although both the LTTE and the Karuna faction deny allegations of forced recruitment, there is considerable pressure on every family to contribute at least one fighter. Since the escalation of hostilities in the East, there has been an increase in open recruitment by the Karuna faction, including in displacement sites. Families of those forcibly recruited are often afraid to report these abductions for fear of reprisals. Many people have fled the North and East to escape competing pressures from both the LTTE and the Karuna faction and in fear of retaliation if they do not comply. Retaliation could be of a severe nature, which may include torture and other forms of human rights abuses of sufficient severity as to amount to persecution…Children, in particular, are at risk of violation of their human rights through military recruitment. Underage recruitment is reported to take place in both LTTE and government-controlled areas, the latter allegedly by the Karuna faction." **[6b] (Paragraph 18)**

LTTE

10.35 A document by the Internal Displacement Monitoring Centre (IDMC)/Norwegian Refugee Council entitled 'Civilians in the way of conflict: Displaced people in Sri Lanka', September 2007 recorded that:

"Although the LTTE may no longer be conscripting children in large numbers, the threat to children living in areas under LTTE control has not necessarily decreased, impacting the return plans of IDP families. The LTTE has introduced a quota policy whereby one person per family has to join the group, and children are at risk of losing a parent or the family breadwinner. Under the one-person-per-family system, Tamils from 17 to 30 are at the highest risk of being recruited. Early marriages are on the rise with many under 17 marrying to escape recruitment although the average marriage age for Tamils is over 20." **[54b] (p22)**

10.36 The UNICEF 'Monitoring and Reporting', September 2007, recorded that:

"At the Oslo round of Peace Talks in November 2002, UNICEF was given a mandate to monitor child rights violations of the ceasefire agreement. As part of this mandate UNICEF compiles and verifies data on child recruitment, as reported usually by family members, and makes this information available regularly to partners, working with them to advocate against child recruitment. According to UNICEF data-bases, as of 30 September 2007, there are 1460 outstanding cases of under age recruitment by the LTTE. Of these, 306 are under the age of 18, and 1154 were recruited while under 18 but have now passed that age…UNICEF continuously checks its database on under age recruitment to ensure its accuracy. UNICEF only withdraws recruits from its database when it is able to verify their release through an official letter of release, or by establishing that the child is reunited with his or her parents. UNICEF estimates that its database only reflects a third of the actual number of children recruited." **[53a]**

10.37 On 31 July 2007, BBC News reported that LTTE had been accused of forcing young people to join them, in preparation for a possible battle with Government forces for the control of the north of the country. People in rebel-held Kilinochchi were reported to have said that Tamil Tigers had introduced a policy of demanding one person from each family. The head of the LTTE's political section was reported to have denied that the group had introduced a form of conscription. **[9a]**

10.38 As noted in a public statement issued by Amnesty International on 10 July 2007:

"On 18 June 2007 the Liberation Tigers of Tamil Eelam (LTTE) released 135 child soldiers and pledged to rid its ranks of all children under 18 by the end of the year…UNICEF records a significant drop in LTTE recruitment of children saying that recent releases of children from their ranks outstripped new recruitment. Nonetheless many child soldiers remain in their ranks…The LTTE has a long history of recruiting minors as soldiers. Prior to the 2002 ceasefire agreement, the LTTE routinely used children in combat, including high profile battles in which children often suffered high rates of casualties. Over the last two and a half decades of conflict, families living in the conflict areas of the North and East of Sri Lanka have been targeted for recruitment by the LTTE. In the past the LTTE have enforced a 'one family, one child' policy in areas under its control instructing Tamil households that each family was obliged to provide a son or a daughter for 'the cause.'" **[3g]**

10.39 "In June 2003, the Government of Sri Lanka and the LTTE jointly signed the Action Plan for Children Affected by War. One of the commitments made by the LTTE under the Action Plan was that they would stop recruiting children into its ranks, whether voluntarily or through coercion. Throughout 2004 UNICEF issued press statements saying that the LTTE were not living up to their commitments to stop recruiting children. The 2002 ceasefire effectively collapsed last year. As hostilities between the Government of Sri Lanka and the LTTE intensified in 2006, Amnesty International received reports of intensified recruitment in the Vanni, the area to the south of the Jaffna peninsula largely controlled by the LTTE. In April 2007 Amnesty received reports that the LTTE were active in recruiting children in Madhu in Mannar District in preparation for future military battles in the North." (AI statement of 10 July 2007) **[3g]**

10.40 "…the LTTE has continued to abduct and forcibly recruit children and young adults, including women and girls, Human Rights Watch said. UNICEF documented 19 cases of LTTE child recruitment in January and nine in February. The LTTE has also abducted at least four people from camps for the internally displaced. Access to LTTE-controlled areas remains difficult, but credible reports indicate that the group is increasingly recruiting and deploying girls as frontline soldiers in the East. In the recent fighting in the Thoppigala region of Batticaloa district, at least three girls fighting with the LTTE were reportedly killed." (Human Rights Watch, 'Sri Lanka: Karuna Group and LTTE Continue Abducting and Recruiting Children', 29 March 2007) **[21a]**

10.41 As noted in the USSD 2006:

"The LTTE forcibly recruited 451 children during the year [2006]...However, the LTTE also released 80 children, at least 52 of whom were again recruited. There were intermittent reports of children as young as eight years escaping from LTTE camps." **[2c] (Section 1g)**

"The LTTE used child soldiers and recruited children, sometimes forcibly, for use in battlefield support functions and in combat. LTTE recruits, some as young as eight years of age, escaped LTTE camps and surrendered to the military or the SLMM. Credible reports indicated that in February [2006] the LTTE and Karuna faction increased recruiting efforts, particularly in the east...Credible sources reported that there were more than 450 cases of forcible child recruitment by the LTTE…Several sources reported that the LTTE continued to obstruct the 2003 action plan between UNICEF and the LTTE on the demobilization and rehabilitation of child soldiers. Several sources reported that the LTTE used intimidation or bribes to facilitate recruitment. Some senior LTTE officials claimed that all child soldiers were volunteers." **[2c] (Section 5)**

The USSD 2006 further noted that the LTTE used children as young as 13 were in battle. **[2c] (Section 6d)**

10.42 The Human Rights Watch (HRW) report entitled 'Improving Civilian Protection in Sri Lanka', released on 19 September 2006, noted that:

"The LTTE imposes mandatory military and civil defense training on a large scale to civilians in areas it controls, and arms civilians to fill checkpoints and sentry posts, dangerously blurring the line between combatants and civilians. Despite widespread international criticism, the LTTE still recruits children to be soldiers in its forces." **[21p] (Introduction)**

10.43 On 15 August 2007, the *Daily Mirror* (Sri Lanka) reported that according to human rights sources in the north, youths fleeing the LTTE and surrendering to the Human Rights Commission (HRC) in Jaffna had been handed over to the police, produced before a magistrate and sent to the Jaffna prison as the government had not yet put in place a mechanism for victims to undergo a process of rehabilitation." **[11m]**

See also Section 8 on Protective custody

Karuna group

10.44 The UNICEF 'Monitoring and Reporting', (undated) recorded that "As of 30 September 2007 there are 211 outstanding cases of under age recruitment by the Karuna group. Of these, 160 are under the age of 18, and 51 were recruited while under 18 but have now passed that age." **[53a]**

10.45 "The LTTE are not the only armed political group recruiting children in Sri Lanka. Amnesty International has also received reliable reports of increased recruitment by other groups such as the Karuna faction. The Sri Lanka Monitoring Mechanism (SLMM) report for the period 11-17 June 2007 notes that 34 abductions in the space of a week were reported in the East in areas where the Karuna faction is active and this number included 16 youth. The head of UNICEF's Sri Lanka mission noted that, 'at this point the pace of recruitment by the Karuna faction is actually higher than the pace of recruitment by the Tigers'". (AI statement of 10 July 2007) **[3g]**

10.46 As noted in a HRW document entitled 'Sri Lanka: Karuna Group and LTTE Continue Abducting and Recruiting Children', dated 29 March 2007:

> "Despite promises to investigate abductions of children by the pro-government Karuna group, Sri Lankan authorities have taken no effective action and abductions continue, Human Rights Watch said today.…President Mahinda Rajapakse and other Sri Lankan officials have repeatedly said that the government would investigate the allegations of state complicity in Karuna abductions and hold accountable any member of the security forces found to have violated the law. To date, however, the government has taken no effective steps." **[21a]**

10.47 "There is strong evidence that government forces are now openly cooperating with the Karuna group despite its illegal activities, Human Rights Watch said. Armed Karuna members regularly walk or ride throughout Batticaloa district in plain view of government forces. In February [2007], Human Rights Watch saw a Karuna commander named Jeyam riding atop a Sri Lankan armored personnel vehicle outside Valaichchenai. In Batticaloa town, residents have seen Karuna cadre patrolling jointly with the police. The Karuna group maintains at least five camps in the jungle about 10 kilometers northwest of Welikanda town in the Polonnaruwa district, about 50 kilometers northwest of Batticaloa town. Welikanda is where the Sri Lankan Army's 23rd division has its base. The area is firmly under government control, as is the main A11 road from the eastern districts to the Welikanda area. The Karuna camp at Mutugalla village is near a Sri Lankan army post. Independent sources have provided detailed information on abductions and recruitment of children by the Karuna group and the LTTE. In February [2007] the UN special advisor on children and armed conflict, Allan Rock, reported to the Security Council on Karuna abductions of children with state complicity and on child recruitment by the LTTE, based on his visit to Sri Lanka in November [2006]…Karuna has denied allegations that his forces are abducting or recruiting children. He told Human Rights Watch in a telephone communication on February 9 that his forces had no members under age 18, and that they would discipline any commander who tried to recruit a person under that age. In January the TMVP released regulations for its military wing, stating that 18 was the minimum age for recruitment, and specifying penalties for members who conscript children. Karuna said he was willing to discuss ways that the regulations could be improved, but said that unscheduled visits to his camps were not possible due to security concerns." (Human Rights Watch, 'Sri

Lanka: Karuna Group and LTTE Continue Abducting and Recruiting Children', 29 March 2007) **[21a]**

10.48 As noted in the HRW document entitled 'Complicit in Crime - State Collusion in Abductions and Child Recruitment by the Karuna Group, January 2007 (released on 23 January 2007):

"Throughout the two-decade long civil war in Sri Lanka, the Liberation Tigers of Tamil Eelam (LTTE), an ethnic Tamil armed separatist group, has consistently recruited and used children in armed combat. The LTTE has deployed children in mass attacks during major battles. It has used them as infantry soldiers, security and intelligence officers, medics, and even suicide bombers. Now the Sri Lankan government through a proxy force is implicated in some of the same abuse. The perpetrator is the so-called Karuna group, an armed faction under the command of a former LTTE senior commander known as Colonel Karuna, who split from the LTTE with his forces in March 2004. In the past year, reports have increasingly linked Sri Lankan security forces with the Karuna group in their common fight against the LTTE. Throughout 2006, but especially since June, the Karuna group has abducted and forcibly recruited at least 200 Tamil children in Sri Lanka's eastern districts, where the group is active — the real number is up to three times higher due to underreporting." **[21c] (Summary)**

10.49 The HRW document of January 2007 continued:

"Children are not the only targets. The Karuna group has also abducted and forcibly recruited hundreds of young men between ages 18 and 30. The pattern and intensity of the abductions reveal a coordinated effort to increase the numbers of Karuna's force. At least since June [2006], and probably before, the Sri Lankan government has known about the abductions. The areas where they have taken place are firmly under government control, with myriad military and police checkpoints and security force camps. No armed group could engage in such large-scale abductions, and then hold and train the abductees for combat in established camps, without government knowledge and at least tacit support." **[21c] (Summary)**

10.50 "Throughout 2006, Karuna forces abducted boys and young men from their homes, work places, temples, playgrounds, public roads, camps for the internally displaced, and even a wedding. While the group primarily targeted males between 15 and 30, the youngest confirmed abduction was of an 11-year-old boy. In only two known cases did the Karuna group abduct a girl. It generally targeted poor families, and often those who had already had a child recruited by the LTTE…After abducting boys and young men, the Karuna group often holds them temporarily in the nearest office of its political party, the Tamil Makkal Viduthalai Pulikal (Tamil Peoples Liberation Tigers or TMVP). As with other political party offices in Sri Lanka, their offices are frequently guarded by the Sri Lankan army and police. Parents in Ampara and Batticaloa districts told Human Rights Watch that they either saw their abducted sons in these offices in the days after abduction, or TMVP officials confirmed to families that they had been there. After a few days, the Karuna group usually transferred abducted children and young adults to one of its camps in the area northwest of Welikanda town in the Polonnaruwa district, about 50 kilometers northwest of Batticaloa town…According to parents who visited the camps and humanitarian workers familiar with the area, the Karuna

group maintains four or five camps about ten kilometers west of Welikanda (see map). That area is firmly under government control, as is the main A11 road from the eastern districts to the Welikanda area. Transporting several hundred abducted youth during the year to the Karuna camps would have been impossible without the complicity of government security forces: travel through the area necessitates passing through numerous checkpoints of the army and police." (Human Rights Watch, 'Complicit in Crime - State Collusion in Abductions and Child Recruitment by the Karuna Group, January 2007) **[21c] (Summary)**

10.51 "The government and the Karuna group have repeatedly denied any coordination between them…But for residents of Sri Lanka's eastern districts, government complicity in Karuna abductions is an obvious fact. Tamil and Muslim civilians in Ampara, Batticaloa, and Trincomalee districts say they have seen Karuna members working with the army and police at checkpoints to check IDs, and that armed Karuna cadre walk freely through villages and towns in areas under government control…The Sri Lankan police are also complicit due to their unwillingness to seriously investigate complaints filed by the parents of abducted boys and young men. In some cases the police reportedly refused to register a parent's complaint. In other cases the police registered the complaint but failed to undertake what the family considered a proper investigation. In no known case did the police secure the child's release. Some families did not report the abduction to the police, either out of fear or because they doubted the police would do anything to help their case…The Sri Lankan government has promised to take some steps. When Allan Rock, the special advisor to the UN special representative for children and armed conflict raised allegations about Karuna group abductions and use of children as soldiers in November 2006, President Rajapakse said he would order an investigation to determine whether any security forces were complicit in the crimes. According to the special advisor, the president promised to hold accountable those who violated the law." (Human Rights Watch, 'Complicit in Crime - State Collusion in Abductions and Child Recruitment by the Karuna Group, January 2007) **[21c] (Summary)**

10.52 As noted in the HRW report of August 2007:

"On June 18, 2007, Human Rights Watch asked the Sri Lankan government to explain the status of the government's investigation into state complicity in abductions by the Karuna group. The government provided no information on the investigation, stating that it 'has no complicity with the Karuna group in any allegations of child recruitment or abduction.' However, the HRW report of August 2007 recorded that "In Batticaloa district the Karuna group now abducts and uses child soldiers with blatant complicity of the Sri Lankan military and police. In February Human Rights Watch observed armed children guarding Karuna political offices in plain view of the Sri Lankan army and police." **[21f] (Section IX)**

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11. JUDICIARY

11.01 "Sri Lanka's legal system is based upon a combination of English criminal law and Roman-Dutch civil law. Civil law relating to inheritance, marriage and

divorce in certain parts of the country and among certain communities also bear the strong imprint of indigenous legal traditions…The Supreme Court, headed by the chief justice, constitutes the apex of the court hierarchy. In addition to being the highest appellate court in the country, the Supreme Court has exclusive jurisdiction in litigation on fundamental rights." (Jane's Sentinel Security Assessments, Country profile - At a glance, Sri Lanka, 26 April 2007, Internal Affairs, 14 July 2006) **[5a]**

ORGANISATION

11.02 As recorded in Europa World Online:

"The judicial system consists of the Supreme Court, the Court of Appeal, the High Court, District Courts, Magistrates' Courts and Primary Courts. The last four are Courts of the First Instance and appeals lie from them to the Court of Appeal and from there, on questions of law or by special leave, to the Supreme Court. The High Court deals with all criminal cases and the District Courts with civil cases. There are Labour Tribunals to decide labour disputes. The Judicial Service Commission comprises the Chief Justice and two judges of the Supreme Court, nominated by the President. All judges of the Courts of First Instance (except High Court Judges) and the staff of all courts are appointed and controlled by the Judicial Service Commission. The Supreme Court consists of the Chief Justice and not fewer than six and not more than 10 other judges. The Court of Appeal consists of the President and not fewer than six and not more than 11 other judges." **[1b] (Government and Politics, Judicial System)**

11.03 As noted in the USSD report 2006, "The president appoints judges to the Supreme Court, the high court, and the courts of appeal. A judicial service commission, composed of the chief justice and two Supreme Court judges, appoints and transfers lower court judges. Judges may be removed for misbehavior or incapacity but only after an investigation followed by joint action of the president and the parliament." **[2c] (Section 1e)**

LTTE courts

11.04 As noted in the USSD report 2006:

"During the year the LTTE continued to operate its own court system. The LTTE demanded that all Tamil civilians stop using the government's judicial system and rely only on the LTTE's alternative legal system. Credible reports indicated that the LTTE used the threat of force to back its demands. The LTTE's legal system is composed of judges with little or no legal training. LTTE courts operated without codified or defined legal authority and essentially as agents of the LTTE rather than as an independent judiciary." **[2c] (Section 1e)**

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INDEPENDENCE

11.05 The USSD report 2006 stated that "The law provides for an independent judiciary, and the government generally respected this provision in practice." **[2c] (Section 1e)**

11.06 As noted by Freedom House in 'Countries at the Crossroads 2006', Sri Lanka, November 2006:

"Judges in the lower courts (primary courts, magistrate's courts, the district courts, and the high courts) are appointed by the Judicial Service Commission (JSC), which also dismisses and disciplines them. The JSC is composed of the chief justice and two associate justices of the Supreme Court. Because the Supreme Court and Court of Appeal justices are appointed by the president, they are often close to the president and respond to pressure. Thus, the president may have an undue amount of influence over the judges. Since 1985, all new judges have been trained by the Sri Lanka Judges' Institute. The institute has also provided in-service training for sitting judges. Although the institute receives relatively limited funding, judges are reasonably well prepared for the bench…Prosecutors, on paper, are independent of political pressure, although in reality the process is highly politicized. It is common for politicians to face criminal prosecution only when their party is out of power. This phenomenon has led to a profusion of political cases, some justified, some not, whenever there is a change of government."

Freedom House's rating for Rule of Law in Sri Lanka was 4.15 (on a scale of zero to seven, with zero representing weakest and seven representing strongest performance). **[46f] (Rule of Law)**

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FAIR TRIAL

11.07 The USSD report 2006 noted that:

"In criminal cases, juries try defendants in public. Defendants are informed of the charges and evidence against them, and they have the right to counsel and the right to appeal. The government provides counsel for indigent persons tried on criminal charges in the high court and the courts of appeal, but it does not provide counsel in other cases. Private legal aid organizations assisted some defendants. The legal aid commission offered legal aid to assist those who could not afford representation; however, some sources reported that its representatives extorted money from beneficiaries. There are no jury trials in cases brought under the PTA. Defendants are presumed innocent, and confessions obtained by various coercive means, including torture, are inadmissible in all criminal proceedings except PTA cases. Defendants bear the burden of proof to show that their confessions were obtained by coercion. Defendants in PTA cases have the right to appeal. Subject to judicial review in certain cases, defendants may spend up to 18 months in prison on administrative order waiting for their cases to be heard. Once their cases came to trial, decisions were made relatively quickly." **[2c] (Section 1e)**

11.08 "Despite the law calling for court proceedings and other legislation to be available in English, Sinhala, and Tamil, most court proceedings outside of Jaffna and the northern parts of the country were conducted in English or

Sinhala, which, due to a shortage of court-appointed interpreters, restricted the ability of Tamil-speaking defendants to get a fair hearing. Trials and hearings in the north were in Tamil and English. While Tamil-speaking judges existed at the magistrate level, only four high court judges, one appeals court judge, and one Supreme Court justice spoke fluent Tamil. Few legal textbooks existed in Tamil, and the government had not complied with legislation requiring that all laws be published in English, Sinhala, and Tamil." (USSD 2006) **[2c] (Section 1e)**

11.09 As noted by Freedom House in 'Countries at the Crossroads 2006', Sri Lanka, November 2006:

"The Sri Lankan legal system is based on a combination of English common law, Roman-Dutch law, and local Sinhalese and Muslim law. It provides adequate protection to suspects who are deemed innocent until proven guilty…The judicial system has struggled to deliver justice in a reasonable length of time. It is not unusual for cases, especially civil cases, to extend well beyond 10 years. The cost of maintaining legal counsel over the years of periodic hearings places litigation beyond the means of all but the richest of Sri Lankans. Thus, although the judicial system is open to all, the rich and the politically connected have undue influence over the process. One factor helping counteract this imbalance in Sri Lankan society is the Legal Aid Commission. The commission is a statutory body created in 1978 that provides free legal assistance to suspects facing criminal charges. Suspects who earn less than 2,500 rupees per month (roughly US$25) are eligible. However, the commission is sorely under-funded, with a yearly budget of only 1.2 million rupees (US$12,000) to cover the approximately 25,000 cases it handles a year." **[46f] (Rule of Law)**

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12. ARREST AND DETENTION – LEGAL RIGHTS

12.01 As noted in the International Crisis Group document 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007:

"Under regular law, a suspect must be produced before a magistrate within 24 hours but a suspect detained under the Emergency Regulations can be kept incommunicado for up to 30 days. Places of detention are at the discretion of relatively low-level police officers and do not have to be made public. The normal laws relating to inquests and disposal of dead bodies are also inapplicable. Not only police officers and soldiers, but also other 'public officers' and those specifically authorised by the president are allowed to make arrests under the Emergency Regulations.The military have also been given police powers, a move that Tamil political leaders warn could lead to even more widespread abuses." **[76a] (p13)**

12.02 "In principle, some safeguards exist against abuse. For some forms of detention under the Emergency Regulations, police officers and members of the security forces are required to issue receipts to family members. The

Human Rights Commission must be informed of all detentions and has legal authority to visit detainees wherever they are held. Recently republished 'directives' from the president to the police and security forces require that detentions under the Emergency Regulations follow certain safeguards and reaffirm the powers of the Human Rights Commission. These directives, however, have no independent legal force and carry no penalties for noncompliance, and there continue to be numerous reports of arrests and detentions that have not followed the stated procedures." (International Crisis Group, 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007) **[76a] (p13-14)**

12.03 On 18 July 2007, BBC Sinhala reported that the Supreme Court had ordered the police to produce Tamil Tiger suspects before local courts rather than transferring them to the capital. The Chief Justice was reported to have made the order after considering a Fundamental Rights (FR) petition filed by six LTTE suspects arrested in Muttur, Trincomalee, under Prevention of Terrorism Act (PTA) who had argued that they would have faced hardships as a result of being transferred to Colombo." **[9i]**

12.04 The US State Department (USSD) Report 2006, Sri Lanka, released on 6 March 2007 noted that:

"Under the [ordinary] law authorities must inform an arrested person of the reason for arrest and bring that person before a magistrate within 24 hours, but in practice, detained persons generally appeared within a few days before a magistrate. A magistrate may authorize bail for bailable and many non-bailable offences or may order continued pretrial detention for up to three months or longer. Police do not need an arrest warrant for certain offenses, such as murder, theft, robbery, and rape. In the case of murder, the magistrate must remand the suspect, and only the high court may grant bail. In all cases, suspects have the right to legal representation. Counsel is provided for indigent defendants in criminal cases before the high court and the courts of appeal, but not in other cases. In August 2005 following the assassination of the foreign minister, parliament approved emergency regulations, giving power of arrest to members of the armed forces, who were required to turn suspects over to the police within 24 hours. Individuals arrested under the emergency regulations may be detained for up to a year without trial." **[2c] (Section 1d)**

12.05 On 5 July 2006 SCOPP (the Sri Lankan Government's Secretariat for Co-ordinating the Peace Process) reported on the human rights guidelines issued by the president:

"I, Mahinda Rajapaksa, President, Commander-in-Chief of the Armed Forces and Minister of Defence, Public Security, Law and Order being of opinion that it is necessary to issue directions to the Heads of the Armed Forces and the Police Force to enable the Human Rights Commission of Sri Lanka (herein after referred to as 'the HRC') to exercise and perform its powers, functions and the duties and for the purpose of ensuring that fundamental rights of persons arrested or detained are respected and such persons are treated humanely, do hereby, direct the Heads of the Armed Forces and of the Police as follows:

1. Every member of the Armed Forces and of the Police Force shall assist and facilitate the HRC and any person authorized by the HRC in the

exercise of its powers, duties and functions and also ensure that the fundamental rights of persons arrested or detained are respected.

2. No person shall be arrested or detained under any Emergency Regulation or the Prevention of Terrorism Act No. 48 of 1979 except in accordance with the law and proper procedures and by a person who is authorized by law to make such arrest or order such detention.
3. At or about the time of the arrest or if it is not possible in the circumstances, immediately thereafter as circumstances permit:
(i) the person making the arrest or detention shall identify himself to the person arrested or any relative or friend of such person upon inquiry being made by name and rank.
(ii) every person arrested or detained shall be informed of the reason for the arrest.
(iii) the person making the arrest or detention shall issue, to the spouse, father, mother or any other close relation as the case may be a document in such form as specified by the Secretary to the Ministry of the Minister in charge of the subject of Defence, acknowledging the fact of arrest. The name and rank of the arresting officer, the time and date of arrest and the place at which the person will be detained, shall also be specified. It shall be the duty of the holder of such document to return the same to, or produce the same before, the appropriate authority when the person so arrested or detained is released from custody.
Provided that, where any person is taken into custody and it is not possible to issue a document as set out above, it shall be the duty of the arresting officer, if such officer is a police officer, to make an entry in the Information Book giving reasons as to why it is not possible to so issue a document, and if the arresting officer is a member of the Armed Forces to report the reasons why it is not possible to issue a document to the officer in charge of the police station, whose duty it shall be to make an entry of such fact along with the reasons therefore in the Information Book.
(iv) the person arrested shall be afforded reasonable means of communicating with a relative or friend to enable his whereabouts being [sic] known to his family.
4. When a child under 12 years or a woman is sought to be arrested or detained a person of their choice should be allowed to accompany such child or woman to the place of questioning. As far as possible, any such child or woman so sought to be arrested or detained should be placed in the custody of a Women's Unit of the Armed Forces or the Police Force or in the custody of another woman military or police officer.
5. A statement of a person arrested or detained should be recorded in the language of that person's choice who should, thereafter, be asked to sign the statement. A person who desires to make a statement in his or her own handwriting should be permitted to do so.
6. (i) The members of the HRC or any person authorized by it should be permitted access to the person arrested or detained under the Prevention of Terrorism Act No. 48 of 1979 under a Regulation made under the Public Security Ordinance (Chapter 40), and should be permitted to enter at any time any place of detention, police station or any other place in which such person is detained in custody or confined.
(ii) Every officer who makes an arrest or order of detention as the case may be, shall forthwith, and in any case not later than forty eight hours from the time of such arrest or detention inform the HRC or any person specially authorized by the HRC of such arrest or detention as the case

This Country of Origin Information Report contains the most up-to-date publicly available information as at 12 November 2007. Older source material has been included where it contains relevant information not available in more recent documents.

may be and the place at which the persons so arrested or detained is [sic] being held in custody or detention." **[41k]**

12.06 On 25 April 2007, the Sri Lankan Government's official news portal announced that the Government of Sri Lanka had taken steps to re-circulate the Presidential directives of 7 July 2006 on the protection of the Fundamental Rights of persons arrested and/or detained. **[10k]** However, on 12 October 2007, BBC Sinhala reported that

"An advisory panel to Sri Lanka government has accused the authorities of not implementing 'at least the minimum safeguards' to protect human rights in the island. Nimalka Fernando, a member of the panel, said Sri Lanka police have even failed to implement a presidential decree on arbitrary arrests. Nimlaka Fernando, Sunila Abeysekara, Dr. Pakyasothy Saravanamuttu and Rohan Edirisinghe, on Friday tendered their resignations protesting government's lack of commitment to protect human rights. 'We continuously appealed to the minister to provide us with a list of detainees so that we could pass the information to the relatives,' Nimalka Fernando told BBC Sandeshaya. However, minister in charge of human rights, Mahinda Samarasinghe, could not provide that information despite repeated requests, she added. 'We think either the government did not have a system in place,'Fernando said, 'Or if statistics were gathered, government would have to clarify them in front of the international community.'" **[9al]**

12.07 On 6 December 2006 the Government announced the introduction of revised tough emergency regulations [the Emergency (Prevention and Prohibition of Terrorism and Specified Terrorist Activities) Regulations, No. 7 of 2006] giving the security forces "wide-ranging powers to search, arrest and question". (BBC News, 6 December 2006) **[9o]** (New Regulations to Combat Terrorism, SCOPP Report, 6 December 2006) **[41n]**

12.08 As recorded on the website of the Sri Lankan Government's Secretariat for Co-ordinating the Peace Process (SCOPP) on 6 December 2006:

"The Government has promulgated Regulations as of December 6, 2006, to combat acts of terrorism in the country…Terrorism has been defined as unlawful conduct which

1. involves the use of violence, force, coercion, intimidation, threats, duress, or
2. threatens or endangers national security, or
3. intimidates a civilian population or a group thereof, or
4. disrupts or threatens public order, the maintenance of supplies and services essential to the life of the community, or
5. causing destruction or damage to property, or
6. endangering a person's life, other than that of the person committing the act, or
7. creating a serious risk to the health or safety of the public or a section of the public, or
8. is designed to interfere with or disrupt an electronic system and which unlawful conduct is aimed at or is committed with the object of threatening or endangering the sovereignty or territorial integrity of Sri Lanka.

Any person who acts in contravention of these Regulations shall be guilty of an offense and shall on conviction by a High Court be sentenced to a term of imprisonment of not less than 10 years and not exceeding 20 years." The SCOPP website provided a link to "The Gazette of the Democratic Socialist Republic of Sri Lanka No. 1474/5 – Wednesday, December 06, 2006" which published the full text of these regulations officially known as 'the Emergency (Prevention and Prohibition of Terrorism and Specified Terrorist Activities) Regulations No. 07 of 2006.' **[41n]**

12.09 On 6 December 2006, the pro-LTTE website TamilNet noted that:

"Sri Lanka's Prime Minister Rathnasiri Wickramanayake, announcing a cabinet decision, Wednesday said the Prevention of Terrorism Act (PTA) would be implemented in full force. The PTA, introduced in 1979 as a temporary measure, and permanently enacted in 1982, was not applied following the February 2002 Cease Fire Agreement (CFA) between the Government of Sri Lanka (GoSL) and the Liberation Tigers of Tamil Eelam (LTTE). The cabinet decision, viewed as a major breach of the CFA, gives excessive powers of arrest and detention to the Sri Lankan armed forces. 'The Government decision pushes for strong curbs on terrorist activities, which will involve LTTE activities and all persons who in anyway help them,' Mr. Rathnasiri Wickramanayake said, announcing the decision… Thousands of Tamil men, women and children were indiscriminately arrested, tortured and detained for indefinite periods under the PTA untill [sic] Colombo agreed to temporarily suspend the application of the act under the provisions of the CFA. Clause 60 of the Emergency Regulations (ER) and Clause 18 of the PTA Act allow the Police to use confessions of the suspects against them…Several Tamil youths were indicted under Section 5 of the PTA on their own confession made to the Police, for 'failing to provide information' about the movements of LTTE cadres in their respective areas had been indicted under Section 5 of the PTA, liable for minimum five years imprisonment if found guilty after trial or on pleading guilty." **[38k]**

12.10 As reported by the Sri Lanka Department of Government Information on 7 December 2006:

"They [the far-reaching measures introduced to curb terrorism and terrorist activities] prohibit the wearing, display, hoisting, or possessing of any uniform, dress, symbol, emblem relating to terrorism or terrorist activities; the summoning, convening, conduct or participation in a meeting relating to terrorism and terrorist activities; harbouring, concealing or assisting a member or cadre of an organisation engaged in terrorism, or terrorist activities; or participating in any activity even relating to terrorism or terrorism related activities…The prohibitions under the new regulations also extend to any transaction including contributions, providing, donating, selling, buying, hiring, leasing, receiving, making available, funding, distributing or lending materially or otherwise to any person, group, associate or cadre engaged in terrorism or any terrorism related activities…The prohibitions under these regulations also extended to the providing of any information detrimental of prejudicial to national security to any person or group of persons engaged in or known to be engaged in terrorism or terrorism related activities. The implementation of these regulations will come under a Competent Authority appointed by the President. There is provision in the regulations for any person aggrieved by a decision of the Competent Authority to appeal against such decision to a

special tribunal appointed for the purpose. Contravention of these regulations carries penalties imposed by a High Court, varying from imprisonment from 10 to 20 years and of five to 10 years, depending on the nature of the offence. Those responsible for causing offenses under these regulations, other than individuals and groups of individuals, include corporate bodies, partnerships, and unincorporated bodies." **[10c]**

12.11 A letter from the British High Commission in Colombo, dated 10 April 2007, noted that "The implementation [of the Emergency Regulations] has been patchy. The courts have remained willing to get involved in some individual cases of people being arrested to force their release." **[15a]**

See also Sections 4 and 8

BAIL/REPORTING CONDITIONS

12.12 As noted in a letter from the British High Commission in Colombo dated 22 November 2006:

"It is common practice to be released on bail without being charged. Reporting conditions are usually issued when bail is granted. Anyone flouting reporting conditions is liable to be served with a warrant for arrest. As far as we have been able to establish Immigration officers are notified only when court decides to impound the suspect's passport or an arrest warrant is issued. This apart there is no other mechanism to make sure that the Immigration Officers are aware of such instances. The other method which is rare and case specific is that the NIB (National Investigation Bureau) informing the Immigration officers of individuals suspected of terrorist activity and those on the wanted list. Without court sanction the Immigration officers are powerless to put an individual in detention if they are otherwise satisfied that they have a right to enter or live in Sri Lanka." **[15m]**

ARREST WARRANTS

12.13 As noted in a letter from the British High Commission in Colombo dated 21 January 2007:

"Formally it is difficult for the accused to be able to obtain a copy of his/her own arrest warrant. When an arrest warrant is issued, a copy is kept on the legal file and the original is handed to the police. An accused cannot apply for copies of the arrest warrant to the relevant court. However in practice forged documents are easily obtainable throughout Sri Lanka. Additionally given ongoing and well documented concerns over corruption in the police it would probably not prove difficult to obtain a copy of an arrest warrant, although it would probably require prior contacts within the police service." **[15n]**

12.14 The USSD report 2006 reported that "The HRC investigated the legality of detention in cases referred to it by the Supreme Court and by private citizens." **[2c] (Section 1d)** "Police generally obtained proper warrants for arrests and searches conducted under ordinary law. In response to frequent claymore bomb attacks on security forces in the north and east during the year [2006],

and the discovery of several claymore bombs in Colombo, cordon and search operations were conducted regularly on nearby houses." **[2c] (Section 1f)**

See also Sections 8 and 28

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13. PRISON CONDITIONS

13.01 In a statement issued on 29 October 2007 after his visit to Sri Lanka from 1 to 8 October 2007 the UN Special Rapporteur on Torture, Manfred Nowak, stated that during his visit he had had unrestricted access to prisons and police detention facilities and he was able to carry out unannounced visits and conduct private interviews with detainees. He visited the following facilities: Welikada Prison, Colombo Remand Prison, the New Magazine Prison (Female Ward), the Criminal Investigation Department (CID), the Terrorist Investigation Department (TID), Mt. Lavinia Police Station, Ratmalana Police Post, and Panandura South Police Station, the TID detention facility at Boossa, Trincomalee Prison, Trincomalee Police Headquarters (including CID), China Bay Police Station, Kantale Police Station, Polonnaruwa Police Station, and Polonnaruwa Prison, Bogambara Prison, Katugastota Police Stationand Wattegama Police Station. (ReliefWeb, quoting the United Nations Human Rights Council) **[31d]**

13.02 The UN Special Rapporteur on Torture noted :

"As far as conditions of detention are concerned, the Government provided me with statistics indicating severe overcrowding of prisons. While the total capacity of all prisons amounts to 8,200, the actual prison population reaches 28,000. That poor conditions of detention can amount to inhuman and degrading treatment is well established in the jurisprudence of several international and regional human rights mechanisms. In Sri Lanka the combination of severe overcrowding with antiquated infrastructure of certain prison facilities places unbearable strains on services and resources, which for detainees in certain prisons, such as the Colombo Remand Prison, amounts to degrading treatment in my opinion. The lack of adequate facilities also leads to a situation where convicted prisoners are held together with pre-trial detainees in violation of Sri Lanka's obligation under Art 10 of the International Covenant on Civil and Political Rights. Although the conditions are definitely better in prisons with more modern facilities, such as Polonnaruwa and the Female Ward of the New Magazine Prison, the prison system as a whole is in need of structural reform." (ReliefWeb, quoting the United Nations Human Rights Council) **[31d]**

13.03 "During my visit of various police stations I observed that detainees are locked up in basic cells, sleeping on the concrete floor and often without natural light and sufficient ventilation. While I am not concerned about such conditions for criminal suspects held in police custody for up to 24 hours, these conditions become inhuman for suspects held in these cells under detention orders pursuant to the Emergency Regulations for periods of several months up to one year. This applies both for smaller police stations, such as at Mt. Lavinia, and especially for the headquarters of the CID and TID in Colombo, where

detainees are kept in rooms used as offices during the day-time, and forced to sleep on desks in some cases."
"I appreciate the recent abolition of corporal punishment in Sri Lanka, however, in Bogambara Prison I received disturbing complaints of cases of corporal punishment corroborated by medical evidence. I am pleased to report that the Government has initiated an inquiry to look into this matter."
(ReliefWeb, quoting the United Nations Human Rights Council, Special Rapporteur on torture concludes visit to Sri Lanka, 29 October 2007) **[31d]**

13.04 The US State Department (USSD) Report 2006, Sri Lanka, released on 6 March 2007 noted that:

"Prison conditions did not meet international standards due to acute overcrowding and lack of sanitary facilities. In some cases juveniles were not held separately from adults. Pretrial detainees were not held separately from those convicted. The government permitted visits by independent human rights observers, including the International Committee of the Red Cross (ICRC), which reported unrestricted access during its 15 visits to government and LTTE-controlled prison facilities and detention centers. Credible observers reported that conditions in prisons were on par with local standards." **[2c] (Section 1c)**

13.05 As recorded in the ICRC Annual Report 2006, Sri Lanka published on 24 May 2007 "[During the year 2006] The ICRC visited some 22,000 detainees in 135 places of detention and followed up 1,266 individually. It stepped up its visits to people held in police stations. Visits to detainees held by the government proceeded as in past years. Delegates visited some people held by the LTTE but did not have access to security detainees." The ICRC reported that 221 LTTE-held detainees were visited and 131 of them monitored individually. **[34b]**

13.06 The ICRC Annual Report further norted that:

"In response to the upsurge in violence and the related increase in arrests, the ICRC stepped up visits to security detainees, to whom it had full access in government facilities. The delegation helped pay the transport costs of over 400 families to visit relatives detained far from home and, when necessary, worked with the National Society to relay RCMs [Red Cross Messages] between detainees and their families. It also assessed conditions in government prisons generally and shared its findings on and recommendations for dealing with the problems caused by overcrowding with the authorities. Many ICRC visits were made to detainees held in police stations under the Emergency Regulations (reintroduced in August 2005), which allowed for extended custody in places of temporary detention without a court appearance. Additional 'Emergency Regulations relating to acts of terrorism' were introduced in December [2006]. The ICRC also began to visit LTTE fighters who had surrendered to the government." The ICRC also reported that all [government] prisons, with a total population of 26,000 detainees, received recreational items. **[34b]**

13.07 The UNHCR Committee against torture, in their considerations dated 15 December 2005 stated that "The Committee is concerned about allegations that fundamental legal safeguards for persons detained by the police, including habeas corpus rights, are not being observed. **[6w] (Paragraph 8)** The Committee is concerned about the lack of an effective systematic review of all

places of detention, including regular and unannounced visits to such places (art. 11), by the Human Rights Commission of Sri Lanka and other monitoring mechanisms." **[6w] (paragraph 11)**

13.08 The Prison Brief for Sri Lanka produced by The International Centre for Prison Studies (last updated on 10 December 2006, website accessed on 5 November 2007) recorded a total prison population of 23,613 at mid-2005 (including pre-trial detainees/remand prisoners amounting to 49.3 per cent of total) against an official capacity of the prison system of 7,641 (in 2000). The prison population rate (per 100,000 of national population) was 114 (based on an estimated national population of 20.7 million at mid-2005. In 2003 there were 62 establishments/institutions "comprising 3 closed prisons, 16 remand prisons, 6 work camps, 2 open prison camps, 1 work release centre, 1 training school for young offenders, 2 correctional centres for young offenders, 2 rehabilitation centres for drug addicts, 1 centre for research and training in corrections and 28 prison lock-ups." **[65]**

13.09 In the year 2004, the direct admissions of unconvicted prisoners totalled 87,456 (65.4 per cent Sinhalese; 18.2 per cent Sri Lankan Tamils). In the same year the total figure for direct admissions of convicted prisoners was 26,898 (59.9 per cent Sinhalese; 16.5 per cent Sri Lankan Tamils). The figures for the year 2003 were respectively 88,535 for unconvicted prisoners (60.1 per cent Sinhalese; 23.5 per cent Sri Lankan Tamils) and 27,681 (63.7 per cent Sinhalese; 19.1 per cent Sri Lankan Tamils). In 2004, out of a total 114,354 admissions of prisoners there were 541 escapes (99 recaptured; 442 at large). The number of deaths in custody recorded was 59 for 2004 and 71 for 2003. (Website of the Sri Lanka Department of Prisons, accessed on 31 March 2006) **[14]**

13.10 Figures obtained from the website of the Ministry of Justice and Law Reforms of Sri Lanka (last accessed on 15 August 2007) put at 22,904 the number of convicted prisoners and at 60,484 that of those unconvicted, giving a total of 83,388 for the period January – August 2005. **[43a]**

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14. DEATH PENALTY

14.01 The Amnesty International Report 2007 on Sri Lanka (covering events from January – December 2006) recorded that "A number of high profile murder cases fuelled demands for an end to the moratorium on executions. According to the Director General of Prisons, at least 12 death sentences were passed. Approximately 167 people remained on death row. No executions were reported." AI considers Sri Lanka "abolitionist in practice". **[3u] (Death penalty)**

14.02 As recorded in the Amnesty International 'Death Penalty News' of December 2004:

"The Office of the President of Sri Lanka announced on 20 November [2004] that 'the death penalty will be effective from today for rape, murder and narcotics dealings'. The statement followed the murder of a High Court judge, Honourable Sarath Ambepitiya, and a police officer who was providing security for him, both of whom were shot on 19 November. A moratorium on

executions has been in effect in Sri Lanka since June 1976 when the last execution took place. Successive presidents since then have automatically commuted all death sentences." **[3j]**

14.03 The ACHR (Asian Centre for Human Rights) review entitled 'Sri Lanka: The return to the gallows', issued on 1 December 2004 noted:

"The declaration of Sri Lankan President Chandrika Kumaratunga that executions of death sentences shall be effective from 20 November 2004 for rape, murder and narcotic crimes represents a serious setback for Sri Lanka…. Although, death penalty has not been enforced since 1976, the courts in Sri Lanka regularly award death sentences for murder and narcotic crimes…The mainstream political parties and the state-controlled and private media and the Buddhist clergies have been lobbying for tough laws to curb the rise of crime, including reactivating the death penalty…. Article 8 of the Sri Lankan Constitution provides that 'Every person has an inherent right to life and a person shall not be arbitrarily deprived of life. Any restriction shall not be placed on the rights declared and recognized by this Article.' The reactivation of the death penalty violates the constitutional guarantee on the right to life and Article 6 of the International Covenant on Civil and Political Rights to which Sri Lanka is a party." **[64a]**

14.04 The ACHR review continued:

"The death penalty also raises many questions about the administration of criminal justice system. Starting with the lodging of a complaint to the final judgement in the form of conviction, the police and investigating agencies play a critical role. Police is an integral part of the prosecution and routinely disregard evidence that may favour acquittal and prefer to document evidence that may support conviction. The use of torture in custody to extract confessions is well known in Sri Lanka and the chances of innocent people being executed for rape, murder and narcotic crimes are high…. With the reactivation of the death penalty, the procedure embodied in the 1999 Presidential Proclamation would be enforced. As per this procedure, death sentences imposed in cases of murder and drug trafficking can be carried out and would not be commuted to life imprisonment if the judge who heard the case, the Attorney General and the Minister of Justice unanimously recommend the execution. If the reports of the trial judge, the Attorney General and the Justice Minister are adverse, the Presidential signing of the death warrant will take place and '... he (she) will be hanged by the neck until he (she) is dead.' The power of the President to grant pardons, respites and remissions that has been earlier availed for commutation of the death penalty to life imprisonment pursuant to Article 34 of the Sri Lankan Constitution will have little meaning. The President has to sign the death warrant when the trial judge, the Attorney General and the Justice Minister unanimously provide adverse opinions against the condemned. This procedure is inherently unfair. The Attorney General and the Justice Minister represent the interest of the State and cannot be considered impartial." **[64a]**

14.05 In December 2006, there are about 100 prisoners on death row in Sri Lanka. *(Daily Mirror*, 13 December 2006) **[11a]**

14.06 On 8 December 2006, the *Daily Mirror* (Sri Lanka) reported that the Kalutara High Court had imposed the death sentence on three brothers who were

convicted of murder after a unanimous jury decision. **[11b]** On 14 December 2006 BBC News reported that a Sri Lankan judge had sentenced two men to death for murdering a tsunami victim in the coastal town of Galle. **[9j]** On 19 June 2007, the *Daily Mirror* reported that a Kegalle High Court Judge had sentenced to death a father and three sons who were found guilty of committing murder. **[11i]**

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15. POLITICAL AFFILIATION

FREEDOM OF POLITICAL EXPRESSION

15.01 The US State Department (USSD) Report 2006 stated that "The law provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, multiparty, free, and fair elections held on the basis of universal suffrage. However, recent elections were marred by violence and some irregularities." **[2c] (Section 3)**

15.02 "The EUEOM described the November 2005 presidential election as generally satisfactory. The LTTE-enforced boycott of the polls and seven grenade attacks in the north and east marred the election, however, and allowed less than 1 percent of voters in the north to exercise their right to vote. Unlike previous years, there were no deaths or serious injuries on election day, although the inspector general of police refused to release any data on election violence. The EUEOM cited the occurrence of state media bias and misuse of public resources for campaigning." (USSD 2006) **[2c] (Section 3)**

15.03 "The EUEOM described the 2004 general election as having been conducted in a democratic matter [sic], with the exception of irregularities in the north and east, where widespread voter impersonation and multiple voting occurred. Several sources cited the LTTE as responsible for the irregularities. The EUEOM reported that more than 2,000 incidents of election violence, resulting in the deaths of five persons and the serious injuring of another 15. Voter turnout was 75 percent. Unlike in previous elections, the government allowed persons living in LTTE-controlled areas to vote in cluster polling booths in government-controlled areas." (USSD 2006) **[2c] (Section 3)**

15.04 As noted in the Freedom House document, 'Freedom in the World 2006: Sri Lanka', "Elections are open to multiple parties, and fair electoral laws and equal campaigning opportunities ensure a competitive political process. While elections are generally free and fair, they continue to be marred by some irregularities, violence, and intimidation and the LTTE generally refuses to allow free elections in the areas under its control." **[46e] (Political Rights and Civil Liberties section)**

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FREEDOM OF ASSOCIATION AND ASSEMBLY

15.05 As noted in the USSD 2006:

"The law provides for freedom of assembly, and the government generally respected this right in practice; however, some restrictions existed. For

example, the August 2005 Emergency regulations give the president the power to restrict meetings, assemblies and processions. The law states that rallies and demonstrations of a political nature cannot be held when a referendum is scheduled; however, the government generally granted permits for demonstrations, including those by opposition parties and minority groups." **[2c] (Section 2b)**

15.06 "The law provides for freedom of association, and the government generally respected this right in practice; however, some restrictions existed, such as those under the Emergency regulations. The LTTE did not allow freedom of association in the areas it controlled and reportedly used coercion to make persons attend its rallies." (USSD 2006) **[2c] (Section 2b)**

15.07 As noted in the Freedom House document, 'Freedom in the World 2006: Sri Lanka, "Freedom of assembly is generally respected, although both main political parties occasionally disrupt each other's rallies and political events… Except in conflict-affected areas, human rights and social welfare nongovernmental organizations generally operate freely. However, the LTTE does not allow for freedom of association in the regions under its control and reportedly uses coercion to force civilians to attend pro-LTTE rallies." **[46e] (Section on Political Rights and Civil Liberties)**

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OPPOSITION GROUPS AND POLITICAL ACTIVISTS

15.08 As reported by the USSD report 2006, "There were no reports of government-held political prisoners. The LTTE reportedly held a number of political prisoners; however, the number was impossible to determine because of the secretive nature of the organization, and the LTTE refused to allow the ICRC access to these prisoners." **[2c] (Section 1e)**

15.09 On 9 February 2007, BBC News reported that:

Sri Lankan President Mahinda Rajapakse has sacked three ministers. They include former foreign minister Mangala Samaraweera who was ports minister in 54-member cabinet. National heritage minister Anura Bandaranaike and non-cabinet ports minister Sripathi Sooriarachchi were also sacked. Correspondents say the three had opposed moves to accommodate 18 opposition legislators within government ranks late last month. The opposition members were needed to secure a majority in parliament." **[9aa]** A. Bandaranaike was sworn in again as Minister of National Heritage on 22 February 2007. (Official website of the government of Sri Lanka, Current Affairs, 22 February 2007) **[44b]**

15.10 As noted in the International Crisis Group document 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007:

"On 9 February 2007 Foreign Minister Mangala Samaraweera and his colleague Sripathi Sooriyarachchi were dismissed by President Rajapakse. Both men subsequently accused the political leadership of corruption, human rights abuses and nepotism. Sooriyarachchi claimed to have knowledge of a secret deal between the government and the LTTE to allow the president to

win the November 2005 election. In response, the presidential administration conducted a political witch hunt against Samaraweera's business and political network. On 26 February [2007], the financial director of the Sinhala language weekly Mawbima, Dushantha Basnayake, was arrested by the Terrorism Investigation Division (TID) of the police. The Emergency Regulations were used to freeze the paper's bank accounts, forcing it and its English language sister paper to close on 28 March.The paper is owned by Tiran Alles, a businessman and political ally of Samaraweera. Sooriyarachchi was then arrested on politically motivated charges and remanded to prison. On 30 May [2007], after unsuccessful negotiations with Samaraweera to return to the cabinet, Tiran Alles was arrested by the TID on charges of financing terrorism. This repression of political opponents fits into a pattern of growing authoritarianism. Opposition parliamentarians have reported death threats… The use of abusive language to describe those who opposed the war or are concerned about human rights is now commonplace." **[76a] (p14-15)**

15.11 As reported by BBC Sinhala on 18 June 2007 "The Supreme court in Sri Lanka has accused Mahinda Rajapaksa government of harrasing political opponents. Chief Justice Sarath N Silva said political reasons are seem to be behind the arrest of Rajapaksa's former close associate, Tiran Alles. Sri Lanka's Supreme Court on Monday granted leave to proceed to a Fundamental Rights (FR) petition filed by Alles." **[9ag]**

15.12 In June 2007 Mangala Samaraweera and Sripathi Sooriarachchi announced that they were leaving the Sri Lanka Freedom Party (SLFP) to form a breakaway party, the Sri Lanka Freedom Party - Mahajana Wing (SLFP - M), (The Keesing's Record of World Events, June 2007, Sri Lanka) **[23b]** The SLFP – M later signed a memorandum of understanding with the UNP and their first public rally took place on 26 July 2007 in Colombo, when thousands of protesters marched against the Government. (The EIU Sri Lanka Country Report, August 2007) **[75a] (p13)**; (BBC Sinhala, 26 July 2007) **[9ak]**

See also Section 4 and Annex C

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16. FREEDOM OF SPEECH AND MEDIA

16.01 As noted in the USSD report 2006:

"The law provides for freedom of speech and of the press, and the government generally respected these rights in practice. Individuals could criticize the government generally without fear of reprisal. The August 2005 Emergency regulations allow the government to stop the publication, distribution, showing, performance or broadcast of any book, magazine, newspaper, poster, movie, play, song, radio or television program that it finds likely to cause public disorder; however, it did not enact any of these provisions during the year [2006]. According to the Committee to Protect Journalists (CPJ), on December 6, the government enacted the Prevention and Prohibition of Terrorism and Specified Terrorist Activities Regulations. The regulations attempt to define terrorism and allow the government to take any necessary actions to imprison suspected terrorists. As reported by CPJ, one journalist was detained under these provisions." **[2c] (Section 2a)**

16.02 "Although the government owned the country's largest newspaper chain, two major television stations, and a radio station, private owners operated a variety of independent, privately owned newspapers, journals, and radio and television stations. Several foreign media outlets operated in the country. Most independent media houses freely criticized the government and its policies. The government imposed no political restrictions on the establishment of new media enterprises. There were reports that journalists, especially those in the eastern part of the country, practiced self-censorship due to pressure from both the security forces and the LTTE. In September [2006] the Ministry of Defense announced it must clear all defense-related stories in the interest of national security. In Jaffna the security forces commander reportedly asked the staff of the Tamil newspaper group Uthayan Publications not to report on military operations on any basis other than information provided to them by the government." (USSD 2006) **[2c] (Section 2a)**

16.03 "The LTTE tightly restricted the print and broadcast media in areas under its control. There were reports of LTTE intimidation of Colombo-based Tamil journalists, and self-censorship was common for journalists covering LTTE-controlled areas." (USSD 2006) **[2c] (Section 2a)**

16.04 The Human Rights Watch (HRW) report 'Return to War, Human Rights under Siege', published on 6 August 2007 noted that "Since the resumption of major military operations in 2006, the government has intensified political pressure on the independent media, including by conducting politically motivated arrests. In the areas it controls, the LTTE strictly controls the media, and it has a powerful influence through fear and intimidation over Tamil outlets in other parts of the country." **[21f] (Section VIII, Attacks on media)**

16.05 The International Federation of Journalists' (IFJ) document 'The fight goes on: Press freedom in South Asia 2006-2007, released on 3 May 2007, reported that "A review of the past year reveals that Sri Lanka failed to improve its media environment, particularly with regard to freedom of expression, the safety of working journalists, access to information and the transformation of the state-owned media landscape into a truly independent public service media." **[45a] (p23)**

16.06 As recorded in the Freedom House's 'Freedom of the Press 2007', released on 1 May 2007:

"Sri Lanka's rating changed from Partly Free to Not Free to reflect new restrictions on media coverage, as well as a rise in attacks against journalists, particularly ethnic Tamils. Media freedom was one of the main casualties of Sri Lanka's slide into war in 2006, as increasing numbers of journalists, particularly Tamils, were targeted and media outlets faced censorship and other restrictions. Although freedom of expression is provided for in the constitution, a growing number of laws and regulations restrict this right. Contempt of court laws are occasionally used to punish reporters who investigate judicial misconduct. However, in June [2006], the Supreme Court refused to pursue a case against three journalists, including the editor-in-chief of The Sunday Leader, Lasantha Wickrematunga, who had been charged with five counts of contempt…The Emergency (Prevention and Prohibition of Terrorism and Specified Terrorist Activities) Regulations, introduced in December [2006], contain excessively broad language that local rights

activists noted could restrict media freedom. Within a month of their enactment, several journalists were summoned for questioning under the new law and asked to reveal their sources, one was detained, and a senior correspondent had openly admitted to self-censoring his column." **[46a] (Draft Country Reports and Ratings, Sri Lanka, p176-177)**

16.07 "The Liberation Tigers of Tamil Eelam (LTTE) separatist rebel group, which controls parts of the north and east of the country, does not permit free expression in the areas under its control and continues to terrorize a number of Tamil journalists and other critics. A breakaway rebel faction in the east led by Colonel Karuna, as well as the security forces, has also been responsible for abuses. A sharp increase in tension and violence during the year—both between the government and the LTTE, and between the LTTE and the Karuna faction—severely impacted journalists' ability to cover the news freely, particularly in the troubled North and East. A number of Tamil newspapers have been banned or seized by various factions, and distributors have been attacked or warned not to sell certain papers." (Freedom House, Freedom of the Press 2007,1 May 2007, Draft Country Reports and Ratings, Sri Lanka, p176-177) **[46a]**

16.08 As noted in the Freedom House document, 'Freedom in the World 2006: Sri Lanka':

"Freedom of expression is provided for in the constitution, and independent media outlets can generally express their views openly. However, the Colombo-based Free Media Movement (FMM) has noted that state-run media-including Sri Lanka's largest newspaper chain, two major television stations, and a radio station-have been used by the government for political ends, including pressure on editors and biased election coverage. The LTTE does not permit free expression in the areas under its control and continues to terrorize a number of Tamil journalists and other critics. Increasing tension and violence during 2005, both between the government and LTTE and between the LTTE and other Tamil factions, negatively affected journalists' ability to cover the news freely, particularly in the troubled north and east. A number of journalists and media outlets faced intimidation (including death threats) during the year, two Tamil journalists were killed, and distributors and Tamil media outlets were also attacked. "**[46e] (Section on Political Rights and Civil Liberties)**

16.09 A letter from the British High Commission in Colombo, dated 10 April 2007, noted that:

"The most immediate impact [of the revised Emergency Regulations] has been on the media which has become less likely to criticise the government and feels under pressure to submit its stories to the Media Centre for National Security to have the facts substantiated – this has encouraged a fairly clear self censorship. The government has used the Emergency Regulations to search the property of those who oppose the regime, in particular Young Asia TV and the Secretary to a dissident former minister." **[15a]**

JOURNALISTS

16.10 The Human Rights Watch (HRW) report 'Return to War, Human Rights under Siege', published on 6 August 2007 noted that:

"Countrywide, attacks on journalists have reached a level unknown in recent years.Tamil journalists, especially in the north and east, have been frequently subject to intimidation and harassment by the security forces and armed groups. Since the beginning of 2006 over two dozen Tamil media workers have been abducted, threatened, assaulted or killed…Eleven media practitioners have been killed in Sri Lanka since August 2005, placing it second after Iraq in the list of media worker deaths. None of the investigations into the murders have led to prosecutions." **[21f] (Section VIII, Attacks on media)**

16.11 As remarked in a statement of the International Press Freedom Mission, published on the website of Reporters Sans Frontières (RSF) on 24 June 2007:

"The International Mission found that the pressures on the media have multiplied over the recent months with increasing fears for the safety of journalists, especially those operating in the embattled North and East. In Jaffna peninsula, dozens of journalists have been forced to stop working for fear of their safety. Despite official commitments given to the Mission in last October, there appears to be a complete lack of progress in the investigations of cases of murdered and attacked journalists. According to our records, no suspect in such attacks has been taken to court since the current President came to office. There have also been numerous verbal attacks against the media, including by Government Ministers, jeopardizing the safety of media workers and their families. In the LTTE controlled areas freedom of expression and freedom of movement continue to be heavily restricted preventing access to information and the representation of diverse opinions. The freedom of expression environment is deteriorating, causing widespread self-censorship and undermining the existence of independent sources of information." **[27d]**

16.12 The statement of the International Press Freedom Mission further noted that:

"Safety issues are more important than at any stage in the last 18 months and there are numerous examples of journalists being killed, arrested, assaulted, kidnapped, denounced as traitors or receiving death threats. LTTE, security forces and paramilitary groups have all been accused of carrying out such press freedom violations. Once again, it is the Tamil media in the north and east that confront the major part of these problems, although there have been increasing instances in Colombo…The increasing hostility of the authorities towards the media and the willingness of individual Ministers to verbally attack journalists for their perceived failings is encouraging a climate of self-censorship, which is damaging the free flow of information in Sri Lanka… Restrictions on access to the conflict areas by the security forces and the LTTE make it extremely difficult for the national and international media to report on military operations and the fate of civilians. Moreover, local media workers are restricted in their movements by a discriminatory system of accreditation. Regarding the Emergency Regulations promulgated in December 2006, the Mission found that these have led to widespread apprehension in the media, because of their over-broad provisions, which seem to criminalise independent news reporting. By extending the scope of criminal liability to executive officers of corporate bodies, the Regulations create multiple internal obstacles to the pursuit of news by media organisations." **[27d]**

16.13 The International Crisis Group document 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007 noted that:

"The climate for critical journalism has declined dramatically since early 2006…Journalists, editors, and publishers are now regular targets of intimidation and violent attacks by various groups…In April 2007 Defence Secretary Gotabhaya Rajapakse is alleged to have threatened the editor of the independent newspaper The Daily Mirror after it published articles seen as critical of TMVP activities…The Emergency Regulations have been used to detain journalists and newspaper operators." **[76a] (p14)**

16.14 The International Federation of Journalists' document 'The fight goes on: Press freedom in South Asia 2006-2007, released on 3 May 2007, reported that:

"The past year has seen Sri Lankan journalists' safety and security come under increasing threat. Across the island, but particularly in the conflict areas in the North and East, armed groups including the government's Armed Forces, the Liberation Tigers of Tamil Eelam (LTTE), the Karuna faction and various other paramilitary groups prevent journalists from gathering and disseminating information…A disturbing culture of impunity protects those who threaten media freedoms…On several occasions, the president and a number of government leaders have labelled journalists who voice critical political and social opinions as traitors to the country who are working in collusion with LTTE." **[45a] (p23)**

16.15 The IFJ further noted that the human rights violations "are facilitated by the existence of the Prevention of Terrorism and Specified Terrorist Activities Regulations, which pose a serious threat to democratic governance and fundamental rights in Sri Lanka. Coupled with the draconian Emergency Regulations, the anti-terrorism regulations have already resulted in journalists and media personnel being arrested, detained and questioned by the police." **[45a] (p24)**

16.16 The IFJ reported that between May 2006 and April 2007 seven media workers were killed; two went missing or disappeared; three were arrested; four attacked, and five threatened and harassed. The IFJ also mentioned three cases of displaced/self-exiled media workers and cases of administrative, legal and econonomic pressure on media workers. **[45a] (p33-35)**

16.17 As recorded in the Freedom House's 'Freedom of the Press 2007', released on 1 May 2007:

"Journalists throughout Sri Lanka, particularly those who cover human rights issues or official misconduct, continued to face intimidation and threats from the police and security forces and from government officials. In several other instances, police or security forces manhandled reporters as they attempted to cover the news. In a growing trend, those journalists and civil society groups perceived as being supportive of Tamil interests have also drawn ire from Sinhalese nationalist groups. Increased threats coupled with expanded legal restrictions have led a growing number of journalists to practice self-censorship. Previous cases of attacks and killings of journalists have not been adequately investigated or prosecuted." **(Draft Country Reports and Ratings, Sri Lanka, p177) [46a]**

16.18 As stated in a Human Rights Watch press release issued on 12 April 2007:

"The Sri Lankan government is abusing antiterrorism legislation to clamp down on journalists who expose human rights abuses, official corruption, or otherwise question the government's handling of the civil war with the Liberation Tigers of Tamil Eelam (LTTE), Human Rights Watch said today. Standard Newspapers Ltd., which publishes a leading Sinhalese-language weekly Mawbima and the English-language weekly Sunday Standard, stopped operations on March 29. Sixteen days earlier, the government froze the company's assets, citing suspected links to the LTTE…Tamil-language media have often come under government pressure, but the closure of Mawbima is the first time in three decades that Sri Lankan authorities have shut down a Sinhalese-language newspaper. Over the past year, Mawbima had reported on government corruption and human rights violations. The newspaper's journalists had questioned the government's role in the spiraling number of abductions and enforced disappearances as fighting between the government and LTTE escalated." **[21e]**

16.19 The HRW press release of 12 April 2007 further stated that:

"All sides in Sri Lanka's civil war have interfered with and sought to restrict the exercise of free speech and freedom of the press, Human Rights Watch said. In the areas under its control, the LTTE does not allow a free press. In other areas it has intimidated, attacked and sometimes killed journalists critical of their policies or actions. The Karuna group, which split from the LTTE in 2004 and has been fighting alongside the government, has also interfered with the media, Human Rights Watch said. Since August [2006], in the areas where it operates in the East, the Karuna group has blocked the sale of the Tamil-language dailies Virakesari, Thinakkural and Sudar Oli, which are critical of the armed group. In Batticaloa district, the only Tamil-language papers available are the state-owned Thinakaran and Thinamurasu, which are run by the Eelam People's Democratic Party, another Tamil political party that is part of the Sri Lankan government. The Karuna group has issued death threats to newspaper vendors and distributors in Trincomalee, a strategic northeastern city that houses a major government navy base." **[21e]**

16.20 An Amnesty International document of 29 March 2007 recorded that:

"Journalist Munusamy Parameshawary was released on 22 March following a Supreme Court ruling that there was insufficient evidence against her and she should therefore be released. A number of other journalists are still in custody, as is Dushyantha Basnayake, director of the Sinhalese-language weekly newspaper Mawbima. He has not had access to his lawyer since he was arrested on 26 February. He is in danger of torture or ill-treatment. The government froze Mawbima's bank accounts on 13 March. Munusamy Parameshawary had been held without charge for four months by the police Terrorist Investigation Division (TID). On 26 January she filed a Fundamental Rights application in the Supreme Court against her arrest and detention under the Prevention of Terrorism Act (PTA) stating that her arrest was illegal and a violation of her fundamental rights. In response, the Supreme Court ruled on 21 March that she should be released…Amnesty International has a number of concerns about the use of the Emergency Regulations as they are incompatible with basic international human rights law, and were

used to intimidate and harass political opponents, thus fostering a culture of impunity. Since early 2006 there has been a clampdown on press freedom in Sri Lanka. The newspaper Mawbima had reported on human rights violations. The arrest of its staff, and the freezing of its bank accounts, is one example of this." **[3e]**

16.21 With regard to Dushyantha Basnayake, on 31 May 2007 the Sri Lankan Ministry of Foreign Affairs denied that his arrest was "a media freedom issue" and stated that "…he was detained in accordance with provisions of the Emergency Regulations promulgated under the Public Security Ordinance. The progress of the criminal investigation was periodically reported to the relevant Magistrate. On 24th April 2007, based on the existence of a prima-facie case of terrorist funding, the suspect was remanded in the custody of the Police by the Magistrate. On 15 May 2007 the suspect was enlarged on bail. Investigations are continuing." **[79a]**

16.22 The Reporters Sans Frontières (RSF) 'Sri Lanka – Annual Report 2007', issued on 1 February 2007, recorded that:

"The resumption of the civil war had dramatic consequences for Sri Lankan journalists and in particular the Tamils. Seven media workers were killed in 2006. Pro-government militia (predators of press freedom) and occasionally the army have attacked the press which they accuse of supporting Tamil nationalism. On the other side, the Tiger Tamils threatened those who oppose their political position. The escalation of the conflict pitting the army against the Tiger Tamils (LTTE) forced scores of Tamil journalists into silence or hiding…Three journalists and four media assistants were killed in 2006. No suspects have so far been arrested…There is total impunity for these killers in Sri Lanka. Investigations into murders of journalists, including that of Dharmeratnam Sivaram, editor of the news website Tamilnet and editorialist on the Daily Mirror, killed in 2005, have been blocked by the authorities…The army attacked media accused of relaying Tiger Tamil propaganda, which they termed terrorist…The military imposed new restrictions on the movements of the press reporting from the field…Tamil media also suffered serious interference with distribution in the east of the country. Distributors on several occasions were forced to stop selling some papers in the face of death threats from pro-government militia headed by Colonel Karuna… Under strong press criticism, President Mahinda Rajapakse and his government stepped up their control over state-run media." **[27a]**

16.23 As noted in a press release issued on 9 November 2006:

"Reporters Without Borders has condemned a campaign of harassment by Sri Lankan security forces in a bid to force Tamil journalists into self-censorship, since the resumption of conflict between the army and Tamil Tigers (LTTE) rebels. Scores of Tamil journalists have been forced into hiding or silence since then and for fear of reprisals, most correspondents for Tamil media in the east of the country no longer by-line their articles…The organisation considers Sri Lanka to be one of the world's most dangerous countries for journalists." **[27c]**

16.24 On 11 October 2006 Reporters Sans Frontières reported the Mission Statement of the International Fact-Finding and Advocacy Mission to Sri Lanka:

"From 9 to 11 October 2006 a high-level five member delegation representing the International Press Freedom and Freedom of Expression Mission (also referred to as the International Mission), which is comprised of international press freedom and media development organisations, undertook a fact-finding and advocacy mission to Sri Lanka. The objectives of the mission were to assess the current media situation in the country and the impact of the escalation in fighting between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE) on the media…The International Mission found that there has been a serious deterioration in the security situation for the Sri Lankan media with threats, abductions and attacks committed by all parties in the conflict, and particularly paramilitary and militia groups. Eight media workers have been killed since August 2005 and there have been numerous death threats and incidents of harassment, including violent attempts to stop the distribution of newspapers. Moreover, even in cases where evidence exists of the identity of the alleged killers little or no action has apparently been taken by the relevant authorities. Those supporting a negotiated settlement are often labelled as 'traitors' and supporters of one or the other combatant parties and there appears to be a widespread acceptance of hate speech. As a consequence, many media workers are in hiding, some for up to six months, while in other cases threats have been made to the families of media workers." **[27b]**

16.25 "The mission found that censorship exists, although it is applied largely through indirect means. The Government in June approved, but has not yet enforced, the reintroduction of state-controlled regulation of the media through the Sri Lanka Press Council and in August the President reportedly told editors that the military were keen to censor the media…The decision by the authorities to close satellite television services has hindered public access to foreign news programmes… Emergency regulations established on 18 August 2005 give the Government wide powers of prior restraint against the media, although these are yet to be applied… The Government has yet to enact a Freedom of Information Act, despite having approved a draft version of the law at a cabinet meeting in 2003." (Mission Statement, International Fact-Finding and Advocacy Mission to Sri Lanka) **[27b]**

INTERNET FREEDOM

16.26 The USSD 2006 reported that "There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chatrooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by electronic mail. For example, Tamilnet, an LTTE Web site, is accessible throughout the country. There are also hate Web sites that call for the killing of 'traitors to the Sinhala nation.'" **[2c] (Section 2a)**

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17. HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

17.01 As noted in the US State Department (USSD) Report 2006, Sri Lanka:

"A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views. Many domestic human rights NGOs, including the Consortium of Humanitarian Agencies; Home for Human Rights; the University Teachers for Human Rights, Jaffna; the Civil Rights Movement; and the Law and Society Trust monitored civil and political liberties. The government officially required NGOs to include action plans and detailed descriptions of funding sources as part of the initial registration process, and every five years thereafter. In August [2006] the government required that NGOs working in the north and east register with the Ministry of Defense but did not enforce this requirement with all agencies. NGO workers viewed the renewal requirement as an attempt by the government to exert greater control over the NGO sector after previous human rights groups' criticisms. Most NGOs complied with these reporting requirements. After August the government did not renew work permits for international NGO staff working in LTTE-controlled areas."
[2c] (Section 4)

17.02 A letter from the British High Commission in Colombo, dated 10 April 2007, noted that "The regulations and the atmosphere they [the revised Emergency Regulations] generate has added to the pressure on International NGOs and NGO staff who are being compelled to get clearance from the Defence Ministry to employ local staff. Foreign Staff are subject to stringent checks from the Defence Ministry before being given work permits." **[15a]**

17.03 The ICRC Annual Report 2006, Sri Lanka published on 24 May 2007, stated that "Twenty-five workers from various humanitarian organizations were killed in Sri Lanka in 2006." **[34b]** In an interview with Reuters on 8 August 2007 during his visit to Sri Lanka, John Holmes, UN Under Secretary General for Humanitarian Affairs, noted that there was concern about the safety of humanitarian workers in Sri Lanka which was one of the most dangerous countries in the world for aid workers. Aid agencies said 34 humanitarian staff had been killed in Sri Lanka since January 2006. (Reuters Foundation Alertnet, Interview - Sri Lanka a top danger spot for aid workers-UN, 9 August 2007 **[4c]**

17.04 A document produced by the Internal Displacement Monitoring Centre (IDMC)/Norwegian Refugee Council entitled 'Civilians in the way of conflict: Displaced people in Sri Lanka', dated September 2007 recorded that:

"The "humanitarian space" in Sri Lanka has been steadily shrinking since 2006 and it has become increasingly difficult for agencies to respond to the needs of IDPs and other vulnerable groups. Aid workers are finding themselves being increasingly targeted in the brutal conflict…Furthermore, the policy of restricting agencies for security reasons has led many members of the humanitarian community to question why areas that are deemed unsafe for some NGO staff are at the same time considered suitable for IDP returns."
[54b] (p26)

17.05 The killing of 17 local employees of the French organisation ACF happened on 4 August 2006 in Muttur. "All 17, 14 men and 3 women were killed execution style in the compound of the ACF office. All but one was [sic] Tamils." (Sri Lanka Monitoring Mission, Geneva Report 29 May – 31 August) **[22h] (Section 2)** On 30 August 2006 BBC News reported that "Truce monitors in Sri Lanka

have accused the military of killing 17 local employees of a French charity. The deaths this month of the Action Against Hunger workers were 'a gross violation of the ceasefire accord by the security forces', monitors said. They were 'convinced' no other armed group could have been behind the killings near Muttur in the north-east…The monitors said that after interviews with officials and witnesses they were 'convinced that there cannot be any other armed groups than the security forces who could actually have been behind the act'. The statement called the incident a 'committed act of assassination' that was 'one of the most serious recent crimes against humanitarian aid workers worldwide'." **[9r]**

17.06 On 23 April 2007, the International Commission of Jurists (ICJ) released the report of its observer on the inquest into the killings of 17 aid workers killed in August 2006 in Muttur. According to the report, there were "significant flaws" in the investigation carried out by the Sri Lankan police and the Criminal Investigation Department (CID). **[78a]**

17.07 On 3 July 2007, Irin reported that:

"The ACF murders, the largest number of humanitarian workers killed since 22 UN employees died in Baghdad in August 2003, have highlighted the dangerous working environment of humanitarian workers in Sri Lanka. CHA [Consortium of Humanitarian Agencies] statistics show that at least 33 local humanitarian workers - from organizations including Hudec, World Concern and the Tamil Rehabilitation Organisation - have been killed or are missing and presumed dead, since January 2006. Scores more have been abducted, intimidated and released. CHA officials told IRIN that getting complete figures has proven difficult, with agencies sometimes reluctant to divulge details for fear of reprisals…On 3 June 2007 two volunteers from the Sri Lanka Red Cross were abducted in Colombo and killed. In both the ACF case and that of the Red Cross workers no arrests have been made although investigations by police continue and, in the ACF case, a Special Presidential Commission of Inquiry is investigating as well. The ACF case is also being heard at the magistrate's court in Kantale Town, Trincomalee District…The International Federation of the Red Cross (IFRC) and many UN and non-governmental agencies have expressed concern about the rise in anti-NGO sentiment in the country, including in some media...The fear of abductions and killings of humanitarian workers is, in some instances, dissuading staff from taking assignments in high risk areas, according to some humanitarian officials." **[55a]**

17.08 As noted in the Amnesty International report 'Sri Lanka – A climate of fear in the East', published on 3 February 2006:

"None of the established human rights mechanisms have been able to effectively investigate human rights abuses, let alone facilitate justice or redress for victims of human rights abuses. The Sri Lankan Monitoring Mission (SLMM), established to monitor the CFA…has been unable to effectively address the worsening human rights situation in eastern Sri Lanka. The SLMM is mandated to receive and enquire into complaints about breaches of the CFA, including killings and abductions, with [sic] parties to the CFA. However it does not have a mandate to independently investigate these breaches and can therefore do little more than raise the complaint with the allegedly responsible party. Likewise, international agencies with monitoring or protection mandates, including The United Nations Children's Fund (UNICEF),

The Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC) receive complaints of human rights abuses in relation to their areas of competence, but are also in practice restricted to raising these concerns with the allegedly responsible party. The National Human Rights Commission (NHRC) is mandated to monitor and investigate violations by state actors only, although it does register complaints about abuses by the LTTE." **[3m] (Introduction)**

17.09 The USSD report 2006 noted that "In August [2006] Sweden, Finland, and Denmark announced their withdrawal from the SLMM in response to LTTE demands that European Union (EU) countries withdraw following the EU's designation of the LTTE as a terrorist organization. Subsequently, 37 monitors departed, leaving about 30 civilian monitors in the country." **[2c] (Section 4)**

See also Section 3 on The Internal conflict and the peace process

17.10 The USSD report 2006 also noted that "In July 2004 the LTTE set up the Northeast Secretariat of Human Rights (NESOHR). Since its inception, NESOHR received hundreds of complaints ranging from land disputes to child recruitment complaints. Some groups questioned NESOHR's credibility because of its close ties to the LTTE." **[2c] (Section 4)**

17.11 As noted on the website of the ICRC:

"The ICRC has maintained a constant presence in Sri Lanka since 1989, acting as a neutral intermediary in the conflict between the government and the Liberation Tigers of Tamil Eelam (LTTE) and providing assistance to those affected by fighting and natural disaster. A ceasefire in February 2002 led to hopes for peace in Sri Lanka. Since the end of 2005, however, the situation has deteriorated and renewed fighting has claimed hundreds of lives and resulted in the displacement of tens of thousands of people…The ICRC, in coordination with the Sri Lanka Red Cross Society, is distributing shelter material and other emergency relief items to the newly displaced, improving water and sanitation facilities and providing support for medical services. At the same time, the ICRC continues to call on both parties to the conflict to respect the rules and principles of international humanitarian law." In 2007, the ICRC personnel in Sri Lanka comprised 546 staff including 71 expatriates **[34c]** On 2 June 2007 it was reported that two local Sri Lanka Red Cross members, who had been abducted earlier by unidentified persons in Colombo were found shot dead in the Kiriella area of Ratnapura district.(SATP Sri Lanka Timeline – Year 2007) **[37d]**

17.12 As noted in the USSD report 2006 "The government continued to allow the ICRC unrestricted access to detention facilities...The ICRC provided international humanitarian law training materials and training to the security forces. During the year the ICRC also delivered health education programs in LTTE-controlled areas in the north and east." **[2c] (Section 4)**

See also Section 8 on Avenues of complaint

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18. CORRUPTION

18.01 As noted in the US State Department (USSD) Report 2006, Sri Lanka:

"There was corruption in the executive and legislative branches. Transparency International (TI) identified nepotism and cronyism in the appointment of officials to government and state-owned institutions. The tendering and procurement process for government contracts was not transparent, leading to frequent allegations of corruption by the losing bidders. TI also noted that corruption was a problem in high value tender processes, including the establishment of business operations. The Commission to Investigate Allegations of Bribery or Corruption (CIABOC) received 3,212 complaints, of which 943 were under investigation at year's end. According to the Deputy Director General of the CIABOC, the trial was still in progress at year's [2006] end. The focus of the prosecution was the questionable acquisition of assets by former Deputy Defense Minister Ratwatte. There was no law providing for public access to government information." **[2c] (Section 3)**

18.02 As noted in the Freedom House document, 'Countries at the Crossroads 2006, Sri Lanka':

"Three significant types of corruption prevail in the Sri Lankan political system: efforts to circumvent bureaucratic red tape, personal bribe solicitation by government officials, and nepotism and cronyism…Sri Lanka has long had anticorruption laws in place, but enforcement of the laws has been a serious problem. Enforcement of anti-bribery laws is the responsibility of the Bribery Commission, which was established in 1994. It has been largely ineffective… Transparency International-Sri Lanka has noted the poor enforcement of anticorruption laws, a task that currently is divided among agencies including the Bribery Commission. Whistle-blower protection legislation, a freedom-of-information act, and laws for public disclosure of assets by public officials are lacking." Freedom House's rating for anticorruption and transparency in Sri Lanka was 3.71 (on a scale of 0 to 7, with 0 representing weakest and 7 representing strongest performance. **[46f] (Anticorruption and Transparency)**

18.03 A press release issued by Transparency International Sri Lanka on 6 November 2006 noted that:

"Sri Lanka's declining rank on the Corruption Perception Index (CPI) 2006 of Transparency International reflects the continuous deterioration of the corruption situation in the country. Sri Lanka's rank has dipped a considerable 6 notches bringing it from 78 in 2005 to 84 in 2006, in the Index which covers 163 countries…The CPI score relates to perceptions of the degree of corruption as seen by business people and country analysts and ranges between 10 (highly clean) and 0 (highly corrupt)." **[63a]** Sri Lanka was placed 94 out of 179 countries in the 2007 CPI, released on 26 September 2007. **[63b]**

18.04 As reported by the Government-controlled *Daily News* on 17 May 2007:

"The number of complaints on corruption cases received by the Commission to Investigate Bribery or Corruption has increased by 35 per cent this year with the majority of complaints received against politicians and high-ranking Government officials. Director Investigations of the Bribery Commission SSP

Neville Guruge told the Daily News that there are 600 corruption cases pending for investigations out of which more than 100 were against politicians. 'Our Investigation officers, so far have arrested 37 Government officials when they were receiving bribes and arrested seven others on corruption complaints, he added…However, he said, investigations into corruption cases has been delayed due to shortage of investigation officers available with the Commission. The Commission has to depend on 103 employees with only 80 officials deployed as investigation officers." **[16b]**

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19. FREEDOM OF RELIGION

INTRODUCTION

19.01 The US State Department Report for 2007 on Religious Freedom in Sri Lanka, published on 14 September 2007, observed that:

"The Constitution accords Buddhism the 'foremost place,' but Buddhism is not recognized as the state religion. The Constitution also provides for the right of members of other faiths to freely practice their religion. While the Government publicly endorses this right, in practice there were problems in some areas. There was no change in the status of respect for religious freedom by the Government during the period covered by this report…Since late 2003, the country has witnessed a spate of attacks on Christian churches and on pastors and congregants. More than 300 attacks have been alleged since 2003, with several dozen confirmed by the U.S. Embassy. In response, major political and religious leaders have publicly condemned the attacks, and police have arrested and prosecuted approximately a dozen persons in connection with the incidents. There were sporadic attacks on Christian churches by Buddhist extremists and some societal tension due to ongoing allegations of forced conversions and debate on anticonversion legislation." **[2a] (Introduction)**

19.02 "Parliament has not taken action on anti-conversion legislation first introduced in 2004. In May 2004, the Jathika Hela Urumaya Party (JHU) presented to Parliament a bill that would criminalize "unethical" conversions and on May 6, 2005, the JHU presented the bill for a second reading, despite a Supreme Court ruling that some sections of the bill were unconstitutional. Subsequently, the proposed bill was referred to a special parliamentary committee, which met for the first time in April 2006. The bill remained under consideration within the committee at the end of the period covered by this report." (USSD, International Religious Freedom Report 2006) **[2a] (Introduction)**

19.03 "Buddhism, Hinduism, Islam, and Christianity are practiced. Approximately 70 percent of the population is Buddhist, 15 percent Hindu, 8 percent Christian, and 7 percent Muslim. Christians tend to be concentrated in the west, with much of the east populated by Muslims and the north almost exclusively by Hindus. Most members of the majority Sinhala community are Theravada Buddhists. Most Tamils, who make up the largest ethnic minority, are Hindu. Almost all Muslims are Sunnis; there is also a small minority of Shi'a, including members of the Borah community. Almost 80 percent of Christians are Roman Catholics, with Anglican and other mainstream Protestant churches also present in the cities. Seventh-day Adventists, Jehovah's Witnesses,

Methodists, Baptists, Dutch Reformed, Anglicans, Pentecostal, and the Assemblies of God are also present. Evangelical Christian groups have grown in recent years, although membership is still small." (USSD, International Religious Freedom Report 2006) **[2a] (Section I)**

19.04 "The Ministry of Religious Affairs has four departments, one each to deal with Buddhist, Hindu, Muslim, and Christian affairs. According to the legislation defining their mandates, each department should formulate and implement programs that inculcate religious values and promote a virtuous society…Despite the constitutional preference for Buddhism, a number of major religious festivals of other faiths are celebrated as national holidays. These include the Hindu Thai Pongal, New Year, and Deepawali festivals; the Muslim Hadji and Ramzan festivals and the Prophet Muhammad's birthday; and Christian Good Friday and Christmas…Religion is a mandatory subject in the public school curriculum. Parents and children may choose whether a child studies Buddhism, Islam, Hinduism, or Christianity. Students of other religious groups can pursue religious instruction outside of the public school system, since no instruction is provided for other religions. Schools teach religion from an academic point of view. Most private schools follow curricula similar to public schools because all students must take national exams administered by the government. Matters related to family law, including divorce, child custody, and inheritance, were adjudicated according to the customary law of the concerned ethnic or religious group. The minimum age of marriage for women is 18 years, except in the case of Muslims, who continued to follow their customary religious practices of girls attaining marrying age with the onset of puberty and men when they are financially capable of supporting a family. The application of different legal practices based on membership in a religious or ethnic group may result in discrimination against women." (USSD, International Religious Freedom Report 2007) **[2a] (Section II)**

19.05 "During the reporting period, human rights abuses were committed against individuals at places of worship in the north and east. While these incidents had an impact on religious freedom, they were not religiously motivated; instead, they were a product of the conflict situation." (USSD, International Religious Freedom Report 2007) **[2a] (Section III)**

19.06 As noted in the Foreign & Commonwealth Office '2006 Annual Report on Human Rights', dated October 2006:

"While followers of the country's four main faiths are mainly able to worship freely, there have been consistent and credible reports of harassment, intimidation, destruction of property and occasional violence against Christians over the last three years. While the incidents appear to be localised rather than nationally orchestrated, they highlight the Sri Lankan authorities' lack of capacity to protect Christians and members of other faiths, and their failure to prosecute those responsible for inciting and committing violent acts. Occasionally, the wider conflict, which is mainly fought along ethnic lines, finds expression through religious symbols as the main ethnic groups follow differing faiths." **[15l] (p259)**

BUDDHISTS

19.07 "The Constitution accords Buddhism the 'foremost place,' but Buddhism is not recognized as the state religion." (USSD, International Religious Freedom

Report 2007) **[2a] (Introduction)** Most members of the majority Sinhala community are Theravada Buddhists." **[2a] (Section I)**

HINDUS

19.08 As recorded in the US State Department Report for 2007 on Religious Freedom in Sri Lanka 15 percent of the population is Hindu. "Most Tamils, who make up the largest ethnic minority, are Hindu. The report also added that the north was almost exclusively populated by Hindus." **[2a] (Section I)**

19.09 The USSD 2007 International Report on Religious Freedom reported that:

"On June 17, 2006, in Pesalai, government troops were accused of storming a church, Our Lady of Victory, and opening fire where hundreds of civilians, including both Christian and Hindu Tamils, were seeking shelter from an exchange of fire between the Government and the LTTE. On May 6, 2006, eight Tamil men were abducted from a Hindu temple in the north; this incident was also likely politically motivated. The men had been decorating the temple for a religious festival; they were reported missing on May 7, 2006, and their whereabouts were unknown at the end of the period covered by this report. Eyewitnesses said Army personnel were in the temple from early morning on May 7, and they had seen the eight men being taken away by Army personnel. Next-of-kin of the eight abducted men have registered complaints with the Human Rights Commission in Jaffna, the UN Special Rapporteur for Extra-Judicial Killings, and Amnesty International but no action has been taken." **[2a] (Section II)**

19.10 "In February 2007 BBC News reported Hindu priest Selliah Parameswar Kurukkal Parameshwara was taken from his home in eastern Batticaloa and killed. Only a few days before, he had met the President Rajapaksa in Vakarai and blessed him in the Hindu tradition in a public ceremony. Government security forces had taken Parameshwara to Vakarai to greet the President following the military's defeat of LTTE forces there. The LTTE were suspected in his death, and there was no evidence that this killing was religiously motivated." (USSD, International Religious Freedom Report 2007) **[2a] (Section II)**

MUSLIMS

19.11 As stated in the USSD Religious Freedom Report 2007:

"Almost all Muslims are Sunnis, with a small minority of Shi'a, including members of the Borah community." **[2a] (Section II)**

"In 1990 the LTTE expelled some 46,000 Muslim inhabitants - virtually the entire Muslim population - from their homes in the northern part of the island. Most of these persons remained displaced and lived in or near welfare centers. Although some Muslims returned to the northern town of Jaffna in 1997, they did not remain there due to the continuing threat posed by the LTTE. There were credible reports that the LTTE warned thousands of Muslims displaced from the Mannar area not to return to their homes until the conflict was over. It appears that the LTTE's actions against Muslims were not due to Muslims' religious beliefs, but rather that they were part of an overall strategy to clear the north and east of persons unsympathetic to the LTTE.

The LTTE made some conciliatory statements to the Muslim community, but many Muslims viewed the statements with skepticism. The LTTE continued to encourage Muslim internally displaced persons (IDPs) in some areas to return home, asserting they would not be harmed. Although some Muslim IDPs returned home, the vast majority did not and instead waited for a government guarantee of safety in LTTE-controlled areas. Since the 2002 Ceasefire Agreement, the LTTE also carried out a number of attacks in the east in which Muslims have been killed. No arrests were made in these cases by the end of the period covered by this report." **[2a] (Section II)**

19.12 The USSD Religious Freedom Report 2007 further noted that:

"Some minority Islamic sects also faced discrimination, harassment, and threats on places of worship and on persons from some members of the majority Sunni Islamic community in Sri Lanka. Police generally provided protection for these groups at their request. On May 18, 2007, the Ahmadiyya Muslim community in Negombo asked for and received local police protection at their mosque following threats from Sunni Muslims to take over the mosque, and Friday prayers passed without incident.On May 11, 2007, a group of Sunni Muslims had come to the Ahmadi mosque in Negombo and held prayers there, barring the Ahmadi group from entering. Police were present on the scene but reported they did not want to use force to disperse the crowd inside the mosque. In October 2006 the Ahmadiyya community had reported that the Sunni group had instructed the State media not to give any publicity to the minority Ahmadis, accusing them of being apostates. The Ahmadiyya group lodged complaints against a Sunni group for allegedly killing one of their members on October 14, 2006, and assaulting Pakistani Ahmadi Muslims in Negombo on October 9. Local police did not take any action on any of these cases during the reporting period." **[2a] (Section III)**

19.13 The International Crisis Group (ICG) document 'Sri Lanka's Muslims: Caught in the Crossfire', 29 May 2007 recorded that the country's Muslims, "see themselves as a separate ethnic group". **[76b] (Executive Summary and recommendations)**

"Unlike the Tamils and Sinhalese, who have an ethnic identity based on language and history, the Muslims claim a separate ethnicity based predominantly on their adherence to Islam. In the national census they are listed separately, as 'Moors', reflecting European colonial usage." **[76b] (Section 1A)**

19.14 "In formal terms, Muslims enjoy considerable freedoms within the Sri Lankan state. There are no restrictions on religious worship, and major Muslim religious holidays are celebrated as public holidays. Muslims have the right to use quazi courts to rule on family matters under Sharia law, although Muslims also have the right to seek redress through secular courts. Muslims likewise enjoy separate (state-funded) schools in which Islam is taught in addition to the standard national curriculum. There are Muslims in all political parties, and there are no restrictions on Muslim political parties. There are several such, although most of the smaller ones have just one representative in parliament, and their influence is somewhat limited by a proportional representation system that forces them to run in alliance with larger parties. There are many Muslim parliamentarians, and in May 2007 there were at least seventeen Muslim members of the government, albeit in a somewhat bloated

administration of 107 ministers and deputy ministers. Nevertheless, many Muslims complain of discrimination in the recruitment practices of state structures, claiming that well-qualified co-religionists are often passed over for jobs in key revenue bureaucracies, in particular, such as customs and income tax. They are substantially under-represented overall in state and semi-state structures." (ICG, 'Sri Lanka's Muslims: Caught in the Crossfire', 29 May 2007) **[76b] (Section 1 B)**

19.15 "Since the conflict restarted on a major scale in August 2006, most fighting has been in the Eastern province, where Muslims are particularly vulnerable… The Muslim community has suffered less [than eastern Tamils] but has still been a victim of the renewed fighting and the emergence of the TMVP." (ICG, 'Sri Lanka's Muslims: Caught in the Crossfire', 29 May 2007) **[76b] (Section VI)**

"Almost inevitably, the TMVP's attempt to fill the vacuum left by the LTTE has led to conflict with the Muslim community. Karuna was in command of the LTTE in the east in 1990 when some of the worst violence against Muslims took place. Since the split with the northern LTTE, it has occasionally made more placatory statements towards Muslims but reality on the ground has appeared to be at odds with the rhetoric…In January 2007 serious tensions emerged between the TMVP and the Muslim community of Kattankudi, which lies between two predominantly Tamil areas…Serious problems have also occurred in Pottuvil, a majority-Muslim village with a small Tamil population. Muslims were unhappy with the TMVP office, which opened in the centre of the town, and claimed there have been clashes between TMVP cadres and local youths. In March senior Colombo politicians reportedly rebuffed attempts to address the issue." **[76b] (Section VI B)**

19.16 The IGC report of May 2007 also noted that:

"While the main issue of Muslims with regard to the conflict has been relations with the Tamil community, there are also conflicts among Muslims themselves that have important implications for political stability…There have always been traditional differences among Muslims in Sri Lanka over issues of faith, most of which have not provoked serious conflict and have been accepted by religious leaders as part of a broader tolerance in the community. However, since the late 1980s there has been a strong growth in ultra-orthodox interpretations of Islam that have provoked conflicts with other sects, notably Sufism." **[76b] (Section VII A)**

19.17 The 'UNHCR Position on the International Protection Needs of asylum-seekers from Sri Lanka', dated December 2006 stated:

"Muslims are particularly vulnerable to human rights abuses from parties to the conflict. For example, certain Muslims are targeted by the LTTE, such as those suspected of being government informers and those who are perceived as opposed to the LTTE. Furthermore, Muslims residing near LTTE-controlled areas, or areas contested by the LTTE, in Eastern Sri Lanka are at risk of forced displacement, threats and killings due, in particular, to being caught in the cross-fire during armed hostilities. Those who flee generalized violence in LTTE-controlled areas have the possibility to move to government-controlled areas, however, there may be difficulties encountered in finding means of transport and safe routes." **[6b] (Paragraph 27)**

See also Section 20 and 29

CHRISTIANS

19.18 As stated in the USSD Religious Freedom Report 2007, eight per cent of the population is Christian and Christians tend to be concentrated in the west of the country. "Almost 80 percent of Christians are Roman Catholics, with Anglican and other mainstream Protestant churches also present in the cities. Seventh-day Adventists, Jehovah's Witnesses, Methodists, Baptists, Dutch Reformed, Anglicans, Pentecostal, and the Assemblies of God are also present. Evangelical Christian groups have grown in recent years, although membership is still small." **[2a] (Section I)**

19.19 "Some Christian denominations resisted greater government involvement in their affairs; as a result, they were allowed to register through acts of parliament or as corporations under domestic law." (USSD, International Religious Freedom Report 2007) **[2a] (Section II)**
"The police investigated many incidents of attacks and harassment against Christians when complaints were made. Occasionally the police were reluctant to pursue criminal charges against the suspected perpetrators, some of whom were Buddhist monks. Law enforcement officials believed that a majority of the attacks were conducted by a small number of extremist Buddhists." **[2a] (Section II)**

19.20 "During the period covered by this report, Christians, both of mainstream denominations and evangelical groups, sometimes encountered harassment and physical attacks on property and places of worship by some local Buddhists who believed they were threatened by these groups and were opposed to conversion. Some Christian groups occasionally complained that the Government tacitly condoned harassment and violence aimed at them. In some cases police response was inadequate, and local police officials reportedly were reluctant to take legal action against individuals involved in the attacks." (USSD, International Religious Freedom Report 2007) **[2a] (Section II)**

19.21 "The National Christian Evangelical Alliance of Sri Lanka (NCEASL) stated that during the reporting period, there were 39 attacks on Christian churches, organizations, religious leaders, or congregants, 90 percent of which were reported to the police. Credible sources confirmed some of these attacks. Allegations by Buddhist extremists of Christian involvement in 'unethical' or forced conversions continued to be a source of tension between the two communities. Christians denied this charge, responding that people undergo conversion of their own free will. There were reports that members of some evangelical groups made disparaging comments about Buddhism while evangelizing. Some groups also alleged that Christians engaged in aggressive proselytism and took advantage of societal ills such as general poverty, war, and lack of education. Christians countered that their relief efforts were not targeted at converting aid beneficiaries." (USSD, International Religious Freedom Report 2007)) **[2a] (Section II)**

19.22 "In 2005, the number of incidents of violence against Christians fell significantly. However, this year there has been a rise in violence, with a total of 30 reported incidents in the first five months, and an increasing number of threats made. In a meeting with approximately 50-60 pastors of different denominations, including Anglican, Methodist, Dutch Reformed, Assemblies of

God, Foursquare Gospel Church and other evangelical groups, including pastors from LTTE-controlled areas, 20-25 pastors said that they or their church members had suffered physical persecution, including arson, assault and destruction of homes and church buildings." (CSW Sri Lanka visit report dated 26 May 2006) **[12] (Violence, Threats and Intimidation: Interviews with Victims)**

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20. ETHNIC GROUPS

20.01 The CIA World Factbook, Sri Lanka records that the population can be divided into the majority Sinhalese (73.8 per cent), Sri Lankan Moors [Muslims] 7.2 per cent, Indian Tamil 4.6 per cent, Sri Lankan Tamil 3.9 per cent, other 0.5 per cent, unspecified 10 per cent (2001 census provisional data). **[30]** However, as recorded by the Sri Lankan Department of Census and Statistics (Statistical Abstract 2006, Chapter II, tables 2.10 - 2.11), based on a total population of 18,797,257 the population comprises: Sinhalese (82 per cent), Sri Lankan Tamil (4.3 per cent), Indian Tamil (5.1 per cent), Moor (7.9 per cent), Burgher (0.2 per cent), Malay (0.3 per cent), Sri Lankan Chetty (0.1 per cent) and other (0.1 per cent). However, data from Jaffna, Mannar, Vavuniya, Mullaitivu, Kilinochchi, Batticaloa and Trincomalee districts in which the 2001 census enumeration was not completed were not included. **[58a]**

20.02 "There were 34 Tamils and 24 Muslims in the 225-member parliament. There was no provision for or allocation of a set number or percentage of political party positions for women or minorities." (USSD 2006) **[2c] (Section 3)**

20.03 As recorded in Jane's Sentinel Security Assessments, 'Country profile - At a glance, Sri Lanka', 26 April 2007, "…the tension in relations between the Sinhalese and Sri Lankan Tamils has been the most prominent political trend in Sri Lanka since independence (1948)…In contrast to the confrontational strategies of Sri Lankan Tamils, the Muslims and Indian Tamils adopted political stances of 'qualified collaboration' with one or the other of the main Sinhalese-dominated political parties." **[5a] (Internal Affairs, 26 April 2007, Post-Independence ethnic tension)**

20.04 As noted in the Foreign & Commonwealth Office 2006 Annual Report on Human Rights, dated October 2006:

"Since the 1980s, Sri Lanka has been the site of significant ethnic violence between the majority Sinhalese Buddhist community and the minority Hindu Tamil community, which is concentrated in the north and east of the island. Full-scale fighting began in 1983 and ended with a ceasefire between the government and the LTTE in 2002. By then, over 60,000 people had been killed." **[15l] (p212)**

20.05 As recorded in Keesing's Records of World Events, October 2006 – Sri Lanka:

"The Supreme Court ruled on Oct. 16 [2006] that the merger of Sri Lanka's northern and eastern provinces, where most Tamils lived, was illegal and unconstitutional. The two provinces were merged under the Indo-Sri Lankan agreement of 1987, paving the way for the deployment of an Indian Peace

Keeping Force (IPKF) on the island...However, the merger was intended to be temporary and subject to a local referendum within a year on whether to make it permanent. Although the population in the Northern Province was almost wholly Tamil, the Eastern Province was mixed, with significant Muslim and Sinhalese minorities. The judgment was significant because the current North-East Province was the geographical basis of the LTTE's claim to a Tamil homeland, whether independent or autonomous. The ruling came in response to a petition from two legislators of the Sinhala-nationalist Janatha Vimukthi Peramuna (JVP) party, until recently a partner in government with the ruling Sri Lankan Freedom Party (SLFP)." **[23i]**

20.06 As reported by BBC News on 17 October 2006:

"What is perhaps a highly significant judgement of the Sri Lankan Supreme Court on Monday was overshadowed when the country's bloodiest suicide bombing killed nearly 100 sailors. At the same time as the bloodshed, the Supreme Court ruled that a merger of the northern and eastern provinces of the island was not acceptable in law. The two events at first glance may appear to be wholly unconnected, but in reality the question of what happens to the north and east of Sri Lanka is crucial to finding a peaceful end to the seemingly endless cycle of violence...The merger of the two provinces, claimed by the Tamils as an historic homeland for Tamil-speaking people, was a key demand of most Tamil parties…The referendum was deemed necessary as the east was a more multi-ethnic region when compared to the north…Whereas most hardline Sinhalese politicians are likely to welcome the ruling [of the Supreme Court], many Tamil people are worried about it… Meanwhile Muslims of the east, who have always had a difficult relationship with the Tamil Tigers, have been uneasily trying to reconcile themselves to living under a unified administrative structure that would ensure a dominant role for Tamil parties." **[9m]**

20.07 On 2 January 2007 the *Daily Mirror* (Sri Lanka) reported that the eastern governor (and acting governor for Northern Province) had said that the administrative operations of the newly de-merged northern and eastern provinces had started in separate offices in Trincomalee town. **[11e]**

20.08 The 'UNHCR Position on the International Protection Needs of asylum-seekers from Sri Lanka', dated December 2006 noted that:

"Given the prevailing situation of widespread hostilities, insecurity and human rights violations in the North and East of Sri Lanka, it is UNHCR's view that the situation there can be characterized as one of generalized violence and events seriously disturbing public order. All three ethnic groups, Sinhalese, Muslims and Tamils are affected by the situation of generalized violence and armed conflict." **[6b] (Paragraph 33)**

SINHALESE

20.09 With between 73.8 and 82 per cent, the Sinhalese ethnic group constitutes the majority of the Sri Lankan population. (The CIA World Factbook) **[30]** (Sri Lankan Department of Census and Statistic - Statistical Abstract 2006, Chapter II, tables 2.10 - 2.11) **[58a]** Sinhalese represent the majority in seven out of the nine provinces into which the country is divided; their mother tongue is Sinhala and 93 per cent of their total are Buddhists. (Jane's Sentinel

Security Assessments, Country profile - At a glance, Sri Lanka, 26 April 2007: Demography, 3 May 2007) **[5a]**

20.10 The State of the World's Minorities 2007 (Events of 2006), published by Minority Rights Group International in March 2007, Sri Lanka Flash Point, (dated November 2006) reported that "The Sinhalese Buddhists, who make up 70 per cent of Sri Lanka's population, control the state machinery – the military as well as the government." **[62a] (p21)**

TAMILS

20.11 The State of the World's Minorities 2007 noted that "The Tamils – the majority of whom are Hindus – are ethnically distinct and speak their own language.The rebel movement, the Tamil Tigers, want to carve out a separate state for minority Tamils in the north and east of the country. **[62a] (p21)**
During the conflict, Tamil moderates have found themselves doubly victimized. Vulnerable to rebel reprisals, they are also attacked by government forces, who believe them to be rebels or supportive of the Tamil Tigers. Under the terrorism laws, the ill-treatment of Tamils, subjected to illegal detention and torture, is well-documented. Moreover, Tamils in lower-class groups face routine harassment – something that has become more pronounced over the past few months." **[62a] (p23-24)**

20.12 "The ethnic conflict [between Sinhalese and Tamils] in Sri Lanka has been going on for over 20 years as the Liberation Tigers of Tamil Eelam (LTTE) fight for an independent homeland." (FCO Sri Lanka Country Profile) **[15j] (The Internal Conflict)**

20.13 As recorded by the Sri Lankan Department of Census and Statistics (Statistical Abstract 2006, Chapter II, tables 2.10 - 2.11), in Colombo district there were 247,739 Sri Lanka Tamils and 24,821 Indian Tamils out of a total population of 2,251,274. The districts of Ampara, Gampaha, Kandy, Puttalam and Nuwara Eliya also had a high concentration of Tamils. However, data from Jaffna, Mannar, Vavuniya, Mullaitivu, Kilinochchi, Batticaloa and Trincomalee districts in which the 2001 census enumeration was not completed were not included. **[58a]**

20.14 As recorded in Jane's Sentinel Security Assessments, 'Country profile - At a glance, Sri Lanka', 26 April 2007:

"Until the early 1980s this process [the tension in relations between the Sinhalese and Sri Lankan Tamils] was primarily political and was defined by sustained agitation by parties and groups representing the interests of the Sri Lankan Tamils against successive Sinhalese-dominated governments, interspersed with periodic outbursts of communal violence in areas of mixed ethnicity at which Tamils suffered at the hands of rampaging Sinhalese mobs…Tamil grievances at this stage were focused mainly on the theme of economic deprivation and political alienation and focused upon campaigning for a due share of political power, access to resources and economic opportunities, and entitlement to the benefits of development. Over time, there emerged within the Tamil community the idea that it constitutes a distinct 'national group', primarily in response to state alienation and exclusion, and that the Tamil community had been arbitrarily unified with the 'Sinhalese nation' in the creation of 'British Ceylon'. This notion formed the ideological

and political basis of a secessionist movement committed to the objective of establishing an independent Tamil state ('Eelam') encompassing the northern and eastern parts of the island of Sri Lanka." **[5a] (Internal Affairs, 27 April 2007, Post-Independence ethnic tension)**
"Several factors contributed to the supremacy acquired by the LTTE over other Tamil groups. The most basic among these has been their success in mobilising disgruntled Tamil youth and their capacity to command absolute obedience from among the ranks. The ferocity with which the LTTE has dealt with renegades, its rivals or any other force that stood in its way was another factor that contributed to its meteoric rise." **[5a] (Internal Affairs, 27 April 2007, Tamil Militancy and the LTTE's rise to supremacy)**

20.15 The 'UNHCR Position on the International Protection Needs of asylum-seekers from Sri Lanka', dated December 2006 noted:

"In addition to the situation of widespread insecurity and the impact of the armed conflict in the North and East, Tamils in and from these regions are at risk of targeted violations of their human rights from all parties to the armed conflict. Harassment, intimidation, arrest, detention, torture, abduction and killing at the hands of government forces, the LTTE and paramilitary or armed groups are frequently reported to be inflicted on Tamils from the North and East. Individuals suspected of having LTTE affiliations are at risk of human rights abuses by the authorities or allegedly government sponsored paramilitary groups. In the same manner, those who refuse to support the LTTE and those who are perceived as supporters or sympathizers of the Government, risk serious violations of human rights from the LTTE." **[6b] (Paragraph 14&15)**

20.16 On 25 April 2006 Human Rights Watch reported that the Sri Lankan Government had failed to respond adequately to recent attacks by armed groups on ethnic Tamils and their homes and businesses in the eastern Trincomalee district.

"Police and other security forces reportedly stood by as Tamils were attacked on April 12 after an alleged Tamil Tiger bomb at a Trincomalee market killed five persons. Witnesses said that within 15 minutes approximately 100-150 ethnic Sinhalese men armed with clubs and long knives attacked Tamil businesses and homes in Trincomalee town and district. Sri Lankan human rights organizations reported that attacks from April 12 to 16 left at least 20 civilians dead (including seven women), among them Tamils, Muslims and Sinhalese…Police and armed forces stood by while the burning and killing occurred, waiting from 45 to 90 minutes before taking action… President Mahinda Rajapakse's response to the violence has been grossly inadequate." **[21k]**

20.17 As noted in a press statement by the Ministry of Constitutional Affairs and National Integration posted on the official website of the Sri Lankan Government's Secretariat for Co-ordinating the Peace Process (SCOPP) on 30 June 2006:

"Even though Tamil was made the second official language in 1987 through the 13th Amendment to the Constitution of Sri Lanka, benefits of these constitutional provisions never reached the Tamil-speaking people….This decision [on the bilingualisation of public services] caters to the needs of the

Tamil-speaking people outside the North/East Provinces and also the Sinhala-speaking people in the North/East…It is noted that 52% of the Tamil people and 61% of the Tamil-speaking people in Sri Lanka live outside the Northern and Eastern Provinces." **[41l]**

20.18 On 18 May 2007 the Official Government News Portal of Sri Lanka reported that "Police will recruit retired government servants as Tamil interpreters as there is an acute shortage of Tamil interpreters at police stations. Inspector General of Police Victor Perera has instructed all senior police officers to immediately recruit, on a temporary basis, retired government servants who can speak Tamil, to the police force… This step is expected to remedy the difficulties faced by Tami public due to lack of Tamil interpreters at police stations." **[10h]**

20.19 As reported by the Government-controlled *Daily News* on 14 June 2007:

"With a view to 'bilingualise' the public service, the Government has decided to make proficiency in both official languages mandatory for persons newly recruited to the service with effect from next month. Accordingly, proficiency in Tamil will be made compulsory for all Sinhala speaking persons recruited to State institutions from July 1 while those speaking Tamil will also be required to prove their proficiency in Sinhala…The Minister [Constitutional Affairs and National Integration Minister D. E. W. Gunasekera] pointed out that although 25 per cent of the country's population are Tamil speaking (nearly 61 per cent of them living outside the North and the East), only six per cent of the employees in the public service and 16 per cent in the provincial public service are conversant in Tamil." **[16c]**

See also Sections 3, 4, 7, 8 and Annex C

UP-COUNTRY TAMILS

20.20 As noted in the US State Department (USSD) Report 2006, Sri Lanka:

"There were approximately one million Tamils of Indian origin, the so-called Hill, Tea Estate, or Indian Tamils, whose ancestors originally were brought to the country in the 19th century to work on plantations. In the past approximately 300,000 of these persons did not qualify for citizenship in any country and faced discrimination, especially in the allocation of government funds for education. In 2003 parliament passed a bill granting full citizenship to more than 460,000 tea estate Tamils. In August 2004 UNHCR began awareness campaigns to alert Tamils to the new legislation and by the end of 2005 had registered approximately 276,000 persons. UNHCR confirmed registration for an additional 75,000 persons during the year. At year's [2006] end 117,000 registrations remained unconfirmed. Both local and Hill Tamils maintained that they suffered longstanding systematic discrimination in university education, government employment, and in other matters controlled by the government. According to the SLHRC, Tamils also experienced discrimination in housing." **[2c] (Section 5)**

See also Section 31

MUSLIMS

20.21 The State of the World's Minorities 2007, reported that:

"After Tamils, Muslims are the second largest minority in Sri Lanka – numbering nearly a million. They have suffered tremendously in the conflict but they are often the 'forgotten minority' and their plight is rarely acknowledged. Sri Lankan Muslims are scattered across the country, but a majority live in the coastal areas…Their dominance in eastern Sri Lanka – in some small towns they form the majority – and their insistence on their separate and unique identity has brought them into conflict with the Tamil Tigers, who see the Muslim presence as a hindrance to their homeland claim". **[62a] (p23-24)**

20.22 The International Crisis Group (ICG) document 'Sri Lanka's Muslims: Caught in the Crossfire', 29 May 2007 recorded that "Throughout much of the 25-year Sri Lankan conflict, attention has focused on the confrontation between the majority Sinhalese and the minority Tamils. The views of the country's Muslims, who are 8 per cent of the population and see themselves as a separate ethnic group, have largely been ignored. **[76b] (Executive Summary and recommendations)**

"Unlike the Tamils and Sinhalese, who have an ethnic identity based on language and history, the Muslims claim a separate ethnicity based predominantly on their adherence to Islam. In the national census they are listed separately, as 'Moors', reflecting European colonial usage." **[76b] (Section 1A)**

See also Sections 19 and 29

INDIGENOUS PEOPLE

20.23 The USSD report 2006 recorded that "The country's indigenous people, known as Veddas, numbered fewer than 1,000. Some preferred to maintain their traditional way of life and are protected by the law. There are no legal restrictions on their participation in the political or economic life of the nation. Some Veddas complained that they were being pushed off their land in protected forest areas." **[2c] (Section 5)**

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21. LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

LEGAL RIGHTS

21.01 As noted in the US State Department (USSD) Report 2006, Sri Lanka, "The law criminalizes homosexual activity between men and between women, but the law was not enforced." **[2c] (Section 5)**

21.02 The Amnesty International 'Sexual Minorities and the Law: A World Survey' (last updated July 2006) recorded that in Sri Lanka homosexuality is illegal for males (while females are not mentioned in law) and that it imprisonable for ten years. As for transgender the document mentioned that the situation was unclear since there were no data or information on the legal situation. **[3d]**

21.03 Sodomy Laws, 'Laws around the world, Sri Lanka' (last edited 16 July 2004) quoted Section 365a of the Penal Code:

"365A. Any person who in public or in private, commits, or is a party to the commission of, or procures or attempts to procure the commission by any person of, any act of gross indecency with another person, shall be guilty of an offense, and shall be punished with imprisonment of either description for a term which may extend to two years or with fine or with both and where the offense is committed by a person over 18 years of age in respect of any person under 16 years of age shall be punished with rigorous imprisonment for a term not less than ten years and not exceeding twenty years and with a fine and shall also be ordered to pay compensation of an amount determined by court to the person in respect of whom the offense was committed for the injuries caused to such person." **[50]**

21.04 As recorded in the International Lesbian and Gay Association (ILGA) World Legal Survey website "Homosexual acts between men, regardless of age, are prohibited under Section 365a of the Penal Code with a penalty of up to 10 years imprisonment." **[29]**

GOVERNMENT ATTITUDES

21.05 The website Utopia-Asia.com, Country Listings, Sri Lanka, recorded that the law prohibiting homosexuality is not being currently enforced. **[72a]** The USSD report 2006 noted that the law which criminalises homosexual activity between men and between women was not enforced. **[2c] (Section 5)**

21.06 The USSD report 2006 further noted that "NGOs working on lesbian, gay, bisexual, and transgender issues did not register with the government. As in recent years human rights organizations reported that police harassed, extorted money or sexual favors from, and assaulted gay men in Colombo and other areas." **[2c] (Section 5)**

21.07 As noted in 'Human Rights?' a publication by the Sri Lankan organisation Equal Ground:

"For too long now, the Lesbian, Gay, Bisexual and Transgender community of Sri Lanka has suffered silently, denied their basic human rights. Under Section 365A of the Sri Lanka Penal Code, homosexuality is condemned as a criminal offence. Although this law, a relic of Colonisation has not been enforced in many, many years, it still serves as a reminder that in this country, not everyone is equal. Its vicious shadow is the threat of blackmail and continuing Police harassment." **[73a] (p16)**

SOCIETAL ILL-TREATMENT OR DISCRIMINATION

21.08 As recorded on the website Utopia-Asia.com, Country Listings, Sri Lanka, "While the law [prohibiting homosexuality] is not being currently enforced, its existence has allowed for official discrimination and societal stigma towards homosexuals. Local gay activists are working to bring the law into the 21st century." **[72a]**

21.09 As noted on the website of the Sri Lankan gay organisation Women's Support Group:

"The Women's Support Group has worked since 1999 for the rights of lesbians, bisexual women and transgendered persons (LBT). Our work has been diverse and at times very difficult. The stigma and discrimination that the gay, lesbian, bisexual, and transgendered (LGBT) community faces is validated by section 365 of the Penal Code of Sri Lanka. The Sri Lankan legal system makes it extremely difficult for our community to live openly. The Penal Code, based on 19 th century British law, states that homosexual sexual activity is a crime. Up till 1995, the subject of this law was only men. However, the 1995 amendment to the Penal Code made it 'gender-neutral' and now the Penal Code criminalizes both male and female homosexual sexual activity. This law and a homophobic social environment create a smothering atmosphere for the LGBT people. They are subject to discrimination on many fronts. They face blackmail by others, they face threats to their family, career, and their life. Some have been thrown out of their homes and others have lost their jobs. The legal system and the stigma associated with being homosexual, bisexual or transgendered in our society makes it difficult for members of the LGBT community to live their lives fully and openly. Around you there are many people who hide their sexual and gender identity from those around them due to the fear of what may happen to them if their identity is known." **[74a]**

21.10 As reported on 23 July 2005 on the website of Equal Ground, the first ever Gay Pride event in Sri Lanka was held on 20 July 2005 with over 300 people gathering in a discotheque in Colombo. **[73b]**

21.11 As reported in one BBC News article dated 20 May 2005:

"Companions on a Journey is a drop-in centre in Colombo that's become a lifeline for Sri Lanka's gay community…. When he [Sherman de Rose, the founder of Companions on a Journey] started the group last year, he used to receive death threats. It got so bad, he says, he had to leave the country for a while until religious groups, political leaders, and some sections of the media, the most vehement opponents to his organisation, calmed down. 'But attitudes have begun to change,' he says….One of the most difficult things for gay men and women in Sri Lanka is simply coming to terms with their homosexuality. Given the social intolerance, it is very difficult, Sherman says…. Companions now have two more drop-in centres in Sri Lanka, one in Kandy and one in Anuradhapura. They put out a monthly newsletter and every full moon they organise a big party… Working with a network of lawyers, they are trying to persuade lawmakers to change Sri Lanka's criminal code, which outlaws homosexuality. 'There is still a lot of opposition,' he says, 'and we still aren't even close to Europe or the United States when it comes to gay rights.'" **[9fi]**

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22. DISABILITY

22.01 As noted in the US State Department (USSD) Report 2006, Sri Lanka:

"The law forbids discrimination against any person on the grounds of disability; however, there were instances of discrimination against the disabled in the

areas of employment, education, and provision of state services. The law does not mandate access to buildings for persons with disabilities, and such facilities were rare. The Department of Social Services operated eight vocational training schools for persons with physical and mental disabilities and sponsored a program of job training and placement for graduates. The government also provided financial support to NGOs that assisted persons with disabilities. Such assistance included subsidizing prosthetic devices, making purchases from suppliers with disabilities, and registering 74 NGO-run schools and training institutions for persons with disabilities. The Department of Social Services selected job placement officers to help the estimated 200,000 work-eligible persons with disabilities find jobs. Despite these efforts, persons with disabilities faced difficulties because of negative attitudes and societal discrimination." **[2c] (Section 5)**

22.02 As noted on the website of Disability Information Resources (DINF) of the Japanese Society for Rehabilitation of Persons with Disabilities (JSRPD) (website accessed on 7 July 2005):

"The government has introduced a policy of in every workforce, 3% of the employees must be people with disabilities. Although all major companies have been made aware of this the policy is not enforced and as a result it is largely ignored…. The building of separate schools for children with special needs was stopped over 20 years ago. The Ministry of Education hopes to build special units into all schools so children with special needs can be integrated into mainstream education with the help of specially trained teachers (also underway). The Government of Sri Lanka has no formal policy on accessibility to buildings for those who have mobility problems…. In Sri Lanka the Ministry of Social Services has used the data obtained from ongoing programmes and estimates that between 4 and 5% of the population as a whole have some kind of disability. The government has no official policy on disability and rehabilitation but sectional policies attempt to keep up with international developments…The causes of the disabilities in Sri Lanka are varied but conflict related disabilities seem disproportionately high. These come from landmines, attacks on border villages, fighting or being caught in the crossfire during fighting and, in areas such as Colombo, injuries from the explosions detonated by suicide bombers. Further causes include problems at birth or prior to birth, especially among older women or those suffering from poor health or malnutrition combined with an overstreched [sic] Health Service. Poor health and malnutrition in children can cause disabilities as they get older. Another factor is Polio although the government has now taken steps to eliminate the problem leading to a negligible number of (occurrence) Polio victims." **[70]**

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23. WOMEN

23.01 "Since 1983, Sri Lanka has experienced a civil ethnic conflict in the Northern and Eastern provinces that has resulted in life-threatening and traumatic experiences for women; loss of life, rape and being searched by armed groups are daily occurrences. Large numbers of women have participated as combatants in the conflict, and many civilian women are now household heads…" (UNIFEM, Gender Profile of the Conflict in Sri Lanka, updated 31 July 2006) **[66a] (Introduction)**

"There are an estimated 40,000 war widows in Sri Lanka. The loss of male breadwinners has created a new group of women vulnerable to economic hardship. There are approximately 30,000 female-headed families in the north and east of Sri Lanka." (UNIFEM, Gender Profile of the Conflict in Sri Lanka **[66a] (The Impact of the conflict on women in Sri Lanka)**

"Relative to the rest of South Asia, Sri Lankan women have traditionally enjoyed good levels of literacy, life expectancy, and access to economic opportunities…Female adult literacy levels are at 83.8% compared to male adult literacy at 90%. The female youth literacy rate is 96.6%...Unemployment among women is high and it is double that of men, even though the constitution guarantees equal opportunity employment." (UNIFEM, Gender Profile of the Conflict in Sri Lanka) **[66a] (Economic security and rights)**

23.02 A letter from the British High Commission (BHC), Colombo dated 29 October 2007 recorded that "With many able bodied men either the victims or fleeing the abuses, a quarter of all households [in Jaffna] are now female-headed." **[15q]**

23.03 Women were particularly vulnerable to domestic and sexual violence in "both tsunami and conflict IDP camps reported by Amnesty International. Internally displaced women face loss of family members and male spouses, increased responsibility to provide for and protect children and family members, threats to physical safety, psychological insecurity, and more general issues of social marginalisation and lack of power. In Vavunyia District, a NGO indicated that 60 percent of IDP families were female-headed households (FHH). There are numerous Land and Property issues facing women both in 'Welfare Centres' and upon return." (IDMC/Norwegian Refugee Council, 'Sri Lanka: escalation of conflict leaves tens of thousands of IDPs without protection and assistance. A profile of the internal displacement situation', 16 November 2006) **[54a] (Vulnerable groups)**

LEGAL RIGHTS

23.04 As noted in the US State Department (USSD) Report 2006, Sri Lanka:

"Women have equal rights under national, civil, and criminal law; however, questions related to family law, including divorce, child custody, and inheritance, were adjudicated by the customary law of each ethnic or religious group. The minimum age of marriage for women is 18 years, and there was no provision for marriage at an earlier age with parental consent except in the case of Muslims, who may follow their customary marriage practices and marry at the age of 15. Women were denied equal rights to land in government-assisted settlements, as the law does not institutionalize the rights of female heirs. Different religious and ethnic practices often resulted in uneven treatment of women, including discrimination." **[2c] (Section 5)**

23.05 "The 1948 Citizenship Act is the primary central legislation on citizenship. The act was amended in 2003 to allow both parents to confer citizenship upon their children. Prior to the amendment, only a father could pass Sri Lankan citizenship to his children…Changes to regulations under the act have also been recently approved by the Cabinet of Ministers; these changes permit

foreign spouses of Sri Lankan women to obtain citizenship on the same basis as foreign spouses of Sri Lankan men." (Centre for Reproductive Rights, Women of the World: South Asia, Sri Lanka chapter, undated, website accessed on 19 September 2006) **[32] (p220)**

23.06 "The body of law relating to marriage consists of the general law, customary law and personal law. Tamils are governed by the general law in most marriage-related matters, whereas Kandyan Sinhalese can choose to be governed by the general law or their customary laws. Muslims are governed by Muslim personal law… The Marriage Registration Ordinance and the Civil Procedure Code constitute the general law on divorce. The provisions of the ordinance firmly establish divorce as faultbased [sic] and case law has reaffirmed this concept. Grounds for divorce under the ordinance are the following:

- adultery;
- malicious desertion; and
- incurable impotence at the time of marriage.

Cruelty is not a ground for divorce, although it may be a factor in determining malicious desertion. Physical illtreatment [sic] per se is also not a ground for divorce under the general law, but it is a cause for legal separation… The Civil Procedure Code constitutes the general law on judicial separation. The code provides that either party may petition for separation 'on any ground on which by the law applicable to Sri Lanka such separation may be granted.'…The 1999 Maintenance Act is the general law on maintenance during marriage… The act requires any spouse with sufficient means to maintain the other spouse, if such individual is unable to maintain him or herself…The principles of custody are thus governed by the residuary Roman-Dutch law. The predominant feature of the common law is the preferential custodial right given to the father, which may be denied only in instances of danger to the 'life, health and morals' of the children. A mother who seeks custody therefore has the onus of displacing the father's right." On most of these matters there are also more specific laws governing in particular, Muslims, Tamils and Kandyan Sinhalese. (Centre for Reproductive Rights, Women of the World: South Asia, Sri Lanka chapter, undated, website accessed on 19 September 2006**) [32] (p220-225)**

23.07 As recorded in the UNICEF document 'The state of the world's children 2007, South Asia edition' published in December 2006, "Sri Lanka represents an exception in the region to this trend of child marriage, with an average age of first marriage for women of 25. This dramatic shift was led by legislative reforms that require that all marriages are registered and the consent of both marriage partners is recorded." **[53b] (p6)**

POLITICAL RIGHTS

23.08 In 1931 Sri Lanka became one of the first countries in Asia, Africa, and Latin America to permit women to vote. In 1960, Sirimavo Bandaranaike became the first female Prime Minister of a modern nation. Chandrika Kumaratunga was elected Sri Lanka's first female president in 1994, and won a second term in office in elections in December 1999. Sri Lanka has a vibrant women's movement." (UNIFEM, Gender Profile of the Conflict in Sri Lanka, updated 31 July 2006) **[66a] (Introduction)**

However, "Women are severely underrepresented at the political and decision-making levels in Sri Lanka. Elections held on 2 April 2004 elections resulted in the formation of a new government and saw less than 5% of women elected to parliament." (UNIFEM, Gender Profile of the Conflict in Sri Lanka **[66a] (The Impact of the conflict on women in Sri Lanka)**

23.09 The USSD report 2006 reported that "There were 11 women in the 225-member parliament, three women in the cabinet, and two women on the Supreme Court…There was no provision for or allocation of a set number or percentage of political party positions for women or minorities." (USSD 2006) **[2c] (Section 3)**

23.10 The UNICEF document 'The state of the world's children 2007, South Asia edition', published in December 2006, noted that, "Despite having low rates of child marriage, high level of girls' education and a record of elected women leaders in the highest seats of political power, Sri Lanka continues to have very few women in its national legislature, the proportion of women never having been higher than 5 per cent." **[53b] (p24)**

SOCIAL AND ECONOMIC RIGHTS

23.11 As noted in the USSD report 2006:

"The law provides for equal employment opportunities in the public sector; however, women had no legal protection against discrimination in the private sector, where they sometimes were paid less than men for equal work. They often experienced difficulty in rising to supervisory positions, and faced sexual harassment. Even though women constituted approximately half of the formal workforce, according to the Asian Development Bank (ADB), the quality of employment available to women was less than that available to men, as the demand for female labor was mainly for casual and low-paid, low-skill jobs in the formal and informal sectors." **[2c] (Section 5)**

23.12 "There are no laws or policies that require individuals to accept family planning measures…The National Health Policy calls for the government to ensure the right of men and women to be informed about and have access to their choice of safe, effective, affordable, and acceptable methods of family planning…The Women's Charter issues several directives to the state with regard to women's right to family planning. It enjoins the state to ensure:

- women's right to control their reproduction and their equal access to information, education, counselling, and services in family planning, including the provision of safe family planning devices and the introduction and enforcement of regulations relating to their safety; and
- family planning policies are equally focused on men and women.

There are currently some 14,000–15,000 women who undergo sterilization per year…The government does not regulate sterilization through any laws…Abortion, which is illegal in Sri Lanka, is the single most important reproductive health problem in the country…Abortion is a criminal offense under the penal code, except to save the woman's life…Legal abortions are usually performed in the government sector…Abortions are carried out in the informal and private sector by private physicians or by clandestine abortion

providers." (Centre for Reproductive Rights, Women of the World: South Asia, Sri Lanka chapter, undated, website accessed on 19 September 2006) **[32] (p 212-213 & 216-217)**

23.13 The United Nations Population Division, Department of Economic and Social Affairs, Abortion Policies, a Global Review, Country profiles: Sri Lanka, undated (last modified 23 November 2005) provided additional details on the issue of abortion:

"Abortion is generally illegal in Sri Lanka under the Penal Code of 1883, which is based on the Indian Penal Code. Section 303 of the Penal Code provides that anyone voluntarily causing a woman with child to miscarry is subject to up to three years' imprisonment and/or payment of a fine, unless the miscarriage was caused in good faith in order to save the life of the mother. The penalty is imprisonment for up to seven years and payment of a fine if the woman is 'quick with child', a term which, while not defined in the Code, refers to an advanced stage of pregnancy when there is perception of foetal movement, as opposed to 'woman with child', which simply refers to 'being pregnant'. A woman who induces her own miscarriage is subject to the same penalties. If the miscarriage is caused without the consent of the woman, whether or not she is quick with child, the person causing it is subject to up to 20 years' imprisonment and payment of a fine (Section 304). The same penalty is imposed if the woman's death results from any act carried out with intent to bring about a miscarriage, whether or not the offender knew that the act was likely to cause death (Section 305)." **[6d]**

23.14 "Despite rigid statutory provisions, Sri Lankan women from higher income households who desire to terminate their pregnancies find little or no difficulty in doing so. They often consult a psychiatrist for severe mental depression combined with suicidal tendencies. The psychiatrist may advise an abortion in order to save the life of the mother, and the pregnancy may then be terminated in a private or government hospital by a qualified medical practitioner. Women from middle-income and lower income households, however, must often resort to abortions performed by 'back-door abortionists' under primitive and unhygienic conditions, resulting in high maternal mortality and chronic ill health. Although any abortion wilfully induced without the specific intent to save the life of the mother constitutes illegal abortion in Sri Lanka, in practice, indictments for criminal abortion rarely occur and convictions are even rarer. The incidence of abortion is believed to be considerably higher than is commonly acknowledged. A rural survey suggests that 54 abortions per 1,000 population are performed each year." (UN ESA, Abortion Policies) **[6d]**

23.15 As recorded in the Centre for Reproductive Rights, Women of the World: South Asia, Sri Lanka chapter:

"Roman-Dutch law forms the bedrock of the general law on property in Sri Lanka. The 1923 Married Women's Property Ordinance constitutes the general law on matrimonial property rights. Under the ordinance, a married woman is capable of holding, acquiring and disposing of any movable or immovable property or of contracting as if she were a femme sole, without the consent or intervention of her husband. This applies to all property belonging to her at the time of marriage and property acquired or devolved to her after marriage. She also has the same remedies and redress by way of criminal

proceedings for the protection and security of her separate property. The 1876 Matrimonial Rights and Inheritance Ordinance constitutes the general law on inheritance rights. The ordinance provides for equal rights to inheritance for male and female spouses: upon the death of either spouse, the surviving spouse inherits half of the deceased spouse's property. The extent of the general law's application has been limited by legislation, judicial decisions and the system of customary laws that are operative in the island. The matrimonial property and inheritance rights of Kandyan Sinhalese and Tamils are governed by their own systems. Muslims are governed by Muslim personal law." (Centre for Reproductive Rights, Women of the World: South Asia, Sri Lanka chapter, undated, website accessed on 19 September 2006) **[32] (p225)**

23.16 A letter from the British High Commission in Colombo, dated 17 July 2007, noted that:

"Rural Tamil communities are deeply conservative. Acknowledged birth out of wedlock is unusual and would carry a stigma. I don't know of any reliable statistics, but I have never met anyone openly pregnant outside of marriage. There has been some academic research carried out on the back ground on those seeking abortions in Sri Lanka which suggests that pregnancy outside marriage is relatively rare…Raising a child alone would be unusual in the extreme. I doubt it makes much difference whether you are in an LTTE controlled or government area – although Colombo might be marginally more liberal." **[15b]**

23.17 "According to a Consultation organized by International Alert in June 2003, widows are considered bad luck in much of Sri Lanka. As a result, war widows or wives of the missing face discrimination vis a vis housing, employment and other rights." (UNIFEM, Gender Profile of the Conflict in Sri Lanka) **[66a] (Economic security and rights)**

VIOLENCE AGAINST WOMEN

23.18 "Sri Lankan women have experienced rape, detainment, harassment at checkpoints and other violations of their personal security in the two decades of civil war." (UNIFEM, Gender Profile of the Conflict in Sri Lanka, updated 31 July 2006) **[66a] (The Impact of the conflict on women in Sri Lanka)**

"The former Special Rapporteur on Violence Against Women, Radhika Coomaraswamy, reported that rape was used in in Sri Lanka's conflict, and that violent crimes increased against the backdrop of ongoing conflict." (UNIFEM, Gender Profile of the Conflict in Sri Lanka **[66a] (Human Rights Violations, including violence against women)**

23.19 The Sri Lanka Department for Census and Statistics (Statistical Abstract 2006 – Chapter XIII - Social Conditions, Grave crimes by type of crime, 2001 – 2005 (undated, website accessed on 10 September 2007) recorded that in the 2005 they were 1,540 cases of rape/incest. The figure for 2001, 2002, 2003 and 2004 were respectively: 1,238; 1,247; 1,371; 1,247. **[58d]**

23.20 As outlined in the USSD report 2006:

"The law prohibits domestic violence, but it was not strictly enforced. Sexual assault, rape, and spousal abuse continued to be serious and pervasive problems. The law specifically addresses sexual abuse and exploitation and contains provisions in rape cases for an equitable burden of proof and stringent punishments. Marital rape is considered an offense only in cases of spouses living under judicial separation. While the law may ease some of the problems faced by victims of sexual assault, many women's organizations believed that greater sensitization of police and the judiciary was necessary. The Bureau for the Protection of Children and Women received 876 complaints of violent crimes against women in the first half of the year [2006]… According to the Bureau for the Protection of Children and Women, there were 481 reported incidents of rape. The bureau indicated that 11 of the victims were below the age of 18. Services to assist victims of rape and domestic violence, such as crisis centers, legal aid, and counseling, were generally limited…Sexual harassment is a criminal offense carrying a maximum sentence of five years in prison; however, these laws were not enforced." **[2c] (Section 5)**

23.21 As recorded on the website of the Ministry of Justice and Law reforms of Sri Lanka (Legislation passed by Parliament in 2005, Prevention of Domestic Violence Act, No. 34 of 2005):

"Violence against women and particularly violence within the domestic environment has become a serious social issue. The above Act provides for the issue of Protection Orders by court. The objective of the Act is not to create new offences but to provide for the issue of Protection Orders by a Magistrate's Court to prevent an aggressor from inflicting harm to persons within the home environment. The Act makes provision for the issue of Protection Orders against acts of physical violence which constitute offences already recognized in Chapter XVI of the Penal Code, of Extortion and Intimidation and of Emotional Abuse having the effect of causing severe traumatic emotional pain. Protection Orders can be sought against persons in specified degrees of relationships. A Protection Order may prohibit the aggressor from committing acts of domestic violence and entering the victim's residence and may impose other prohibitions. In imposing prohibitions the court is required to take into account the accommodation needs of the victim and of the children and any hardship that may be caused to the aggressor thereby. The Act provides a civil remedy. The issue of a Protection Order will have no bearing on the normal criminal law jurisdiction. Thus where an offence has been committed, the normal criminal justice process of investigation, prosecution and punishment will follow." **[43b]**

23.22 On 30 September 2007, *The Sunday Times* (of Sri Lanka), reporting on the implementation of the Prevention of Domestic Violence Act noted that:

"The law not only provides for a Protection Order but also for a 14-day interim Protection Order to safeguard the victim. While commending the law, Dr. Deepika Udagama, Head of the Dept. of Law of the University of Colombo, explains that it has a lot of potential – for the first time a law deals with domestic violence, especially between spouses…'But,' she concedes,'there are a few areas which need strengthening, especially with regard to monitoring.'Even well-entrenched laws, sometimes face obstacles in their implementation, according to her. Monitoring, particularly by officials such as the police, is poor. For some police officers enforcement of a Protection Order

would be way down the list of priorities, compared to their other duties such as fighting crime." **[11p]**

23.23 "Pointing out a few of the weaknesses of the Prevention of Domestic Violence Act, Sumithra Fernando of Women in Need (WIN) says while there is no mandatory provision and also no mechanism for the observance of an interim Protection Order, the lack of a Protection Officer and support structure to implement and also monitor the observance of a Protection Order are a major challenge. WIN, an organization which has been championing battered women and children for over 20 years, runs many crisis centres across the country and also has a shelter for survivors. So far it has obtained 33 Protection Orders under this law. Adds Dr. Udagama: 'Some police officials still consider domestic violence within a marriage to be a personal problem which has now been forced into the public arena. It may be necessary to get the parties to report to the police or to court itself, because if someone violates the Protection Order it is contempt of court.'" (*The Sunday Times*, 30 September 2007) **[11p]**

23.24 "Conceding that fingers were pointed at the state that there was no support system for battered persons though there have been counselling centres in operation for about three years now, the Secretary to the Ministry of Child Development and Women's Empowerment, Indrani Sugathadasa says the lack of a shelter was seen as a major shortcoming. 'We have now opened a shelter alongside the counselling centre at Kalutara and are in the process of installing a matron there. We convinced the Treasury of this need and were passed funding in the 2006 budget but finding suitable places has taken time,' she says, adding that shelters have to be located in secure quiet places that are not heavily populated, while being in close proximity to the hospital, police and transport service." (*The Sunday Times*, 30 September 2007) **[11p]**

23.25 As recorded in the Centre for Reproductive Rights, Women of the World: South Asia, Sri Lanka chapter:

"Under the penal code, provisions relating to murder, miscarriage, hurt, wrongful confinement, assault, sexual harassment, rape or grave sexual abuse, and criminal intimidation may be invoked to prosecute acts of domestic violence…The penal code criminalizes sexual harassment, defined as assault or the use of criminal force, words or actions to cause 'sexual annoyance or harassment' to another person. The offense is punishable with imprisonment and a fine, and a defendant may additionally be ordered to pay compensation to the victim. The burden of proof rests on the prosecution, which must prove its case beyond a reasonable doubt… The practice of female circumcision on newborns is fairly widespread among the Muslim community in Sri Lanka; the practice is not prohibited or regulated by law." (Centre for Reproductive Rights, Women of the World: South Asia, Sri Lanka chapter, undated, website accessed on 19 September 2006) **[32] (p230-231)**

23.26 As stated on the website of the Sri Lankan NGO (non-governmental organisation) Home for Human Rights (HHR) (undated, website last accessed on 11 October 2007:

"HHR created its Women Desk to oversee HHR's work with women and ensure that we never ignore the needs of this often vulnerable population… HHR's Documentation Desk is active in collecting, coding, and reporting

violations of women's human rights…HHR provides several legal services that cater to the specific needs of women and children. These services include representation for victims of domestic or sexual abuse, displaced women and children, and children forced into illegal labour. While our Legal Department provides most direct services, the Women's Desk maintains community networks to ensure that women around the country are aware of our services and can avail of them when required…HHR's Women's Desk provides several critical community-based services geared towards women. We provide social services and counseling for survivors of sexual and domestic violence. We have also organized self-help groups for single mothers in the Northern and Eastern provinces where women gather monthly to discuss their unique problems and share ideas on how to address them. HHR also provides counseling services and moral support to women affected by human rights violations, such as visiting hospitalized victims of assault, rape, or domestic violence and accompanying them back to their communities.The Women's Desk has also helped displaced women and children return home or adapt to their new surroundings." **[26a]**

23.27 According to an undated list on the website of the online forum South Asian Women's Network (SAWNET) (last accessed on 20 September 2006) several organisations dealing with women's issues exist in Sri Lanka. **[17]** This is confirmed by an undated list of local NGOs available from the website PeaceWomen (Women's International League for Peace and Freedom) (last accessed on 2 August 2007). **[77]**

23.28 As noted in a letter from the British High Commission in Colombo, dated 17 July 2007:

"Provision of assistance for Rape victims is weak, although there are some signs of improvement. The country has acknowledged it has a problem and the women's and child bureau of the police maintains a presence around the country to deal with complaints. They are trained in how to record a complaint sympathetically and how to refer a victim to a suitably equipped hospital. After this there does not seem to be long term assistance given to rape victims. A couple of NGOs provide pastoral care in Colombo – although they focus on victims of domestic abuse." **[15b]**

23.29 On 11 October 2007 the IPS news agency reported that:

"Sri Lankan women battered by their spouses have been seeking refuge in a law enacted two years ago to tackle domestic violence, but activists say they need far closer protection…The PO [protection order] is a vital element of the Prevention of Domestic Violence Act introduced in 2005. Any person who fears domestic violence can seek such a PO -- issued for a period of 12 months by a magistrate -- which bars the 'aggressor' from committing acts of domestic violence and entering the victim's residence among other prohibitions. More than 60 percent of women across Sri Lanka are victims of domestic violence while 44 per cent of pregnant women are also subjected to harassment, according to a 2006 survey by the Ministry of Child Development and Women's Empowerment. While the enforcement of the PO is a major challenge, there are nevertheless instances where it has worked, according to Sumithra Fernando of Women in Need (WIN), an organisation that has helped battered women and children for over 20 years…WIN runs many crisis centres across the country and has a shelter for survivors. So far it has obtained 33

POs and in some cases, Fernando says, the spouses have reconciled and come together under a process of mandatory counselling." **[18a]**

23.30 The IPS further reported:

"Deepika Udagama, who had the law department at the University of Colombo, believes that the law has a lot of potential as it deals specifically with domestic violence, especially between spouses. Until its passage women getting battered was considered a 'home issue' and even if the victim had the courage to make a complaint she was advised by police to go home…'But,' Udagama concedes, 'there are a few areas which need strengthening, especially with regard to monitoring." But she admits that monitoring, particularly by officials such as the police, is poor. ''For some police officers enforcement of a PO would be way down the list of priorities, compared to their other duties such as fighting crime.'…Activists say among the deficiencies in the law are the uncertain interpretation of what constitutes domestic violence. It does not include economic violence and deprivation of rights, intimidation and harassment…Indrani Sugathadasa, secretary in the Ministry of Child Development and Women's Empowerment, believes one of the biggest challenges towards containing domestic violence is having a proper support system for battered persons. 'We have now opened a shelter alongside the counselling centre at Kalutara (southern Sri Lanka) and are in the process of installing a matron there,' she said, adding that plans are also afoot to open 14 more centres across the island." **[18a]**

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24. CHILDREN

GENERAL INFORMATION

24.01 As outlined in the US State Department (USSD) Report 2006, Sri Lanka:

"Many NGOs attributed the problem of exploitation of children to the lack of law enforcement rather than inadequate legislation. Many law enforcement resources were diverted to the conflict with the LTTE, although the police's Bureau for the Protection of Children and Women conducted investigations into crimes against children and women. Under the law the definition of child abuse includes all acts of sexual violence against, trafficking in, and cruelty to children. The law also prohibits the use of children in exploitative labor or illegal activities or in any act contrary to compulsory education regulations. It also broadens the definition of child abuse to include the involvement of children in war. The NCPA included representatives from the education, medical, police, and legal professions and reported directly to the president. During the year the Bureau for the Protection of Children and Women received 1,278 complaints of violent crimes against children." **[2c] (Section 5)**

24.02 "The government pushed for greater international cooperation to bring those guilty of pedophilia to justice. The penalties for pedophilia range from five to 20 years' imprisonment and an unspecified fine. During the year [2006] the government opened 1,692 files; of which 700 indictments were served for pedophilia, including statutory rape; 134 were discharged; and 992 concluded;

158 files were under further investigation and the remainder was pending at the end of the year. Following the 2004 tsunami, the NCPA launched a successful awareness campaign to protect orphaned or displaced children from pedophiles." (USSD 2006) **[2c] (Section 5)**

24.03 "Child prostitution was a problem in coastal resort areas. The government estimated that there were more than 2,000 child prostitutes in the country, but private groups claimed that the number was as high as 6,000. Citizens committed much of the child sexual abuse in the form of child prostitution; however, some child prostitutes were boys who catered to foreign tourists. Some of these children were forced into prostitution...The Department of Probation and Child Care Services provided protection to child victims of abuse and sexual exploitation and worked with local NGOs that provided shelter. The tourist bureau conducted awareness-raising programs for at-risk children in resort regions prone to sex tourism…'Protecting Environment and Children Everywhere, a domestic NGO, estimated that 6,000 male children between the ages of eight and 15 years were sexually exploited at beach and mountain resorts. Some of these children were forced into commercial sexual prostitution by their parents or by organized crime.'" (USSD 2006) **[2c] (Section 5)**

24.04 As recorded on their website (last accessed on 9 November 2007), "The National Child Protection [NCPA] was created as the first governmental organization dedicated to work to secure the rights of children in Sri Lanka" with the following mission:

"In relation to child abuse and exploitation, to create awareness and improve knowledge, undertake training and skills development, recommend legal reform and monitor law enforcement, undertake special investigations and provide legal support, strengthen the infrastructure to prevent abuse in families, communities, schools and institutions, establish a comprehensive data base including a cyber-watch, undertake relevant research and coordinate the key sectors involved in child abuse and exploitation namely Probation and Child Care Services, Justice and Law Enforcement authorities, Defence, Health, Education and Samurdhi as well as the NGO and INGO networks." **[52b]**

24.05 "On October 1st, 2002 a Special Investigations Police Unit was established at the NCPA. While prior to this date the NCPA had two officers attached to it, the new Unit consists of a total of 16 officers. This Police Unit, which operates under the Deputy Inspector General of Police - Crimes and Operation, handles all cases of child abuse that are reported to the NCPA. In terms of the NCPA Act, No. 50 of 1998, the NCPA has been monitoring the progress of all investigations and criminal proceedings relating to child abuse."
(NCPA website, Police Unit) **[52a]**

24.06 The Sri Lanka Department for Census and Statistics (Statistical Abstract 2006 – Chapter XIII - Social Conditions, Grave crimes by type of crime, 2001 – 2005 (undated, website accessed on 10 September 2007) recorded that in the 2005 they were 451 cases of cruelty to children & sexual exploitationof children. The figure for 2001, 2002, 2003 and 2004 were respectively: 353; 338; 463; 338. **[58d]**

This Country of Origin Information Report contains the most up-to-date publicly available information as at 12 November 2007. Older source material has been included where it contains relevant information not available in more recent documents.

24.07 As recorded in an undates section of the NGO ECPAT (End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes) website (last accessed on 9 November 2007):

"Child prostitution is rampant in Sri Lanka. The availability of child sex is publicised in magazines, web sites and chat rooms. According to a study conducted by Peace [Protecting Environment and Children Everywhere, a domestic NGO] there are 15,000 children engaged in the sex trade. The government itself estimates there are approximately 30,000 children involved. Sex tourism is easily seen and widely known to occur in the south and southwestern coast. Boys victimised here are known as Beach Boys. They operate in gangs or independently." **[51] (Child Prostitution)**

24.08 The USSD report 2006 reported that:

"The minimum age for employment is 14, although the law permits the employment of younger children by their parents or guardians in limited family agriculture work or to engage in technical training. An amendment to the Employment of Women and Youth Act prohibits all other forms of family employment of children below 14. A child activity survey, carried out in 1998 and 1999 by the Department of Census and Statistics, found almost 11,000 children between the ages of five and 14 working full time and another 15,000 engaged in both economic activity and housekeeping. The survey found 450,000 children employed by their families in seasonal agricultural work throughout the country…Sources indicated many thousands of children were employed in domestic service, although this situation was not regulated or documented. Many child domestics reportedly were subjected to physical, sexual, and emotional abuse. Regular employment of children also occurred in family enterprises such as family farms, crafts, small trade establishments, restaurants, and repair shops." **[2c] (Section 6d)**

24.09 "The NCPA [National Child Protection Authority] is the central agency for coordinating and monitoring action on the protection of children. The Department of Labor, the Department of Probation and Child Care Services, and the police are responsible for the enforcement of child labor laws. The Bureau of Child Protection reported 18 complaints of child employment during the year, out of which litigation charges were filed for one case. Penalties for employing minors were increased from approximately $9 (rupees 1,000) and/or 6 months' imprisonment to $93 (rupees 10,000) and/or 12 months' imprisonment" (USSD 2006) **[2c] (Section 6d)**

24.10 As reported by the Sri Lanka Department of Government Information on 21 July 2006:

"Parliament yesterday passed a law making it an offense to employ those below 18 years in hazardous employment. The new law also covers recruitment of children as child combatants and the child sex trade. Under the new law which was brought in the form of an [sic] amended legislation any person employing children between 14 – 18 years in the activities mentioned would be liable to a term of one year's rigorous imprisonment on conviction. Presenting the Amendment in Parliament yesterday Labour Minister Athauda Seneviratne said employment of children below 14 years is already a punishable offence under the Penal Code…The new legislation will introduce tougher punishment for those who sell children below 18 years as child slaves

or into child prostitution, the Minister said. The land mark [sic] amendment will also strengthen the existing legislation to take action against recruitment of child soldiers by armed groups." **[10a]**

24.11 On 1 April 2007, the Government-controlled *Sunday Observer* reported that in the two months from 1 January to 28 February 2007, over 349 children below the age of 18 had been subjected to crimes such as murder, rape, serious injuries and kidnapping in Sri Lanka. According to statistics produced by the Women's and Children's Bureau (WCB), over 116 girls were raped and 77 were sexually abused. Fourty-two children were kidnapped; 22 had been subjected to cruelty. Six children had been sexually abused by their fathers and uncles; four children were killed and five were seriously injured. **[16d]**

24.12 As noted in a letter from the British High Commission in Colombo dated 17 July 2007:

"Sri Lankan law treats 'legitimate' and 'illegitimate' children slightly differently and the Constitution does not prohibit discrimination on the basis of birth. The Sri Lankans told the Commission on the Rights of the Child in 2002 that they had removed the different rules applying to maintenance for illegitimate children (whose mothers can now claim from the father on the same basis as divorced women) and were in the process of establishing whether an other rules needed changing to ensure that their was no discrimination. They made clear their opposition to discrimination on the basis of birth. Nonetheless some civil society groups have suggested a need to equate the lot of illegitimate and legitimate children as birth outside marriage still carries a great social stigma. As far as we can establish there are no legal obstacles to receiving state assistance (education, welfare etc), despite the social stigma attached to illegitimacy. Given Sri Lanka's high literacy, school enrolment and health record, I doubt this is a serious problem." **[15b]**

EDUCATION

24.13 The USSD report 2006 recorded that "The law requires children between the ages of five and 14 to attend school, and the government demonstrated its commitment to children through extensive systems of public education and medical care. Approximately 85 percent of children under the age of 16 attended school. Education was free through the university level. Health care, including immunization, was also free." **[2c] (Section 6d)**

24.14 As reported by Save the Children on 23 June 2006:

"Seventy per cent of school children in tsunami-affected areas of Sri Lanka continue to suffer extremely difficult conditions at school, research by Save the Children in Sri Lanka has revealed. A lack of teachers, serious gaps in basic resources such as water and working toilets and shortages of books, desks and chairs are just some of the difficulties identified by the research. Save the Children in Sri Lanka also found that in many cases, children are forced to attend classes being held under hot and noisy zinc-sheet roofs. Another discovery was that despite the prohibition of corporal punishment in Sri Lankan schools, it is estimated that this method of punishment is still favoured by up to 55% of teachers working in the areas covered by the research. These findings come from the first phase of a research project called 'Children's Consultation on Education', conducted throughout March and April 2006.

Nearly 1,500 children from areas worst-affected by the tsunami were consulted as part of the project. " **[19a]**

24.15 As reported by BBC News on 14 March 2006 "Recent fighting in eastern Sri Lanka has closed more than 100 schools, with some turned into camps to accommodate displaced people, officials say…Officials estimate that 73 schools have also closed down in areas controlled by the rebels, and that the education of 24,000 children has been affected throughout the east." **[9x]**

24.16 The Sri Lanka Department of Census and Statistics recorded in their Statistical Data Sheet 2007 (undated, website accessed on 10 September 2007) that in 2006 there were 9,714 Government schools; 93 private schools and 653 Pirivenas [Buddhist monastic colleges] with a total number of pupils close to 4 million in 2006. There were also 15 universities with a total of 65,206 students. **[58c]**

CHILD CARE

24.17 As noted in the Save the Children document 'Home Truths, Children's Rights in Institutional Care in Sri Lanka' dated 28 February 2006:

"Children enter care for a variety of reasons often associated with poverty and family breakdown, offending and abuse. Only 8% of children in voluntary institutions, often labelled 'orphanages' were without both parents. And 50% of children admitted to institutions were there due to poverty. There was patchy and limited use of services to enable children to stay with their parents and families and little use of alternative forms of care such as fostering. This was due to a range of issues including lack of availability or knowledge of current schemes; the limited range of alternative services available in most areas; bureaucratic barriers to the use of alternatives and beliefs among probation officers and communities that residential care is the only viable option… Conditions in institutions were inconsistent in voluntary homes and, with a few notable exceptions, conditions for children in state run institutions were extremely poor. In many state institutions there was poor sanitation, inadequate sleeping arrangements and children were not provided with a nutritious diet. The emotional needs of children were rarely met and some fundamental rights were violated. Conditions in voluntary homes were variable with examples of good practice alongside poor conditions similar to those in state institutions. Children strongly resented the lack of privacy, and felt they were not allowed dignity and individuality. Minimum standards exist for voluntary homes but are not adequately monitored and there are no standards for state institutions." **[19b]**

24.18 As recorded in a letter from the British High Commission in Colombo, dated 17 July 2007, "I spoke to a Tamil contact of mine who recently adopted two Tamil children. His view and his reported view of the local adoption services was that most Tamils have extended families who generally would rally round and provide a level of support – but they would expect the couple to be married or for the child to be offered for adoption or fostering with a relative." **[15b]**

24.19 As reported by Irin on 3 September 2007:

"In Sri Lanka today institutional care is the fate of many children who have been abandoned by their parents. According to UNICEF, out of over 21,000 children in orphanages in Sri Lanka, one or both parents of over 19,000 of them are still alive. UNICEF says in most cases it is a family member who leaves the child at an orphanage…There are currently 488 voluntary children's homes in Sri Lanka. Most are found in Batticaloa District which has 66, followed by Colombo with 60. Living conditions for children in some of these homes is less than idyllic. According to the UNICEF report [entitled 'Out of Sight - Out of Mind', of 24 July 2007], only 12 children's homes are found to be fully compliant with current standards of care. Most homes are overcrowded and lack sufficient staff to provide the individual attention children need… Many children's homes in Sri Lanka do not even have sufficient basic facilities such as beds, clean water or adequate sanitation facilities…According to the UNICEF report, 136 orphanages said they did not have a sufficient number of beds: many of the children ended up sleeping on mats on the floor." **[55b]**

24.20 "Although many homes allow parents to visit, these visits are often deliberately kept brief and highly supervised, according to the National Child Protection Authority (NCPA). This, observers claim, is so the children do not have the opportunity to complain of staff abuse to a parent who might subsequently lodge complaints against them with the protection authority. Communication with parents and relatives - including letters written home by the children and those received by them - is often closely monitored by orphanage authorities, according to the Women and Children's Bureau of the Sri Lanka Police Department. The bureau, one of whose functions is to investigate child abuse, is concerned that many children are confined in these orphanages with restricted communication with parents and relatives and often with inadequate supervision or living conditions." (Irin, Sri Lanka: Orphanages used as last resort by parents of 19,000 children, 3 September 2007) **[55b]**

CHILD SOLDIERS

24.21 See Section 10 on Abuses by non-government armed forces, Forced conscription.

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25. TRAFFICKING

25.01 The US Department of State's 'Trafficking in Persons Report' released on 12 June 2007, noted:

"Sri Lanka is a source and destination country for men and women trafficked for the purposes of commercial sexual exploitation and involuntary servitude. Sri Lankan men and women migrate legally to the Middle East, Singapore, Hong Kong, Malaysia, and South Korea to work as construction workers, domestic servants, or garment factory workers. However, some have found themselves in situations of involuntary servitude when faced with restrictions on movement, threats, physical or sexual abuse, and debt bondage that is, in some instances, facilitated by large pre-departure fees imposed by recruitment agents…Children are trafficked internally for commercial sexual exploitation,

as well as for forced labor. The U.S. government-designated Foreign Terrorist Organization, Liberation Tigers of Tamil Eelam (LTTE), recruited child soldiers in areas outside of the Sri Lankan government's control…Reports also indicate that women from Thailand, the People's Republic of China, and Russia and other countries of the Newly Independent States are trafficked into Sri Lanka for commercial sexual exploitation." **[2i] (Sri Lanka Section)**

25.02 "The Government of Sri Lanka does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Sri Lanka is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to address trafficking over the previous year, especially in its efforts to punish trafficking for involuntary servitude. Though the government began prosecuting two suspects under its April 2006 anti-trafficking statute, it did not convict anyone for trafficking crimes." (USSD, Trafficking in Persons Report, June 2007) **[2i] (Sri Lanka Section)**

25.03 "The government did not undertake investigations of immigration officers who may have been complicit in trafficking. There were no public officials arrested for facilitating trafficking, nor were there substantiated reports that any officials were involved trafficking…The Sri Lankan government's efforts to provide protection for trafficking victims improved slightly. While the government relies primarily on NGOs to provide victim protection services, it actively refers victims to these organizations. The police also encourage victims to assist in investigations against their traffickers, and allow foreign victims to obtain employment pending their testimony. For Sri Lankan victims trafficked overseas, the government provides funding to operate shelters in diplomatic missions. For Sri Lankan female victims of trafficking who return to Sri Lanka, only minimal aid is offered in terms of shelter, counseling, and medical care. Sri Lanka does not have a formal procedure to identify victims of trafficking from among vulnerable groups such as women arrested for prostitution; as a result, some victims of sex trafficking may have been jailed or fined for prostitution…Sri Lanka markedly improved its trafficking prevention efforts. The Tourist Board partnered with UNICEF to launch a National Action Plan Project to eradicate child sex tourism. The government broadcast the 'zero tolerance' for child sex tourism policy through TV and radio ads, billboards, banners, car stickers, flyers, and in-flight magazines. Sri Lanka has not ratified the 2000 UN TIP Protocol." (USSD, Trafficking in Persons Report, June 2007) **[2i] (Sri Lanka Section)**

25.04 The US State Department (USSD) Report 2006, Sri Lanka recorded that:

"The law prohibits trafficking in persons, and the legal penalties for trafficking in women include imprisonment for two to 20 years and a fine. For trafficking in children, the law allows imprisonment of five to 20 years and a fine…The NCPA has adopted, with International Labor Organization (ILO) assistance, a comprehensive national plan to combat the trafficking of children for exploitative employment. With the NCPA, police began work on children's issues, including trafficking in children. The government established rehabilitation camps for trafficking victims and initiated awareness campaigns to educate women about trafficking; however, most of the campaigns, with support from the Bureau of Foreign Employment, were conducted by local and international NGOs. Government programs to monitor immigration with computer programs designed to identify suspected traffickers or sex tourists

continued, as did a cyber-watch project to monitor suspicious Internet chat rooms." **[2c] (Section 5)**

See also Section 23 and 29

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26. MEDICAL ISSUES

OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT

26.01 "Almost 60% of Sri Lanka's population relies on the public health-care system. Some 95% of inpatient health care is provided by the public sector. Health care in the public sector comprises both Western and Ayurvedic systems of medicine, though the majority of the population seeks treatment from Western medicine…Three tiers of public medical institutions provide curative health care. District hospitals, peripheral units, rural hospitals, central dispensary and maternity homes, and central dispensaries provide primary health care. District hospitals are typically the largest of these facilities. Central dispensary and maternity homes are the smallest facilities with inpatient services, whereas central dispensaries are the smallest outpatient facilities. There are some 156 157 district hospitals, 102 peripheral units, 167 173 rural hospitals, 6583 central dispensary and maternity homes, and 404 385 central dispensaries. Within the category of rural hospitals, there are some 15 estate hospitals, most of which do not function effectively because they lack adequate facilities and equipment.

Provincial and base hospitals provide secondary health care. There are some seven provincial hospitals and 39 base hospitals. These facilities are located in large towns and most are managed by the provincial ministries of health, though the central Department of Health Services manages a few of these hospitals.

Teaching and specialty hospitals provide tertiary health care. There are some 18 teaching hospitals, including one specializing in Ayurvedic medicine, which is managed by the central Ministry of Indigenous Medicine. The largest hospital in the country is the National Hospital of Sri Lanka in Colombo, which provides specialized health care not including pediatrics, obstetrics, ophthalmology, and dental surgery. For these services, there are separate children's, maternity, eye, and dental hospitals also located in Colombo.

There is currently no functioning medical referral system.

In addition to the three-tiered public health-care system of curative health services, there are 26,552 health units headed by medical officers that deliver preventive health services…Private health practitioners provide mostly curative care. At least half of outpatient curative health care in urban and suburban areas is provided by the private sector. Although there are some full-time, private general practitioners, the majority of doctors in the private sector are also government doctors who work from home, clinics or private hospitals. There are also a number of traditional practitioners in the private sector, mostly in Ayurvedic medicine, and a small number of homeopathic practitioners." (Centre for Reproductive Rights, Women of the World: South Asia, Sri Lanka chapter, undated, website accessed on 19 September 2006) **[32] (p208-209)**

This Country of Origin Information Report contains the most up-to-date publicly available information as at 12 November 2007. Older source material has been included where it contains relevant information not available in more recent documents.

26.02 A detailed (undated) list of government hospitals, Ayurvedic centres and private hospitals is published on the website Sri Lanka Health (accessed on 21 September 2006). The following government hospitals exist:

Ayurveda General Hospital – Colombo
Colombo North General Hospital
Colombo South Hospital – Kalubowila, Dehiwela
Cancer Institute – Maharagama
Dental Hospital – Colombo
Castle Street Hospital for Women – Colombo
De Soysa Hospital for Women – Colombo
Eye Hospital – Colombo
General Hospital – Colombo
General Hospital – Galle
General Hospital – Kandy
Lady Ridgeway Hospital for Children – Colombo
General Hospital – Peradeniya
General Hospital – Kalutara
General Hospital – Jaffna
Sri Jayewardenepura General Hospital – Kotte
[25a]

26.03 In addition to these hospitals, the website Sri Lanka Health recorded that further government hospitals exist in the district of Colombo:

National Hospital of Sri Lanka (NHSL) – Colombo
Teaching Hospital Colombo South (THCS)
Teaching Hospital Colombo North (THCN)
Medical Research Institute (MRI) – Colombo
Mental Hospital – Mulleriyawa
Mental Hospital – Angoda
Military Hospital – Colombo
Chest Hospital – Welisara
[25a]

26.04 As noted in the CPA (Centre for Policy Alternatives) document entitles 'HIV/ AIDS in Sri Lanka, A Profile on Policy and Practice', dated July 2007

"Health care is financed by the Government as well as by private persons through direct out-of-pocket payments. In recent times, there has been a surge in the use of private hospitals due to overcrowding, long waits and queues at public hospitals. However, since most of the population cannot afford the high private hospital charges, they continue to rely on public hospitals for services, many of which have insufficient resources, infrastructure and staff." **[28a] (p3)**

HIV/AIDS – ANTI-RETROVIRAL TREATMENT

26.05 The CPA report dated July 2007 noted that:

"Although the official number of cases of Sri Lankans living with HIV is 862, the actual figure is much higher as a result of the stigma, discrimination and fear associated with HIV/AIDS. Furthermore, there are probably countless

others who are simply unaware that they are infected. Therefore, the actual number of people living with HIV/AIDS is estimated by UNAIDS to be 5,000. UNAIDS/WHO has classified Sri Lanka as a low HIV prevalence country in the South Asia region, with an estimated adult prevalence rate of less than 0.1%... Despite the current low prevalence rate, Sri Lanka is vulnerable to an impending epidemic due to a number of risk factors: the country has large numbers of at risk groups such as sex workers, migrant workers, military personnel, Internally Displaced Persons (IDPs), refugees and drug users and a high incidence of unsafe sexual practices, which includes low condom use and escalating rates of STDs." **[28a] (p4)**

26.06 "One of the key problems facing the NSACP [National STD and AIDS Control Programme] is that many STD [Sexually Trasmitted Diseases] clinics have inadequate infrastructure, human resources and skilled professionals to manage STDs and HIV/AIDS. For example, in Jaffna there is no doctor trained to deal with STDs and HIV/AIDS. Furthermore, there is no consultant specialising in HIV/AIDS in Kandy, and it is the general practitioners who are treating STD patients. Even at the Infectious Diseases Hospital (IDH), the lab and X-Ray facilities are inadequate. As a PLWHA [People leaving with HIV/AIDS] stated, 'presently, only the Colombo hospital is providing ARV treatment, but it would be very easy if they could provide the medicine in at least two or three more hospitals in the country. Upgrading of the facilities is also essential. Some of the main hospitals such as the IDH do not have all the facilities needed, so we have to go to other hospitals to get our tests done which is very problematic for us'. As a result of the ongoing conflict, the North and East Provinces have been severely affected in terms of health care and infrastructure. There is a dearth of trained health staff based in Jaffna and basic facilities such as adequate testing equipment are lacking with reconstruction and development efforts progressing at a slow pace. The STD Clinics have not limited their activities to treatment but also include prevention work through raising awareness.Various actors, including the STD Clinic itself and individual health professionals, have carried out awareness programmes." (Centre for Policy Alternatives, 'HIV/ AIDS in Sri Lanka, A Profile on Policy and Practice', July 2007) **[28a] (p15)**

26.07 "The World Bank is the major donor to the HIV/AIDS Prevention and Control Programme 2002-2006, funding the NHAPP [National HIV/AIDS Prevention Project] as well as the other programmes within the MOH [Ministry of Health]." **[28a] (p22)**

"Under [the ARV Treatment Component of] this grant, there is provision for 100 recipients to receive free ARVs [Antiretroviral medication].The present guidelines followed by the STD Clinic for the provision of ARVs stem from a 'Guide to Anti-Retroviral Therapy' by the MOH and World Bank issued in January 2005. According to the guidelines used by the STD Clinic, advice and counselling is provided prior to ARV treatment…One of the main problems encountered by the ARV treatment programme is that many PLWHA are reluctant to come forward to receive treatment. Stigma and discrimination against PLWHA is very high in Sri Lanka, and fears of being ostracised force affluent PLWHA to access treatment outside the country. Furthermore, since free ARVs are provided only by a few STD clinics, particularly in Colombo, Kolubowila and Kandy many have difficulty in gaining access." (Centre for Policy Alternatives, 'HIV/ AIDS in Sri Lanka, A Profile on Policy and Practice', July 2007) **[28a] (p23)**

26.08 The CPA report further noted that:

"Organisations such as Nest, Salvation Army, Lanka +, Companions on a Journey and YMCA have programmes for care and support such as providing hospice services, counselling, assisting in obtaining medicine and dry rations, and providing financial support. People from a cross section of society and from across Sri Lanka are being cared for & supported by these organisations. However, many of the organisations providing care and support services are solely funded by private donors. It is also notable that many people in rural areas have difficulty in accessing such care. For example, there are few care and support services in the conflict-affected North and East of Sri Lanka. Many organisations could travel to areas outside Colombo to provide care and support if not for funding constraints. While the work done by these organisations are commendable, filling a vacuum that is essential in the response to HIV/AIDS, several of these organisations lack the capacity in planning and monitoring their programmes to ensure the services are sustainable and have the necessary funding." **[28a] (p21)**

26.09 A letter from the British High Commission in Colombo dated 25 January 2007 mentioned that they had contacted a consultant at the National STD/AIDS Control Programme to discuss availability of HIV/AIDS drugs.

"He said that they have all drugs recommended by the WHO. The government provides first grade treatment for HIV patients meeting WHO standards. Drugs for countering opportunistic infections are widely available in pharmacies. Generally prices in pharmacies are lower than in the UK. If an infected person one [sic] admits themselves for treatment in any of the Government medical institutions treatment is free of charge. The World Bank is funding a National STD/AIDS Control Programme." **[15o]**

26.10 As noted in the USSD report 2006, "There was no official discrimination against those who provided HIV prevention services or against high-risk groups likely to spread HIV/AIDS, although there was societal discrimination against these groups." **[2c] (Section 5)**

CANCER TREATMENT

26.11 As stated in information provided to the Home Office by the SCIS (Source Country Information System) Sri Lanka of the ICMPD (International Centre for Migration Policy Development) in November 2004, surgery, chemotherapy and radiotherapy treatments are available in the public sector in Colombo, Kandy, Galle, Jaffna, Vavuniya and Anuradhapura and all kinds of cancer can be treated. In the private sector, surgery, chemotherapy and radiotherapy treatments are available in Colombo, Kandy and Galle and all kinds of cancer can be treated. **[69c]**

See also Section on Overview of availability of medical treatment and drugs

KIDNEY DIALYSIS

26.12 On 9 March 2006 the Government-controlled *Daily News* reported a statement by the Sri Lanka Association of Nephrology and Transplantation (SLANT). As noted in this statement:

"In Sri Lanka the prevalence of ESKD [end-stage kidney disease] is 350 persons/million population adding upto [sic] a total of 6300 persons requiring regular dialysis or transplant… Sadly both the private [sector] and the state together have only 70 dialysis machines operating throughout the country. Of them only 3 institutes (National Hospital, Sri Jayawardenapura and Kandy hospital) are the ones that offer this service for persons suffering from Chronic Kidney disease. It is estimated that at least dialysis machines are required to provide adequate dialysis facilities to those who are already in ESKD. Of transplants, only about 1000 have been performed since the programme was initiated by a team headed by Professor Rezvi Sheriff Professor of Medicine, Faculty of Medicine Colombo University in 1986. There are only 6 fully qualified nephrologists (Specialists in the field of Kidney diseases) in the State sector of Sri Lanka's health services, reflecting the great paucity of persons available to meet the needs of all those suffering from various stages of kidney disease." **[16a]**

MENTAL HEALTH

26.13 As noted in the 'Mental Health Policy for Sri Lanka 2005' (website of the Ministry of Health, Nutrition and Uva Wellassa Development accessed on 28 June 2005):

"Sri Lanka has one of the best Primary Care Services of its type in the world and is committed to achieving equally high standards in mental health care… Mental illness is extremely common. It has been estimated that some 376,000 Sri Lankans suffer from serious debilitating mental illnesses including bipolar illness, major depression and schizophrenia at any given time. Serious mental illness primarily affects people when they are young. About 10% of the population is thought to suffer from other mental illness such as phobic states, obsessional disorders, somatoform disorders, mood disorders and other forms of delusional disorders. More women than men suffer from depression. Sri Lanka has one of the highest suicide rates in the world. Other key issues which will affect the mental health of the population include the last 20 years of civil conflict and the recent tsunami. Between 20,000 to 40,000 people affected by the tsunami are expected to go on to develop mental illness, most notably depression and medically unexplained symptoms…. The current mental health services in Sri Lanka find it difficult to meet the clinical demands placed upon them. Because more than 90% of the mental health services are concentrated in Colombo and a few major urban cities, the majority of people have to travel long distances to obtain basic services. Such inequities in distribution primarily affect the poor. Most psychiatric facilities offer only a limited range of clinical services." **[67a] (p2)**

26.14 The Ministry of Health 'Mental Health Policy 2005' continued:

"Although Sri Lanka began to decentralize its mental health services long ago, this process has been unduly slow and a major portion of patients are still treated in centrally placed large hospitals. 15 Districts have no inpatient provision…The most important issue to be addressed to ensure implementation of the national mental health policy is the urgent innovation required to address significant shortages of skilled mental health staff. There are no psychiatric nurses, 13 occupational therapists and only 8 psychiatric social workers and few psychologists. In many countries about 10% of all

community staff will be community mental health staff. In Sri Lanka there are none outside just a few areas. A major constraint for mental health services in Sri Lanka is a shortage of psychiatrists. Only 41 Ministry of Health and University psychiatrists are currently available for the whole country. These are unevenly distributed. 11 of the 25 districts have no psychiatrist. It must, therefore be a priority to appoint at least one psychiatrist in every District." **[67a] (p3)**

26.15 The Ministry of Health 'Mental Health Policy 2005' further noted:

"Natural disasters [like the Indian Ocean Tsunami of 26 December 2004] take a heavy toll on mental health of those affected and can significantly increase the risk of distress, psychological symptoms and mental disorders. Between 30% - 50% of those involved may experience some level of mental distress and/or psychological problems. Between 5 to 10% are likely to develop a recognizable mental disorder. There is also substantial evidence that loss of employment and livelihood, particularly sudden loss, very frequently gives rise to anxiety and depressive disorders. On the basis of the above figures, acute stress is likely to affect some 130,000 to 220,000 people. Of these, about 22,000 to 44,000 people are likely to develop recognizable mental health problems and will need sustained help over the longer term. In the aftermath of trauma, post traumatic stress disorder, depressions, suicidality, addiction, medically unexplained symptoms, or anxiety and dissociative disorders arise (Gersons 2005). The most frequent diagnoses made include depressive and anxiety disorders, somatization disorders, acute stress disorder, and post traumatic stress disorder (PTSD). In addition and especially when families and loved ones are lost suddenly or if there is uncertainty as to their whereabouts, grief reactions may be prolonged and take longer to resolve. However these figures may well be an underestimate given the scale of the tragedy. There will also be many people with pre-existing serious psychiatric disorders where sudden discontinuation of health care including medication will present problems. There may be as many as 6,000 people affected this way in the disaster areas." **[67a] (p7)**

26.16 The Ministry of Health 'Mental Health Policy 2005' continued:

"Sri Lanka has three major mental hospitals in the Western Province: Angoda (1,700 patients), Mulleriyawa 1 and 2 (1000 patients) and Hendala (300 patients). In addition, the National Hospital situated in Colombo and 11 other General hospitals in urban centers provide specialist facilities for mentally ill patients. Beds provided for mentally ill patients constitute only 4.6 % of total beds in all government hospitals in the country. Rehabilitation of chronically ill patients has been just started and there are centers in several districts. These centers are manned by untrained staff and the resources are also very limited… There are no approved cadres of psychiatrists other than general psychiatrists…. **[67a] (p7-8)** There are several important NGOs including, Sahanaya in Colombo, Shanthiham in Jaffna and Basic Needs in various districts, Niwahana in Kandy, Nest in many areas and Richmond fellowship. These organizations provide psychiatric assessment and treatment, psychological interventions, rehabilitation for both individuals and families. Sahanaya, Nest and Shanthiham also have undertaken mental health training programs for medical staff and other health and social care professionals. There are also several International NGO's involved with Sri Lanka such as VSO, IMC, MdM, and IOM who provide essential services…. All the patients

receiving mental health services from the government sector receive the services and drugs free of charge. All hospitals with psychiatric services provide drugs identified in the essential drugs list." **[67a] (p9-10)**

26.17 As recorded in the WHO (World Health Organisation) Mental Health Atlas – 2005: Country Profile Sri Lanka (website accessed 17 June 2005), the following therapeutic drugs are generally available at the primary health care level of the country: Carbamazepine, Ethosuximide, Phenobarbital, Phenytoinsodium, SodiumValproate, Amitriptyline, Chlorpromazine, Diazepam, Carbidopa, Levodopa. **[68]**

26.18 As stated in information provided by SCIS (Source Country Information System) Sri Lanka in February 2005, all treatments for acute psychological/psychiatric problems and disorders (severe depression and in particular potential suicide cases) can be provided in the public sector at Angoda and Mulleriawa mental hospitals in addition to the University Unit in the Colombo National Hospital at no cost. Anuradhapura General Hospital, Galle General Hospital and Jaffna Thellippalla Hospital can also provide treatment at no cost. Treatments are limited in the private sector because they are not normally willing to admit this type of patient. SCIS Sri Lanka stated that the total number of psychologists working in the public sector in the country was about 30, while there were 31 psychiatrists (21 in Government hospitals and ten in university units). Figures for psychologists and psychiatrists working in the private sector were respectively four and eight although it was noted that most psychiatrists in the public sector simultaneously worked in the private sector. **[69b]**

26.19 Information provided by SCIS Sri Lanka of the ICMPD in December 2004 noted that treatment for PTSD is available in all private hospitals and clinics in Colombo. Private sector hospitals for this treatment are Nawaloka Hospital, Asiri Hospital, Asha Central Hospital, Durdans Hospital and Apollo Hospital. In the public sector, treatments are available in all teaching and general hospitals in Colombo. Treatments are also available in all teaching hospitals as well as in all private hospitals and clinics in Kandy, Anuradhapura and Jaffna. However, it was noted that there are no regular basic treatments in Sri Lanka for PTSD but only consultation with a psychiatrist. **[69a]**

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27. HUMANITARIAN ISSUES

27.01 A document produced by the Internal Displacement Monitoring Centre (IDMC)/Norwegian Refugee Council entitled 'Civilians in the way of conflict: Displaced people in Sri Lanka', dated September 2007 recorded that:

"The humanitarian situation of those living in some IDP camps in the eastern districts of Batticaloa and Trincomalee presents cause for concern. Fact-finding missions by human rights groups revealed that the unexpected influx had led to poor conditions in some of the larger camps, with overcrowding and shortages in shelter and toilets. Additionally, IDPs living outside the camps with host families faced hardships as they were wholly reliant on their host families for support in the absence of any schemes to ensure that they were receiving rations from the government… In March 2007, the World Food Programme (WFP) reported that the recent neardoubling of the IDP population

had created a major humanitarian challenge for the agency. Nutrition surveys by the government and international agencies showed rising levels of acute malnutrition in the northern Jaffna district as a result of conflict-related disruption of livelihoods and markets, the closure of the A9 highway, and security-related restrictions on farming and fishing. Food assistance for the internally displaced and other vulnerable groups was in short supply for months after the A9 closure, since WFP was only able to transport 20 per cent of the required rations to Jaffna." **[54b] (p13)**

27.02 The Human Rights Watch, 'World Report 2007, Sri Lanka', January 2007 noted that:

"Humanitarian aid often did not reach those in need in 2006. Neither the government nor the LTTE took necessary measures to ensure that humanitarian relief got to the 240,000 people who were forced to flee their homes or the hundreds of thousands who otherwise required assistance because of the fighting… Ever since the end of major fighting on the Jaffna peninsula in August [2006], the government and the LTTE have hindered the delivery of humanitarian assistance." **[21b]**

27.03 As noted in the 'UNHCR Position on the International Protection Needs of asylum-seekers from Sri Lanka', dated December 2006:

"Restrictions on freedom of movement have also had a negative impact on humanitarian access and delivery of assistance. Whilst some supplies are reaching the civilian populations through government convoys or boats, as well as through UN and ICRC convoys, there are severe shortages of food, fuel, medical supplies and other essential items throughout the Jaffna Peninsula and in LTTE-controlled areas (in Kilinochchi, Mulaitivu, parts of Mannar, Vavuniya, Trincomalee and Batticaloa Districts)." **[6b] (Paragraph 21)**

27.04 As noted in a letter from the British High Commission (BHC), Colombo dated 29 October 2007:

"There are now 130,000 IDPs – about 25- 30% of the total population of Jaffna. The majority of IDPs have been forced from their homes when these areas were subsumed by increased high security zones. Some IDPs have been in temporary welfare centres for 12 years or more. Access to these IDPs and other vulnerable groups are hampered by the daily military convoys, which block the essential roads for up to 4 hours. Emergency food supplies are stable. No-one is starving. UN Agencies are busy trying to boost supplies in preparation for the monsoon when offloading supplies will be more difficult. The speed of distribution is not adequate for the needs. UN Agencies are ensuring that 96,000 school children receive one meal a day, an incentive for attendance." **[15q]**

27.05 The BHC letter of 29 October 2007 further reported:

"The cost of living has increased by 100% whereas the food production has decreased by 80%. The ensuing conflict has caused key livelihoods to come to a halt (almost) resulting in no purchasing power for civilians. Fishing is severely restricted to a few hours a day. Some fishermen have to do labour around the army camps before they are given permission to fish. The

escalating price of cement and fertiliser has severely hampered construction work and farming production." **[15q]**

See also Section 29

THE TSUNAMI (INDIAN OCEAN EARTHQUAKE) OF 26 DECEMBER 2004

27.06 As outlined in the European Commission 'Tsunami Indicative Programme' adopted on 23 May 2005:

"After Indonesia, Sri Lanka has suffered the most from the tsunami. Its southern, northern and eastern coastlines have been ravaged. Some 40,000 dead, 443,000 displaced and between 1 and 2 million affected (about 10% of total population). Of those killed, 27,000 belonged to fishing families. Around 65 percent of the country's fishing fleet – 29,700, boats – has been completely destroyed or damaged. Total job losses estimated at 380,000. The Eastern part of the country was worst hit, taking the brunt of the north-westerly moving tsunami wave. Well over 40 percent of the total damage is focused in the east. The south – especially the Galle District – was also very heavily impacted with well over 30% of the damage. The North sustained about 20 percent of the damage. The damage ranges from 500 metres to 3 kilometres inland. As in Indonesia, the main result is the devastation of poor coastal communities. The tsunami has destroyed or damaged: 130,000 houses, 168 public schools, four universities, 18 vocational centres; 92 local clinics, hospitals and drug stores; significant losses in power, transportation (roads and railways), water supply and sanitation. Sri Lanka's tourism industry has been very hard hit since the disaster occurred during one of their busiest periods of the year destroying key infrastructure. Environmental damage has also been significant…The human impact has been even more staggering than the damage to infrastructure. This is aggravated because the tsunami hit the particularly impoverished coastal communities the hardest. The north and east suffer a double effect as the tsunami comes on top of damage caused by the twenty-year civil conflict in the country." **[57] (p8)**

27.07 As recorded on the website of the Sri Lanka Department of Census and Statistics, the following districts in the five provinces were affected. Southern Province: Galle, Matara, Hambantota; Western Province: Kalutara, Gampaha, Colombo; Eastern Province: Ampara, Batticaloa, Trincomalee; Northern Province: Jaffna, Mullativu, Killinochchi; North Western Province: Puttalam. **[58b] (Impact of Tsunami 2004 on Sri Lanka, last updated 22 December 2005)**

27.08 As recorded in a document by the Internal Displacement Monitoring Centre (IDMC)/Norwegian Refugee Council entitled 'Sri Lanka: escalation of conflict leaves tens of thousands of IDPs without protection and assistance. A profile of the internal displacement situation', published on 16 November 2006:

"During 2005, the national response focused on post-tsunami reconstruction, with the Ministry of Relief, Rehabilitation and Reconciliation creating the Task Force for Relief (TAFOR) and the Task Force to Rebuild the Nation (TAFREN). Coordination with local government structures and national and international aid agencies has often been difficult. The November 2005 presidential elections have prompted some restructuring in government agencies and ministries. The new Ministry of Disaster Management is at the same time the Ministry of Human Rights. Its National Disaster Management

Council is tasked to coordinate and manage relief activities pertaining to natural and man made disasters. The ministry has now been mandated to coordinate the national IDP response, although the relatively junior Disaster Management and Human Rights Minister seems to have little political influence to move forward the IDP issue. The Reconstruction and Development Agency (RADA), established in November 2005, now combines TAFREN and TAFOR into one agency responsible for reconstruction and development activities in post-tsunami and post-conflict areas. At the same time, two new ministries were created, the Ministry of Resettlement and the Ministry of Nation-Building and Development. The new entities are intended to follow a coherent strategy with regard to both conflict-and tsunami-displacement. However, human rights organisations are concerned that changes at ministerial level do not sufficiently translate into effective action on the ground (AI, June 2006, p.5). Furthermore, Sri Lankan NGOs raised concerns regarding RADA's transparency, accountability, and lacking possibilities for civil society to participate and be consulted. RADA was also seen as too centralised and inflexible (CPA, June 2006)." **[54a]**

27.09 On 18 December 2006, Reliefweb (quoting AFP), reported that:

"Corruption and ethnic violence is blocking a flood of foreign aid for Sri Lanka's tsunami survivors two years after the massive disaster, according to official records and whistle-blowers. President Mahinda Rajapakse admitted a year ago the country had failed to do enough to help the victims of the towering waves, but thousands of survivors still live in 'tent villages' along the coast. Sri Lanka, one of the worst hit by the December 2004 Asian tsunami, lost an estimated 31,000 people while another million were left homeless, but the island also attracted 3.2 billion dollars in foreign aid pledges. Out of the promised aid, it was not clear how much was received, but the state auditor general in September 2005 noted out of 1.16 billion dollars committed, only 13.5 percent had actually been spent. Since then, there has been no fresh government audit. Whistle-blowers believe that only a fraction of the aid actually went to the real victims and in the absence of proper account-keeping, it has been virtually impossible to track down what happened to the cash. Official figures are often contradictory, but even the state admits only about half of the estimated 100,000 damaged or destroyed homes have been rebuilt as the country readies [sic] to mark the tragedy's second anniversary…. Reconstruction in the worst affected area of the island's north-east suffered a double blow with the escalation of fighting between government troops and Tamil Tiger rebels since early this year. Much of the damage was in the northern and eastern regions, some of which are controlled by Tiger rebels. Efforts by peacebrokers to get Colombo and the Tigers to work together last year ended in failure, leading the way for more bloodshed." **[31b]**

See also Section 29

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28. FREEDOM OF MOVEMENT

28.01 As noted in the US State Department Report 2006 (USSD), Sri Lanka:

"The law grants every citizen 'freedom of movement and of choosing his residence' and 'freedom to return to the country,' and the government generally respected these rights in practice; however, during the year [2006] it restricted the movement of Tamils. The war with the LTTE prompted the government to impose more stringent checks on travelers from the north and the east and on movement in Colombo, particularly after dark. Tamils were required to present special passes for fishing and transiting through high security zones in the north and the east. While Tamils were no longer required to obtain police passes to move around the country, they were frequently harassed at checkpoints." **[2c] (Section 2d)**

28.02 "Limited access continued to certain areas near military bases and high security zones, defined as areas near military emplacements, camps, barracks, or checkpoints where civilians could not enter. Beginning in June [2006] the SLMM reported that monitors were restricted from accessing sites of reported CFA violations. High security zones extended up to a four-kilometer radius from the fences of most military camps. Some observers claimed the high security zones were excessive and unfairly affected Tamil agricultural lands, particularly in Jaffna…Curfews imposed by the army from 8 p.m. to 8 a.m. also restrict the movement of Jaffna's citizens." **(USSD 2006) [2c] (Section 2d)**

28.03 A letter from the British High Commission (BHC) in Colombo, dated 29 October 2007, noted that:

"The Jaffna] peninsula has been cut off from the rest of Sri Lanka since August 2006, when fighting caused the closure of the only overland link – the A9 road - to the rest of the island. Since then Jaffna has been accessible by civilians only by boat from Trincomalee or aircraft from Colombo…There about 500000 people in the peninsula, which is controlled by about 40,000 government troops. Jaffna town is littered with government checkpoints and surrounded by high security zones. A curfew operates between 1900 and 0430 each night. Compared to the rest of Sri Lanka there is a tighter control over people's every day life. Mobile phones and even bicycles need to be registered with the army. A new family photo ID card has been introduced. During army checks of households, people present who are in addition or absent to the normal household are then treated with suspicion. Several interlocutors reported that each day assailants on motorbikes shoot one or two civilians in broad daylight whilst, after the curfew (1900 to 0430), abductions and robberies take place often close to army checkpoints." **[15q]**

28.04 As recorded in a document by the Internal Displacement Monitoring Centre (IDMC)/Norwegian Refugee Council entitled 'Civilians in the way of conflict: Displaced people in Sri Lanka', September 2007:

"Freedom of movement - despite being enshrined in the Constitution of Sri Lanka – has been severely restricted as a result of the renewed conflict and the climate of insecurity. In several instances in 2006-2007, restrictions were placed on the right of people to seek safety in other parts of the country. In violation of the Constitution, international human rights standards and the Guiding Principles on Internal Displacement, both government and LTTE policies have prevented people from fleeing their places of origin even when their lives were threatened. However, it is likely that this has in fact encouraged civilians to flee for fear of being trapped in the midst of fighting. It

also validates widespread concerns that IDPs are coerced into returning to areas which observers suggest are still unsafe." **[54b] (p16)**

28.05 "The August 2006 closure by the government of the A9 highway linking Jaffna peninsula to the rest of the country paralysed much of the travel in and out of Jaffna. Most of the 600,000 residents of the peninsula were stranded in the face of shelling, widespread abductions and disappearances, and severe shortages of food, medicines and basic supplies. Long curfews were also imposed by government authorities in Jaffna from August 2006 onwards, preventing many people from earning a living. Movement in and out of Jaffna is still only possible by sea or air. Civilians who want to leave the peninsula have to obtain permission from the army's civil affairs unit. In June 2007, at least 15,000 people were waiting to board government ships to leave Jaffna for the relative safety of Colombo." (IDMC/Norwegian Refugee Council, 'Civilians in the way of conflict: Displaced people in Sri Lanka', September 2007) **[54b] (p16-17)**

28.06 "The LTTE continues to maintain draconian restrictions on people living in the Vanni. Each person exiting the LTTE-controlled area has to leave family members behind as a guarantee of their return. The group also only issues passes on the day of travel, limiting the movement of civilians and supplies."

"The freedom of movement remains limited near military bases and 'high security zones' (HSZs) set up by the government to protect strategic installations. The HSZs extend up to four kilometres from the fences of most military camps. Some observers claim the HSZs unreasonably impact Tamil agricultural lands, particularly in Jaffna, where an estimated 18 HSZs have led to many farmers losing access to their lands and livelihoods." (IDMC/Norwegian Refugee Council, 'Civilians in the way of conflict: Displaced people in Sri Lanka', September 2007) **[54b] (p17)**

28.07 As noted in the UNHCR Position on the International Protection Needs of asylum-seekers from Sri Lanka dated December 2006:

"Tamils in Colombo and its outskirts, where there are large Tamil communities, are at heightened risk of security checks, arbitrary personal and house to house searches, harassment, restrictions on freedom of movement, and other forms of abuse since the imposition of new security regulations in April and December 2006. Under emergency regulations, the police are empowered to register all persons within the jurisdiction of each police station. These regulations, which were enacted during the height of the conflict in the 1990s, remain in place and require all residents to register with their local police station. Such registration, which is taking place in Colombo, enables the police to have accurate information on the ethnicity and location of all inhabitants of Colombo." **[6b] (Paragraph 23&24)**

28.08 "Tamils [from the North or East] who are able to reach Colombo could be vulnerable to the arbitrary arrests, detention and other forms of human rights abuses Tamils have faced there. It may be noted that Tamils originating from the North and East, in particular from LTTE-controlled areas, are perceived by the authorities as potential LTTE members or supporters, and are more likely to be subject to arrests, detention, abduction or even killings." (UNHCR Position on the International Protection Needs of asylum-seekers from Sri Lanka, December 2006) **[6b] (Paragraph 34 (a) iv)**

POLICE REGISTRATION

28.09 A letter from the British High Commission in Colombo, dated 24 August 2006, noted that:

"The Sri Lankan authorities often require households in predominantly Tamil areas to register all residents. These lists are then used in cordon and search operations to identify people who the police consider need to give a fuller explanation of why they are residing or travelling in a location…Normally the police detain those who have not registered, for further questioning. After a big push in November and December 2005, when police registration forms were distributed throughout Colombo and which culminated in Operation Strangers Night II, the authorities have become more relaxed about this. In June [2006] there was public discussion about implementing police registration island wide as was done in the past, but nothing has come of this." **[15h]**

28.10 A further letter from the BHC Colombo, dated 31 August 2006, provided additional information:

"There is no uniformity in the implementation of the police registration. After the new Government took over in Nov 2005, police visited households and issued forms to be completed by the head of the household, asking them to take full responsibility for the information provided and the persons on the list. The form also included questions such as when did you buy the house?, from whom did you buy the house, what was the purchase price?, did you buy the house with the help of a broker?, if so provide details of the broker etc. This form was issued to almost all houses in the Tamil concentrations in the city and suburbs. Generally the police do not say that they are targeting only Tamil households, but collection of completed forms / booklets are only strictly enforced when it comes to Tamil concentrations. The main purpose of these booklets is to assist the Police, when they launch cordon and search operations, to identify visitors or undeclared persons in the area." **[15i]**

CHECK-POINTS

28.11 As recorded by the Immigration and Refugee Board of Canada in their Responses to Information Requests LKA101784.E, dated 22 September 2006:

"News sources from 2006 report an increase in the number of checkpoints and roadblocks in the capital city of Colombo (Xinhua 15 Aug. 2006; AFP 2 June 2006; The Press Trust of India 27 Aug. 2006), as part of an effort to prevent LTTE bomb attacks (ibid.; AFP 2 June 2006). In late August 2006, road blocks were reportedly set up on all the main roads leading to Colombo (TamilNet 28 Aug. 2006), and every vehicle entering and leaving the city was checked (ibid.; The Press Trust of India 27 Aug. 2006). Other security measures in Colombo include parking restrictions along busy roads (Xinhua 15 Aug. 2006), increased military personnel patrolling the streets (Canada 15 Aug. 2006), and body searches of individuals wishing to enter public buildings and shopping centres (AFP 2 June 2006). According to an official at the Canadian High Commission in Colombo, Sri Lanka, some visible [security] measures [implemented since December 2005] include new checkpoints, more frequent searches of vehicles at checkpoints and [a] complete check of intercity buses

entering Colombo, forcing passengers to [get off] and vouch for their luggage (Canada 15 Sept. 2006)." **[42a]**

28.12 On 23 October 2006 BBC Sinhala reported that the police in Sri Lanka had opened a series of offices in eastern region to issue special permits to those planning to travel to Colombo. Vehicle owners are to be issued with a permit before leaving the east and are required to hand over the parts of the four-part permit to check points as they travel towards the capital. Travelling time was foreseen to be drastically increased. **[9l]**

28.13 As recorded on the official website of the Sri Lankan Government's Secretariat for Co-ordinating the Peace Process (SCOPP) on 10 November 2006:

"The Government of Sri Lanka (GOSL) was compelled to temporarily close the A9 highway, entry/exit checkpoint at Muhamalai situated at the isthmus of the Jaffna peninsula on 11 August 2006…The A9 highway is the main thoroughfare that links the Jaffna peninsula with the South of Sri Lanka. The highway starts from Jaffna and passes through the LTTE dominated Wanni through to Kandy the hill capital of the country. The A9 highway was closed from 1995 to 2002. At the time, two entry/exit points that regulated movement into the uncleared areas of the Wanni were established. One was the gateway to the government controlled Jaffna peninsula at Muhamalai in the north and the other at Omanthai 98 km away, was the entry point into Wanni from the south. The A9 has remained opened since 2002 and contrary to the misconception propagated by the LTTE, the only part of the highway that is temporarily closed since 11 August 2006 is the entry/exit checkpoint at Muhamalai. The Omanthai checkpoint has remained open and facilitates the movement of goods and people to and from the LTTE dominated areas to the south." **[41m]**

28.14 As noted in the UNHCR position paper of December 2006:

"Following the suicide attack on the Army Commander Lieutenant-General Sarath Fonseka on 25 April 2006, the authorities have returned to pre-ceasefire security arrangements. As a result, many checkpoints have been re-instated on the main roads and in the towns in the North and East or in Colombo, making it particularly difficult for Tamils to travel in government-controlled areas. For those who were born in LTTE-controlled areas (this is indicated on the National Identity Card), it is difficult to cross the checkpoints and they face varying levels of harassment…Apart from the insecurity related to the armed conflict, the LTTE has also restricted movements of civilians out of the LTTE-controlled areas, thus preventing them from moving into government-controlled areas. Even if an individual reaches government-controlled areas, it does not necessarily mean that she/he will be able to secure the protection of the authorities, particularly if the individual is being targeted for attack by the LTTE, given the LTTE's capacity to track down and target its opponents throughout the country." **[6b] (Paragraph 20&22)**

28.15 On 5 June 2007 the pro-LTTE website TamilNet reported that:

"The Sri Lanka's defence establishment introduced a new security plan for Colombo city with effect from Monday. Colombo city has been divided into three security zones and additional troops from the Sri Lanka Army (SLA) and Sri Lanka Navy (SLN) have been deployed to check all vehicles and

movement of civilians…Each key junction in Colombo has been manned by SLA and SLN troops. Heavy vehicles are subjected to severe checks. The military and police are directed to not allow loitering on roads and junctions without any reason." **[38r]**

28.16 On 10 June 2007 Reliefweb (quoting AFP), reported that:

"Tamils, whose national identity cards are written in Tamil, are instantly segregated at check points for a sometimes lengthy grilling. Members of the majority Sinhalese community have an easier time from the Sinhalese-dominated security forces. Tamil visitors to Colombo also need to register with police, who are fearful of Liberation Tigers of Tamil Eelam (LTTE) suicide bombers or assassins infiltrating the city of around 650,000 people…Tamil populated neighbourhoods in Colombo are also periodically cordoned off and swept by security forces, and Tamils have complained of mass arrests." **[31a]**

28.17 The ICRC Sri Lanka Bulletin No. 16 of 3 September 2007 reported that:

"The Omanthai crossing point, which is on the A9 highway is the main source of access to Kilinochchi and Mullaitivu districts and the northern areas of Vavuniya. The only other point of entry to LTTE-controlled areas is the Uyilankulam crossing point in Mannar on the west coast [closed at a later stage]. During the Madhu festival, which began on 5 August [2007], the ICRC maintained a presence in Uyilankulam for seven consecutive days, from 10-17 August, in order to facilitate the passage of pilgrims. About 14,000 people were able to cross over. In the last four weeks, the ICRC has acted as a neutral intermediary to facilitate the crossing of nearly 40,000 civilians at Omanthai and Uyilankulam." **[34d]**

"The [Omanthai] crossing point, which is manned by government forces on one side and the LTTE on the other, is about 1 km long. This includes the stretch of no-man's land in the middle where members of the ICRC's staff are positioned. Civilians and vehicles carrying goods are checked by both sides before they are allowed to go across…While the crossing point meets a number of humanitarian needs such as family reunions, access to medical services and free passage for ambulances, it also enables vehicles carrying goods to come and go and creates commercial opportunities for the enterprising…The crossing point remains an invaluable conduit for those on either side of it." **[34d]**

28.18 As reported on 19 October 2007 by the *Daily Mirror* (Sri Lanka):

"The military and the LTTE yesterday gave an assurance to the ICRC that there would be no further fighting near the Omanthai crossing point. Earlier, fighting had erupted leading to the closure of the crossing point -- completely cutting off the Vanni from the rest of the country… LTTE controlled areas in the Vanni were in danger of being completely shut off from the rest of the country, indefinitely, after the ICRC announced it had withdrawn from the Omanthai entry/exit point as a result of a security related incident which occurred in the area on Wednesday evening…The crossing point, situated along the A9 highway, which was kept open 5 days a week to facilitate civilian and humanitarian assistance, was the only remaining entry route open to the Vanni after the closure of the Uyliankulam route last month, and also Muhamalai, since fresh fighting erupted in the north… This year, an average

of 25,000 people and 4,000 vehicles have passed through the crossing points each month." **[11k]**

28.19 A letter from the British High Commission (BHC) in Colombo, dated 29 October 2007, noted that:

"The check point at Muhumalai on the northern part of the A9 which controls access from government controlled Jaffna for people and goods to and from the LTTE controlled Vanni is likely to remain closed for some time, the area remains subject intense and unpredictable fighting. Controlled access is possible from the south of the Vanni into Government controlled southern Sri Lanka – although both the checkpoints, at Omanthai (Vavuniya District) and near Mannar are subject to sudden short term closures." **[15q]**

LODGES IN COLOMBO

28.20 As reported by the pro-LTTE website TamilNet on 13 March 2007:

"The law enforcement authority under the direction of Sri Lanka Defence Ministry has formulated a scheme to closely monitor the activities of lodges and boarding houses to strengthen the security in Colombo city. As a first step the Ministry is suspending the registration of new lodges, and is planning to order closure of lodges which fail to provide basic facilities, and to identify lodges which are suspected of having close links with undesirable persons. The first phase is to be implemented shortly. Under the second phase, lodges assisting terrorist activities would be acquired by the government, and persons running these lodges would be prosecuted in courts under the Prevention of Terrorism Act (PTA) for harbouring terrorists. All lodges and boarding houses would be routinely monitored and checked by special police teams once a week, according to the new security plan." **[38a]**

28.21 The International Crisis Group document 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007 recorded that:

"In late May 2007, following a claymore attack in southern Colombo, police visited small hotels and guesthouses ('lodges') where short- and long-term visitors stay, and told Tamils they would have to leave immediately. The police told one manager that henceforth Tamils would have to do their business in the capital and depart the same day. The government initially tried to claim the expulsions only applied to visitors with no explanation of their business. The informal ban appeared to apply equally, however, to up-country Tamils, who have never previously been involved in any violent attacks. Some Muslims also were told that they had to restrict their visits." **[76a] (p15)**

28.22 "On 7 June [2007], police swept through Tamil areas of Colombo, rounded up 376 residents without "proper" identification or 'valid reasons' for their stay and sent them on buses north to Vavuniya and east to Trincomalee. These forced expulsions provoked local protest and international condemnation; human rights activists and opposition members of parliament accused the government of engaging in 'ethnic cleansing'. Acting quickly in response to a civil suit filed by an advocacy group, the Supreme Court halted the expulsions on 8 June and ordered the government to return the lodge-dwellers to Colombo. Over the next few days, the majority of those expelled returned to

Colombo. The prime minister made an unprecedented public expression of regret and promised there would be no repeat of the expulsions but the damage to the government's reputation among Tamils was already done." (International Crisis Group, 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007) **[76a] (p15)**

28.23 In July 2007, the Supreme Court granted leave to proceed to a fundamental rights application to challenge the mass-scale eviction Tamils from lodges in Colombo in June 2007. The court allowed the challenge because it said the anti-torture clauses of the constitution may have been breached. It was announced the hearing would take place in November. (Centre for Policy Alternatives (CPA), Supreme Court grants leave to proceed to case filed by CPA on the eviction of Tamils from Colombo, 26 July 2007) **[28b]** (BBC News, Tamil eviction appeal to be heard, 26 July 2007) **[9d]**

28.24 As reported in a letter from the British High Commission in Colombo dated 13 August 2007:

"291 Tamils were evicted from Colombo District and 83 from Gampaha District just to the north. As far as we are aware all or nearly all were returned following the decisive Supreme Court intervention." With regard to the issue of how easy it was to return to Colombo for those who decided to go back by their own means at a later stage the BHC noted that "It's difficult to give figures on this as there are no records of any not being returned following the court decision. Legally everyone is entitled to travel to any part of the country – although in practice the security forces are suspicious of any recently arrived Tamil who cannot give a 'valid reason' for their presence. Travelling into Colombo is time consuming and intimidating for Tamils who come from the North and East. There are numerous checkpoints – although anecdotally the situation is more relaxed for those coming from the east following the assertion of government control. If you are coming from government controlled Jaffna you need Security clearance from the military to get a travel pass to Colombo. Tamils from the government controlled east and Jaffna travelling to Colombo will be photographed. If you are coming from LTTE controlled areas, you will be photographed and your details will be collected." **[15e]**

28.25 The BHC letter of 13 August 2007 further noted that:

"Staying in Colombo is difficult for Tamils who don't have adequate Sinhala language skills. Without Sinhala, if a Tamil person is stopped at a check point he cant [sic] express the reason for staying in Colombo, so they can be easily picked up & harassed. The cordon and search operations seem to target Tamils with casual employment and temporary accommodation. While most detained are released quickly, a proportion end up in more long term detention…Under the law anyone can stay in Colombo without giving any prior notice to the Police or Security forces. The eviction of Tamils was justified by the IGP (Inspector general of police) who said that 'We evicted the people who are staying in Colombo without a valid reason'. But there is no legislation to support that except the High Security Zone rules, which would tend to exclude all civilians from certain areas. People who come to Colombo for administrative issues such as applying for visas, passports or taking exams stay in lodges, because its [sic] cost effective. The export processing zones also require large numbers of casual workers who tend to stay in places of multiple occupation to save money." **[15e]**

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29. INTERNALLY DISPLACED PEOPLE (IDPS)

29.01 As recorded in a document by the Internal Displacement Monitoring Centre (IDMC)/Norwegian Refugee Council entitled 'Civilians in the way of conflict: Displaced people in Sri Lanka', September 2007:

"At the end of 2006, at least 520,000 people in Sri Lanka were victims of conflict-induced displacement in a country of 20 million, making up one of the largest displacement crises in Asia in absolute terms and particularly in terms of the proportion of the population displaced. Upwards of 300,000 people were displaced in the offensive from 2006 onwards, with Tamil and Muslim minorities in the districts of Batticaloa, Trincomalee and Jaffna the most affected. Despite a major return programme initiated by the government in Batticaloa and Trincomalee in recent months, the number of conflict-induced internally displaced people (IDPs) in the country is estimated still to be around 460,000…The unexpectedly large number of people displaced has created many humanitarian challenges and protection problems at the IDP camps and welfare centres. Nevertheless, many IDPs have not wanted to go back to their homes unless the insecurity that compelled them to leave is fully resolved… Many of the IDPs who have returned home to eastern and north-eastern areas during the last year, whether voluntarily or involuntarily, have experienced difficulties due to the general security situation, and continue to face the risks of death, injury, loss of shelter and livelihoods and conscription into armed groups. IDPs who have returned to insecure areas cannot be considered to have found a durable solution to their displacement." **[54b] (Executive summary)**

"It is difficult to determine the exact numbers of internally displaced people in Sri Lanka today due to the overlap between those displaced by the conflict and the 2004 tsunami, and between those displaced by the conflict before and since 2006." **[54b] (p11)**

29.02 The IDMC document of September 2007 further reported:

"Thousands of civilians were displaced from the Vakarai area of Batticaloa district, which had been under the LTTE's authority, and where some 35,000 civilians were caught in the crossfire during a fierce three-month battle for control. Many vulnerable people, including children, elderly, and sick people were forced to make gruelling journeys out of Vakari to government-controlled areas before the army finally took control of the region in January 2007. In a much-publicised case, in November 2006, army artillery hit a school which was sheltering over 2,000 IDPs. During the bombardment, 62 people died and 47 people, ranging in age from one to 74 years old, were injured." **[54b] (p10)**

29.03 "The renewed fighting had in the year to April 2007 displaced an additional estimated 301,000 people from their homes. An estimated 101,000 of these newly displaced people have returned to their areas of origin as at September 2007, within government - and UNHCR - supported return programmes in Trincomalee and Batticaloa districts, including over 3,000 who are staying in transit camps until a durable solution is found for them. Some IDPs have also

returned spontaneously to their areas of origin. In August 2007, the International Organization for Migration in Sri Lanka reported that almost 11,000 families displaced by the 2004 tsunami remained in transitional sites. This number did not include those displaced from the LTTE-controlled areas of Kilinochchi and Mullaitivu, where figures were not available, or tsunami-displaced people living with host families." (IDMC/Norwegian Refugee Council, 'Civilians in the way of conflict: Displaced people in Sri Lanka', September 2007) **[54b] (p12)**

29.04 "Lack of documentation has proved to be a hindrance for many IDPs. Frequently IDPs fled their homes during shelling or fighting with no time to collect the documents needed to navigate through numerous security checkpoints, and to access relief provisions. The process of acquiring duplicate documentation was complicated by the need to first obtain clearance from the displaced persons' areas of origin, where in some cases the civil machinery had collapsed during the conflict." (IDMC/Norwegian Refugee Council, 'Civilians in the way of conflict: Displaced people in Sri Lanka', September 2007) **[54b] (p15)**

29.05 "While the government on one hand strongly encouraged IDPs to return to their homes in unsafe areas, on the other, it prevented the return of IDPs to a much safer area of origin. In May 2007, the government declared Muttur East area of Trincomalee district a High Security Zone. This prevented IDPs living in welfare centres or transit sites in other parts of the district from returning to their homes." (IDMC/Norwegian Refugee Council, 'Civilians in the way of conflict: Displaced people in Sri Lanka', September 2007) **[54b] (p21)**

29.06 The Human Rights Watch (HRW) report 'Return to War, Human Rights under Siege', published on 6 August 2007 noted that:

"The treatment of internally displaced persons remains a paramount concern. Some 315,000 people have had to flee their homes due to fighting since August 2006; 100,000 fled in March 2007 alone. This comes atop the 200,000-250,000 people made homeless by the December 2004 tsunami—many from the same areas as the recent fighting—and the approximately 315,000 displaced by the conflict prior to 2002…The LTTE has at times blocked civilians from leaving areas of conflict, while the government through its indiscriminate shelling and restrictions on humanitarian aid has compelled civilians to flee. The government has forcibly returned displaced persons after it deemed their home areas "cleared" of the LTTE, often without adequate security or humanitarian assistance in place." **[21f] (Summary)**

29.07 The International Crisis Group document 'Sri Lanka's Human Rights Crisis, Asia Report N°135', 14 June 2007 reported that:

"Once the IDPs reach the camps run by the government and NGOs [in Eastern Sri Lanka], their ordeal is not always over. Government forces have often worked closely with the Tamil paramilitary group, the Tamil Makkal Viduthalai Pulikal (TMVP), led by V. Muralitharan (better known by his alias 'Karuna'), whose forces have been used to screen incoming refugees and identify those suspected of being escaping LTTE cadres. The TMVP has been given complete access to some government-controlled camps. There have been numerous cases of children abducted by both Karuna's forces and the LTTE from IDP camps in their respective areas of control. Finally, there are

several reports of internally displaced people IDPs being forced to return to their homes by government agencies and security forces, in violation of the UN Guiding Principles on Internal Displacement, to which the government has pledged its adherence." **[76a] (p8)**

29.08 As stated in the 'UNHCR Global Report 2006: Sri Lanka', published in June 2007:

"The security situation in Sri Lanka deteriorated in 2006. A dramatic upsurge in violence and widespread human rights violations led to the displacement of some 200,000 people within the country. UNHCR assisted most of these internally displaced persons (IDPs) with emergency shelter and non-food items." **[6m] (p389)** "UNHCR documented and reported cases of abuse against IDPs and intervened where possible…The Office supported the Government's efforts to register IDPs both to obtain accurate population statistics and to ensure that those in need of assistance received it." **[6m] (p390)** "Access to conflict-affected areas was limited and relief agencies were barred from entering certain areas, hampering the implementation and monitoring of projects. The situation was made more intractable because many IDPs suffered multiple displacements in 2006. The general climate of fear and high security risks, especially since relief workers were targeted, hurthumanitarian programmes." **[6m] (p391)**

See also Section 17

29.09 The UNHCR Statistical Summary of IDP Movements in North-East Sri Lanka for the period 7 April 2006 – 1 October 2007, undated recorded a total figure of 190,669 IDPs in those areas. **[6c]**

29.10 As noted in the AI report 'Sri Lanka Waiting to go home – the plight of the internally displaced', released on 29 June 2006:

"IDPs in Sri Lanka suffer a variety of human rights violations, including serious violence and widespread denial of economic and social rights and violations of some civil and political rights. Not only are they often more vulnerable to human rights violations than other members of the population, but they are also less able to access legal and other remedies." **[3t] (Introduction)**
"…The majority of those displaced are from the north and east, the contested areas where most of the fighting has taken place. Because of their geographical concentration in these regions, the Tamil population has experienced by far the greatest displacement. According to a census of all IDPs in Sri Lanka conducted by the Ministry of Rehabilitation, Resettlement and Refugees in 2002, 80.86% of the displaced population was Tamil, 13.7% Muslim, 4.56% Sinhalese and other 0.88%. Many of these IDPs have suffered multiple displacements during the course of the conflict…
While many people were displaced by the fighting, displacement was also the result of a multitude of other factors. Some left their homes to escape the widespread arrests, torture and 'disappearances' perpetrated by the security forces. Others were displaced when their property was taken over by the military, some fled communal violence between communities, and others were expelled from or chose to leave areas of LTTE control. In addition, many people were forced to leave their homes because the conflict had destroyed the infrastructure and livelihoods on which they depended…

The large-scale relocation caused by the tsunami and the subsequent application of the coastal buffer zone dramatically altered the dynamics of displacement in Sri Lanka and exacerbated disputes over land, which have been linked to ongoing ethnic conflict. Moreover, there has been widespread concern among coastal communities that this forced relocation away from the sea will erode their livelihoods and traditional way of life." **[3t] (Patterns of displacement)**

29.11 "While many civilians living in the north and east are affected by the increasing conflict-related violence and human rights abuses, including killings, abductions, child recruitment and 'disappearances', the insecure circumstances in which IDPs live make them particularly vulnerable. Displaced people often live in areas that are unfamiliar to them where they may lack family and community support networks…Both representatives of Tamil communities displaced both by the tsunami and by the conflict believe that they are particularly vulnerable to harassment by security forces because they are living in temporary camps. In Karaitivu, Ampara district, representatives from a Tamil tsunami IDP camp told Amnesty International delegates that they had faced heightened security problems following the declaration of a State of Emergency (SoE) on 13 August 2005…Muslim people displaced by tsunami [sic] in the east told Amnesty International delegates that they felt particularly at risk of violence and harassment, primarily by the LTTE, and that the local authorities were not protecting them or their property due to fear of the LTTE. Muslim IDPs in Ampara and Batticaloa reported incidents of harassment by the LTTE and expressed concern that the poor security environment following the LTTE split had been further increased [sic] by the tsunami and resulting conflicts over land. In particular they claimed that they were being threatened and harassed to move from their land as part of an LTTE strategy to claim more land for Tamil communities in the post-tsunami relocation." (AI report of 29 June 2006) **[3t] (Patterns of displacement)**

29.12 As noted in the UNHCR Position on the International Protection Needs of asylum-seekers from Sri Lanka dated December 2006 "In August 2006, 50,000 civilians, including Muslims and Tamils, fled Muttur due to heavy fighting in the area. According to reports, Muslims fleeing from Muttur were subjected to a number of serious human rights violations during flight." **[6b] (Paragraph 29)**

29.13 "Groups of displaced Muslims have come under particular pressure from community leaders and politicians, as well as senior government officials and security forces to return to their places of origin as quickly as possible. This was illustrated when Sampoor was taken by government forces in early September 2006, precipitating a sudden rush by community and political leaders to return the displaced to Muttur just days after the shelling between the LTTE and government forces had ended and before the situation was sufficiently stabilized. Police officers and government officials toured the displacement sites making public announcements promoting return. Government buses were provided to transport Muslims back to Muttur and deadlines for return were issued by government authorities. The displaced populations were told that displacement sites would be closed, food and water cut and basic assistance stopped, giving them no option but to return. While most Muslim families returned willingly to Muttur, some had serious reservations. Muslims who wished to remain in displacement sites for safety purposes faced opposition from government officials and security forces.

UNHCR received some reports of individuals who were physically forced by government officials and security forces to return." (UNHCR Position on the International Protection Needs of asylum-seekers from Sri Lanka, December 2006) **[6b] (Paragraph 29)**

29.14 A press release issued by Amnesty International on 14 March 2007 stated that:

"Armed groups, some identified as part of a breakaway group of Tamil Tigers known as the Karuna faction, are infiltrating camps for newly displaced people and abducting residents, according to sources known to Amnesty International. Tens of thousands of people have been fleeing their homes after intense fighting in the eastern region of Batticaloa over the weekend, pushing the number of displaced people to well over 120,000…The military action of the Karuna faction in the east has increased violence and displacement... There have also been reports of armed men abducting young people from internally displaced people (IDP) camps…Amnesty International is also concerned at reports of people who have been displaced being forced to resettle in the north of the country. Over the weekend displaced people were asked to leave Batticaloa to go to the north-eastern town of Muthur. Around 40 buses transported them away; some of the people apparently did not wish to go… Recent fighting in Batticaloa has resulted in a significant increase in internally displaced people. Large numbers of people are seeking shelter and protection in areas controlled by the Sri Lankan Army (SLA) as the SLA continues to shell Tamil Tiger or 'uncleared' areas. Batticaloa already had 80,000 IDPs and 40,000 more are now seeking shelter." **[3f]**

29.15 As noted in an HRW document of 16 March 2007:

"Since March 12 [2007], the government has been returning people from at least six internally displaced person sites in eastern Batticaloa district. At least 771 individuals have been sent to Trincomalee district farther north as part of a plan to return approximately 2,800 internally displaced persons. To pressure individuals to return home, government officials and military personnel have threatened to withdraw humanitarian aid, food and other essential supplies. Some officials have threatened families that they would revoke their family cards, which entitle them to food rations. In some cases, the security forces have said that they would no longer be responsible for the security of the displaced persons who stayed behind." **[21d]**

29.16 On 4 June 2007 BBC News reported that over the previous 18 months more than 18,000 Tamil civilians had faced a dangerous sea journey from Northern Sri Lanka through the Palk Straits to reach the safety of Tamil Nadu.

"Once they reach India, refugees have a sense of freedom and hope for a better life - but those dreams soon turn into despair. They are accommodated in the main refugee camp near the town of Rameswaram, about 600km (375 miles) south of the state capital, Madras (Chennai). After a few months they are sent to camps in other parts of Tamil Nadu. The camps provide them with food and shelter, but the first few days in the main camp at Mandapam are for most a trying experience. Upon landing, refugees are questioned by police to establish their identities. They try to find out whether they have any links with the Tamil Tigers, which is a banned organisation in India. While many families register without any trouble, some young men accuse police of using a high-

handed approach during their investigations, treating most adult males as possible Tiger suspects… If the police suspect that some of the refugees may have links with the rebels, they are sent to designated special camps. 'The special camps are nothing but prisons,' says Professor Gladstone Xavier, a social worker operating among the refugees. 'The special camp inmates are not allowed to go out of the camp at any time. Only by agreeing to leave the country can they leave.'… At present, more than 72,000 thousand refugees live in over 120 camps across Tamil Nadu. In addition to this, about 22,000 Sri Lankan Tamils are living outside the designated camps. All of them should have registered with the local police." **[9ag]**

See also Section 27

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30. FOREIGN REFUGEES

30.01 As noted in the US State Department (USSD) Report 2006, Sri Lanka:

"The law does not provide for the granting of asylum or refugee status in accordance with the 1951 Convention relating to the Status of Refugees and its 1967 protocol. The government has not established a system for providing protection to refugees; however, the government cooperated with the UNHCR and other humanitarian organizations in assisting IDPs and refugees. The government assisted in returning to their homes approximately 40,000 civilians displaced in July and August by military engagement in Muttur. There were no reports of refoulement, the forced return of persons to a country where they feared persecution." **[2c] (Section 2d)**

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31. CITIZENSHIP AND NATIONALITY

31.01 As specified on the website of the Department for Immigration and Emigration (accessed on 7 July 2005 and 4 August 2006), ex-Sri Lankans now holding foreign Citizenship or Sri Lankans qualified for grant of Citizenship of a foreign country, who have contributed to the socio–economic development of Sri Lanka are eligible for citizenship. "Provisions were introduced to the Citizenship Act No: 18 of 1948 by the Citizenship (Amendment) Act No: 45 of 1987 for the resumption/retention of Dual Citizenship of Sri Lanka by ex-Sri Lankans/Sri Lankans qualified for grant of foreign Citizenship." **[71a]**

31.02 As outlined in extracts from the Official Report of the Sri Lankan Parliament dated 24 June 1998, the Immigrants and Emigrants Act was first introduced in 1949. Section 45 lists various categories of people who are guilty of offences under the Act, which include anyone who forges, alters or tampers with any passport, or has in their possession any forged passport, or who uses such a document. Section 45 sets out the punishment, which consists of a fine, or a period of imprisonment, or both. Section 45A provides punishments for those found guilty of facilitating illegal entry into Sri Lanka. **[20]**

31.03 The Immigrants and Emigrants (Amendment) Act was passed in July 1998. During the passage of the Bill the Sri Lankan Immigration Minister told

Parliament that the amendment was designed to combat "the crime of illicit trafficking of persons from Sri Lanka, as recorded in extracts from the Official Report of the Sri Lankan Parliament dated 24 June 1998." The Minister stated that the diplomatic missions of various western countries had made representations to the Sri Lankan authorities about organised groups engaged in the business of securing illicit entry of Sri Lankans to their countries. **[20]**

31.04 On 8 March 2004, the Government-controlled *Daily News* reported that a Citizenship (Amendment) Bill had been passed in Parliament. Under the terms of the new legislation, the right of a mother to pass her Sri Lankan citizenship to her child is now identical to that of a father. Hitherto, only a father could pass citizenship to his children. Those over 22 years of age and who have assumed citizenship of another country will be recognised as Sri Lankan citizens upon application made to the Ministry of Interior. Such persons have the option to obtain dual citizenship or may renounce citizenship of the other country and assume Sri Lankan citizenship. **[16p]** "Changes to regulations under the act have also been recently approved by the Cabinet of Ministers; these changes permit foreign spouses of Sri Lankan women to obtain citizenship on the same basis as foreign spouses of Sri Lankan men. Previously, foreign spouses of male citizens of Sri Lanka were able to obtain citizenship after meeting a one-year prerequisite of residency in the country, while the citizenship or visa applications of foreign nationals married to female citizens of Sri Lanka were considered on a case-by-case basis." (Centre for Reproductive Rights, Women of the World: South Asia, Sri Lanka chapter, undated, website accessed on 19 September 2006) **[32] (p220)**

31.05 As reported by the *Daily Mirror* (Sri Lanka) on 21 September 2007:

"The government has decided to amend the Citizenship Act, to enable persons of Indian origin and Sri Lankans who fled to India due the to war situation, to easily obtain Sri Lankan citizenship. 'The Cabinet has decided to amend the act, as refugees who are living in India are not entitled to become citizens of Sri Lanka under the act since they have been living out of the country,' Media Minister Anura Priyadharasana Yapa told the media yesterday. He said that there were about 80,000 Sri Lankans who have fled to India as refugees due to the 1983 July disturbances and the internal conflict which arose thereafter. 'It is now reported that about 28,500 of them are Sri Lankans of Indian origin and some of them have not yet obtained Sri Lankan citizenship,' the minister said. Minister Yapa also said that a considerable number of them are desirous of returning to Sri Lanka, but they have been unable to obtain the required travel document legally to enter Sri Lanka since they do not have Sri Lankan citizenship.The Cabinet of Ministers have given approval to the memorandum submitted in this regard by the Prime Minister." **[11o]**

IDENTITY CARDS AND TRAVEL DOCUMENTS

31.06 The website of the Registration of Persons Department (accessed on 12 September 2006) specifies what is required in order to apply for identity cards for the first time:

"The applicant should be a lawful resident of Sri Lanka and should have completed [sic] 16 years of age. Documents to be attached with the

applications for an identity cards [sic] for the first time. Duly perfected Birth Certificate or presumptive age certificate. If the birth certificate or presumptive age certificate is not available, a nil statement of register of birth and an affidavit should be submitted along with possible documents stated below: School leaving certificate. Baptismal certificate. Copies of children's birth certificates indicating the birth of application [sic]. Birth extract. Citizenship Certificate (if date of birth is indicated). Estate leaving certificate (if date of birth is indicated). Certified copies of relevant pages in the Passport. Record of birth or registration card issued by estate superintendent…Five copies of colour photographs (1 3/8" x 7/8"). Stamp fees…Documents to be furnished to prove residence. Residential certificate issued by the Grama Niladhari. In the absence of such certificate one or more of the following documents should be produced. Certified extract of the electoral list. Certified copy of monthly statement of bank Accounts. Certified copy of telephone bills. Certified copy of electricity bills. Certified copy of the deed pertaining to the ownership of the land or house. If the house is leased or rented, relevant agreement and receipts for payments of rates. Temporary residents should forward the copy of the letter which provided information to the police along with above documents." **[48a]**

31.07 The website of the Registration of Persons Department (accessed on 12 September 2006) also provides details of the documents to be attached to the application for duplicates for lost identity cards:

"Certified copy of the complaint made to the police regarding the loss of the identity card. Birth certificate or alternative documents mentioned in the above section. Certificate of employment, (if employed) obtained within three months. Number of the lost identity card. Stamps to the value of Rs.15.00. Certificate of residence or other documents mentioned in the above section. Five colour photographs (1 3/8" x 7/8"). Documents to prove that the number has been used…When applying for a duplicate of the lost identity card, the very same particulars in the lost identity card should be indicated in the application." **[48b]**

31.08 On 20 August 2004, the Government-controlled *Daily News* reported that the Secretary of the Public Security Law and Order ministry had visited the Department for Registration of Persons (DRP) and found it in an appalling condition. According to the *Daily News* he was also surprised to learn that identity cards had been issued merely on the production of photocopies of birth certificates while the original certificate should be shown. **[16be]**

31.09 As stated on the website of the Sri Lanka Department of Immigration and Emigration (accessed on 22 July 2005 and 12 September 2006), in Sri Lanka there are five types of travel documents: Diplomatic Passports; Official Passports and Ordinary Passports valid for all countries; Emergency Certificates valid for India and Nepal; Identity Certificates valid for All Countries issued to a person living in Sri Lanka, whose nationality is not established and Non Machine Readable Passports issued by Sri Lanka Missions abroad under special circumstances. "If Travel Document is lost a complaint should be made at the nearest Police Station and with a certified copy of the entry the matter has to be informed to the issuing authority. This document is required when applying for a new Travel Document in place of a lost one." **[71b]**

31.10 As stated on the website of the Sri Lanka Department of Immigration and Emigration (accessed on 22 July 2005 and 12 September 2006):

"Following are punishable offences [under the Immigrants and Emigrants Act No. 20 of 1948 it's [sic] regulations and subsequent amendments]. If found guilty upon prosecution imprisonment from 6 months to 5 years and a fine of Rs. 50,000 to Rs. 200,000 can be imposed. Submission of falsified or forged document/s to obtain a Travel Document. Applying for a Travel Document while in possession of such a document and / or possession of more than one valid Travel Document at a time. Despatch of a Sri Lanka Travel Document through the post, courier or another person from / to Sri Lanka without the prior approval of the Controller. For approval written request [in duplicate], Courier letter [in duplicate] and the Passport should be forwarded to the 3rd floor #41 Ananda Rajakaruna Mw Colombo 10 Sri Lanka." **[71b]**

31.11 As announced on the website of the Official Government News Portal of Sri Lanka on 31 October 2007:

"The Department of immigration and emigration issues about 2000 to 2500 passports a day…In order to reach the out station passport seekers more conveniently the Department has been decentralized with three provincial centers at Anuradhapura, Kandy and Matara. Passports could be obtained at these points under the normal issuing scheme, within five days on the payments of the required fee, mentioned Commissioner of Immigration and Emigration P.B.Abeykoon. There is provision to obtain a passport within 24 hours on the payment of a special fee, otherwise it takes about ten working days to obtain a new passport…The Bribery Commission, the CID and Foreign Employment Bureau were cooperating with the Department in the prevention of forged documents being submitted for passports and visas and the Department had the authority to deactivate any passport issued at any time." **[10b]**

See also Section 18 and 32

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32. EXIT/ENTRY PROCEDURES

32.01 Regarding security checks on leaving Sri Lanka, the UK Home Office Fact-Finding Mission Report of 2001 confirms that:

"On entry to the terminal building all passengers have to show tickets and baggage was screened by X-ray machine. Since 22 March 2000 only passengers are allowed into the check-in area, which was screened off from the rest of the terminal. We had been told that this was as a result of pressure from European embassies whose Airline Liaison Officers (ALOs) had been worried that agents had previously been able to signal to officials to allow people to embark. This measure had gone some way to improving the situation and has halted the previous practice whereby agents could accompany passengers right up to the departure gate." **[35a] (p39)**

32.02 On their 2002 visit to Sri Lanka, Home Office officials were informed that "It would be almost impossible to pass through airport controls without having documents checked, as security is very tight." **[35b]**

32.03 As noted in a report by the Government-controlled *Daily News* published on 25 June 2004, according to a former Assistant Controller of the Immigration and Emigration Department, the Immigration and Emigration Section at the [Colombo] Bandaranaike International Airport had sophisticated equipment and ultraviolet scanning to detect forged passports. He added that a birth certificate was a very vital document for the issue of a passport and that the application form to obtain a passport should be filled in using the applicant's own handwriting. He also said that all particulars in a passport were fed into the computer system and the person who was in charge of the computer placed his signature on the documents of the passport. Furthermore, the embarkation and disembarkation forms should be filled in by the passport holder and that those forms are retained by the Immigration and Emigration authorities at the airport. **[16bi]**

32.04 On 15 April 2004, the Government-controlled *Daily News* reported, that the Criminal Investigations Department (CID) was probing a massive racket at the Bandaranaike International Airport [Colombo] where several persons had left the country on forged passports.

"Investigations reveal that an organised gang with the assistance of several employees at the BIA have assisted persons with forged passports to leave the airport without their details being included in the computers of the Immigration and Emigration Department. A senior investigator said that these organised gangs used a method to avoid the 'Ghost Image' on the passport to go through the normal immigration channel. The gangs' modus operandi was to get the 'facilitator' introduce the passenger to a minor employee at the BIA and direct the passenger to the counter with the minor employee. The forged passport holder acts according to instructions of the "facilitator" and goes through the Immigration barrier with the normal stamping on the passport…. It was revealed that earlier there was an officer of the National Intelligence Bureau (NIB) sitting next to the Immigration and Emigration Officer at the BIA counter. But during the recent past there has seen no NIB officer next to the Immigration Officer." **[16bj]**

32.05 As recorded by the Immigration and Refugee Board (IRB) of Canada in their 'Responses to Information Requests (RIRs) LKA102359.E', dated 22 December 2006:

"According to 19 December 2006 correspondence sent to the Research Directorate by an official at the Canadian High Commission in Colombo, the Sri Lankan authorities do not systematically collect statistics concerning the prevalence of forged identity documents such as passports, visas, birth certificates, marriage certificates and death certificates…An article in the November 2006 issue of the Colombo-based magazine Adoh reports on the prevalence of human trafficking, forged travel documents and corruption among Sri Lankan authorities. The article, written by an investigative journalist, indicates that government officials and airport security are reportedly bribed to allow persons to depart Sri Lanka using forged documents (Adoh Nov. 2006, 7). According to the article, forged visa stickers are often used to leave Sri Lanka illegally and can be purchased at a cost ranging from

3,000 Sri Lankan rupees (LKRs) [approximately CAD 32 (XE.com 20 Dec. 2006a)] to LKR 12,000 [approximately CAD 128 (ibid. 20 Dec. 2006b)] (Adoh Nov. 2006, 7). The article also notes that forged passports can be purchased from officials at Sri Lanka's Immigration and Emigration Department for a sum ranging from LKR 20,000 [approximately CAD 214 (XE.com 20 Dec. 2006c)] to 25,000 LKR [approximately CAD 267 (ibid. 20 Dec. 2006d)], more than 10 times the regular passport fees (Adoh Nov. 2006, 8)." **[42c]**

32.06 The IRB document of 22 December 2006 continued:

"In correspondence sent to the Research Directorate, the Official at the Canadian High Commission in Colombo stated that [f]orged visas are routinely identified by foreign control authorities or airlines at Colombo airport and at transit or destination points connected with Sri Lanka. [It is estimated] that hundreds of persons with some type of forged document are moved monthly through Colombo Airport by criminal syndicates. (Canada 19 Dec. 2006)… According to a Bernama Daily Malaysian News article, in April 2006, Colombo International Airport launched a new fraud detection unit to prevent passengers using forged travel documents from boarding flights (28 Apr. 2006). Correspondence from an official at the Canadian High Commission in Colombo indicates, however, that travel using forged documents continues to increase (Canada 19 Dec. 2006). The Official stated that [f]rom discussions with Gulf state immigration authorities and visa offices using biometrics in Colombo, the identification of improperly issued genuine Sri Lankan documents is growing significantly. This is most visible at the airport by the ever increasing numbers of same day deportees from Gulf States [that use] biometrics on arriving prospective foreign workers. The deportees are invariably those who [have] obtained a passport in a new identity. (ibid.) **[42c]**

32.07 The IRB document of 22 December 2006 further recorded that:

"The Official [at the Canadian High Commission in Colombo] also indicated that it was possible to obtain valid travel documents and National Identity Cards (NICs) by fraudulent means (ibid.). The Official noted that [a]ccording to sources with knowledge of such matters, forged birth certificates can be acquired for as little as USD 5.00, while genuine, but improperly issued birth certificates can be acquired for as little as USD 20.00 each. With these types of birth certificates, genuine NICs can be issued and afterwards genuine passports. (ibid.)…In 19 December 2006 correspondence, the Official at the Canadian High Commission in Colombo provided information concerning the security features of identity documents. The Official stated that [t]here are no security features in Sri Lankan birth, marriage or death certificates. The Sri Lankan passport contains various security features which, to our knowledge, have not been made public. Sri Lankan seals, visas and foreign visas issued to Sri Lankans do contain a variety of security features which, to our knowledge, have not been made public. (Canada 19 Dec. 2006)." **[42c]**

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TREATMENT OF RETURNED FAILED ASYLUM SEEKERS

32.08 On 21 March 2002, a Home Office delegation was told in a meeting in Sri Lanka with the Director of the CID that "There are computerised records in the

South of the country only. Details of arrests etc. are sent from the North of the country, and are then transferred to computer. Paper-based records are held in the North. There are no photographs of wanted persons at the airport, only computerised records." **[35b]**

32.09 As reported on the official website of the Government of Sri Lanka on 7 June 2004:

"Sri Lanka signed a Readmission Agreement with the European Community (EC) June 4, in Colombo. This is the first formal Agreement Sri Lanka has entered into concerning the combating of illegal immigration. The Agreement provides a quick procedure for re-admission not only for one's nationals, but also third country nationals, on the basis of agreed items listed in the Agreement. The Joint Declaration on the Facilitation of Law Enforcement Cooperation, which constitutes an integral part of the Agreement, recognizes the need for the two parties to take measures to combat organized criminal activities, including human trafficking, migrant smuggling and financing for terrorist purposes, which have become grounds for growing concern." **[44d]**

32.10 A UNHCR position paper entitled 'Returns of Tamil Asylum Seekers with scars' dated 1 January 2005, stated:

"UNHCR maintains its position…that 'Tamil asylum seekers with scars, should they be returned to Sri Lanka, may be more prone to adverse identification by the security forces and taken for rigorous questioning and potential ill-treatment'…Please note that UNHCR's comments are strictly limited to the risk of adverse identification, rigorous questioning, and potential ill-treatment of returned persons with scars upon their arrival at the airport, not the potential risk of arrest subsequent to the initial interrogation at the airport." **[6r]**

32.11 As noted in a letter from the British High Commission in Colombo, dated 26 September 2005:

"We have spoken to the International Organisation of Migration locally about returns. They say that to their knowledge most returns are detained briefly and then released to their families. Our Airline Liaison Officer has contacted the Canadian, Australian and German Missions here, to ask about their experiences with returns. All of their experiences are similar. In August [2005] a charter plane returned approximately 40 failed asylum seekers from Germany. The Sri Lankan Police (CID) have told us that these were processed by them 'in a few hours'. In general, the Sri Lankan Immigration services and CID are informed in advance of the passenger's arrival. The passenger is handed over to Immigration who briefly interview them and then hand them to CID. In most cases a record is kept by both of the returnees arrival and they are then allowed to proceed. Usually family are at the airport to meet them. In a few cases CID have detained people where there was an existing warrant for their arrest when they left Sri Lanka. DII (Directorate of Internal Intelligence) may also have an interest in these individuals and keep records on them. There is no reason to think that they have any information regarding asylum claims in the UK or elsewhere. There does not appear to be any involvement in the process by the Sri Lankan Army." **[15d]**

32.12 The letter from the BHC of 26 September 2005 continued:

"The role of scarring is extremely difficult to assess, I have not found any detailed reports, but anecdotal evidence is that it can play a part in rousing suspicion. The key issue is not what triggers suspicion, but how suspects are treated. Membership of the LTTE and fundraising for the organisation are no longer criminal offences in Sri Lanka (although they are in the UK) so even if the authorities acted on their suspicion Sri Lankan law gives them limited powers to act. Unarmed members of the LTTE are permitted to operate in government areas under the 2002 ceasefire agreement." **[15d]**

32.13 A letter from the BHC in Colombo, dated 24 August 2006, noted that:

"There is strong anecdotal evidence that scarring has been used in the past to identify suspects. In my own conversations with the police and in the media the authorities have openly referred to physical examinations being used to identify whether suspects have undergone military style training. A UK based member of staff who was present during the processing of two recent returns at Colombo airport on 04/08 and 23/08 [2006] reported however that no such examinations took place, and that the returnees, both ethnic Tamils from the north of Sri Lanka were able to make onward journeys with little delay. His observations support more recent claims from contacts in government ministries that this practice has either ceased or is used less frequently. At the very least it appears to only take place when there is another reason to suspect the individual rather than a routine measure for immigration returnees." **[15h]**

32.14 The letter from the BHC Colombo dated 24 August 2006 continued:

"The Sri Lankan authorities have a good IT system to track arrivals and departures at the main airport and are able to track, in most cases, whether an individual is in the country or not. Our own experience of the return of failed asylum seekers and the shared information of other missions, particularly the Canadians, and the International Organisation of Migration is quite clear. As we have reported earlier [26 September 2005] the vast majority are questioned for a short period of time to establish identity and possibly on security issues and then released. Normally only when there is an outstanding arrest warrant are individuals detained for longer periods." **[15h]**

32.15 As recorded by the Immigration and Refugee Board (IRB) of Canada in their Responses to Information Requests (RIRs) LKA102038.E, dated 22 December 2006:

"In 19 December 2006 correspondence to the Research Directorate, an official at the Canadian High Commission in Colombo provided corroborating information [with regards to the letter from the British High Commission in Colombo dated 26 September 2005] on the return of failed asylum seekers to Sri Lanka, stating that '[r]eturnees, if identified to the airlines as such by immigration authorities who are removing them to Sri Lanka, have an established process awaiting them upon arrival. First, the Chief Immigration Officer (arrivals) documents the arrival of the person, takes a statement, and determines whether the returnee should be granted entry as a Sri Lankan national. Next an officer of the State Intelligence Service (SIS) documents the arrival and takes a statement. Finally, an officer of the Criminal Investigation Department (CID) of the Sri Lanka Police documents the arrival, checks for outstanding warrants and takes a statement. If there is an outstanding warrant

for arrest, the returnee may be arrested. Otherwise, the returnee is free to go.'" **[42b]**

32.16 The IRB LKA102038.E of 22 December 2006 further recorded that:

"An October 2006 report published by Hotham Mission's Asylum Seeker Project (ASP), an Australian non-governmental organization (NGO) that 'works with asylum seekers in the community' (Hotham Mission n.d.), similarly notes that persons returning to Sri Lanka who have had previous problems with the government of Sri Lanka may be detained by the police upon their arrival (47). According to the report, persons who have been detained or questioned in the past are more likely to be arrested and, because of the state of emergency and ongoing conflict in the country, 'may face further human rights violations, such as torture' (Hotham Mission Oct. 2006, 47). The report also notes that Sri Lanka's National Intelligence Bureau keeps records on people dating back more than ten years and, since 2004, has been using a national computerized database (ibid.)." **[42b]**

32.17 "The October 2006 Hotham Mission report cites information obtained during consultations with the Sri Lanka Monitoring Mission (SLMM), a body of international observers that monitors the ceasefire agreement between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE) (SLMM n.d.), concerning the return of failed asylum seekers (47). The SLMM indicates that if a person returning to Sri Lanka has any previous affiliation with the LTTE, they may be targeted by the police (ibid.). The organization also notes that if a person has previous affiliations to certain individuals or political groups, they may be targeted by the LTTE (ibid.). The SLMM provides the example of persons who have been members of the People's Liberation Organisation of Tamil Eelam (PLOTE), an inactive Tamil militant organization (SATP n.d.), who were still being targeted by the LTTE in Sri Lanka at the time the Hotham Mission report was published (Hotham Mission Oct. 2006, 47)." (Immigration and Refugee Board (IRB) of Canada, LKA102038.E, 22 December 2006) **[42b]**

32.18 An Amnesty International statement of 17 August 2007 noted that the police Criminal Investigations Division (CID) in Colombo was holding incommunicado three ethnic Tamils who had been arrested on arrival to Sri Lanka after their asylum application in Thailand had been refused by UNHCR. The three men were thought to have been detained on suspicion of having links with the LTTE because they had served prison sentences in Thailand for illegal possession of firearms and were believed by AI to be in 'grave danger of torture'. **[3h]**

See also Section 12 on Bail/Reporting conditions

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33. EMPLOYMENT RIGHTS

33.01 As noted in the US State Department Report 2006 (USSD), Sri Lanka:

"The government respected the legal right of workers to establish unions, and the country has a strong trade union tradition. Any seven workers may form a

union, adopt a charter, elect leaders, and publicize their views, but in practice such rights were subject to administrative delays. Nonetheless, approximately 20 percent of the seven-million-person work force nationwide and more than 70 percent of the plantation work force was unionized. In total, there were more than one million union members. Approximately 15 to 20 percent of the nonagricultural work force in the private sector was unionized. Unions represented most workers in large private firms, but workers in small-scale agriculture and small businesses usually did not belong to unions. Public sector employees were unionized at very high rates. "**[2c] (Section 6a)**

33.02 "Most large unions were affiliated with political parties and played a prominent role in the political process, although major unions in the public sector were politically independent. The Ministry of Employment and Labor is authorized by law to cancel the registration of any union that does not submit an annual report, the only grounds for the cancellation of registration. Employers found guilty of discrimination must reinstate workers fired for union activities but may transfer them to different locations. Anti-union discrimination is a punishable offense liable for a fine of $166 (20,000 SLR)." (USSD 2006) **[2c] (Section 6a)**

33.03 "The law provides for the right to collective bargaining; however, very few companies practiced it. Approximately 50 companies belonging to the Employers' Federation of Ceylon (EFC), the leading employers' organization, had collective agreements. All collective agreements must be registered at the Department of Labor. Data on the number of registered collective agreements were not available. More than half of EFC's 435-strong membership was unionized. All workers, other than police, armed forces, prison service, and those in essential services, have the right to strike. By law, workers may lodge complaints with the commissioner of labor, a labor tribunal, or the Supreme Court to protect their rights. The president retains the power to designate any industry as an essential service." The law prohibits retribution against strikers in nonessential sectors; however, in practice employees were sometimes fired for striking." (USSD 2006) **[2c] (Section 6b)**

33.04 "While there is no national minimum wage, 38 wage boards established by the Ministry of Labor set minimum wages and working conditions by sector and industry. These minimum wages did not provide a decent standard of living for a worker and family. The law prohibits most full-time workers from regularly working more than 45 hours per week (a 5½-day workweek). Regulations limited the maximum overtime hours to 15 per week. Several laws protect the safety and health of industrial workers, but the Ministry of Labor's small staff of inspectors was inadequate to enforce compliance. Health and safety regulations do not meet international standards. Workers have the statutory right to remove themselves from dangerous situations, but many workers were unaware or indifferent to such rights and feared that they would lose their jobs if they removed themselves from the work situation." **(**USSD 2006) **[2c] (Section 6e)**

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Annex A: Chronology of major events

See also Annex B

1948 Ceylon gains independence from the United Kingdom.

1956 Sri Lanka Freedom Party wins the general election; Solomon Bandaranaike becomes Prime Minister.

1959 Bandaranaike is assassinated. His widow Sirimavo Bandaranaike succeeds him as SLFP leader and Prime Minister.

1972 The country becomes known as Sri Lanka.

1976 The Liberation Tigers of Tamil Eeelam (LTTE) are formed

1977 General election is held, won by the UNP. Junius Jayawardene becomes Prime Minister. Civil unrest between Sinhalese and Tamils.

1978 New Constitution of the Democratic Socialist Republic of Sri Lanka comes into force.

Jayawardene becomes the country's fist executive President. The Tamil language is recognised in the Constitution.

1979-1983 Continuing ethnic violence and the imposition of a State of Emergency.

1982 **October:** Jayawardene re-elected as President.

1983-1984 State of Emergency declared and mounting Tamil terrorist activity.

1985 First attempt of peace talks between the Government and the LTTE fails

1986 Violence in the north of Sri Lanka and bomb attacks in Colombo.

1987 **29 July:** Indo-Sri Lankan peace accord signed. Indian Peace Keeping Force (IPKF) arrives.
October: IPKF attack the LTTE and regain control of Jaffna. Re-emergence of the JVP which launched an anti-accord campaign.

1988 Presidential elections won by the UNP candidate, Ranasinghe Premadasa.

1989 State of Emergency, in force since May 1983, repealed. The UNP win the February general elections. IPKF begins its withdrawal from Sri Lanka. State of Emergency re-imposed in June in response to renewed JVP violence.

1990 **March:** the last troops of the IPKF leave Sri Lanka. LTTE hostilities renewed and Government offensive launched against Tamil strongholds in the Jaffna peninsula.

This Country of Origin Information Report contains the most up-to-date publicly available information as at 12 November 2007. Older source material has been included where it contains relevant information not available in more recent documents.

1991 Further violence and bomb attacks. Assassination of the senior cabinet minister, Wijeratne.
LTTE proscribed in India following the assassination of Rajiv Gandhi, the former Indian Prime Minister.

1993 Assassination of President Premadasa killed in LTTE bomb attack.

1994 **16 August:** General election and defeat of UNP Government. Chandrika Bandaranaike Kumaratunga appointed Prime Minister, leading the People's Alliance (PA).
9 November: Presidential election. Mrs Kumaratunga is elected, and her mother, Sirimavo Bandaranaike, is appointed Prime Minister.

1995 Peace talks held with the LTTE, but they soon break down. Major offensives launched in the Jaffna peninsula and the town of Jaffna is recaptured by the Government.

1998 **26 January:** The Government bans the LTTE after a bomb attack on the Temple of the Tooth in Kandy.
4 August: State of Emergency imposed on the whole country, and the provincial elections are postponed.

1999 **November:** Heavy fighting between LTTE and Government forces. Hundreds killed and LTTE recaptures territory previously lost.
December: President Kumaratunga survives an assassination attempt and is re-elected President three days later.

2000 **April-May:** LTTE capture the strategic Elephant Pass and close in on Jaffna.
May-September: The Sri Lankan Army prevent the LTTE from capturing the whole of the Jaffna peninsula and go on the offensive.
10 October: General Election held. The PA retains power but falls short of a majority. The PA forms a coalition Government after support from the EPDP and NUA. Ratnasiri Wickremanayake is sworn in as Prime Minister for a second term, having replaced Mrs Bandaranaike in August 2000.
21 December: The LTTE announces a unilateral month-long cease-fire from midnight of 24 December.

2001 **28 February:** The LTTE are among 21 militant groups proscribed in the United Kingdom.
23 April: The LTTE announce the end of their four-month cease-fire, blaming the Government for the failure of peace efforts.
July: The Emergency Regulations (ERs) are lapsed.
24 July: The LTTE attack Katunayake Air Force Base and the adjacent Bandaranaike International Airport. 14 LTTE cadres and 7 military personnel are killed, and military aircraft and passenger planes destroyed.
July-September: President Kumaratunga suspends Parliament after the PA coalition loses its majority.
5 December: General Election held. The UNP obtains 109 seats, thereby defeating the ruling PA who come second with 77 seats. As leader of the UNP, Ranil Wickremasinghe becomes Prime Minister with Chandrika Kumaratunga continuing as President.
24 December: The Sri Lankan Government announces a month-long cease-fire, reciprocating an earlier unilateral declaration by the LTTE.

2002 **February:** Sri Lankan Government and LTTE sign a cease-fire agreement with the mediation of Norway. Government lifts ban on LTTE who in turn drop their demand for a separate state.
April: The strategic A9 highway is opened for the first time in 12 years, linking the Jaffna peninsula with the rest of the country.
July: Another vital road opens, the A5 connecting Kandy with Batticaloa, which had been closed since 1995.
4 September: The Government lifts the ban on the LTTE, which had stood since 1998.
16-18 September: The first formal peace talks for seven years between the Sri Lankan Government and the LTTE take place in Thailand.
3 November: Second round of peace talks
November: Velupillai Prabhakaran states that the LTTE were ready to drop their long-standing demand for independence, and would settle for provincial autonomy and self-rule in Tamil-dominated areas in the east and north. However he warned that the Tamils would resume their struggle for a separate state if a political solution could not be reached in the ongoing peace process.
December: At the end of the third round of peace talks it is announced that the two sides had agreed to share power in a federal system. They had agreed on "internal self-determination based on a federal model within a united Sri Lanka".

2003 **April:** The LTTE suspend participation in the peace talks
November: The LTTE released their proposals for an Interim Self-Governing Authority (ISGA).
President Kumaratunga suspends Parliament and dismisses the ministers of defence, interior and mass communications and assumes those portfolios herself because of what the President termed a "deterioration of the security situation" during the course of the peace process.

2004 **February:** President Kumaratunga dissolves Parliament paving the way for snap elections, four years ahead of schedule.
March: Renegade Tamil Tiger commander, known as Colonel Karuna, leads split in rebel movement and goes underground with his supporters. The LTTE regain control of the east with a short offensive.
2 April: Early general elections held. Coalition led by President Kumaratunga (UPFA) wins 105 of 225 parliamentary seats, falling short of overall majority. M. Rajapakse sworn in as prime minister a few days later.
April: President Kumaratunga invites Norway to resume its role as a negotiator between the Government and the LTTE.
7 July: Suicide bomb blast in Colombo, the first such incident since 2001
26 July: Norwegian deputy foreign minister V. Helgesen states he had failed to achieve a breakthrough in the stalled peace talks.
26 December: More than 30,000 people killed when massive waves, generated by a powerful undersea earthquake (Tsunami) off the coast of Indonesia, devastate coastal communities in the North, East, South and South West. Hundreds of thousands forced from their homes. National disaster is declared by Government.

2005 **June:** Deal reached between the Government and the Tamil Tiger rebels to share nearly $3bn in tsunami aid among Sinhalas, Tamils and Muslims (a.k.a. P-TOMS). Marxist party JVP pulls out of coalition in protest. A subsequent Constitutional Court ruling in July suspends the application of the P-TOMS

August: State of Emergency is declared after foreign minister Lakshman Kadirgamar is assassinated.
November: Mahinda Rajapakse, at the time prime minister, wins presidential elections.

2006 **February:** At talks in Geneva, GOSL and Tamil Tiger rebels declare their respect for the 2002 ceasefire.
April: Explosions and rioting in Trincomalee. The main military compound in Colombo is attacked by a suicide bomber (at least eight people are killed). The army launches air strikes on Tamil Tiger targets.
June: 64 people are killed in a mine attack on a bus in Anuradhapura district. A few days later, more than 30 people are killed in a battle between Government forces and Tamil Tiger rebels in the Mannar district.
August: Clashes between Tamil Tiger rebels and Government forces in the north-east, considered the worst fighting since the 2002 ceasefire. Hundreds of people are killed and the UN says tens of thousands have fled.
September: The Government says it has captured Sampur (in the Trincomalee district) in an action seen as the first major capture of enemy territory by either side since the 2002 ceasefire.
October: A suicide bomber attacks a military convoy, killing more than 90 sailors. The southern city of Galle is attacked by Tamil Tigers. Peace talks resume in Geneva but fail over the LTTE's demand that the Government re-open the key A9 highway.
November: Prominent Tamil MP Nadarajah Raviraj, a former mayor of Jaffna, is shot dead in Colombo by gunmen.
December: the Government announces revised though emergency regulations.

2007 **January:** After weeks of heavy fighting the military announces the capture of the Tamil Tiger stronghold of Vakarai, in the east. Tens of thousands of civilians flee the area. President Rajapakse's Government secures a parliamentary majority after 25 opposition MPs defect to its ranks.
March: Government troops claim continuing success against the Tamil Tigers rebels in coastal areas in the east. Thousands of civilians flee the fighting. Tamil Tigers launch their first air raid, hitting a military base next to the Katunayake Colombo international airport.
June: Police evict hundreds of Tamils from lodges in Colombo, citing security concerns, but the Supreme Court orders an end to the expulsions.
July: Government declares it has gained control of Thoppigala – the LTTE's last jungle stronghold in the east.
October: Emergency Regulations are extended for a further period of one month
The LTTE launch a joint ground and air attack against the Government air force base at Anuradhapura, resulting in the distruction of eight aircraft. 20 members of the 'Black Tigers' suicide squad were reported killed with 9 victims from the Government forces.

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Annex B: Timelines

SATP (SOUTH ASIA TERRORISM PORTAL) SRI LANKA TIMELINE FOR THE PERIOD 1 JANUARY – 29 OCTOBER 2007)

The section of the SATP (South Asia Terrorism Portal) Sri Lanka timeline reproduced below covers the period 1 January 2007 – 29 October 2007
http://www.satp.org/satporgtp/countries/shrilanka/timeline/index.html **[37d]**

January 1

A civilian, identified as M. Bandara and his wife P.J Mallika, are shot dead by cadres of the Liberation Tigers of Tamil Eelam (LTTE) at Mantotta in the Ampara district. Similarly, LTTE cadres shot dead another civilian, Sudubanda Rathnayaka and his wife Somawathi Rathnayaka, along the 3rd canal road in the Bakmitiyawa area.

Troops recover the dead bodies of three Tamil youths, believed to be supporters of the LTTE breakaway faction led by 'Colonel Karuna, from the Kiran area of Batticaloa district. Civilians informed the troops that three dead bodies were found lying close to a church in the area, apparently killed by the LTTE cadres on December 31. The victims were identified as Sivanesvaram Puwanesvaram, Senthurai and Yoganadan Mayuran.

A Police jeep is caught up in an LTTE claymore mine explosion at Settikulam in the Vavuniya district. Two Police constables in the jeep are killed and one more sustained injuries in the incident.

The LTTE has begun issuing ID cards to civilians living in territories under their control. The Commissioner of the Tamil Eelam Department of Registration of Persons, S. Jeyenthiran, issues the first high-tech identity card with a Social Security Number, by which a person is identified in a computer network, to LTTE chief Velupillai Prabhakaran.

January 2

The Sri Lankan Government said that it would take legal action against any institution or organization that is issuing bogus identity cards.

Defence spokesperson, Minister Keheliya Rambukwella, said that the pullout of the truce monitors from the Northeast has paved the way for the LTTE to engage in large-scale child recruitment freely in the East.

The Government states that it is not ready to negotiate with the LTTE to seek the release of the Jordanian vessel 'Farah lll' which remained in the outfit's custody in Mullaitivu but warned it would take suitable action at the appropriate time.

Three Sri Lankan Military officers have been taken into custody and will face a court-martial for helping the LTTE, the Defense Ministry said.

January 3 Unidentified assailants shot dead a young woman, identified as Kamalini Kanapathippillai, at Point Pedro in the Jaffna district.

The U.N. calls on the Sri Lankan Government and LTTE to stop fighting, protect the innocent, and resume peace talks.

Sri Lanka Army Commander Lt. Gen. Sarath Fonseka has reportedly vowed to liberate the Eastern Province from the LTTE's hold and then to proceed to liberating the Northern Province. The Army Commander said the LTTE would be eradicated from the East within the next two to three months.

January 4 Troops kill one LTTE cadre in a retaliatory fire when the outfit's cadres, hidden in surrounding jungle areas near an Army point in the Kalyanapura area of Polonnaruwa district, opened fire on the Army point. One soldier is also killed in the incident.

The Media Centre for National Security states that the LTTE is facing a severe recruitment problem to fill their numbers as 'fighters' due to heavy losses they sustained in Mavil Aru, Muhamalai, Thoppur, Sampur, Muttur jetty and Vakarai.

January 5 At least six passengers are killed and 63 are wounded in a bomb blast inside a bus bound for Giriulla from Nittambuwa in the Gampaha district. The Government blames the LTTE for the attack.

January 6 At least 16 persons are killed and 40 injured as a second explosion occurred in a bus in a span of less than 24 hours in the Galle district, over 80 km from the national capital Colombo. The Government blamed the LTTE for the attack.

The dead bodies of two civilians are recovered from Allesgarden and another one from Chelvanayakapuram in the Trincomalee district. The three were shot dead by unidentified assailants a day earlier.

At least three soldiers of the Sri Lanka Army and a civilian are killed as suspected LTTE cadres detonated a claymore mine targeting a truck at Pattamkulam in the Vavuniya district.

January 7 Four dead bodies, at least two of which appeared to have been executed, are recovered from the Vavuniya town.

President Mahinda Rajapakse accused the LTTE of stoking an ethnic backlash by majority Sinhalese on the minority Tamil community.

January 9 LTTE cadres storm the office of the Thamil Makkal Viduthalai Pullikal (TMVP) at Valachchenai in the Batticaloa district and completely destroyed it. Troops conducted an immediate search in the area where they confronted a group of LTTE cadres and killed at least four of them.

Armed men ambushed two camps belonging to the breakaway faction of the LTTE led by 'Colonel' Karuna at Valachchenai in the Batticaloa district, killing several cadres of the Karuna faction. The

LTTE claims that unidentified assailants killed at least 10 members of the breakaway Karuna faction and wounded four more in the ambush. An official at the Defence Ministry in Colombo confirmed the attacks, but said only two Karuna group cadres died and that two were wounded.

Indian External Affairs Minister Pranab Mukherjee told President Mahinda Rajapakse that India is of the firm view that a solution to the ethnic conflict in the island nation could be achieved only through dialogue.

The Sri Lankan Parliament passes the proposal to extend the Emergency Regulations for another month.

January 10 Troops confront a concentration of the LTTE cadres in the Kondagalchena area of Batticaloa district and killed at least 10 cadres of the outfit after overpowering them.

Indonesian police deports a Sri Lankan wanted by the US for smuggling military equipment to the LTTE.

January 10 Troops kill eight LTTE cadres in the Korakallimadu area of Batticaloa district.

Troops kill a LTTE cadre who tried to infiltrate the FDL at Vempotukerni in the Jaffna district. Subsequently, troops retaliate when LTTE cadres directed mortar fire towards them, killing three of them and injuring three others. One soldier also sustained injuries in the incident.

January 11 STF personnel capture the 'Janath' Camp, stronghold for the LTTE artillery and mortar gun position, and seven other sub camps of the LTTE, which lies west of Kanchkudichchiaru in the Ampara district. During subsequent search operations, STF personnel recovered four dead bodies of the LTTE cadres, large number of warlike items and equipment. Four STF personnel and an unspecified number of LTTE cadres are injured in the incident.

Two civilians, later identified as Rajasankar and his brother Theivendran, are shot dead by unidentified assailants in the Vavuniya district.

Defence spokesperson and Minister Keheliya Rambukwella states that the Government has no intention to launch an offensive to capture areas under the LTTE.

Sri Lanka is investigating a number of foreign and local aid groups it suspects may be helping the LTTE, and may banish a Dutch organisation from the island.

January 12 The LTTE cadres kill two police constables in Vavuniya while detonating a claymore mine targeting a security convoy carrying drinking water to a nearby police post along the Mannar-Vavuniya

road, according to defence ministry sources. One police constable sustains injuries during the explosion.

The STF took control of the LTTE's eight bases, including Janak camp near Kanchkudichchiaru, in the Ampara district.

January 13 Four soldiers are killed and two others sustain injuries when the LTTE rebels fired artillery and mortar shells at the SLA detachment at Mankerni in the Batticaloa district.

January 14 Troops shot dead five cadres of the LTTE, including Dileep of Intelligence Wing and 'Major' Shankar of Military Wing, who confronted them while on a foot patrol in the Vandaramoolai area of Batticaloa district.

Two LTTE deserters, who had escaped the outfit recently, identified as Sinnathambi Danapalasingham and Krishanapille Rajaram, are shot dead by suspected LTTE cadres at Kannagipuram in the Akkariapathtuwa area of Batticaloa district.

January 15 Two civilians, Mohammed Kaninil Hameed and Hamindi Sriyam, died in an accidental explosion of the LTTE-planted pressure mine in the Allanagar of the Vavuniya district.

The Military urges the deserting LTTE cadres in the East to surrender, as operations against the insurgents' camps intensified.

Torture chambers allegedly used by the LTTE to punish escaping rebels and informers, including women fighters, have been found at guerrilla camps in eastern Sri Lanka

January 16 In Panichchankerny, south of Ichchalanpatthu and its suburbs, in the Batticaloa district, troops after overrunning the 3rd defence line of the LTTE cleared the village areas, killing at least 30 of its cadres despite heavy LTTE resistance. However, the pro-LTTE Website Tamil Net said 40 Sri Lankan soldiers are killed and that the outfit lost only seven cadres.

Troops confront a group of LTTE cadres in the Vakare area of Batticaloa district. During subsequent search operations, troops recover seven dead bodies of LTTE cadres from the incident site which was later handed over to the International Committee of the Red Cross.

At least six civilians, including a woman, are shot dead by unidentified assailants in the Vavuniya town.

Five soldiers are killed and two others sustain injuries in a LTTE-triggered claymore mine explosion targeting the troops in the Puthukulam area of Vavuniya district.

'Colonel' Karuna faction is attempting to consolidate power in Batticaloa and surrounding areas according to independent reports from the Eastern Province.

The role of the SLMM is to undergo some amendments at the end of the ongoing workshop of the ceasefire monitors, said SLMM spokesman Thorfinur Omarsson.

January 17 Military spokesman Brig Prasad Samarasinghe said that 561 LTTE cadres have surrendered to the Sri Lankan Armed Forces in the East since July 25, 2006. "The majority of them are children," he added.

Defence spokesperson Keheliya Rambukwella stated that the LTTE is growing cannabis to make big money. The LTTE, however, denies the allegations and claimed that cannabis were grown in a Sinhala village called Bakkimiddiya and alleged that the Army video was taken in that village.

January 18 Four LTTE cadres are killed as troops advanced into the outfit-held territory in Batticaloa district.

Foreign Minister Mangala Samaraweera stated in New Delhi that a political process is underway in the country to share power with ethnic Tamils but made it clear that the campaign against the LTTE will continue until the rebels stop bloodshed.

The SLMM spokesman Thorfinur Omarsson said that ten of Sri Lanka's nearly three dozen truce monitors will be back at their posts next week in the North and East after an absence of more than two weeks.

The United Nations humanitarian affairs office said that the ongoing violence in Sri Lanka has resulted in 213,000 new refugees, asking donors for U.S. $66 million in aid to carry out support programs in coming months.

January 19 Sri Lankan security forces capture the only LTTE stronghold in the eastern Sri Lanka - Vakarai - as thousands of civilians fled the area amidst heavy fighting between the two sides.

An elite guerilla unit of the LTTE in Ampara district carried out an ambush on Sri Lankan Special Task Force convoy, killing at least 11 Sri Lankan commandos and wounding more than 11 at Bakmitiyawa, claims outfit's military spokesman Irasiah Ilanthirayan.

At least nine LTTE cadres are killed and twelve others sustain injuries in confrontations with the SFs in the Batticaloa district.

Three soldiers are killed and four others sustain injuries when LTTE cadres open fire towards troops in the Vakarai area of Batticaloa district.

The bodies of three civilians are recovered near Gnanavairavar temple along Mathakuvaithakulam road in the Thavasikkulam area of Vavuniya district. All of them were strangled to death and there were gun shot injuries on two of them.

The LTTE claims that it had "decided to pull back" from its Pannichchankerni position, which is on the access route to Vaharai.

The Sri Lanka Army, which has now consolidated power in new territory earlier controlled by the LTTE, has offered a general amnesty to deserters to return to the Army.

January 20 At least four soldiers of the SLA are killed and three others injured at Eechalanpattu in a LTTE mortar in the Trincomalee district.

Sri Lanka Foreign Minister Mangala Samaraweera stated in New Delhi that the LTTE is much more brutal than the al-Qaeda.

The SLA claims to have gained Komathalamadu, Verugal, Kadiraveli and Batticaloa-Trincomalee road, a day after it captured Vaharai from the LTTE. Providing further details of the Vaharai battle, military sources claimed that since the beginning of October 2006, 331 LTTE cadres had been killed.

January 21 Troops advancing further captured the area from Verugal to Mavil Aru and Sinhapura, west of Vakarai and capture a number of LTTE camps in the area. Troops also found 22 dead bodies of the outfit's cadres scattered in the area.

SFs confronted a group of about 75 LTTE cadres who were attempting to escape towards Toppigala from the Vakarai area in Batticaloa district. Official sources confirm that at least 18 LTTE cadres are killed and a large number sustain injuries in the incident.

A fierce sea clash broke out after about 20 LTTE boats attack a cargo ship. Navy ships backed by air fire destroyed three of the LTTE boats, killing at least six of the outfit's cadres.

The Sri Lanka military states that it has taken control of the Trincomalee – Batticaloa A-15 road chasing the LTTE cadres to the Thoppigala jungles. "Ninety five percent of the civilians in the Eastern Province are now under the government controlled areas and the Tigers are now confined to limited areas in Thoppigala jungles," the military stated.

January 21-22 Army hands over dead bodies of four LTTE cadres to the LTTE through the facilitation of International Committee of the Red Cross on January 22. These cadres were killed in the retaliatory fire by troops in the Punani area of Batticaloa district on January 21.

January 22 A Manager of the Vavuniya Central Transport Board depot is shot by LTTE cadres in the Poonthottam area.

Government promises to wipe out the LTTE from Thoppigala jungles in the Batticaloa district after capturing the outfit's stronghold in Vakarai.

Speaking to Daily News General Officer Commanding of the Sri Lanka Army 23 Division in Welikanda, Brigadier Daya Ratnayaka terms the defeat of the LTTE in Vakarai as the biggest defeat the LTTE have ever faced in the recent history.

Sri Lanka's major opposition UNP has reportedly proposed that a solution to the ethnic problem should be sought through power devolution based on the Tokyo Agreement. The UNP hands over its proposals to the All Party Representative Committee chairman Tissa Vitarana.

January 23 The bullet-riddled dead bodies of two civilians, identified as Selliah Janachchandran and Selvarajah Sriskantharajah, are recovered from the Eravur area of Batticaloa district.

Defence sources said that around 37 underage children have been abducted by the LTTE during the last two weeks in Arippu, Karanadi and Madukkarai uncleared areas (area not under Government control) north of Mannar.

The LTTE dismisses the Government's invitation to stop fighting and resume talks, claiming that there was no sincerity in the offer.

January 24 Troops open fire at two LTTE cadres who attempted to infiltrate the SFs FDL at Kachchai in the Jaffna district, killing one of them. Later, another LTTE cadre committed suicide by detonating a hand grenade on seeing the arrival of troops.

January 25 Three LTTE cadres are killed and another injured in an encounter that followed an attack by the LTTE cadres on SFs at the Janakapura – Kokuthduwai FDL in the Welioya area of the Moneragala district.

Sri Lanka vows to attack and destroy LTTE military assets, including those in the outfit's northern stronghold.

'Colonel' Karuna has said that the LTTE chief Prabhakaran cannot win the war in Sri Lanka.

The Resettlement Minister Rishad Badiudeen said 64,250 ethnic minority Tamils have been displaced in eastern Batticaloa district, including 12,500 people who fled from Vaharai.

January 26 A civilian and two security personnel are killed when LTTE cadres attack a combined route clearing patrol in the general area of Murunkan in Mannar. Another police personnel and three civilians sustain injuries during the attack.

SF personnel arrest 38 people during a crackdown against LTTE rebels in the President's home constituency of Hambantota, a day after he vowed to crush "terrorism.

January 27 Troops recover two unidentified dead bodies from the general area (area under Government control) of Weppankulam in the Vavuniya district.

January 28 Defence Ministry warns that following a severe setback in the East, the LTTE is planning a major offensive against the SFs in Wanni to retain control of their cadres.

The LTTE political head, S. P. Thamilchelvan, states that the passive stance adopted by the International Community, which he characterized as "unconstructive engagement," is encouraging Colombo to pursue its power-centric politics and aggressive military agenda.

Due to harassment by LTTE terrorists who have now fled to Thoppigala area, civilians in Thoppigala and surrounding villages of Ittamalai and Iluppadichenai have started crossing over to cleared areas (area under Government control).

January 29 International donors warn Sri Lanka against escalating its ethnic conflict and demand a power-sharing deal with the LTTE to end violence and salvage the economy. World Bank's Vice President for South Asia, Praful Patel said that Sri Lanka must commit to peace and restore investor confidence if it is to develop its potential.

January 30 Sri Lanka donors agree to provide "new development assistance" of $4.5 billion over 2007-2009.

The Interpol Headquarters in France has issued a world wide arrest warrant LTTE Sea-Tiger leader, Thillayampalam Sivanesan alias Soosai, identifying him as a fugitive wanted for prosecution consequent to the facts forwarded by the Central Investigation Department to Court.

January 31 Eleven security personnel and a civilian were killed and 13 others are injured when cadres of the LTTE detonate a claymore mine at Vandaramoolai in the Batticaloa district.

SLMM chief Lars Johan Solvberg meets LTTE representative Seevaratnam Puleedevan to discuss security and cooperation in the cease-fire monitoring process. The meeting is the first contact between the LTTE leadership and the monitors since November 2006.

Sri Lankan Government asked the LTTE to engage in sincere peace talks to end escalating bloodshed. Chief government spokesman Keheliya Rambukwella said that the government was ready for peace talks with the rebels. "We want the talks to be sincere," he said.

February 1	The STF personnel marching ahead in their operation Niyathai Jaya (Definite Victory) seizes LTTE 'Jeewananda Base' located inside the Kangikadaichi Aru jungle of Ampara district. STF sources said that this camp had been used by the LTTE to train child soldiers. Radio conversation among the terrorists has revealed that at least 16 LTTE cadres suffered injuries in the STF attack. The Norwegian Ambassador to Sri Lanka, Hans Brattskar, meets the political leader of the LTTE S.P. Thamilchelvan in Kilinochchi and discusses the ways to resume peace talks. The Armed Forces consolidating their positions in the East after flushing the LTTE cadres out of Vakarai town, announces that the troops are now in the process of removing landmines ahead of their operation's final phase of resettling the displaced. They have removed 4,000 landmines from several locations in Vakarai, Palachchenai, Kadiraveli and Verugal.
February 5	At least two civilians were killed and another wounded in an encounter between the LTTE cadres and the Karuna faction in Kaluthavalai in the Batticaloa district.
February 6	Foreign Minister Rohitha Bogollagama said that the Government will mobilise all its resources to bring to an end all acts of terrorism while evolving a political solution for the North East issue, Addressing the diplomatic corps on his first day in office, the Minister said Government will be able to present a political solution that is currently being worked out to all stakeholders within a short period of time.
February 7	LTTE cadres killed the Head Priest of a Hindu temple at Sandiveli Pullair Kovil in Batticaloa. Commander of the Sri Lanka Army (SLA), Lieutenant General Sarath Fonseka, said that "desperate terrorists chased away from Verugal and Vakare areas after their infiltration into Thoppigala jungle patches are directly responsible for this heinous crime."
February 9	Troops killed two LTTE cadres at Periyakattukulam in Welioya.
February 11	Police recovered dead bodies of two civilians, identified as Chelliah Mylvaganam and Navaratnam Arultheepan, with gunshot wounds and bearing torture marks in Valikamam East along Puttur-Chunnakam road close to Nilaavarai junction in the Jaffna district.
February 12	The Sri Lanka Navy (SLN) successfully repulsed an LTTE attack on a naval patrol and killed over eight LTTE cadres in the South coast off Poduwakkattu at Trincomalee. The SLN also completely destroyed one LTTE boat and damaged another in the attack. Navy Spokesman Commander D.P.K. Dassanayake said that the Navy recovered a 12.7 mm machine gun, 7.62mm Multi Purpose Machine Gun (MPMG), a T-56 assault riffle, four life jackets and a communication set in the damaged boat. "The boats were equipped with machine guns and 85 horsepower out board motors," he added.

Three soldiers were killed in an LTTE mortar attack at the Kilali Forward Defence Lines of Jaffna district.

President Mahinda Rajapakse, in an interview with the BBC, said that the Government's peace pact with the LTTE was a mistake. "Today we realise we have made a mistake. Through the peace pact, we've demarcated areas called LTTE controlled areas, and they have taken over the rights of the people through this pact. In the LTTE controlled areas, no political parties can function, people cannot walk anywhere in freedom, and the children are being forced to join the armed forces of the LTTE. These rights should be given back to the people," he said.

February 13 The Indian Coast Guard intercepted a LTTE ship carrying a suicide bomb jacket packed with explosive substances weighing seven kilograms, five detonators, and arrested five persons. The ship was seized by the Coast Guard in the Palk Bay, 20 nautical miles from Point Calimere in south Tamil Nadu.

February 14 Two security force personnel were killed when the LTTE attacked the Kohambagasthalawa Home Guards post on the Ampara-Mahaoya Road in the Ampara district. Three LTTE cadres were killed and several others injured when the Special Task Force personnel retaliated.

February 17 SLN personnel killed four LTTE cadres and destroyed two of the outfit's boats hauling a large quantity of steel balls, which are normally used for bombs, off the coast of Kalpitiya in the Puttalam area. According to defence sources, the SLN recovered one million steel balls from the boats.

February 17-18 A civilian is killed and six other persons including five army personnel were wounded when suspected cadres of the LTTE set off a fragmentation mine in the Jaffna town. The death toll rises to three a day later.

February 18 According to LTTE sources, a determined effort is being made by its campaigners to obtain signatures from British parliamentarians criticising the Sri Lankan Government handling the present crisis in the island.

February 20 Three unidentified dead bodies are found at an unspecified place in the Vavuniya district. The defence ministry blamed the deaths on the LTTE.

Prime Minister Ratnasiri Wickramanayake rejects the allegations that the Government had a pact with the LTTE.

February 21 Two civilians and a Police officer are killed and 16 others, including ten civilians, four Police and two Army personnel, sustained injuries when the LTTE cadres detonated a claymore mine fixed to a motorcycle on the wayside of Ottamavadi town in the Batticaloa district targeting a Police cab.

February 22 SLN destroys two LTTE boats off the Kalpitiya coast, killing nine Sea-Tigers in the process.

The bullet-riddled bodies of three civilians are found at three different locations in the Vavuniya town.

February 23 European cease-fire monitors said that nearly 4,000 people were killed in Sri Lanka over the past 15 months — compared to 130 deaths in the previous three years.

Unidentified assailants shot dead a Tamil civilian at Koolamarathady in the Trincomalee district.

Unidentified assailants shot dead a member of paramilitary 'Colonel' Karuna group, identified as Ravichandran Ashok, in the Kaluvanchikudy area of Batticaloa district.

February 24 Sri Lankan troops captured three LTTE bases in the north-eastern region, forcing the outfit's cadres to flee into the jungles.

February 25 Sri Lankan security forces reportedly captured four LTTE bases in the Peraru area of Trincomalee district forcing the Tigers to withdraw into the jungles in further north.

February 26 Unidentified armed men shot dead two police constables, identified as Vickremasinghe and Seniveratne, at Muthalikkulam in Vavuniya district. However, police claimed that LTTE pistol group cadres were involved in the killing of the constables.

February 27 SLN personnel sank two LTTE boats in the North off Pulmoddai coast and killed at least 16 LTTE cadres on February 27. Two SLN personnel were injured in the confrontation.

Three LTTE cadres were killed in a counter-attack by anti-insurgency commandos in Mannar district.

A civilian, identified as Naina Lebbe Casim, was found dead at Akkaraipattu in Amparai district with injuries on the body.

Another civilian, identified as Selvarasa Sivanathan, was found dead on Thalavai-Punnaicholai road in the Batticaloa district.

SLN patrol units foiled an LTTE attempt to smuggle a cache of arms and explosives in the seas 185 nautical miles, off 'Dondra Point' at Matara.

The Ambassador of Italy Pio Miriani and the USA Ambassador Robert Blake were injured in the LTTE's mortar firing, targeting an air movement carrying Disaster Management Minister Mahinda Samarasinghe along with few foreign diplomats in Batticaloa. Defence sources said that the mortars were launched as the two helicopters landed at the Webber stadium in the Batticaloa town. Sources further said that Minister suffered no injuries in the attack.

February 28	SLN blew up an unidentified arms-smuggling ship and killed about 12 of its crew off southern Sri Lanka. Anti-insurgency commandos in Mannar district killed three LTTE cadres in a counter-attack. Two civilians were shot dead by unidentified armed men at Ilupakadaivai in Thiriyai of Trincomalee district.
March 1	STF troops, after intercepting a movement of LTTE cadres in the general area of Kallady in Batticaloa district, opened fire and killed three of them. Dead bodies of two civilians, identified as Mohamad Mansil and Mohamad Ikram, were recovered from the general area of Illuppukulam in Uppuweli area of Trincomalee district.
March 2	Unidentified persons shot dead two civilians, identified as Abdul Razak and Priyantha, at Salaipaiaru in the Trincomalee district. Two SLA soldiers were killed when unidentified persons threw a grenade on a SLA patrol unit at Namalwatte in the Morawewa division in the Trincomalee district.
March 3	Sri Lankan police found five bodies in a marsh at Kandana near Colombo and suspect that they are victims in a renewed civil war with LTTE. Two civilians identified as Maduraiveeran Mahendran and Premajeevan Ranjan, were killed by unknown assailants in the Karupanjankulam area of Vavuniya district.
March 4	Two SLA personnel and an officer of the intelligence unit were killed in a claymore mine attack targeting the vehicle carrying them, near Kothiyaladi between Maruthanamadam junction and Chunnakam in the Jaffna district. Unidentified armed men abducted two civilians, identified as Thambyaiyah Mohan and Kurukulasingam Srikumaran, from their house for interrogation and shot them dead subsequently at Kendayankerny in Karuvakerny area of the Batticaloa district. Two civilians were shot dead by unidentified gunmen in the Batticaloa district. LTTE cadres shot dead two deserters from their ranks identified as T. Mohan and K. Srikumaran after storming their residence at Kondayankerni junction in Valachchenai in the Batticaloa district.
March 5	Three soldiers, identified as, Sergeant K.G. Priyantha Pathirana, Lance Corporal W.M. Anura Shantha and K.M. Sumeda Dammika were killed in the Jaffna district, when troops traded fire with rebels of the LTTE.

March 6 Police recovered charred remains of five security personnel in Nachchaduwa near Thirappane in the Anuradhapura district.

March 7 Three persons were killed on the spot and two others were injured when a parcel floating in the Uma Oya (river) in Uva-Paranagama area of Badulla district. On seeing the mystery parcel floating in the river, the victims had recovered the parcel, and attempted to open it when it exploded.

Sri Lanka's Human Rights Commission said that nearly 100 abductions and disappearances took place in the country in the past two months of 2007. The majority of these abductions have taken place in Colombo, Batticaloa and Jaffna. More than thousand cases of abductions were reported in 2006. Sri Lanka Government said that it suspects some state security service personnel have been involved in abductions and murders that have mushroomed amid renewed civil war.

The LTTE warned civilians not to board any Sri Lankan vessels traveling between Trincomalee and Jaffna as it has decided to attack such vessels. It also accused the armed forces of using civilian vessels to transport troops and military hardware.

Sri Lanka Parliament agreed to extend the Emergency Regulations by one month.

March 8 During confrontations between SFs and LTTE cadres, ten outfit cadres were reported killed and seventeen others sustained injuries in the Thoppigala region of Batticaloa district.

The activities of the LTTE are no longer confined to Sri Lanka as the IISS publication Military Balance 2007 has pointed out there are now emerging commercial links between the LTTE and the al-Qaeda movement, said Foreign Minister Rohitha Bogollagama in London.

An international arms dealer from Indonesia pleaded guilty in federal court to conspiring to export guns, surface-to-air missiles and other military hardware to LTTE.

UNICEF said as at January 2007 they have recorded 6,241 child abductions in the North and East provinces and blamed the LTTE for having recruited 6,006 of them for war. The UNICEF also blamed the breakaway Karuna group for abducting 235 out of the recorded 6,241. The UN agency said 1,879 children are still being held by both groups out of which 1,710 are still being kept by the LTTE while the Karuna group uses 169 of them.

March 9 Anti-insurgency commandos overran a LTTE base in the Ampara district, killing at least 20 outfit cadres. Three commandos were killed and 12 others sustained injuries during the operation.

Eight persons, including two senior Army officers, two soldiers, warden for Wilpattu National Park, three wildlife rangers were ambushed and killed by LTTE cadres in the Anuradhapura district.

SFs completed a 48-hour humanitarian operation capturing four major LTTE bases in Peraru jungles North of Trincomalee. Later, Brigadier Samarasinghe said, "… We believe that there are no more Tiger bases in the North of Trincomalee and the area is now free of LTTE threats…"

The Sri Lanka Government accused the LTTE and its allies of involvement in abductions and killings across the island to defame the Government. The charge came in the wake of confirmation by the Police that the five persons killed in execution style and dumped in a village close to Colombo three days ago were members of the Karuna faction.

Defence Secretary Gotabhaya Rajapaksa called for increased support from the United States to prevent the LTTE from obtaining fresh consignments of armaments. Outlining the Government's two-track strategy to defeat the LTTE, he emphasised the need to prevent the outfit from replenishing their depleted arsenal. He reiterated his determination to militarily defeat the LTTE.

March 10 Troops retaliated when LTTE cadres opened fire towards them in the Nagar Kovil area of Jaffna district and killed four outfit cadres.

During a confrontation at Periyathampanai in the Vavuniya district, troops killed three LTTE terrorists and injured a few more.

President Mahinda Rajapaksa assured that the ruling Sri Lanka Freedom Party's proposals to find a political solution to the country's ethnic problem will be submitted to the All Party Representative Committee by March 14.

March 11 During an encounter between soldiers on route clearing duties and LTTE cadres at Unnichchi, area between Chenkalady and Mahaoya in the Batticaloa district troops killed nearly twenty LTTE cadres and injured a large number of them.

Troops launched an attack on a LTTE movement in the Muhamalai area of Jaffna district and killed three outfit cadres and injured many others during the attack.

STF personnel on foot patrol along Kalmunai - Batticaloa road in the Pandiruppu area of Ampara district were caught in an LTTE claymore explosion. Two STF personnel were killed and another sustained injuries in the explosion.

The leader of the LTTE breakaway faction Vinayagamurthy Muralitharan alias Karuna, also known as 'Colonel' Karuna, has accepted that he has areas under his control. He claimed that his group is " involved in civil administration" in the Eastern Province of Sri Lanka.

According to ICRC, nearly 40,000 civilians have left LTTE-controlled areas in eastern Sri Lanka over the last three days.

March 12 The Government SCOPP said that the latest LTTE threat to attack vessels carrying civilians proves outfit's complete disregard for human life and the fundamental rights of the Tamil people by restricting their movements. "This warning is a yet another blow to the CFA, and a direct act of aggression against the sovereignty of the nation," the SCOPP said in a statement with reference to the outfit's earlier warning that the civilians travelling by boats between the North and East would become a legitimate military target if they were suspected of carrying Sri Lankan troops.

March 13 Two top level LTTE intelligence wing cadres, identified as Vendran and Illakkian, were among eleven outfit cadres killed during SLAF air strikes in the Thoppigala area of Batticaloa district.

President Mahinda Rajapakse reiterated his commitment to a negotiated political settlement for the present conflict, saying the Government had to resort to military offensives after the LTTE rejected all political proposals

Foreign Minister Rohitha Bogollagama who met with UN Secretary-General Ban Ki-Moon at the UN Headquarters in New York called on the international community including the UN to support Sri Lanka's efforts to deal with LTTE as a terrorist organization and assist in curbing LTTE fund raising and arms procurement.

March 14 Human rights group Amnesty International cited unidentified individuals as saying that armed men, some in the uniforms of a breakaway Tamil Tiger rebel faction, have been carrying out various activities in refugee camps, including abducting young people. Purna Sen, Amnesty's Asia Pacific Director, was referring to the LTTE breakaway faction led by 'Colonel' Karuna. However, a spokesman for the Karuna group acknowledged that its members were helping authorities in camps where there are shortages of workers, but denied that they were involved in abductions. Meanwhile, denying the Amnesty report, Defense Ministry spokesman Samarasinghe said that no armed personnel other than the government-commanded security forces are allowed in the refugee camps and added, "This is absolute untrue."

Assuring Britain's support in achieving peace in Sri Lanka, British Prime Minister Tony Blair has said that the only realistic way to solve Sri Lanka's national question is to fully implement the Cease Fire Agreement. Speaking at British Parliament, he said "We have said to them (Sri Lanka) that we will do all we can to help but my right honourable friend is right to say that the only realistic way to get a solution is to come back to the 2002 agreement and make sure that it is implemented." He was responding to question raised by Keith Vaz, Labour MP representing Leicester East constituency on 'tragic situation unfolding in Sri Lanka'.

March 16 Counter fire launched by SFs in response to LTTE sporadic mortar and artillery fire at the Omanthai defence line in the Vavuniya district neutralized their fire and forced them to withdraw towards Mullikulam and areas north of Kirisudan. Intelligence reports confirmed that LTTE has lost a number of their cadres and that seven dead bodies of the outfit cadres were seen lying ahead of the FDL. Five soldiers were also killed and twelve others sustained injuries in the incident.

FDLs of SFs at Nagarkovil and Muhamale in the Jaffna district were attacked by LTTE cadres, reports SLA. These sporadic artillery and mortar fire killed one soldier and injured another on duty at Muhamale FDL.

Government urged the U.S. to extend a crackdown on the LTTE's overseas groups that help raise funds for the outfit. Foreign Minister Rohitha Bogollagama said Sri Lanka had sought "greater vigilance and greater action by the U.S. law enforcement authorities in terms of the ones who are responsible for collection of funds for the LTTE, adding, "U.S. authorities in Boston and Baltimore had helped halt fund-raising by LTTE "front groups" who funneled cash to rebels fighting the government under guise of charities."

March 17 Three LTTE cadres were killed in an encounter in the Kanthirathan – Killali area of Jaffna.

The LTTE strongly denied two sacked Government ministers' claim that there was a secret deal between the outfit and President Mahinda Rajapaksa. "This is all false propaganda. This is how politicians in the south play political games. When they have differences among themselves, they bring the LTTE into the picture," a local newspaper quoted LTTE spokesperson Rasiah Ilanthiriyan as saying. He said they had not made any deal with any party in the south other than the 2002 CFA. Earlier, Ministers Mangala Samaraweera and Sripathi Sooriyarachchi, urged that the alleged deal with the LTTE be investigated as soon as possible.

March 18 Troops opened fire after observing a gathering of LTTE cadres in the Peraru area of Trincomalee district, killing two outfit's cadres and injuring few others. One soldier was also killed in the incident.

Troops killed two LTTE cadres in the Sempimalai area of Trincomalee district. One soldier, identified as Private C.T. Chandrasekara, was killed and another sustained injuries during the exchange of fire.

LTTE cadres ambushed a group of soldiers killing two of them and wounding 12 others in the Batticaloa district.

One suspected LTTE vessel that was carrying a consignment of armaments to their organization across the seas about 195 nautical miles away from Arugam Bay in the Ampara was district was destroyed by the naval troops on duty. More details about the

contents in the vessel and the fate of the LTTE men abroad the vessel are awaited.

The LTTE blamed that SFs were attacking territory held by them and the outfit cadres were retaliating in kind, reported AFP. "Sporadic artillery exchange is reported at Mannar, Vavuniya, Manalaru and along the northern forward defence line of Vanni," LTTE spokesman Rasiah Ilanthiriyan said in a statement.

Foreign Minister Rohitha Bogollagama called on the US Government to prevent the LTTE from engaging in fund-raising activities through numerous front organisations in the US.

The Sri Lankan Government has said the on-going action against the LTTE is only a defensive military operation. ‘‘The defensive military operation by the Government of Sri Lanka was started only after the LTTE’s abortive attempt to kill the command of the Lankan Army last year,’’ said the Sri Lankan Deputy High Commission in India in a communique. He added that from the time the CFA in February 2002, the outfit had violated it more than 3,800 times compared to 346 times by the Lankan security forces.

March 19 STF personnel killed four LTTE cadres in the Vellaveli area of Batticaloa district.

Troops on routine patrol confronted a group of LTTE cadres in the Periyathampanai area of the Vavuniya district and killed three outfit cadres.

Four LTTE boats that entered the restricted sea off Kilaly in the Jaffna district were completely destroyed by the Army using artillery fire. Entry of the four boats to the restricted sea from the direction of Kalmunai Point and Sangupitty Jetty was confirmed before artillery was fired destroying all four boats.

The LTTE have stolen Norwegian passports and sold them to the al-Qaeda organisation to earn money, said Norwegians Against Terrorism Organisation chief spokesman Falk Rovik. "The LTTE has sold these passports to the highest bidders including an Algerian al-Qaeda group," Rovik said.

University Teachers for Human Rights, Jaffna, an independent union of Tamil academics, in their latest bulletin has accused the LTTE of continued conscription of children, as young as six years and even the disabled.

Two cadres of the LTTE women's front including its leader Ankayartkanny and Seevaratnam Ambihai were detained by the British Police inside the premises of House Of Commons at the British Parliament in London for taking pictures of participants in a Parliamentary seminar on the theme 'A way forward to peace and reconciliation in Sri Lanka' organised by the Campaign for Peace and Unity in Sri Lanka.

March 20 Four LTTE cadres were killed in a retaliatory fire by troops in the Chamalankulam area of Vavuniya district.

March 21 More than 30 LTTE cadres are believed to be dead and four SFs were killed, when a fierce battle erupted between troops and the outfit cadres in the Batticaloa district, said Military officials. The outfit cadres continued to fire artillery and mortars at the Kumburumalai, Siththandi, Black Bridge, Mavedivembu and Chenkaladi Army camps, while at the same time a group of 300 outfit cadres attempted to infiltrate the camps in small groups. The indiscriminate shelling injured many civilians and severely damaged their houses. SFs retaliated with mortar and small arms fire, which killed more than 30 outfit cadres and injured many others. During the mortar attack four soldiers were killed and 14 were injured.

SFs killed five LTTE cadres who attempted to infiltrate the Muhamalai Forward Defence Line in the Jaffna district.

Sri Lanka claimed that India has agreed with it in `principle to work out a joint mechanism' to safeguard the interests of the fisher folk community in the Pak Straits/Bay as well as tackle `activities related to terrorism'.

Highly placed Government sources told The Hindu that India has received a proposal from Sri Lanka for "coordinated patrolling" of their maritime waters, but no decision has been taken on the issue. Making a clear distinction between "coordinated patrolling" and "joint patrolling," the sources stated that the proposal was only for patrolling that would be coordinated in advance. There was no proposal for the two navies to patrol the seas together, they added.

The LTTE is reported to be carrying out a very effective extortion campaign within Colombo targeting the relatives of the expatriate Tamils.

March 22 Thirteen LTTE cadres were killed in three separate confrontations with the security forces in the Northern Province, the defence ministry said. Troops observed two motorcycles moving near the forward defence lines at Omanthai in the Vavuniya district and opened fire on them, killing four outfit cadres. Another seven cadres who arrived at the scene on a tractor were also shot dead by troops. In the Jaffna district, troops shot dead two LTTE cadres who tried to break into the Military line at Nagarkovil.

Two businessmen were shot dead by the LTTE cadres in the Vavuniya district for failing to pay ransom to the outfit, defence sources said. "It is believed that the victims have already paid around Rs.375, 000, a couple of months ago to the LTTE extortionists," the sources added.

LTTE gang in Paris has ransacked a residential apartment and removed scores of recorded video, audio cassettes and DVDs from the apartment of Luxmy, the editor of a Tamil literary journal and a

leading Tamil feminist. She is also an organizer of the literary meetings, Ilakkiya Chanthippus and seminars in Europe.

March 23 At least twenty LTTE cadres and nine soldiers were killed in a clash between SFs and outfit cadres in the Mannar district near Vavuniya border. The battle marked the opening of a new front in escalating hostilities between soldiers and the outfit cadres in the Northwest, as fighting had previously been concentrated in Northern and Eastern districts.

SFs and LTTE cadres clashed in the Batticaloa district, after which troops recovered the dead bodies of six outfit cadres.

March 24 Two persons were killed when a suspected LTTE suicide bomber blew himself up at a military check point in Jaffna. The man was killed along with the soldier who tried to search him near a Hindu temple.

LTTE cadres from Thoppigala jungles opened indiscriminate fire towards populated Kommanthurai and Chenkalady villages in the Batticaloa district, killing a 6-year-old girl and injuring two other civilians.

LTTE cadres fired mortars on troops in the Parayanakulam area of Mannar district, killing one soldier and injuring three others.

Soldiers on sentry duties along the Muhamalai FDL in Jaffna district killed one LTTE cadre who was attempted to infiltrate the FDL.

Two LTTE cadres surrendered to the Army detachment in the Unnichchiya area in the Batticaloa district.

March 25 Three Tamil civilians, identified as Soosaithaas Thanaraaj, Arulraaj Jeyantharoopan and Yoakalingkam Chaarangkan, were shot dead by suspected LTTE 'pistol gang' cadres near the Hatton National Bank in Jaffna town, the military said. The men were in a tea boutique when two suspected LTTE cadres on a motorcycle fired at them.

A prominent social worker and a People Alliance organizer, Kandapudi Subharathnam, was shot dead by suspected LTTE 'pistol gang' cadres opposite his residence at Eruvil in the Batticaloa Town.

The LTTE supplied forged passports to Ramzi Yousef who bombed the World Trade Center, counter terrorism expert Aaron Mannes said. He was commenting on the report about the outfit stealing Norwegian passports and selling them to Al Qaeda affiliates in the Daily News of March 20. Mannes in his commentary, published in the Counterterrorism Blog quoting Rohan Gunaratne, said the Sri Lankan terrorist group not only supplied forged passports to Yousef, it also smuggled weapons from Pakistan's militants to their counterparts in Philippines.

Government has conceded that the number of refugees in the East crossed 1.3 lakh. The Government has a set a deadline of March 31

for re-settlement of the people displaced from Vaharai. Given the volatile situation, it might be an ambitious target.

March 26 The LTTE carried out their first ever air attack on the main Sri Lankan Air Force base in Katunayake, killing three air force personnel and injuring another seventeen at 12:45 am on, the military said. A light wing aircraft manned by the outfit dropped two bombs near the engineering section of the base. There were no damages to the fighter jets. The Bandaranaike International Airport was closed temporarily as a precaution and few commercials flights were diverted to destinations in India.

The Government classified the LTTE as the only terror organisation equipped with air capabilities in the world adding that it has posed threats not only to Sri Lanka but also to the entire region. Addressing the media in the aftermath of the first air attack by the LTTE on Sri Lanka Air Force Katunayake, Highways Minister Jeyaraj Fernandopulle said that no other terror organisation in the world is equipped with air capabilities.

March 27 The LTTE carried out a suicide attack targeting the Army main base at Chenkalady in the Batticaloa district against. Three members of the Eelam People's Democratic Party (EPDP), identified as Carthic, Chandru and Vicky, a 12-year-old boy Navarathnam two security force (SF) personnel were killed in the explosion. Five civilians, two Army soldiers and two Policemen were injured. SFs retaliated and shot dead two LTTE cadres when they were attacked by the outfit's cadres in Mannar.

Sri Lanka Government said it was ready to hold peace talks anytime with the LTTE. "We must try to bring a comprehensive and substantial peace," Foreign Minister Rohitha Bogolagama told reporters, adding, "Our government believes that we need to talk, we need to explore all avenues," he said, adding that if the rebels agreed to negotiation, "we can have it tomorrow."

Prime Minister Rathnasiri Wickramanayaka said that the Government would not agree to a negotiated settlement with the LTTE and assured that the victories the Government achieved would be taken forward and the State would not let to be shattered. The Prime Minister further said that there is no perpetual war in the country but retaliation to the attacks against the government security forces.

March 28 At least three LTTE boats with Sea-Tiger cadres aboard were completely destroyed in a naval confrontation in the seas off Alampil in the Mullaittivu district. Naval authorities are of the view at least 12-15 Sea-Tiger cadres were killed in the incident. One sailor was also injured.

Troops killed at least three LTTE cadres and injured eight others when they attempted to infiltrate into the forward defence line at Nagarkovil in the Jaffna district.

Sri Lanka has declared portions of Sampur in Trincomalee district in the East, captured from the LTTE in September 2006, as a High Security Zone.

Sri Lanka has set up a hot line to seek information about the aircrafts operated by the LTTE. "The Sri Lanka Air Force has installed Telephone Number 116 with immediate effect to enable the general public to inform any suspicious movements of air crafts or flying objects so that the authorities can take necessary action," the Media Center for National Center said.

An estimated 3,000 civilians have been killed since hostilities between the Sri Lankan Government and the LTTE resumed in 2006, Amnesty International, quoting the United Nations, has said in a report. The report, "Sri Lanka: Time to play by the rules," said more than 2, 15, 000 persons were displaced internally since April 2006.

March 29

At least ten civilians were killed and seven others were injured in two separate mortar attacks by the LTTE on Sittandi, Sandiliveli and Morakottanchchena villages in the Batticaloa district.

Unidentified assailants shot dead an elderly couple, identified as Vairamuthu Sivaganeshathasan and his wife Sarojini Sivaganeshathasan, at their house near Urumpirai Katpahapillayar temple in the Palaly area of Jaffna district.

Troops confronted a group of LTTE cadres in the Thambalagamuwa area of Trincomalee district, killing two cadres.

March 30

Five SF personnel were killed and one sustained injuries in a LTTE-triggered remote–controlled claymore mine explosion in the Parayanakulam area of Vavuniya district.

Troops recovered two LTTE dead bodies from the Innorvillu area of Batticaloa district.

The LTTE political head S.P. Thamilchelvan, stating that the air strike by the outfit on the SLAF main base in Katunayake was "a one hundred percent successful mission," told media that the "precision air strike" by the outfit on the SLAF was a "clear message" to the Sri Lankan State, to end the sustained bombardment of the Tamil homeland.

April 1

Six Sinhalese aid workers who attended construction work at the "Village of Hope", a housing scheme built for orphan children in the Eravur area of Batticaloa district, were shot dead by the LTTE at Mailambaveli. Two other aid workers were injured in the incident.

Unidentified assailants shot dead two civilians, identified as Kulasekaranathan Soumian and Yogarajan Baheerathan, and dumped their dead bodies in the Thirunavatkulam area of Vavuniya district.

17 suspected LTTE cadres were detained in Paris during an investigation into terrorist financing activities. The suspects are alleged to be involved in extortion, violence and detentions as part of fundraising activities for the outfit.

The LTTE said that there was no chance of resuming peace talks to end the civil war if the State refused to base talks on the 2002 truce pact.

The LTTE acquired two light aircraft from Indonesia in early 2005, intelligence sources in Colombo told Sunday Times. According to these sources, the outfit procured three light aircraft through intermediaries. Two of them, in knocked-down condition and packed in two containers, were to be shipped from the port of Jakarta.

April 2 Troops killed at least 23 LTTE cadres during clashes in the Batticaloa district. The battle erupted while the soldiers were on an operation in the Unnichchai village. Reports confirmed the recovery of 10 dead bodies of LTTE cadres from different spots.

At least 15 civilians, including three children, and a soldier were killed in a LTTE-triggered bomb blast inside a bus. 25 persons, including two soldiers, were also injured in the blast that occurred at Konduwatuawana in the northwest of Ampara district, on a civilian transportation bus bound for Bibile in the Badulla district from Ampara.

Troops retaliated when LTTE cadres launched a small arms attack on an Army foot patrol in the Pudukulam area of Vavuniya district and subsequently recovered two dead bodies of LTTE cadres from the incident site.

Sri Lanka Foreign Minister Rohitha Bogollagama said that his Government will involve the LTTE as a stakeholder in the stalled peace talks and urged the SAARC nations and the international community to force the outfit to come for negotiations by restricting their flow of funds.

April 3 Troops killed two LTTE 'pistol gang' cadres who fired towards STF personnel, injuring one STF Sergeant, who later succumbed to his injuries, in the Kalmunai area of Ampara district.

LTTE cadres opened fire towards a group of soldiers guarding a defence line in the Jaffna district. Troops retaliated and killed three LTTE cadres.

Several areas to the northwest of the newly captured Kokadicholai in the Batticaloa district were captured by troops, including one LTTE 120-mm mortar launching base and the Navarathnam base.

President Mahinda Rajapakse emphasized that no country could sustain itself and flourish without addressing the need to maintain security and no country could afford to limit their resolve to the eradication of terrorism to a mere subset of national security.

Government Defence Spokesman Minister Keheliya Rambukwella said that the arrest of six LTTE activists in Paris was a clear indication that the EU is turning the outfit's proscription into action without confining it into mere words. He said that at least six of the arrested 17 LTTE cadres are leading activists and they have been identified. The French Counter Terrorism Sub Directorate conducted a series of raids on three LTTE organisations in Paris, Comite' de Coordination Tamoul France, the Tamil Rehabilitation Organisation and Makkal Kadai, and arrested 17 cadres on April 1.

April 4

Three LTTE cadres who attempted to infiltrate the Muhamalai FDL in the Jaffna district were shot dead by the SFs, who also recovered a T-56 assault rifle and a magazine, two anti- personnel mines, an anti-tank mine and a global positioning system machine.

SLAF jets attacked the Sea-Tigers Headquarter of the LTTE in the Pudukudyirippu area of Mullaitivu district and destroyed it completely.

Troops consolidating their positions in and around south and west of Kokkadicholai in the Batticaloa district after flushing out LTTE cadres wrested control of Mahaoya - Pullumale road (A-5) up to Rukamputtur by April 4. A day earlier, troops captured area adjoining Rukam tank, Rukamputtur and Urukamam. Reports said that LTTE's Vellaveli, Ambalanthurai camps and a few other bases were also captured by the advancing troops.

'Colonel' Karuna said that the LTTE used peace talks as a cover to rearm and prepare for a return to war in Sri Lanka and Velupillai Prabhakaran, the LTTE chief, was never serious about the peace process. He stated, "What we were told by [Prabhakaran] was, 'Drag these talks out for about five years, somehow let the time pass by. Meanwhile I will purchase arms and we will be ready for the next stage of fighting.' That was his order."

April 5

Four farmers were killed and two others sustained injuries when the LTTE cadres opened indiscriminate fire towards six farmers, harvesting their paddy fields, after infiltrating Nidhanwala in the Aralaganwila area of Polonnaruwa district.

The latest opinion poll conducted by the Colombo-based Centre for Policy Alternatives has found that there is great support for a military solution to the ethnic conflict in Sri Lanka among the majority Sinhala community, and that such support has risen dramatically since the last opinion poll in November 2006.

A 55- year old Singapore national, Haniffa Bin Osman, pleaded guilty to conspiracy to provide material support to the LTTE, said US Attorney for the District of Maryland.

A Court in Paris remanded 15 LTTE cadres and released four of them out of a total 19 arrested on charges of illegal fund-raising.

The Sri Lanka Parliament passed the proposal for extending the emergency regulations for another month.

April 6

A naval Inshore Patrol Craft (IPC) on patrol off Baththalangunduwa in the Kalpitiya area of Puttalam district detected five Sea-Tiger boats carrying arms from the Silawathura area heading towards South. The IPC intercepted the boats North of Baththalangunduwa and destroyed a suicide boat with its crew on board, while the other four managed to escape. One sailor sustained injuries and the IPC was also damaged.

Unidentified assailants shot dead two brothers, identified as Rasiah Uthayaseelan and Rasiah Chandran, at Koomankulam in the Vavuniya district.

US authorities said they, following a three year undercover operation' busted an arms-trafficking gang, arresting six Asians from the eastern port of Baltimore to the South Pacific US territory of Guam, who had been trying to smuggle weapons from the US to the LTTE. "The disruption of the supply chain of this organisation should reassure the public that the US Government is committed to dismantling terrorist groups worldwide," said Federal Bureau of Investigation (FBI) special agent William Chase.

The leader of the LTTE's France branch since 2003, Nadarajah Mathinthiran alias 'Parathi' and Thuraisamy Jeyamorthy alias 'Jeya', who are in charge of the money collections in France, were among those 17 LTTE suspects arrested by the French authorities on April 1. Investigations have revealed a vast network of local representatives with whom they were working to collect money. The LTTE had deployed 'collectors' under the supervision of local leaders whose only activity is to extort money and who were allowed 20 per cent of the sums collected as their 'salary'. The arrested LTTE activists are charged with running for several years a vast operation of financial extortion among the Tamil Diaspora in France. During 2006, the LTTE has collected more than six million euros where each Tamil family was forced to pay 2000 euros per year and shopkeepers were made to pay 6000 euros. The transfer of the funds collected in France is sometimes physically carried in cash by 'suitcase carriers' usually to Switzerland to avoid bank records.

April 7

At least five persons, including an Army soldier, were killed and twenty-eight others were seriously wounded when the LTTE cadres triggered a claymore mine on a passenger bus in the Periyamanayankulam area of Mannar district at 7.30 a.m. The bus with 50 passengers was traveling from Mannar town to Vavuniya. Three civilians later succumbed to their injuries.

LTTE cadres opened fire targeting SFs on foot patrol in the Iruna Iruppaikulam area of Vavuniya district. SFs retaliated and during subsequent search operation recovered three dead bodies of LTTE cadres along with three weapons from the incident site. One soldier was also killed while three others sustained injuries in the incident.

SFs were fired upon by the LTTE cadres in hiding in the Rukam area of Batticaloa district. Security force personnel retaliated LTTE fire and subsequently recovered three LTTE dead bodies and five T-56 weapons from the incident site. One soldier was also injured in the incident.

April 8 Three LTTE cadres were killed and an unspecified number of them injured as troops repulsed an attempt by the outfit to enter the SFs held areas in the Mullikulam region of Vavuniya district.

LTTE cadres activated a claymore mine explosion targeting troops on foot patrol at Pandatirippu in the Jaffna district, killing one soldier.

In a firm crackdown on LTTE activities, French Police has cancelled the permission granted earlier to hold a protest rally in Paris condemning Police arrest of outfit cadres on April 1. The protest rally was scheduled for April 9 from 2 pm to 5 pm at Trocadéro in Paris. The LTTE-controlled business chamber, youth organization and women front of the outfit were involved in organizing the proposed protest rally.

April 9 Sri Lanka Foreign Secretary Palitha Kohona, who is in Australia to seek the latter's support to ban the LTTE in Australia, stated that about one-sixth of the estimated US$ 10 million (A$ 12.8 million) to US$ 30 million the LTTE raised internationally came from Australia. "Australia is one of their biggest sources of funding, and of course these funds do not go to any charitable or other purpose; they are used essentially for procuring weapons on the international weapons black market," said Kohona to the Australian media.

April 10 Sri Lankan troops killed at least 20 LTTE cadres after a mortar attack in the Vavuniya district killed seven soldiers and injured four others. The LTTE, however, denied any losses in the clash and instead claimed to have killed 10 soldiers in a separate clash overnight in the same region.

April 11 The Army gained full control of the 41-km A-5 Badulla - Maha Oya – Chenkaladdy road, controlled by the LTTE since 1994, on April 11-morning confining the LTTE to around 150-square kilometers in the Thoppigala jungle.

April 12 At least seven civilians, including six women, were shot dead by suspected LTTE cadres in the Vavuniya district. Defence officials said that the cadres raided a Sinhala community village of Avaranthalawa at around 4:30 p.m. and executed two families in two houses. The victims, six females, all above 50 years of age and one male, were dragged out of their homes and shot.

Sri Lanka's cease-fire has "no meaning" and that it was only being left in place to satisfy the international community, said Defence Secretary Gotabhaya Rajapakse. He said the military must build on the victories it has scored against the LTTE in Eastern Sri Lanka over recent months and press on toward outfit’s strongholds in the North.

April 13 LTTE cadres shot dead five members of a family, including a three year old child, at Chenkalady in the Batticaloa district. Three of them died on the spot while two others succumbed to injuries at the hospital subsequently.

April 16 The Military said the LTTE had demanded youths living in the Tamil villages in the Government-controlled areas in Vanni to join the outfit with immediate effect, adding, "However, the order rarely had any affect due to dwindling LTTE influence in the area."

Unidentified assailants shot dead an editor of a Vavuniya-based Tamil monthly, Nilam, identified as Subash Chandraboas, said Free Media Movement.

April 17 The LTTE cadres shot dead two Tamil civilians, including a woman, in the Kovilkudieruppu area of Batticaloa district. The victims were identified as Muttaiyah Paskaran and Suppan Rasamani.

April 18 The Defence Ministry stated that a SLAF attack on a LTTE training base at Vattappalai village in the Mullaitivu district on April 17 may have killed or wounded as many as 70 LTTE cadres. Lt. Col. Upali Rajapakse of the Defence Ministry's information centre, citing visuals taken from the air said, "The base of the LTTE suffered major damage due to our bombing," and added, "Generally 60 to 70 (guerrillas) live in such bases and we believe that they have died or (been) wounded due to the bombing and resulting explosions." However, LTTE spokesperson Rasiah Ilanthirayan denied the Government report, saying "no training camp was hit" and there were no casualties.

April 19 Three LTTE cadres committed suicide blowing themselves up after being rounded up by the SFs when they were trying to infiltrate the Forward Defence Lines at Thannankilappu in the Jaffna district.

The LTTE is reported to have threatened to unleash their full capacity if Government forces try to take their northern strongholds.

The Greek Government assured Sri Lanka that action would be taken to ban the LTTE in Greece and expressed its fullest support to curb terrorism in the country.

The leader of the TMVP, political wing of the LTTE breakaway faction, ‘Colonel’ Karuna, disclaimed any knowledge of or any action against the editor of the newspaper.

The Government rejected accusations leveled against Defense Secretary Gotabhaya Rajapakse by certain media organisations that he had threatened an editor of Daily Mirror.

April 20 Four LTTE cadres were killed in a retaliatory fire by troops at Vilachchikulam in the Vavuniya district.

Two soldiers were killed and an equal number of them were injured when a tractor carrying soldiers was hit by a landmine laid by the LTTE at Thrikonamadu in the Welikanda area of Polonnaruwa district.

Sri Lanka military said that a senior LTTE cadre, identified as Sivapalasuntheram Gunaseelan alias Kalaiyalaagam, the LTTE International Communications Coordinator, was killed in the air raid that targeted a vital communication centre of the outfit in the Puthukudiyirippu area of Mullaitivu district on April 18th.

The LTTE said that as long as the Government is going for a military solution, there is no chance in the near future for a negotiated settlement.

Falk Rovik, Founder of the Norwegians Against Terrorism in Colombo, claimed that Norway is one of the key facilitators funding the LTTE terrorists directly and indirectly through agencies

The Defence Ministry said that the Eelam Revolutionary Organisation, a main stream Tamil political party, which remained silenced since 1990, receiving continuous death threats from the LTTE, has decided to actively re-function as a democratic Tamil Front.

April 21 Five LTTE cadres were killed during clashes with the troops in the general area (area under Government control) of Vavuniya district.

LTTE cadres exploded a claymore mine at Kaatankudi in the Batticaloa, killing one civilian and injuring three others.

The Defense Ministry, in a report posted on its Website, said that the World Alliance for Peace in Sri Lanka (WAPS) along with associate organisations, NAT and Sansadaya, had taken many steps to expose the "LTTE-friendly activities of Norway and Norwegian Foreign Ministry cabal" led by Erik Solheim.

April 22 Sri Lankan authorities accused the LTTE of masterminding a credit card scam, which has hit around 200 petrol stations in Britain, to fund attacks in their home country. According to the report, Police began investigating when thousands of motorists reported money disappearing from their accounts after using their cards at independently run petrol stations in Leeds, Hull, Edinburgh, Norwich, Bury St Edmunds, Peterborough, Bristol and Nottingham.

The leader of the LTTE breakaway faction, ‘Colonel’ Karuna, is preparing to embark on a European tour covering Britain, Germany and France. The purpose of the visit is said to be aimed at popularizing his movement among his supporters in the three countries and organizing propaganda events.

A group of Tamil political parties in Sri Lanka have jointly proposed a political solution to Sri Lanka's national question. The three political parties, PLOTE, EPRLF and TULF, which do not recognise LTTE as

the main representative of Sri Lanka's Tamil people say the solution should be based upon a Indian-style devolution.

April 23

A bomb blast was reported in the Colombo bound passenger bus on Vavuniya - Mannar road in the Vavuniya district. According to initial reports, three civilians were killed and 35 others wounded in the explosion triggered by the LTTE.

Norwegian Ambassador Hans Brattskar's planned visit to Kilinochchi was cancelled due to security reasons, official sources said. A bomb blast occurred on a Colombo bound passenger bus on the Vavuniya - Mannar road between Settikulam and Parayanakulam, in the Vavuniya district. Five civilians were killed and 33 others sustained injuries in the explosion.

Troops launched an attack after observing movement of some LTTE cadres, killing three of them in the Palaimoddai area of Vavuniya district.

LTTE cadres opened fire towards civilians collecting firewood inside Kankuveli jungle in the Trincomalee district, killing one of them.

Troops arrested one female cadre of the LTTE while she was entering the cleared areas (area under Government control) of Eravur in Batticaloa district.

A 15-year-old female child soldier surrendered to the troops at Siththandy in the Batticaloa district. She had been given training by the LTTE at Panchchimarchani female training camp in the Thoppigala area.

April 24

SFs foiled a LTTE attempt to carry out an aerial attack at the Palaly Air Base in Jaffna. According to the Jaffna Security Forces Commander, Major General G. A. Chandrasiri, troops detected an aircraft arriving from the South of Jaffna peninsula towards Palaly Air Base at 1.20 am. "The aircraft took the path along the marshy lands in Jaffna where lesser number of troops on duty", he said, adding, troops stationed at the Palaly HSZ opened fire towards the aircraft compelling it to change its path towards Thondamanaru area near the sea. The light aircraft dropped three bombs at Milady area killing six soldiers, he informed. Earlier, the LTTE claimed they carried out their second aerial attack against Government forces targeting the main military complex in Jaffna peninsula using two light aircrafts.

Four LTTE cadres while trying to fire small arms on a group of troops on foot patrol were killed after confronting them in the Nawatkulam area of Vavuniya district.

April 25

At least 21 LTTE cadres were killed and 26 others injured during a five-hour long clash between troops and the outfit's cadres near the coastal town of Mannar. Two soldiers were killed and about 15 others wounded in the incident. However, the LTTE claimed that around 10 soldiers were killed and 50 others wounded on the government side while the outfit suffered no casualties.

Troops retaliated to a LTTE mortar attack in the Vilattikulam area of Vavuniya district, killing at least 15 of the outfit's cadres and injuring several others. Two soldiers were killed and an unspecified number of them sustained injuries in the incident.

At least three LTTE cadres were killed when troops launched an attack on a group of LTTE cadres moving along the river bank in the Palampiddi area of Vavuniya district.

Two STF personnel were killed and four others injured when LTTE cadres triggered a claymore mine explosion from a hideout close to Damana in the Bakimitiyawa area of Ampara district targeting a combined foot patrol of the STF.

The 'director' of LTTE in New York, Karunakaran Kandasamy, was arrested by the FBI in Queens. He was arrested on federal charges of providing material support to a foreign terrorist organization, prosecutors said.

Intelsat has shut down a satellite transponder used illegally by the LTTE to broadcast propaganda radio and Television programmes. The U.S.-based satellite company has terminated the unauthorised use of one of its satellites, Intelsat 12, by the LTTE for its TV and radio transmissions to Europe and Asia over the April 21/22 weekend, shuting down the transponder which the LTTE had used for its transmissions.

April 26

One civilian was killed and one more civilian and a soldier were injured during a clash between security forces and the LTTE cadres in the Sittandy area of Batticaloa district. The injured soldier succumbed to his injuries later.

Two LTTE cadres were killed when troops opened fire on a LTTE cab in the Madu area ahead of the SFs Mannar-Vavuniya FDL (forward defense line).

SLAF troops activated the Air Defence System and defended the areas surrounding the SLAF base at Katunayaka in the Negombo area following information that an unidentified aircraft was reportedly hovering in the area at about 11.00 p.m. As a precautionary measure, airport activities were suspended for a while. However, all services in the airport resumed by midnight, according to military spokesperson Brigadier Prasad Samarasinghe.

April 27

Three SLN personnel were killed and one sustained injuries during a clash with the LTTE cadres at Kuchchiweli, north of Trincomalee.

Buththala Police in the Moneragala district arrested a Sinhalese man allegedly spying for the LTTE. The Police claimed that he was also commissioned by the outfit for certain murders to be committed in future. According to information revealed by the arrestee, several female Sinhala cadres had undergone LTTE training in places yet to

be disclosed, the Police informed, adding, 19 Sinhala LTTE cadres had been arrested so far.

April 28 Six Sri Lankans, including the prime accused Satrubarajah Shanamugarajah alias Ruby, connected to the LTTE were convicted for organized crime in Norway. More than 5.3 million Norwegian Kroner have reportedly been stolen in Norway's largest credit card scam. The credit card fraud case in Oslo has links to LTTE cells in Canada, England, Germany and Sweden, sources added.

April 29 An LTTE aircraft bombed oil and gas storage facilities in and around capital Colombo at 1.45 am. Confirming the strike by the LTTE, the defence ministry said the outfit dropped two bombs at the Muthurajawela gas storage facility of Shell and dropped two more bombs at the main oil storage depot at Kolonnawa.

Two top LTTE leaders, identified as Eelamaran, leader in charge of Jaffna, and his deputy Udayan, were among five cadres killed inside Amman Kovil (Amman Temple) in the Kayts Island area of Jaffna district. The incumbent of the Kovil was also killed in the crossfire.

Three LTTE cadres, including two teenagers, who were trying to infiltrate the cleared areas (area under Government control), were fired upon by troops in a clash at Kokkutoduvai in the Welioya region of Moneragala district. During subsequent search operations in the area, troops recovered the dead bodies of three female LTTE cadres.

Troops on route clearing operation in the same area after observing a terrorist movement opened fire on them and subsequently recovered the dead bodies of the three LTTE cadres.

A journalist, Selvarajah Rajivarman, working for the Udayan newspaper was shot dead by unidentified gunmen on the Naavalar Road at Rasaavin Thoaddam junction of Jaffna district.

April 30 The LTTE warned the government of more air strikes on military installations. Its spokesperson Rasiah Ilanthirayan told Reuters, "The Sri Lankan military, especially the air force, are adamantly trying to prove they will always seek a military solution. So we have no other way than to take our own measures. There will definitely be more. We have no choice other than striking back."

May 1 Troops on foot patrol in the general area (area under Government control) of Mannar district confronted with several groups of LTTE cadres. Ten LTTE cadres were reportedly killed during the clashes.

Three more LTTE cadres were killed in a retaliatory action by troops in the Welioya area of Moneragala district.

Three farmers engaged in agricultural activities in the Thiliveddi area of Batticaloa district were shot dead by the LTTE. The victims reportedly had continuously refused to supply diesel, petrol and batteries to the outfit.

The SLFP led by President Mahinda Rajapakse has put forward its proposals with the objective of realising a lasting and honourable solution to the ethnic issue in the country. Abolition of the executive presidency; replacing it with the cabinet system of government led by the Prime Minister subject to consensus; the district as the unit for devolution of powers; and the creation of a bi-cameral legislature — are the other features of the proposal to be placed before the All Party Representative Committee.

Sri Lanka's Secretary of Foreign Affairs, Palitha Kohona, informed that according to government estimates, the LTTE raised US $10-30 million a month throughout the world, adding, "Approximately 20-30 per cent of that comes from Australia."

Many LTTE innovations, such as explosive belts, vests, and bras; using female suicide bombers and waterborne suicide attacks against ships, have been copied by other terrorist groups; said an annual US report on worldwide terrorism. The report said that in 2006 the LTTE financed itself with contributions from the Tamil Diaspora in North America, Europe and Australia and by imposing local ‘taxes’ on businesses operating in the areas of Sri Lanka under its control.

May 2 Troops retaliated and killed two LTTE cadres in the Palaimoddai area of Vavuniya district.

The Navy has reportedly recovered a suicide device which has not been previously used by the LTTE. "It is a small device packed with steel balls to carry out an individual assassination," said an unnamed Navy official.

The Australian Foreign Minister Alexander Downer acknowledged that some funds were being raised in his country to finance the operations of the LTTE.

Sri Lanka's Honorary Consul in Melbourne, Rodney Arambewela, said that there were a large number of complaints from the Sri Lankan community of being intimidated into donating funds to the LTTE.

The British government has warned of widespread fraud scams across the country, which it says could be funding terrorist acts in Sri Lanka.

Minister Nimal Siripala de Silva said that the ruling SLFP proposals to be submitted to the APRC are not the government’s final proposals to solve the ethnic problem.

The TMVP, political wing of the LTTE breakaway faction led by ‘Colonel’ Karuna, said that it will present its power devolution proposals to the APRC soon. TMVP spokesperson Asad Moulana said their proposals focus primarily on establishing a provincial council for the East with greater powers, resettlement of displaced

people in the East and deciding whether the Eastern people want to re-merge with the North through a referendum.

May 3 Sri Lanka's civil aviation authorities announced that they would suspend night operations at the Bandaranaike International Airport with effect from May 9, after recent LTTE air raids in the area.

May 4 SLN personnel destroyed eight LTTE boats off the coast of Mullaittivu killing 12 of the outfit's cadres (known as Sea-Tigers) and injuring 15 others when Naval patrol crafts detected a cluster of 26 Sea-Tiger boats consisting of ten large boats, four suicide boats and twelve smaller boats, including four suicide boats, heading towards Pulmudai from Nayaru in Mullaittivu. Two sailors were also injured in the incident.

LTTE cadres infiltrated a Sinhalese dominated village in the Nidhanwala area of Polonnaruwa district and fired indiscriminately on a group of farmers at work in their paddy fields, killing four farmers and injuring two others.

Troops after observing a movement of armed LTTE cadres ahead of FDL in the Vavuniya district killed three LTTE cadres.

May 5 Five LTTE cadres were killed and an unspecified number of them sustained injuries as SFs retaliated to an attack by the LTTE in the area northeast of Madhu in Mannar district.

Five more LTTE cadres were killed during a confrontation with the SFs in the Talaivankulam area of Vavuniya district.

Two bullet riddled dead bodies of LTTE cadres were recovered by troops from the Veppawadduwan area of Batticaloa district along with two cyanide capsules lying beside the dead bodies.

The Eastern Province has been fully liberated from LTTE influence and anyone is now free to travel in Trincomalee, Ampara and Batticaloa districts without fear, said Foreign Minister Rohitha Bogollagama.

May 6 LTTE cadres carried out an explosion targeting a tractor carrying STF personnel in the Kokadycholai area of Batticaloa district, killing three STF personnel and injuring four others.

The LTTE breakaway faction led by 'Colonel' Karuna has reportedly split, with Karuna and his deputy, Pillaiyan, falling out over money and the command structure. Quoting military sources, The Nation reported that Pillaiyan had fled to Trincomalee from Batticaloa with 150 of his followers and that the infighting had led to the killing of Sindujan, a Pillaiyan loyalist who was the head of the Karuna group in Ampara district. Sindujan and the group's intelligence chief, Seelan, were called for a meeting where a Karuna loyalist, Iniyabharathi, killed Sindujan, while Seelan managed to escape, the weekly added. The clash within the group reportedly had erupted over the distribution of money.

A Hindu temple in south London, which reportedly raises nearly £500,000 each year, may have possible links to the LTTE in Sri Lanka. A BBC report said that the Armulmihu Hindu temple in Tooting "has had its assets frozen pending an investigation into alleged links with the UK banned Tamil Tigers."

May 7 Defense spokesman Minister Keheliya Rambukkwella said that SLAF is now developing interception and neutralizing capabilities to shoot down the LTTE air crafts.

Former head of the LTTE International Secretariat, Valummylum Manoharan alias Mano, has reportedly been granted French nationality status. His application for nationality was pending for many years due to his involvement with the LTTE.

The air wing of LTTE poses a threat to India's nuclear installations, warned the Sri Lanka government. "There is an air threat which has a range of 200-300 nautical miles, and this range brings within it not only cities within Sri Lanka, shipping in the Indian Ocean, but also the nuclear installations of India," Sri Lankan Foreign Secretary Palitha Kohona told a media briefing in Colombo.

Two LTTE cadres, identified as S. Rajindran alias Ashok, the leader for Kokkodicholai, and K. Ragunathan, from the LTTE medical team, were killed in a retaliatory action by the SFs following a clash at Angodavillvu in the Welikanda area of Pollonnaruwa district.

May 8 Aruran Vinayagamoorthy, a suspected LTTE cadre who was arrested along with another cadre, Sivarajah Yathavan, after raids in Sydney and Melbourne on the charges of providing material support and funneling money collected from donors in the garb of a Tsunami charity to the outfit on May 1, reportedly had access to $5, 26,000 in two bank accounts between August 2001 and December while he was unemployed, a Melbourne court was informed.

May 9 The Sri Lanka Police arrested 13 members of the Revolutionary Liberation Front (RLF), a pro- LTTE group of Sinhalese. It also informed that many Sinhalese RLF members have fled to the LTTE-held areas. RLF has launched a rebel movement quietly preparing for an insurrection to topple the government of Sri Lanka.

May 10 Thirunavukarasu Varatharasa, a Sri Lankan citizen, pleaded guilty to conspiracy to provide material support to the LTTE and attempted exportation of arms and ammunition.

The Eastern Commander Major General Parakrama Pannipitiya addressing media personnel in Vakarai claimed that only five per cent of Thoppigala is in the hands of the LTTE and said that the LTTE was planning to flee the area amidst the impending military operations.

May 11 Military intelligence has gathered information that there is a secret location within the Wilpattu National Park in the Anuradhapura district where a LTTE light aircraft could land and take off. The location

adjoining the Milewilla, Periyawillu and Periyakatti irrigation tanks, facing Mannar, has been used to hide the aircraft. According to information received, the LTTE aircraft, after landing, is ferried across a specially built canal to this secret location.

May 12 Four LTTE cadres were reportedly killed by SF personnel who confronted a group of the outfit's cadres in the Periyathampanai area of the Mannar district.

May 13 Seven cadres of the LTTE were killed by SFs during clashes with the outfit in the areas closer to the Madu FDL in Mannar district.

One soldier and a LTTE cadre were killed during clashes between SFs and LTTE cadres in the area west of Vavuniya.

The chief priest of the Pabbatharamaya Temple at Mahadivulwewa in the Morawewa area of Trincomalee district, Ven. Nandarathana Thera, was shot dead by three LTTE gunmen. Thera was a prominent social worker, sources added.

The LTTE is reportedly planning to beam a second television channel called Tharishanam (Revelation). The new transmission will be a pay channel and will run as a client of Globecast of France and is to be up linked on to the Israeli Satlink platform in the Hotbird 8 satellite, the report said.

May 14 TMVP, the breakaway faction of the LTTE led by 'Colonel' Karuna, claimed that it has resolved a recent crisis that had almost split the party. The TMVP spokesperson, Asad Moulana, admitted that the party was recently split between groups led by the top leader Karuna and the leader of the militant wing, 'Commandant' Pillaiyan. He, however, said that it was a clash of opinions between a two groups than a split.

One LTTE cadre was killed and another sustained injuries when troops confronted a group of LTTE cadres who were trying to infiltrate the Army defence line at Muhamalai in the Jaffna district.

The ruling SLFP central committee unanimously approved its proposals to solve the ethnic problem. The proposals were presented to the central committee with slight amendments regarding the State religion and the name of the State. The article related to State religion in the original set of proposals was amended replacing the apt status to Buddhism with prominent status to Buddhism, SLFP sources said. The name of the State was changed from Union of States to Sri Lanka Democratic Socialist Republic. The SLFP proposals are to be submitted to the All Party Representative Committee this week.

May 16 At least 20 LTTE cadres were killed and an unspecified number of them sustained injuries during clashes with the troops in the area east of Madhu in Mannar district. One soldier who was injured in the incident succumbed to his injuries later.

A London Court was told that Senthuraj Thavapalasingham alias "Psycho" of Romford is the enforcer leading a gang of LTTE extortionists called "East Side Boys". Newham Council and Metropolitan Police told Stratford Magistrates Court that this gang has been working in Newham for two years.

May 17 Troops killed five LTTE cadres during another clash in the Batticaloa district.

Maldives coast guard opened fire on and sank a small vessel carrying suspected LTTE cadres after a 12-hour standoff at sea in southern territorial waters of Maldives. According to reports, four of the nine-member crew were killed, four others were arrested and one surrendered.

In a Quebec Court testimony, Kathiravelupillai Sithamparanathan, President of the World Tamil Movement's Montreal office, an organization that is suspected of funding the LTTE, testified that he considers the LTTE as freedom fighters and he supports their activities that would benefit the people. But he denied that his organization has sent money to the outfit.

Sri Lankan Ambassador to USA, Bernard Goonetileke, alleged that the LTTE has stolen 130,000 Norwegian passports and sold them to the "highest bidders" including operatives of the al Qaeda. He disclosed, "One of them [LTTE cadre] surfaced with 700 of the stolen passports in Thailand and got caught to the police."

May 18 Troops in retaliation killed two LTTE cadres after they attacked a navy foot patrol in the Kayts area of Jaffna district.

Sri Lankan Navy spokesperson Com. D.K.P. Dassanayake said that the a trawler which the Maldivian Coast Guard sunk on May 17, on suspicion that it was a LTTE gun-runner, was registered in Kerala (in southern India), adding, the vessel bearing the name Sri Krishna (registration number KFO 7339 ALP 2749) had set sail from Kollam in Kerala on March 7. He added that the man who surrendered was Simon Soza, the vessel's engineer and the others were apparently Tamils.

May 19 Three LTTE cadres attempting to infiltrate the Muhamalai FDL in Jaffna district were killed by troops.

Two cadres of the LTTE and a soldier were killed in continuing clashes between the LTTE and the military in the area near Madu village in the Trincomalee district.

May 20 Eight LTTE cadres were killed by troops in an ambush at Palampiddi in the Vavuniya district.

SFs killed two LTTE cadres in the area north of Parappakandal in Mannar district.

Nearly 600 combatants have been killed in military operations against the LTTE in the north in the past four months, said military spokesman Brig. Prasad Samarasinghe. At least 541 LTTE cadres and 44 soldiers have been killed in battles in the Mannar and Vavuniya districts, he added, saying the aim of the operation is to destroy LTTE mortar positions and to free thousands of civilians held as "human shields" in the outfit-held territory.

The LTTE have vowed never to return to peace negotiations unless the government halts a military campaign against them and said that attacks by government forces would not force them to compromise.

May 21 Two SF personnel were killed and three others sustained injuries in a LTTE-triggered claymore mine explosion, targeting a tractor transporting troops, at Iranai Iruppai Kulam.

Two soldiers were killed in a LTTE attack in the Welioya area of Moneragala district.

Troops in retaliation killed two LTTE cadres when they were fired upon by the outfit cadres in the Omanthai area of Vavuniya district.

LTTE cadres fired towards SF's bunker in the Salambakulam area of the Vavuniya district, injuring an unspecified number of SF personnel.

May 22 Three LTTE cadres were killed during two separate clashes in the Vavuniya district, said military spokesperson Brig. Prasad Samarasinghe.

Two more LTTE cadres were killed by troops in the Batticaloa district.

The Sri Lankan government unveiled separate flags for the Northern and Eastern provinces. "We have unveiled two separate flags for the Northern and Eastern provinces in terms of the Supreme Court ruling separating the two provinces," said the Minister of Local Government, Janaka Bandara Tennakoon, adding, that unveiling of flags took place in the Trincomalee town.

Norway disputed media reports and denied Sri Lanka's claims that the LTTE had stolen a large number of Norwegian passports and sold them to al-Qaeda operatives. "The Norwegian authorities have no information suggesting that 700 passports have been confiscated in Thailand and neither are 700 blank passports missing." The statement, however, said that the Norwegian police confirmed that a policeman has sold nine blank passports to a Norwegian national of Sri Lankan origin. Norway said over the last 10 years, it has reported 130,000 lost or stolen passports to Interpol.

May 23 One LTTE cadre hiding inside a house opened fire towards SFs conducting search operations at Kannankadu in the Eravur area of Batticaloa district, injuring one soldier who succumbed to his injuries later. In retaliation, troops killed the LTTE cadre. During further search operations, SF personnel recovered the dead bodies of six LTTE cadres from Thalayaya in the same area.

Troops killed two LTTE cadres in the Thoppigala area of Batticaloa district.

May 24 The SLN foiled an attack by the Sea Tiger, naval wing of the LTTE, on the SLN's Delft Island base in Jaffna district. According to the LTTE communications intercepts, more than 18 Sea Tiger cadres, including four leaders, were killed. Four sailors were also killed and an equal number of them sustained injuries in the incident. The Navy also destroyed four LTTE suicide boats out of the 18 and severely damaged another two. However, the LTTE claimed that 30 sailors were killed in the incident.

LTTE cadres shot dead three home guards in the Kirivegam area of Vavuniya district, according to Sri Lana Army.

A suspected LTTE suicide bomber on an explosive laden motor bicycle rammed a bus carrying army personnel on the first cross street in capital Colombo at around 9:00 am, the military said. Two soldiers were killed and five other persons sustained injuries in the attack.

Troops killed two LTTE cadres in a retaliatory fire when they were attacked a by a group of LTTE cadres at Navundaiyambu in the Batticaloa district.

May 25 SFs shot dead 12 LTTE cadres in separate encounters in the Vavuniya district. The Defense Ministry said in a statement that "Initially 10 LTTE cadres were killed in a successful assault launched by the army… Subsequently, two more tiger cadre were killed in a separate incident."

Troops killed two armed LTTE, who had entered into the government-held territory in Muhamalai on the Jaffna peninsula.

May 27 The LTTE triggered a bomb blast targeting a truck, killing three civilians at Thirukkovil in Ampara district. The vehicle had earlier reportedly been used by the security forces.

Sri Lanka Navy sailors killed three cadres of the LTTE during a ground operation in a jungle area north of the eastern port town of Trincomalee.

Unidentified gunmen shot dead two people in the Vavuniya district.

May 28 Seven civilians were killed and 42 persons, including 36 civilians and six STF personnel, sustained injuries in a LTTE-triggered remote-controlled claymore mine explosion targeting STF vehicle at Belekkade Junction in the Rathmalana area of Colombo district. The STF vehicle moving towards Colombo was slightly damaged with its windscreen completely smashed.

LTTE cadres opened fire towards a group of soldiers at Ethawetunu Wewa in the Welioya area of Moneragala district, injuring one soldier. Troops retaliated and killed two of the outfit's cadres. Two LTTE cadres sustained injuries in the incident.

The Sri Lankan Army's game plan is to drive the LTTE out of the Eastern districts completely and weaken it in the Northern districts to pave the way for talks to find a permanent political solution to the Tamil question, said Army Commander Lt. Gen. Sarath Fonseka. Gen. Fonseka said that the LTTE now held only a small part of the Thoppigala jungle in the East, barely 10 square kilometres out of a total area of 50 sq. km. There are only about 300 LTTE fighting cadres left in the East and they are holed up in the Thoppigala jungle, he estimated.

Three suspected LTTE cadres were killed when the bomb they were carrying exploded accidentally at one of the victim's houses in the Poonthottam area of Vavuniya district.

The TMVP, political wing of the LTTE breakaway faction led by 'Colonel' Karuna, has recommended, in a set of proposals submitted to the APRC, a permanent resolution within a united Sri Lanka. A significant part of the proposals is that it recognizes a de-merged North and East.

May 29 At least nine LTTE cadres were killed by troops in a fierce gun battle in the Welioya area of Vavuniya district.

LTTE cadres opened fire towards SFs at Sarambakulam in the Vavuniya district, injuring one SF personnel who succumbed to his injuries later.

May 30 Four LTTE cadres were shot dead by SFs during clashes in the area west of Omanthai in the Vavuniya district.

Troops confronted a group of LTTE cadres in the Muhamalai area of Jaffna district and killed two of them. Two soldiers and an unspecified number of LTTE cadres sustained injuries in the incident.

May 31 SFs foiled a LTTE attempt to infiltrate into the government controlled areas of Vavuniya district, causing heavy casualties to the outfit reports. However, the number of LTTE fatalities is yet to be ascertained. Five SF personnel were reported killed in the incident.

LTTE cadres opened fire towards troops in the Batticaloa district. In retaliation, troops killed three LTTE cadres, including a member of the LTTE intelligence wing.

Defence spokesperson and Minister Keheliya Rambukwella said the CFA, which now holds only on paper after breaking down on the ground last year, no longer reflected reality.

President Mahinda Rajapakse declared that a political solution remains his only aim to the current conflict while stressing on the need for weakening the LTTE militarily.

The LTTE is soon to be listed as a terrorist organisation in Australia. The move would rank the outfit alongside 19 other proscribed groups, including al Qaeda, Jemmah Islamiah and the Pakistan-based LeT.

Sri Lanka has warned Australia that LTTE activists are using credit-card fraud overseas to raise funds. In a written warning to the Department of Foreign Affairs and Trade, the Sri Lankan High Commission in Canberra said Australians could be ripped off by consumer scams perpetrated by the LTTE.

June 1

One soldier and a home guard were shot dead by the LTTE at Kiruvegama in the Kabithigollawa area of Anuradhapura district.

President Mahinda Rajapakse offered to open peace talks with the LTTE. The President would enter negotiations with the LTTE if they agreed to resume where they left off in October 2006, his spokesman Chandrapala Liyanage said.

The Singapore government assured that it will work closely with the Sri Lankan authorities to curb any possible use of Singaporean territory by the LTTE for its operations.

Pillayan, the former supreme commander of the TMVP, a LTTE breakaway faction led by 'Colonel' Karuna allayed fears of the LTTE ever recapturing the East liberated by the military.

Police in Colombo asked Tamils from north and east, who are staying in various lodges without jobs, to go back to their homes in view of the security situation.

June 2

At least 52 LTTE cadres and 30 soldiers were killed in heavy fighting between troops and the LTTE cadres ahead of the Omanthai FDL in the Vavuniya district. The LTTE cadres reportedly launched an attack using artillery and mortars on troops in the area. Troops countered the LTTE fire and successfully repulsed the attack. An unspecified number of soldiers and LTTE cadres also sustained injuries in the incident.

Three LTTE cadres were reportedly killed by troops during confrontation in the area west of Omanthai in the Vavuniya district. One soldier sustained injuries in the incident.

Two Sri Lanka Red Cross members, identified as S. Shanmugalingam and K. Chandramohan, who were abducted earlier by unidentified persons from the Fort railway station were found shot dead in the Kiriella area of Ratnapura district, police said.

Troops reportedly shot dead two LTTE cadres in the area closer to the Muhamalai FDL of Jaffna district.

Troops killed two LTTE cadres in the general area (area under government control) of Mannar district.

June 3 Troops confronted a group of LTTE cadres in the Periyathampanai area of Vavuniya district, killing two of them.

June 4 Three civilians were shot dead by the LTTE cadres at Nallur in the Jaffna district.

The Sri Lanka Army chief Lt. General Sarath Finseka demanded a new CFA with imposition of strict conditions on the LTTE.

June 5 Cadres of the LTTE detonated a claymore mine targeting STF personnel on search operation personnel along the Ambalanthure – Thikodai road in the Ampara district, killing one STF officer and injuring another.

The LTTE is increasingly resorting to the use of places of Hindu worship in the North to carry out its subversive plans and in the process bringing disaffection to the SFs among the Tamil community when search operations are conducted on these premises, a report said. The report also said that SFs recovered large caches of weapons from at least five Hindu temples in the North in the recent past with shootouts occurring inside one such temple when troops entered the premises following a tip-off that weapons were hidden in its sanctum. Some arms and ammunition, including grenades, were also found in a bag hidden behind the altar at the St. Mary's Cathedral in Jaffna.

The TMVP, political wing of the Karuna faction, will contest elections in the future to have their representation in Parliament to attend to the eastern people's grievances, said TMVP Ampara district political leader Iniya Bharathi. Bharathi, adding, they are expanding their activities in the Eastern province to contest future elections. He said they will not lay down arms till the LTTE threat is removed.

June 6 Five LTTE cadres were killed and an unspecified number of them sustained injuries in a clash with troops in the Narakamulla area of Batticaloa district. Four soldiers were also injured.

One soldier was killed and another sustained injuries in a LTTE-triggered claymore mine explosion targeting an Army tractor at Ambawatta in the Puwarasakulam area of Vavuniya district.

The Chairman of the CBE (Pvt) Ltd., Tiran Alles, was arrested by the CID to question him on the transfer of a vast amount of funds to LTTE through the TNJ Company registered under the name of leading LTTE activist Emil Kanthan, who was arrested on several occasions on terrorism charges and who led the gang which assaulted Minister Douglas Devananda at the Kalutara prison in 2002, for the past several years, said Information and Media Minister Anura Priyadarshana Yapa.

June 7 Police started eviction of Tamils from the capital Colombo as part of a crackdown against LTTE suspects. The Defence Ministry confirmed the eviction, but said it was done to stop the LTTE using the cover of lodges to hatch bomb plots against the capital, adding, 376 people were evicted in seven buses and would be taken to Jaffna, Vavuniya, Trincomalee and Batticaloa. However, Minister Keheliya Rambukwella said that the government provided transport facilities to 260 persons who voluntarily submitted themselves to be returned to their native places in the North-East.

The government tightened restrictions on Tamils leaving the North-East and traveling to the rest of the country.

June 8 Police found nine highly decomposed bodies in a garbage dump at Dumaladeniya in the Wennappuwa area of Puttalam district. These persons were killed in an execution style with their hands tied behind their backs and blindfolded.

Troops on foot patrol confronted a group of LTTE cadres in the Omanthai area of Vavuniya district and killed two of the outfit's cadres.

A three bench panel of the Sri Lanka Supreme Court issued an injunction to the police to stop the evacuation of residents of Colombo lodges who are from the north and eastern provinces of Sri Lanka. The Court scheduled a hearing on the case on June 22 and restrained the IGP Victor Perera from carrying out any more evacuations of Tamils.

President Mahinda Rajapakse asked the IGP to submit an immediate report on the manner exercised to transport Tamil persons who were living in lodges in Colombo to North and East. Inviting the evicted people back to Colombo and promising disciplinary action against any wrongdoing, a statement issued by the President's Office said that the President has called for an immediate inquiry to be initiated to ascertain the basis for this security related operation. Police said that they were trying to undo the damage by arranging five buses to bring back to Colombo the Tamils who were forcibly removed from low-budget hostels. "Out of 272 held at the Vavuniya centre, we are bringing back 186 in the next few hours," said a police official in Vavuniya.

June 8-9 Sri Lankan troops captured four camps of the LTTE in the Batticaloa district after two days of fighting that left at least 30 LTTE cadres and one soldier dead.

June 9 LTTE cadres detonated an explosion of a claymore mine targeting a police team in the Dutuwewa area of Vavuniya district, injuring one home guard. The dead bodies of two civilians were recovered during a subsequent search operation in the area.

June 10 SLN personnel confronted a group of LTTE cadres during a search operation at Puliyankandal in the Kayts Island area of Jaffna district. Four LTTE cadres were killed while three others sustained injuries

during the clash. A sailor who was wounded succumbed to his injuries later.

Prime Minister Rathnasiri Wickramanayaka disclosed that the LTTE had sent another truck with over 1,000 kilograms of explosives. He also regretted the eviction of 376 "jobless Tamils" living temporarily in lodges in Colombo and suburbs to their places of permanent residence in the north and east on June 7, adding, his government accepted responsibility for what happened and said such incidents would not recur.

June 11 The Healthcare and Nutrition Minister and leader of the government's peace delegation, Nimal Siripala De Silva, reportedly informed the Japanese special peace envoy Yasushi Akashi that the LTTE collects ransom and taxes from doctors serving in the North.

The SLMM, in its May 28-June 3 situation report, accused the army or police of being involved in some of the abductions in the East, apart from those carried out by the TMVP) the political wing of the LTTE breakaway faction led by 'Colonel' Karuna, and the LTTE. Military spokesperson, Brigadier Prasad Samarasingha, however, refuted the SLMM claims, saying that the army has never been involved in any abduction in any part of the country.

Police arrested 172 persons, the majority of them Tamils, under suspicion from the Manampitiya area of Pollonnaruwa district. The arrested persons are from the Batticaloa and Valachchenai areas, police said.

June 10 LTTE cadres shot dead an activist of its breakaway faction led by 'Colonel' Karuna, identified as Manoraj, while he was in his residence at Mawadivembu in the Batticaloa district.

June 11 Troops shot dead two LTTE cadres during another confrontation in the area west of Omanthai in the Vavuniya district.

June 12 Four LTTE cadres were killed during clashes with troops at Pulipanchikulam in the Sittandy area of Batticaloa district.

Defence Secretary Gotabaya Rajapaksa said that the LTTE has infiltrated and misled UN agencies. Reacting to the demand of UN agencies in Sri Lanka to halt rights abuses by the government, he stated: "For 30 years or so, this LTTE planned this, they infiltrated the U.N."

British minister Kim Howells said that there was no likelihood of de-proscribing the LTTE which still continues to use terrorism as a mode for securing their demands.

June 13 Three LTTE cadres were killed and several others sustained injuries when troops confronted a group of the outfit's cadres at Kappathivu in the Jaffna district.

Sri Lanka's Chief Government Whip and the senior Minister, Jeyaraj Fernandopulle, addressing a media briefing said that there is no need to express regret over the eviction of ethnic Tamils from lodges in Colombo, adding, the move had its pros and cons and security force personnel should not be blamed as it was not a 100% wrong act.

June 14 Sri Lanka's intelligence services have warned that the LTTE, in the face of the recent setbacks in the eastern battlefront, were planning a major terrorist attack to create a bloodbath in the capital Colombo. According to intelligence reports, the LTTE was awaiting a huge explosion using nearly 1000-kg explosives to fully destabilise security in Colombo.

June 15 Two LTTE cadres were killed in a clash with soldiers in the Muhamalai and Nagarkovil villages along a defence line separating the government-held and LTTE-held territories of Jaffna district.

June 17 Army officials said that hundreds of LTTE cadres entrapped in the Thoppigala jungles commenced fleeing the area amidst a major assault by the SFs on their Beirut base, cutting off all supply routes. Officials said that over 75 LTTE cadres had fled the Thoppigala jungles towards the Wanni. SFs launched a major assault on the fleeing terrorists and alerted the troops and home guards in settlements close to Habarana and other areas in Trincomalee fearing desperate attacks by the fleeing outfit's cadres. So far, nearly 100 Tiger cadres have surrendered to the SFs while 270 cadres have been killed during confrontations in the battle to capture Thoppigala.

The LTTE, according to its surrendered cadres, has made an announcement allowing married and newly-recruited cadres to leave the organization as they are sure of their defeat in the final battle. However, the LTTE has given strict orders to experienced cadres to remain with the outfit and has taken special security measures to prevent them from fleeing.

Troops on duty in the Periyathampanai area of Vavuniya district were fired upon by LTTE cadres. In the retaliatory fire, troops killed three LTTE cadres.

June 18 The LTTE made a fresh pledge to rid their ranks of child soldiers by the end of the year 2007. The LTTE made the same promise in 1998 but have since been accused by the United Nations of recruiting more than they actually freed. The LTTE in a statement said that its "Child Protection Agency (CPA)" had freed 135 males and females below the age of 17 who were found within their guerrilla army in the past six months. Meanwhile, the UNICEF said that there were 1,591 outstanding cases of underage recruitment by the LTTE as of the end of May 2007.

June 19 The SLN destroyed five LTTE boats and severely damaged nine others in a clash off the Vettilaikerni coast in the Jaffna district. 40 Sea Tigers were reportedly killed in the confrontation that erupted when SLN Fast Attack Craft engaged around 20 LTTE boats which had tried to attack naval craft off Point Pedro.

Troops engaged in the battle at Thoppigala in Batticaloa district captured more than 42 square kilometers of area between Akkaraththaviai and Kattuvelikulam, killing more than 30 LTTE cadres. Five SF personnel were injured due to anti-personnel mines and mortar attacks by the LTTE. Reports added that a huge ammunition dump of the outfit in the Narakamulla area caught fire due to army artillery and mortar fire.

An army foot patrol confronted a group of LTTE cadres crossing Trikonamadu in the Welikanda area of Pollonnaruwa district and killed three of the outfit's cadres.

SFs foiled a LTTE attempt to infiltrate the civilian-inhabited Kalkudah village in the Batticaloa district. During a subsequent search operation, SFs recovered the dead bodies of three LTTE cadres.

The pro-LTTE Website Tamil Net has reportedly been inaccessible in the island for a number of days. The Website said that the Sri Lankan government had asked local service providers to block it. It quoted unnamed Sri Lankan service providers as saying that they had had directives from "higher authorities" in this regard.

The LTTE chief Veluppillai Prabhakaran's son Charles Anthony, may have been trained by Mossad, the Israeli intelligence agency, is now on the watch list of the Indian agencies after reports that he heads the air wing of the proscribed outfit. Reports indicate that the LTTE air wing is a complement of nine pilots and seven light single-engine aircrafts. They also have strength of about 60 airmen to maintain and service the planes mostly operating from secret airfields around Jaffna in northern Sri Lanka. The air wing is useful for carrying out suicide strikes on Sri Lanka security forces and for reconnaissance missions before an attack. Investigations by agencies indicate that apart from Mossad, senior LTTE cadre is also trained by Pakistan's Inter Services Intelligence operatives. The LTTE owns a fleet of sea-going ships to transport their supplies and arms since 1986.

Sri Lanka Army reported that as of June 20-afternoon, troops killed 188 LTTE cadres and wounded 133 others during their operations to wrest control of Thoppigala. Nine soldiers were killed and 78 others sustained injuries during these operations. The report added that the number of surrendered LTTE cadres since the February 22, 2002 CFA has risen to 656.

The SLMM has decided that they are no longer prepared to give determinations but will entertain complaints about CFA violations.

June 20 Troops on duty in the Ampaddailuppaikulam general area (area under government control) of Vavuniya district were fired upon by cadres of the LTTE from their hideouts in un-cleared areas (area not under government control). Troops retaliated, killing six LTTE cadres and injuring an unspecified number of them.

LTTE cadres opened fire towards three police constables who went for a bath at a public well on the Medawachchiya road in the Bou-Oya area of Mannar district, killing one of them while wounding two others. One civilian was also killed in the incident.

June 21 Three soldiers were killed and another sustained injuries in a LTTE-triggered claymore mine explosion targeting an army vehicle transporting food items at Chundikkulam in the Jaffna district.

British police reportedly arrested two key LTTE agents, identified as A.C. Shanthan and G. Lambert. "UK Metropolitan Police from the counter Terrorism Command arrested A. C. Shanthan (51 yrs), the LTTE leader in the UK who operates under the title of President of the British Tamil Association (BAT) and Goldan Lambert (29yrs), Head of Finance of the BAT yesterday (21) around 3:45 p.m," stated reports. The latter was arrested on arrival from Dubai at the Heathrow Airport. The arrests are in connection with the Black July rally they organized in conjunction with the Tamil Youth Organization in Hyde Park London on July 25, 2006, which has been under investigation for sometime.

The Sri Lankan government denied any hand in the move to block the pro-LTTE Website Tamil Net. However, Sri Lanka's leading mobile operator Dialog Telekom, a unit of Telekom Malaysia which also offers internet services, said that it had blocked access to the site on the orders of the government.

June 22 SFs engaged in clearing operations in the Thoppigala area of Batticaloa district confronted a group of LTTE cadres and subsequently recovered 15 dead bodies of the LTTE cadres.

A suspected LTTE boat exploded off the Nilaweli coast in the Trincomalee district, killing at least three of the outfit's cadres. The boat exploded as SLN vessels upon observing a suspicious boat among the fishing boats fired warning shots.

Troops on a foot patrol in the Muhamale area of Jaffna district confronted a group of LTTE cadres and killed two of them.

Troops retaliated and foiled a LTTE attempt to infiltrate the security points at Katkolam in the Point Pedro area of Jaffna district. During subsequent search operations, troops recovered the dead bodies of two LTTE cadres.

June 23 13 LTTE cadres were killed during a clash with the Army troops in the Murunthankulam area of Vavuniya district. The confrontation began as the LTTE cadres attempted to breach the forward defences in the west of Omantahi.

June 25 Police sources informed that the number of unidentified corpses found within the first six months of 2007 is now close to 100. Most of the unidentified bodies were found with gunshot injuries in skulls and were dumped in places other than where they were killed, police said,

adding, nine such bodies were found from a jungle area in Wennappuwa on June 8. In 2006, police found 147 unidentified bodies including 27 corpses of women, sources added further, disclosing that in the past five years, 770 corpses, including those of 153 women, have been found.

The Sri Lanka Monitoring Mission reported in its weekly situation report for June 11-17 that 34 people, including a 16-year-old, were reported abducted in the Eastern Province within a span of one week.

June 26 Security forces foiled a LTTE attempt to infiltrate FDLs in the Jaffna district. "They have tried to infiltrate the defense lines, so we have fired some mortars," said military spokesman Brigadier Prasad Samarasinghe, adding "Ground troops and intelligence suspect 12 cadres were killed or injured."

June 27 Four soldiers were killed and three others sustained injuries in a pre-dawn gun battle that occurred near the SFs bunkers at Aluthgama, Avaranthulawa and Settikulam between SFs and a group of LTTE infiltrators.

President Mahinda Rajapakse has reportedly instructed to establish a center to gather information on the abductions in Colombo and suburbs, revealed Media Minister Lakshman Yapa Abeywardena.

June 28 Troops killed at least 11 LTTE cadres in the Thoppigala area of Batticaloa district.

Two army personnel were killed in a LTTE-triggered claymore mine explosion in the Nawaththurai area of Jaffna district.

LTTE cadres killed Thillainadan Udayakumar, the chairman of Thirukkovil Pradeshiya Sabha (Local Administrative Council) in the Batticaloa district. He belonged to the pro-LTTE Tamil National Alliance party. However, Asian Tribune blamed the LTTE breakaway faction led by ‘Colonel’ Karuna for the killing.

430 persons were killed between September 2006 and February 2007, informed the Special Presidential Commission on Disappearances. "A majority of the cases relate to (ethnic minority) Tamils," said probe chairman Mahanama Tillakaratne, adding, many of the victims have been executed with their hands tied behind their backs and shot through the head. During the period, 2,020 people were either abducted or disappeared and 1,134 were later found alive and reunited with their families.

Arunachalam Chrishanthakumar alias Shanthan, president of the British Tamil Association, the high-ranking agent of the LTTE, and head of finance, Goldan Lambert, were charged by Scotland Yard under the Terrorism Act 2000 with providing support to the LTTE, which is a proscribed organization in the United Kingdom. Shanthan of Norbury town in South London faced five charges under the. Lambert, of South Croydon, was charged with assisting in the

	management of the Hyde Park event, knowing it was for the purposes of supporting LTTE, a proscribed organisation.
June 29	Four civilians who had gone inside the jungles off Mavilaru in search of their missing cattle in the Serunuwara area of Trincomalee district were shot dead by the LTTE cadres.
	Two civilians, Singarwel Yogendran and Subramanium Ambige, were killed by two 'pistol gang' cadres of the LTTE at Temple Road in the Vannaparanai area of Jaffna district.
June 30	The Government of Sri Lanka and SLMM have agreed on the need for fresh approaches in order to generate greater confidence in the monitoring of the CAF and to enhance the prospects for peace in Sri Lanka. According to the SCOPP, the proposed approach may include new ways to monitor the CFA and reforms will be within the framework and the mandate of the SLMM, as provided in the CFA.
July 1	Norway accepted the Sri Lanka's government request to help the latter to resume the stalled peace talks. "We are ready to resume (mediation efforts) if the government wants us to," said Norway's special envoy for Sri Lanka, Jon Hanssen-Bauer.
July 2	The government said that it was ready for peace talks anytime if the LTTE would agree for unconditional talks.
July 2	Troops foiled an attempt by LTTE cadres to infiltrate into the government controlled area at Muhamale in the Jaffna district, killing four of them.
July 3	At least 12 LTTE cadres were killed during clashes between troops and the outfit's cadres at Umayaratuvarankulam, west of Omanthai, in the Vanni region.
	Three soldiers were killed in a LTTE-triggered remote controlled claymore mine explosion at Kandapuram in the Vavuniya district.
July 4	An army foot patrol confronted a group of LTTE cadres and killed two of them in the area west of Omanthai in Vavuniya district.
	Government defense spokesperson, Keheliya Rambukwella, denied media reports that the government was embarking on fresh initiatives to commence peace talks with the LTTE saying there was no need for any such move.
July 5	At least 10 LTTE cadres were killed during confrontation with SFs in the Periyathampanei area of Vavuniya district. Two soldiers were also killed and eight others sustained injuries in the incident.
	'Colonel' Karuna, has declared war on the Tamils from Jaffna, sources said, adding that this new move sharpens the regional differences among Tamils and brings a new element of Tamils fighting Tamils on a regional basis to the ongoing war.

LTTE commemorated the 20th anniversary of the first attack by their elite Black Tiger, a suicide wing of the outfit, and remembered the 322 Black Tigers, up from 273 commemorated in 2006.

July 6 Six soldiers were killed when LTTE cadres opened mortar fire towards troops at Narakamulla north in the Thoppigala area of Batticaloa district.

Troops on duty in the areas west of Omanthai in the Vavuniya district were fired upon by LTTE cadres from the Palaimoddai area. During retaliatory fire, troops killed two LTTE cadres.

July 7 Fifteen dead bodies of LTTE cadres were recovered from the Thoppigala West area of Batticaloa district. Earlier, SFs had opened fire at two tractors carrying the outfit's cadres in the Thoppigala West area on July 6.

Naval troops on foot patrol confronted a group of LTTE cadres in the Kuchchaveli area of Trincomalee district and killed three of the outfit's cadres.

July 8 11 Sea-Tigers, including a top Sea-Tiger intelligence leader, Neelan - bearing LTTE ID card no: 0018, were killed in a clash which erupted between the SLN personnel and Sea-Tigers in the seas off Pulmodai in the Trincomalee district.

Troops have reportedly cleared a total of nearly 800 square kilometers in an area of nearly 860 square kilometers, including vacated positions, in the Thoppigala region.

President Mahinda Rajapakse vowed to "wipe out" the LTTE from the Northern Province like the way his government did the "job" in the Eastern Province. Speaking at a function in Trincomalee town, he said blunting the military prowess of the LTTE was the only way to achieve permanent peace in the country.

Sri Lanka's Special Projects Minister Mahinda Wijesekara said that the government should allow Tamil people to govern Northern Province for an interim period under a special representative council.

July 9 Two LTTE cadres were killed by security forces in the Pokkaravani area of Vavuniya district.

July 10 At least five cadres of the LTTE were killed by SFs along the FDL at Muhamalai in the Jaffna district.

An alleged member of the LTTE, Arumugam Rajeevan, was arrested in Sydney (Australia) and charged with supporting a terrorist organization.

The most outstanding achievement of the government through clearing the East is ensuring the democratic rights of the people to elect their leaders according to their wishes, said government

defence affairs spokesman Keheliya Rambukwella. He rejected the claims that east has no tactical importance, saying, "There is no truth in this since the LTTE orchestrated all their atrocities to exert pressure on whatever the Government in power and create fear psychosis among people using the East as their base. I don't think Prabhakaran cares for an Eelam sans the East with its rich resources."

July 11 President Mahinda Rajapakse declared that the military had captured Thoppigala, the last remaining pocket of influence of the LTTE in the East that has been under its effective control since 1994. Earlier, the military made an announcement that its commandos and soldiers have reached the Baron's Camp of the LTTE in Thoppigala and said, "With this victory, troops have captured the 'nerve centre' of the LTTE terrorists in their last stronghold in the Eastern province."

Hours after losing Thoppigala, the LTTE while acknowledging the capture by government troops, said that it will not be easy to hold the area in the future. The outfit's spokesman Rasiah Ilanthirayan said, "They (government forces) may have captured the area, but the question is whether they can hold it." He also warned that the LTTE would not give in easily if the government attacks the north, saying, "If they are coming into our territory, they will find stiff resistance from our people. We will deploy the necessary tactics and the necessary tools to protect our people from the opposing force." Top LTTE leader S. Puleedevan as saying, "The modus operandi may have changed, but the fighting will continue."

The Social Services and Social Welfare Minister, Lionel Premasiri, instructed relevant authorities to investigate the incident where eight life jackets belonging to an NGO were found on LTTE boats seized by the Navy recently.

July 12 The LTTE warned that it is aiming to cripple the country's economy with major attacks on military and economic targets.

July 13 The Media Center for National Security informed that the number of surrenders after the 2002 cease-fire agreement has now reached 707.

July 14 10 soldiers were killed and 34 others injured when cadres of the LTTE opened mortar fire towards SFs at the Perithampane FDL in Vavuniya district. Troops in the retaliatory fire completely destroyed a LTTE mortar base which was reportedly used to attack their FDL at Perithampane. A large number of outfit's cadres were confirmed killed.

July 15 Four civilians were killed by suspected LTTE cadres in the Vavuniya district. Police recovered the four bullet-ridden dead bodies with their hands tied behind and eyes blindfolded at Thavasikulam.

Senior Presidential Advisor Basil Rajapaksa has said that the government would fast track what he termed as a three-pronged strategy to restore normalcy in the Eastern Province and asserted

that security would be critical. Implementation of a development plan and resumption of political work in the province, too, would be part of the plan, he said.

Troops have found a major LTTE burial ground in Thoppigala. "In the burial ground, which covered a vast area, tombs of hundreds of dead LTTE cadres can be seen. On the tombs were written the names of terrorists and the year in which they died in Tamil language. Also a monument in memory of the dead cadres has also been built," an unnamed senior military official said, adding, a large number of newly built tombs were found, confirming that a large number of cadres had been killed in the recent clashes.

July 16 The Chief Secretary to the Eastern Province, Herath Abeyweera, was shot dead by cadres of the LTTE. Sources said that the LTTE cadres fired at the Chief Secretary while he was in his office located at Inner Harbour Road in Trincomalee at 6.00 p.m. Abeyweera earlier served for more than 15 years as the District Secretary, Ampara.

Troops retaliated when LTTE cadres of the LTTE opened fire towards them in the Nawakkulam area of Vavuniya district and killed one outfit's cadre.

July 17 Fighting that broke out between security forces and LTTE at Thampanai and Periyathampanai, east of Madhu area in the Mannar district since July 14 resulted in the total destruction of two 120-mm mortars of the outfit. Four LTTE cadres, including their regional leader Semmalani, were also killed during the clash.

July 18 A group of LTTE cadres operating in the Periyathampanai area, east of Madu, in the Vavuniya district launched small arms fire towards the troops. Troops retaliated and forced them to withdraw. Subsequently, the LTTE cadres launched a mortar attack on the troops injuring three soldiers. Intercepted LTTE communication later confirmed that at least three of the outfit's cadres were killed in retaliatory fire.

President Mahinda Rajapaksa declared that it was now up to the LTTE to decide between war and peace. "War or peace, we are ready. It is in their hands. It is now up to the Tigers to decide which path they want to tread on," he said.

The London-based Jane's Intelligence Review said the LTTE has not only created one of the most sophisticated insurgencies in the world but also has an annual 'profit margin' of $200 to $300 million. The report details two overarching financial and procurement bodies that provide the main source of LTTE money, manpower and weapons: the Aiyanna Group and the Office of Overseas Purchases (nicknamed the KP Department). The Aiyanna Group functions as the group's intelligence and operations body, likely to be responsible for monitoring and ensuring the organisation's financial support and revenue streams, while the KP Department is most probably the procurement arm.

July 19 Troops confronted a group of LTTE cadres in the area west of Omanthai in the Vavuniya district killing five of them.

The Sea-Tiger (sea wing of the LTTE) leader Soosai was reported to have been critically injured in a boat explosion off the Mullaitivu seas.

July 20 The LTTE launched a pre-dawn attack on an army detachment in the Nelachchena area of Mannar district. In the ensuing encounter, nine LTTE cadres and three soldiers were killed while 24 LTTE cadres and four soldiers sustained injuries.

A group of LTTE cadres was fired upon by troops closer to the FDL at Eluthumadduval in the Jaffna district. Troops later confirmed that five of the outfit's cadres were killed in the incident.

Troops opened fire towards a group of fleeing LTTE cadres in the area south of Narakamulla in the Batticaloa district. During a subsequent search operation in the area, troops recovered the dead bodies of three LTTE cadres.

July 21 Six LTTE cadres, including one area leader identified as Ravindran, were killed by STF personnel during the final phase of Operation Niyathai Jaya (Definite Victory) launched by the STF at Kanchikudiaru in the Ampara district.

'Colonel' Karuna, the leader of the LTTE breakaway faction, declared that he is not planning to disarm his fighters. "If we disarm now, it will be dangerous for us. We want to carry arms for self-protection," said Karuna. He also said that LTTE intelligence personnel were still operating in the East of the island, even though it had been taken by government forces, and added, "The killing of the top bureaucrat in the eastern province earlier this week was proof of this."

July 22 A time-bomb was found at Delkanda Market along a road leading to a conference venue in Maharagama, near capital Colombo, where President Mahinda Rajapakse was addressing the 17th General Assembly of the SLFP.

July 23 Four LTTE cadres trying to infiltrate the FDL at Muhamale in the Jaffna district were shot dead by troops.

A local employee of the Danish Refugees Council, an International Non-Governmental Organization, identified as Mariyanayagam Aloysius, was shot dead by a LTTE 'pistol gang' cadre in the Annaikottai area of the Jaffna district.

According to reports, the LTTE is still getting weapons smuggled from Cambodia. Cambodia's Interior ministry spokesman Khieu Sopheak acknowledged that some weapons might still be getting to the LTTE, but said any smuggling would be small-scale.

July 24 Suspected LTTE cadres launched a pre-dawn attack on a Sinhalese border village at Thiruwegama in the Vavuniya district, killing four home guards.

12 soldiers were killed and 13 persons, including six civilians, sustained injuries when cadres of the LTTE detonated a claymore mine targeting an army bus at Settikulama on the Mannar-Madawachchiya road in the Vavuniya district. The bus was carrying unarmed soldiers who were on leave.

Five LTTE cadres were killed by troops in the Kallikulam area of Vavuniya district.

July 25 Troops killed two LTTE cadres during clashes with a group of the outfit's cadres at Periyathampanai in the Vavuniya district.

Leader of the EPDP and Minister of Social Services and Social Welfare, Douglas Devananda, said that that no group in the East should be allowed to carry arms or hold on to lethal weapons. He said only the Government forces should have weapons to protect the sovereignty and independence of the country. He demanded that the Karuna group be disarmed immediately and they should be brought under the safety-net of the Sri Lanka security forces.

Denying a Jane's Intelligence Review report that Cambodia was a source of weapons for the LTTE, the Cambodian Minister of Defence, Tea Banh, told the Cambodian media that the report is entirely baseless and there is no authentic evidence to prove it. "The weapons which belong to the Cambodian government are all in the country and nobody will export them to foreign countries," a news report quoted the Minister as saying.

July 26 Troops ambushed a group of LTTE cadres in the Periyathampanai area of Vavuniya district and killed two of them.

July 27 Troops killed two LTTE cadres in the Navathkulam area of Jaffna district.

The Sri Lanka Supreme Court has granted leave to proceed to a petition calling for the abolition of the CFA signed on February 22, 2002, by the Sri Lanka government and the LTTE. Chief Justice Sarath Nanda Silva said that a Prime Minister cannot sign important agreements "according to his will". The then Prime Minister, Ranil Wickramasinghe, had signed the CFA on behalf the Sri Lanka government, while the then President, Chandrika Kumaratunga, accused him of not informing her before signing the CFA. According to Sri Lanka's Constitution, the President holds executive powers while the Prime Minister is only a ceremonial post.

The SLMM told the SCOPP that it had initiated an inquiry into allegations that the LTTE has demanded that every family living in areas controlled by it contributes at least one member to its activities.

July 28 The SLN destroyed two Sea-Tiger [sea wing of the LTTE] boats which were trying to pass off as part of a cluster of Indian trawlers in the Vidattaltivu area of Mannar district killing six LTTE cadres.

July 29 The TMVP, a breakaway faction of the LTTE led by 'Colonel' Karuna, will not be allowed to contest the forthcoming Eastern Province election scheduled to be held before the end of 2007. The TMVP which has some 20 political offices in the Eastern Province and one in Colombo has not been recognised as a political party by the Commissioner of Elections Dayananda Dissanayake as of July 10, 2007.

July 30 Troops foiled an attempt by the LTTE cadres to infiltrate into the security forces FDL at Muhamale in the Jaffna district and killed two of them.

July 31 A claymore mine explosion triggered by suspected LTTE cadres killed three soldiers in the area south of Maseri in the Jaffna district. Military sources said the claymore mine had been placed in close proximity to a well used by the army troops to obtain water.

Troops, during retaliatory action, killed three more LTTE cadres in the Ampaddailluppai Kulam area of Vavuniya district. An unspecified number of LTTE cadres were reported wounded in the incident.

August 1 20 LTTE cadres were killed and five others injured in heavy fighting between the Sri Lanka Army and LTTE cadres who were attempting to breach the forward defenses at Periya Panchan and Thampanai in the Mannar district of Wanni.

A group of LTTE cadres fleeing from the Thoppigala area across Galmitiyawa in the Trincomalee district were confronted by troops on the Trincomalee-Habarana main road. Three of them were killed and an unspecified number of them wounded in the incident.

A 22-year-old Tamil journalist, Nilakshan Sahapavan, of the Media Resource Training Centre in Jaffna University and a part-time reporter, was shot dead by unidentified assailants.

While responding to a statement made by former Australian Minister Gareth Evans, head of the ICG, which categorised Sri Lanka as a possible case for international intervention on the basis of R2P - "right to protection", the new term coined by ICG for international intervention, the chief of the Sri Lanka government's SCOPP, Rajiva Wijesinha, stated that there is no case for a Darfur-style international intervention in Sri Lanka.

Highways Minister Jeyaraj Fernandopulle said the Karuna faction should be allowed to contest the elections if they wish to do so. "We want all of them to enter the fray. We would not mind even the LTTE contesting the election through what ever party, TNA or otherwise," he said adding that this will prove the Government's commitment for upholding democracy.

August 2 Foreign Minister Rohitha Bogollagama told a news conference in Manila that the government is willing to resume peace talks with the LTTE as long as they end violence.

August 4 The Special Task Force (STF) personnel launched an attack on a group of armed LTTE cadres hiding in the jungle area of Kanchikudichchiaru in the Ampara district and killed six of them. One STF officer was injured in the incident.

Troops confronted a group of LTTE cadres in the Periyathampanai area of Vavuniya district and killed three of them.

August 6 Security forces shot dead two LTTE cadres in the Jaffna peninsula.

Army troops confronted two groups of LTTE cadres in the general areas (area under government control) of Kuduruvitankulam and Periyathampanai in the Vavuniya district. Seven LTTE cadres were confirmed killed during the clashes.

August 7 A senior LTTE leader for the Pandarikulam area in Vavuniya district, identified as Ayyanna alias Neeshan, blew himself up detonating a suicide belt when the troops swooped on a group of LTTE cadres moving in the Koomankulam junction area. Two soldiers were injured in the incident.

Troops confronted a group of LTTE cadres in the Pankulama area of Trincomalee district and killed two of them.

Three hand grenades were lobbed at troops on duty in the Pumankulam area when troops attempted to search two persons on suspicion. In the retaliatory fire, troops killed one of them, while the other detonated a suicide belt and killed himself.

August 8 10 LTTE cadres were killed and 17 others wounded injured during a clash with SF personnel in the Madu area of Mannar district.

Troops foiled an LTTE attempt to attack two Civil Defence Forces' points in the Mamailankulam area of Vavuniya district and killed two of the outfit's cadres. A soldier and a home guard were also killed in the incident while three home guards and two soldiers sustained injuries.

The LTTE is said to be pressurizing International Non-Governmental Organisations operating in the outfit's controlled areas of Wanni to channel funds to be used for development purposes in the area through the TRO.

The Karuna group stated that it would dissolve its military wing once its security was ensured, the first such offer since it was set up three years ago. "We are compelled to have a military unit for our self-defense. Once our security is ensured we are ready to dissolve that unit," it said in a statement.

August 9 The UN urged Sri Lanka to disarm the Karuna group operating in the east of the island to ensure safety and security for aid workers and residents. "It is important that the disarmament of the Karuna faction should happen as soon as possible," said John Holmes, the UN

Under-Secretary General for Humanitarian Affairs and Emergency Relief Coordinator in Colombo.

August 11 LTTE cadres who were laying anti-personnel mines west of Nilplokunawewa in the Welioya region of Vavuniya district were chased away by troops after directing a small arms attack on them. Four cadres were killed in the incident.

August 12 Four soldiers were killed and thirteen others injured in a LTTE-triggered IED blast targeting an army truck in the Kachchanthoppu area of Jaffna district.

Three LTTE cadres and a soldier were killed and 10 LTTE cadres sustained injuries during an encounter in the Pulmodai area of Trincomalee district.

The government has announced an amnesty period starting from September 1 for the LTTE cadres trapped in Eastern jungles to lay down their weapons and surrender to the security forces.

The activities of the LTTE outside Sri Lanka - including extortion, narcotics trafficking and credit card fraud - have a negative impact on the countries and societies that host its presence, said Jane's Intelligence Review. The geographical distribution of Tamil communities enables the LTTE to use them as networked operations centres, it pointed out.

August 13 The SLN foiled a LTTE attempt to rescue its cadres trapped in the East killing six Sea-Tigers and injuring 10 others in the sea off Pulmodai in Trincomalee district. A LTTE boat was also completely destroyed in the attack launched after a Navy patrol detected two of the outfit's boats in the sea off Pulmodai. Three sailors were injured in the clash.

August 14 Six LTTE cadres and a solider were killed during an encounter that ensued after LTTE cadres fired at the troops in the Northern Vavuniya area.

Three LTTE cadres were killed after troops repulsed an attack by the outfit in the Kalyanapura area of Vavuniya district.

Three top LTTE suspects who were under detention in Thailand for attempting to smuggle weapons to Sri Lanka in 2003 were deported to Sri Lanka. Sujit Gunapala (aged 27), Sasiljaran Teverajah (aged 27) and Satiepawan Arseawatap (aged 34) were arrested from the Ranong province in Thailand on May 12, 2003, along with 10 Glock pistols and three HK Mark 23 pistols. They pleaded guilty and in November 2003 received a five-year jail sentence. Following their arrest, 14 nationals of Thailand, including eight security force personnel, were also detained. They were believed to be part of the same smuggling network.

August 15 Two claymore mines (weighing about 9-kg and 5-kg), three hand grenades and one detonator were recovered by the troops from the

Ideal Guest Inn at Sinasabha Road in the Wellawatta area of Colombo district.

The government is working on the arrest of the LTTE-linked Singapore based businessman Charles Gnanakone with the help of the Interpol, said Highways Minister Jeyaraj Fernandopulle. He said Gnanakone had openly admitted he had direct links with the LTTE.

August 16 A court in France has decided to extend the period of detention of all 14 LTTE suspects who were arrested on April 1, 2007, for a further period of four months till the first week of December 2007.

August 17 The SLN prevented a small LTTE boat from infiltrating the Jaffna peninsula from sea off the coast of Point Pedro. Two LTTE cadres on board opened fire at the naval personnel who retaliated killing one of the outfit's cadres while the other jumped overboard.

The Japan International Corporation Agency which was due to donate medical equipment worth millions of rupees to hospitals in the North called off their mission due to protection money demanded by the LTTE, said a spokesperson of the Sri Lanka Healthcare and Nutrition Ministry.

August 19 At least seven LTTE cadres and a soldier were killed and eight soldiers injured during an encounter in the area west of Omanthai in Vavuniya district.

The SLAF is ready to face any air threat from the LTTE with more than 80 percent of the Air Defence System completed with India's support, said SLAF Commander Air Vice Marshal Roshan Goonetilleke.

The government over the weekend stated a mass recruitment drive of Tamils and Muslims to the police force in the Batticaloa district with more than 500 applications being received. A police official said the government expected to open more than 50 police stations in the newly captured areas including Thoppigala, Vakarai and Verugal.

August 20 A group of LTTE cadres, disguised as police officials, fired indiscriminately towards a police post in the Ulukkulam area of Vavuniya district killing four home guards and a civilian and injuring one police personnel.

Two local employees working for the Danish Halo Trust De-mining Non-Governmental Organization in Jaffna were killed by suspected LTTE cadres along the Kasthuri road in Jaffna.

Thambipillai Thiyagachandran, the elder brother of Batticaloa district Member of Parliament from the TNA, Jeyananda Moorthi, was shot dead by a suspected 'pistol gang' cadre of the LTTE at Oddamavadi in the Valaichchenai area of Batticaloa district.

August 21 LTTE cadres opened mortar fire towards troops in the Kuduruvitankulam area of Vavuniya district. Three LTTE cadres were

killed and several others injured in the retaliatory fire by troops. Nine soldiers were also injured during the exchange of fire.

Three SF personnel were killed and several others injured when LTTE cadres fired mortars towards troops at Thampanai in the Vavuniya district.

August 22 Three LTTE cadres were killed during a confrontation with the SFs in the Kachchudankulam are of Mannar district.

August 23 Citing Royal Canadian Mounted Police sources, the Jane's Intelligence Review stated that the LTTE controls portion of US $ one billion drug market in the Canadian city of Montreal.

August 24 The ICRC has agreed to extend its presence at Omanthai crossing point in the Vavuniya district to five days a week. On the request of the Sri Lankan government and the LTTE, ICRC had agreed to extend its presence at Omanthai from August 27, the ICRC head of delegation Toon Vandenhove announced in Colombo.

August 25 The Defence Ministry claimed that the LTTE's "plot to utilise chemical weapons in their future battlefields" has been tracked by intelligence sources. In a report attributed to a news website operated out of the nation, the Ministry said there was enough evidence to prove that the LTTE "already has built up stocks of cyanide and potassium during the ceasefire period". The Ministry also said the LTTE had an underground laboratory in the Adampan area bordering Mannar-Kilinochchi districts.

August 26 Troops reportedly clashed with LTTE cadres in the northwestern district of Mannar and on the border of neighbouring Vavuniya. "Our troops confronted two batches of LTTE cadres coming towards their front line… Nine of their cadres were killed. Five soldiers were injured," disclosed military spokesperson Brigadier Prasad Samarasinghe.

Secretary to the Ministry of Defence, Gotabhaya Rajapaksa, said that the operations to liberate the Northern Province areas from the LTTE control will begin shortly.

August 28 Civilian sources in Wanni revealed that eight LTTE tax collectors had been executed publicly by the supporters of the outfit's intelligence leader, Pottu Amman, at Vattakachchi in Kilinochchi two weeks ago. Pottu Amman later informed the public that the eight cadres had to be executed because they had misappropriated funds of the terror outfit. However, a civilian who had managed to escape to government controlled areas recently told the Website that the actual reason for the killing was because they criticized the LTTE leaders who used funds for personal ends.

The Government launched an investigation into reports that the LTTE cadres received 'police' training in the UK after the 2002 CFA.

August 28 Troops foiled an attempt by six LTTE cadres to infiltrate the SF's FDL at Muhamalai in the Jaffna district and killed three of them.

The STF personnel rescued seven LTTE child combatants, between the ages 14 and 16 years, along with another 20-year old cadre of the outfit who had been forced to engage in a terrorist attack against the security forces in the Kangikaidichchi Aru area of Ampara district.

August 29 Seven LTTE cadres were killed and several others wounded when troops foiled an attempt by a group of the outfit's cadres to infiltrate the SF's Muhamalai FDL in the Jaffna district.

Three LTTE cadres were killed and an unspecified number of them injured when troops retaliated an attack by the outfit in the Kandapurumakulam area of Vavuniya district. One soldier was injured in the incident.

At least 547 civilians have been killed and 396 reported missing in the government-controlled areas of Sri Lanka in 2007, a report compiled by three civil society organizations has revealed. The report jointly compiled by The Law and Society Trust, the Civil Monitoring Commission and the Free Media Movement includes the names, locations and other details of civilians either killed or reported missing in the first half of 2007.

Foreign Minister Rohitha Bogollagama said that the government has no plans for a major offensive on LTTE-held territory in the Northern Province.

A US Senate Foreign Relations Committee report reveals that the government of Eritrea is providing direct military assistance to the LTTE. The Committee came to this conclusion after a study during 2006 in 20 countries of Asia, Africa, Middle East and Latin America on American military assistance to combat terrorism.

The government announced that a committee has been appointed to inquire into allegations of abduction and recruitment of children for use in armed conflict. The committee will comprise nine senior officials.

The government has decided to exclude references like nationality, ethnic origin, religion and language in all future registration of households by the police. The new directive is an attempt to ensure that there would be a uniform system of registration throughout the country.

August 30 Three LTTE cadres were killed as troops foiled an attempt by a group of outfit's cadres to infiltrate the Muhamale FDL in the Jaffna district.

Two members of the EPDP, Sinnathambi Siriniwasan and Mitharawel Wasandan, were shot dead by LTTE 'pistol gang' cadres at Iyankerni in the Eravur area of Batticaloa district.

August 31 — 11 LTTE cadres, including a provincial leader, were killed and nine soldiers injured during a clash between the SFs and outfit's cadres at Omanthai in the Vavuniya district. The army also destroyed several bunkers of the outfit.

September 1 — Five LTTE cadres were killed during clashes with the SFs at Kuduruvitankulam and Periyathampanai in the Vavuniya district and Parappakandal in the Mannar district.

September 3 — The dead bodies of 12 civilians, including eight women and three children, killed during the clashes between troops and the LTTE at Silavaturai in the Mannar district on September 1 were handed over to the ICRC.

September 3 — Troops foiled an attempt by LTTE cadres to set up a bunker in the Kallikulam area of Vavuniya district. Three of them were killed and several others injured in the incident.

September 4 — Troops retaliated and killed three LTTE cadres in the Kallikulam area of Vavuniya district when they tried to launch an attack towards troops conducting search operations in the area.

Two LTTE cadres were killed by troops in a retaliatory fire at the Muhamalai FDL in the Jaffna district.

Two LTTE cadres were killed in a retaliatory fire by troops when they were fired upon by the outfit's cadres at Kolankerni in the Sittandy area of Batticaloa district.

The LTTE is planning to use chemical weapons against government troops, Prime Minister Ratnasiri Wickramanayaka told Parliament. "We have evidence that the LTTE has plans to use chemical weapons against the security forces. During the past several weeks the security forces have detected them transporting large quantities of acid," Wickramanayake said, adding, the timely action by the defence authorities had foiled LTTE plans to use chemical weapons to create mass destruction.

Emergency regulations, imposed since August 13, 2005 after the assassination of the then Foreign Minister Lakshman Kadirgamar, were extended for another month on September 4.

September 5 — Two LTTE cadres were killed when troops confronted a group of the outfit's cadres in the Kaduruvitankulam area of Vavuniya district.

September 6 — Nine LTTE cadres, attempting to infiltrate the FDL in the Wanni area, were killed in clashes with troops in three separate incidents. In the first incident, five LTTE cadres were killed when troops fired upon a group of the outfit's cadres moving towards the FDL in the Navatkulam area of Vavuniya district. Two more cadres were killed in another clash at Kuduruvitankulam. Troops confronted another group of LTTE cadres in the same area in which two more of them were killed. One soldier was injured.

This Country of Origin Information Report contains the most up-to-date publicly available information as at 12 November 2007. Older source material has been included where it contains relevant information not available in more recent documents.

September 7 Five LTTE cadres were killed as troops foiled their attempt to infiltrate into the Kuduruvitankulam, Thampanai and Umayarathuvarankulam areas of Vavuniya district. Three soldiers were also killed during the incident.

Three civilians were killed in the Wantharamulai area of Batticaloa district when their tractor accidentally hit a LTTE planted pressure mine.

Leaflets were distributed in Batticaloa allegedly in the name of Chennan Force, armed wing of the TMVP, threatening people not to support the TNA, TULF, EPDP, PLOTE and EPRLF political parties. "If this warning is neglected, they will be killed", the leaflet stated. However, rejecting the allegation, a leader of the Karuna group's political wing, Padminee, in an interview said the group was not involved in such a campaign.

September 8 Five LTTE cadres were killed when troops launched an attack towards a group of armed cadres of the outfit close to the security forces FDL in the Nagarkovil area of Jaffna district.

September 9 Six LTTE cadres were killed in two separate clashes between troops and outfit's cadres in the Jaffna and Vavuniya districts. The army retaliated when two groups of LTTE terrorists attempted to launch attacks at the Vempathukerni FDL in Jaffna and at Appadi-Illuppaikulam FDL in Vavunia. Four cadres were killed near Jaffna FDL and two more were killed near Vavuniya FDL at about the same time.

September 10 The LTTE's procurement and finance chief Shanmugan Kumaran Pathmanadan, also known as KP, was reportedly arrested in Thailand. KP who has obtained Thai citizenship runs the global network of LTTE offices and its weapons procurement, logistics and money laundering operations. He has been on Interpol's Most Wanted list for a number of years.

The LTTE alleged that nearly 2000 Tamils have been killed since President Mahinda Rajapakse came to power in 2005. It claimed that at least 1,974 Tamils were killed, including 842 civilians who were either arrested or abducted and then "disappeared," since Rajapakse won the November 2005 presidential elections. It also said that more than 45 aid workers, 11 media workers and four Tamil politicians were among the victims. The figure includes 17 employees of the French charity Action Against Hunger who were shot dead in Muttur in August 2006.

Troops in the Navathkulam area of Mannar district confronted a group of LTTE cadres and killed one of them. Further, troops retaliated and chased away another group of the outfit's cadres who offered assistance to their fellow-cadres around the same time. One more cadre was killed during the counter-fire.

September 11 The SLN claimed that it had virtually wiped out the LTTE's ability to smuggle arms into the country after sinking three gun-running vessels

- Mayoshi, Seishin, and Koshi, as indicated in the LTTE Naval registry - and killing up to 45 of the outfit's cadres during the past 24-hours. The SLN chief Admiral Wasantha Karannagoda said the LTTE was bringing three light aircraft, artillery and a bullet proof vehicle in the ships sunk some 600-kilomtres off the island's south-eastern coast in Matara district. He also said that the LTTE's smuggling operations will be severely affected as they are left with just one ship. The navy has so far destroyed a total of nine LTTE ships, he informed.

Seven LTTE cadres attempting to infiltrate into the FDL at Muhamalai in the Jaffna district were killed by SFs in two separate incidents. SF personnel confronted a group of LTTE cadres at Kaththiriththan Muhamalai at around 8.15 am and killed three of them. Similarly, four more LTTE cadres were killed in another encounter in the same area at around 10 am.

September 12 Troops confronted a group of outfit's cadres at Periyathampani of Vavuniya district and killed at least five of them. One soldier was killed during the confrontation.

September 13 Two LTTE cadres were killed as troops launched an artillery fire attack on a suspected hide-out of the outfit in the Palamoddai area of Mannar district.

September 14 10 LTTE cadres were killed as troops foiled attempt by cadres of the outfit to infiltrate into the SF's FDL at Muhamalai in the Jaffna district. Two soldiers were also injured in the incident.

Troops in the Kallikulam area confronted LTTE cadres on two occasions when they attempted to infiltrate into the government controlled areas killing eight of them. In the first incident at around 8.40 am troops directed a small arms attack on a group of infiltrating outfit's cadres killing at least six of them. Similarly, two more outfit's cadres were killed when troops observed another group of outfit's cadres at the same location at about 12.45 pm and opened fire towards them.

Troops retaliated and killed six LTTE cadres in the Kadeperuma Kulam area of Vavuniya district when cadres of the outfit opened fire towards SF personnel killing three of them.

The LTTE cadres triggered a powerful claymore explosion mine targeting a convoy of troops moving from Palaly to Point Pedro in the Jaffna district killing two of them and inuring seven others.

The Defense Secretary Gothabaya Rajapaksa told a group of business leaders that the government was committed to curbing terrorism within a stipulated time period and it would undoubtedly open new doors of opportunity to the business community.

September 15 Three LTTE cadres were killed in an attack by the troops at a camp located in Navathkulam in the Vavuniya district.

September 16 Five LTTE cadres were killed during confrontation between the troops and outfit's cadres in the Kuduruvitankulam area of Vavuniya district.

Two LTTE cadres were killed and several others injured when troops confronted a group of outfit's cadres in the Umayarathuwamkulam area of Vavuniya district. One soldier who sustained injuries in the incident died later.

Troops confronted different groups of LTTE cadres in the Periyathampane area of Vavuniya district and killed at least two outfit's cadres.

September 17 The country can achieve permanent peace only through defeating terrorism 100 per cent militarily, Defense Secretary Gotabhaya Rajapaksa said in Trincomalee.

The President Mahinda Rajapakse, who had earlier favoured the district as the unit of devolution, is now understood to favour the province as the unit, to accord with the wishes of the minority Tamils and the international community, particularly India.

The JVP reportedly said that the government should hold elections to the provincial council in the East as soon as possible, under the 13th Amendment to the Constitution, to consolidate the recent gains made by the military against the LTTE.

September 18 Unidentified assailants shot dead two Tamil civilians, identified as Kathiravelu and Suntharam, at Pankulam in the Trincomalee district.

September 19 Troops confronted a group of LTTE cadres in the Maradamadu area of Vavuniya district and killed three of them.

The government has spent over Rupees 50 billon to procure arms and ammunition for the present military exercise during this year alone, Deputy Finance Minister Ranjith Siyambalapitiya told the Parliament.

The LTTE confirmed that the Sea-Tiger leader Soosai was injured in an accidental explosion off the Mullaitivu seas recently while his son was killed. In comments over the Voice of Tiger radio, a LTTE 'official' Radha said Soosai had now fully recovered. According to the radio report, Soosai was injured during a Sea-Tiger training exercise.

September 20 Troops on duty at Kuduruvitankulam FDL in the Vavuniya district foiled an infiltration attempt by cadres of the LTTE killing five of them and inuring several others. Two soldiers were injured in the incident.

September 21 Troops foiled an attempt by the LTTE to infiltrate the FDL in the Nagarkovil area of Jaffna district, killing two of its cadres.

September 22 Two LTTE cadres were killed and several others injured when clashes erupted between SFs and the outfit's cadres at Tampane in the Vavuniya district. One soldier was also killed while eight others sustained injuries during the confrontation.

Defence Secretary Gotabhaya Rajapaksa said that the government would not continue its military offensive against the LTTE if it resumed negotiations.

September 23 Three LTTE cadres were killed and one soldier was injured during an encounter in the Giant Tank area of Mannar district.

September 24 At least 20 LTTE cadres were killed and several others injured in a pre-dawn exchange of fire between SFs and the outfit's cadres when the latter tried to infiltrate the SF's Kilaly FDL in the Jaffna district. While one soldier was killed and five others wounded during the confrontation, more than 10 LTTE bunkers were also destroyed.

Latest intelligence obtained by the SFs following the aerial shelling on LTTE's Vishwamadhu 'Imbran Pandyan' military complex during the weekend on September 21-22 confirmed that four top ranking LTTE leaders were among those feared dead. The intelligence also re-affirmed that one of those dead cadres has been posthumously promoted to the rank of a 'Lieutenant Colonel' by the LTTE hierarchy.

12 LTTE cadres were killed and 36 others injured during clashes between the security forces and outfit's cadres near Giant Tank in the Mannar district. Three soldiers were killed and four others injured during the clash.

September 25 At least 10 LTTE cadres were killed and an unspecified number of them injured when troops confronted the outfit's cadres, attempting to infiltrate the SF's FDL on two occasions in the Vilattikulam area of Vavuniya district. Four soldiers were also injured in the incident.

Four LTTE cadres were killed and several others injured when troops in the Ponnar area of the same district confronted a group of the outfit's cadres.

Troops foiled an attempt by LTTE cadres to infiltrate the SF held areas in Pokkaravani, west of Omanthai in the Vavuniya district and killed three of them. Five soldiers were also injured.

A female lecturer in Jaffna University, Sharadha Maransodhi, and a government technical officer, Kandan Nishandan, were killed and three soldiers wounded in a LTTE-triggered claymore blast in Jaffna. The attack was reportedly directed towards an army route clearing patrol at Sithankerni junction along the Manippay - Karainagar main road.

September 26 Seven LTTE cadres were killed and an unspecified number of them injured when troops confronted three different groups of the outfit's cadres at different places in the Pokkaravani area of Vavuniya district. One soldier was also killed and another wounded in the incident.

Four LTTE cadres were killed by troops when they made a pre-dawn attempt to breach the Muhamalai FDL in the Jaffna district. An LTTE leader, identified as Ravi, was among those killed.

September 27 18 Sea–Tigers, including a self-styled 'Lieutenant Colonel' Nishanthan, were killed and three of their boats destroyed during a sea battle off Pulmodai, north of Kuchchaveli and Trincomalee.

SFs confronted a group of LTTE cadres at the Elutthumadduval FDL in Jaffna district and killed six of them. Two soldiers sustained injuries in the incident.

Troops foiled an infiltration attempt by LTTE cadres at the Nagarkovil FDL in the Jaffna district and killed five of them.

Three civilians were killed and 17 others, including six women, sustained injuries in a LTTE-triggered claymore mine explosion at Chunnakam market in Jaffna. One of the civilians, identified as Kanekarasa, died of his injuries later.

Troops killed three LTTE cadres during a encounter at Periyathampane area of Vavuniya district.

September 28 Troops retaliated and killed six LTTE cadres when the latter opened fire towards them in the Narikkulam area north of Mannar district.

Three LTTE cadres were killed by the troops when a group of the outfit's cadres attempted to breach the SF's FDL at Navathkulam in the Vavuniya district.

The Army Commander, Lieutenant General Sarath Fonseka, said that the aim of the operations in Wanni is to free the 350,000 residents who are under the rule of the LTTE and to prevent the attacks on border areas. He said that the outfit's fighting cadre has dropped about 50 percent and the Army has restricted their territory by 70 percent. 3,000 LTTE cadres were killed and around 1,000 injured in the recent past, he informed, adding, that the outfit has also lost a huge coastal area restricting the Sea-Tigers influence.

A large number of LTTE cadres have begun surrendering to the Human Rights Commission in Jaffna as they are fast losing faith among the Tamil community, said military spokesperson Brigadier Udaya Nanayakkara., adding, there is a rapid decrease in the number of youth joining the LTTE.

September 29 At least six LTTE cadres were killed when troops launched a defensive battle against the outfit's cadres who tried to storm the military held areas in the Kallikulam area of Vavuniya district.

September 30 At least 10 cadres of the LTTE were killed and 20 others wounded when troops manning the FDL in Nagarkovil of Jaffna opened fire at the LTTE cadres. One soldier was killed and seven others injured in the incident.

Troops confronted a group of LTTE cadres in the Kallikulam area of Mannar district and killed at least five of them.

At Pallaikkuli in the Mannar district troops killed two more LTTE cadres who tried to infiltrate the security forces-held areas.

October 1 — Four LTTE cadres were killed and several others injured when troops confronted a group of the outfit's cadres in the Kurunchankulam area of Vavuniya district. One soldier was also killed in the incident.

Thee LTTE cadres were killed by troops in the Manthai area of Mannar district.

Two LTTE cadres were killed during an encounter that occurred in the Thampanai area of Vavuniya district.

At Vilattikulam in the Vavuniya district, troops confronted a group of LTTE cadres aboard a tractor and killed two of them.

October 2 — Troops on duty in the Kuduruvittankulam area were fired upon by LTTE cadres in which one soldier was killed and three more injured. Troops in retaliatory fire killed two cadres.

October 3 — Troops deployed in the Vilachchikulam, Periyathampani, Pokkaravani and Navathkulam areas West of Omanthai in the Vavuniya district were continuously attacked by cadres of the LTTE using small arms, mortars and artillery. At least 12 cadres were killed and 24 others injured during clashes between the troops and LTTE cadres. Three soldiers were also killed while five others sustained injuries in the incident.

A pre-dawn attempt by LTTE cadres to breach the FDLs in the Kilaly area of Jaffna district was foiled by troops injuring or killing at least two of them. Two soldiers sustained injuries during the confrontation.

The government disclosed that the LTTE was conspiring to unilaterally declare an independent State in the North on January 18, 2008.

October 4 — 16 LTTE cadres were killed and one of their vehicles seized during three separate clashes between SFs and the outfit's cadres in the Thampanai and Vilachchikulam areas of Vavuniya district.

October 5 — LTTE communications confirmed that four of their cadres were killed during clashes with troops in the Vaiyattankulam area of Vavuniya district.

Troops killed four LTTE cadres and injured two others during a confrontation at an identified LTTE location north west of Giant's Tank in Vavuniya district.

Three LTTE cadres, including a leader identified as Kalivanan, were killed during an encounter with the troops on at Ethawetunuwewa in the Welioya region of Vavuniya district.

Military spokesman, Brigadier Udaya Nanayakkara, stated that 70 LTTE cadres have died and many injured in military operations conducted in the North and the East last week.

October 6 At least six cadres of the LTTE were killed or seriously wounded when troops repulsed a LTTE offensive on the FDLs north of Uyilankulam in the Mannar district.

Troops deployed at Adampan south in the Vavuniya district retaliated and killed six LTTE cadres when the outfit's cadres launched an attack on troops.

October 7 The SLN destroyed another arms carrying ship of the LTTE in the seas 1,700-km off Dondra Head, the southern extremity of Sri Lanka. The LTTE vessel identified as MV "Matshusima", a 70-m long vessel with displacement of 3,000 tons, was intercepted and destroyed by the SLN Task units after a long hot pursuit, security sources said. "The ship caught fire and sank. There were about 12 to 15 (people on board) and no one survived," said SLN spokesperson Commander D.K.P Dassanayake.

Troops killed two LTTE cadres during an encounter in the Janaka Pura area of Vavuniya district.

October 8 Four LTTE cadres were killed during a clash between the SFs and outfit's cadres in the Taladi area of Mannar district.

Two LTTE cadres were killed and three bunkers of the outfit were destroyed by troops in the Kilali area of Jaffna district.

October 7 The central committee of the TMVP, a breakaway faction of the LTTE led by 'Colonel' Karuna, which met on October 7-night, decided to suspend its founder-leader 'Colonel' Karuna Amman from the organization and formally appointed its former 'supreme commander' Pillayan as leader. Earlier, Karuna had appointed Iniyabarathy - one of the suspects in the killing of journalist Dharmaratnam Sivaram - as the TMVP's new political head.

October 9 According to latest intelligence reports of the security forces, an estimated total of 69 LTTE cadres were confirmed killed following two separate aerial and artillery attacks at Chempankundu in the Poonaryn area of Kilinochchi district on September 25 while a rehearsal of a LTTE "Passing out Parade" was in progress. Reports added that several LTTE leaders were in attendance at the occasion.

At least 10 LTTE cadres were killed by troops when a group of militants attempted to breach the security forces FDL in the Eluththumaduwal area of Jaffna district.

The Finance and State Revenue Minister Ranjith Siyambalapitiya told Parliament that the former UNP government had given millions of rupees to the LTTE Peace Secretariat and the TRO without seeking approval from Parliament.

The Victorian government in Australia has reportedly given thousands of dollars to an organisation accused of being a front of the LTTE movement. The Government awarded $2000 in two separate grants to the Eelam Tamil Association of Victoria (ETAV) to fund a dinner dance and to help with administrative expenses.

The United States reiterated that despite recent military victories both the Sri Lankan government and the LTTE must realize there can be no military solution to Sri Lanka's conflict. Ambassador Robert Blake said in Colombo that the Sri Lankan military has achieved important victories in the past year, adding that "such victories and U.S. support for Sri Lanka should demonstrate to the LTTE that they cannot hope to win this conflict".

October 10 The military reiterated that it will continue to crush terrorism to convince the terrorists that the conflict cannot be resolved through military means. "The Army will crush terrorism to convince the terrorists that their problems could not be solved through terrorist acts," Army Chief Sarath Fonseka said.

October 11 A group of armed LTTE cadres advancing towards the Muhamalai FDL in the Jaffna district were fired upon by army troops. Two LTTE cadres were killed in the incident.

Two LTTE boats carrying a six and half feet-long remote controlled aircraft, one toy-type helicopter, four communication sets, 15 Hydraulic oil cans, four satellite mobile phones, 45 antennas, 10 global positioning systems and 100 printed circuit boards were seized by naval troops about 5-km north of Talaimannar in the Mannar district. The Navy spokesperson Commander D.K.P Dassanayaka said, "This is the first time in the history of the military operations against the LTTE, Sri Lanka Navy has been able to capture an aircraft in the possession of the enemy."

October 12 SFs killed three LTTE cadres and injured seven others when an armed clash erupted between army troops and the outfit’s cadres in the Narikkulam area of Vavuniya district. Three soldiers were also injured.

Troops repulsed an attempt by the LTTE to infiltrate the SF’s FDL at Vannakulam in the Vavuniya district and killed three militants.

Three LTTE cadres were killed and another injured by troops when they attempted to infiltrate into SF’s FDL in the Giant Tank area of Vavuniya district.

Three LTTE cadres were shot dead by troops ahead of the Thirukethiswaram FDL in the Mannar district.

October 13 Three cadres of the LTTE were killed and three others injured during an encounter at Gurunagar in Jaffna. Sri Lanka Army sources said that the encounter occurred after several sea Tiger boats operating beyond restricted sea areas deceptively entered the general fishing areas and confronted troops providing security to fishermen. One of the LTTE boats was destroyed.

Five cadres of the LTTE were killed and a soldier sustained injuries during clashes between SFs and the militants who attempted to breach the SF's FDL in the Periyathampani area of Mannar district.

Troops at Villattikulam, West of Omanthai, in the Vavuniya district confronted a group of LTTE cadres and killed four of them.

Troops killed two LTTE cadres in the Muhamalai area of Jaffna district.

President Mahinda Rajapakse said that his government was open to talk to the LTTE if they opted for "genuine negotiations". He said: "If those who carry arms against the state are willing to enter a process of genuine negotiations towards a peaceful and democratic solution, the government and the people (of Sri Lanka) will reciprocate." He further said that Colombo was meeting the "terrorist challenge" from the LTTE "with increasing success today."

October 14 Troops killed two LTTE cadres in the Ponnar area of the Vavuniya district when they were trying to enter cleared areas (area under government control).

Three soldiers were inured when LTTE cadres opened fire towards troops in the Thampane area of Vavuniya district. Troops killed two LTTE cadres in the retaliatory fire.

Troops foiled an attempt by LTTE cadres to enter the Muhamalai FDL in Jaffna district killing two of them.

October 15 At least 20 LTTE cadres were killed and several others wounded during clashes with the SFs in the Mullikulam area of Vavuniya district. One soldier was also killed and seven others injured in the incident.

Four LTTE cadres were killed by troops when a group of militants attempted to breach the SF's Muhamalai FDL in the Jaffna district.

Two police personnel were shot at and injured dead by the 'pistol gang' cadres of the LTTE in the Koddaveli area of Mannar district. The injured police personnel died of their injuries later.

Two police personnel were shot at and injured by 'pistol gang' cadres of the LTTE at Bandarukulam, about 2-km west of Vavuniya.

Two soldiers were injured when LTTE cadres opened fire towards them in the Veerapuram area of Vavuniya district.

The perception of an increased threat from the LTTE has forced the NTPC Ltd, India's largest power generation company, to relocate its proposed 500 MW coal-based thermal power plant in Sri Lanka.

The military killed 137 LTTE cadres but lost 10 soldiers during the past 12 days of fighting, military sources said, adding, there have been no civilian casualties during the period of the latest military casualties.

October 15-16 Troops foiled an attempt by the LTTE to overrun the Thalgasmankada army detachment, south of Panama, about 40-km north of Kataragama in the Hanbantota district. Six soldiers were killed and another injured in the incident. Further, on October 16, an army vehicle which was on a rescue in the area hit a landmine laid by the outfit. One soldier was killed in the explosion.

October 15 Six LTTE cadres were killed when troops opened fire towards another group of militants while they were trying to breach the FDL in the Vavuniya district.

Four LTTE cadres were killed by troops in the Villattikulam area of the Vavuniya district.

October 16 According to latest reports from ground troops in the Mullikulam area of Vavuniya district, 30 LTTE cadres were killed during the clashes that erupted on October 15. Earlier, it was reported that 20 cadres and a soldier was killed in the incident.

Troops foiled two abortive infiltration attempts by cadres of the LTTE into the FDL at Muhamalai in the Jaffna district killing at least six cadres.

The Foreign Minister Rohitha Bogollagama said that it is time to stop a "piecemeal" approach against the LTTE and tackle the situation militarily for a "comprehensive" solution. He, however, added that getting back to the negotiating table is still a possibility and said, "The LTTE is getting pushed to the wall and should get a pragmatic realisation that political negotiations are the only way to get out of it."

October 17 Troops in the Navatkulam and Karampikulam areas of Vavuniya district confronted LTTE cadres at about 9.40 am and 4.30 pm when they attempted to breach the SF's FDL and killed at least three of them.

October 18 At least 13 LTTE cadres were killed in a clash between the SLA and the LTTE cadres when the militants tried to storm the security lines in the general area of Periyathampani in the Vavuniya district. Six soldiers of the SLA were wounded in the fighting.

Four persons were killed and three others wounded when their boat was caught in a cross fire between the LTTE militants and the Sri Lanka Navy off the north-western coast near Pesalai in Mannar

district. They were reportedly fleeing the LTTE-controlled Kilinochchi district to seek refuge in India.

Naval Inshore Patrol Crafts (IPC) detected and attacked a cluster of the LTTE boats making-way towards Pesalai north from Vidattalitivu in the Mannar district. The naval spokesperson D.K.P Dassanayake said that suspicious LTTE boats fired at IPCs which retaliated and forced the outfit's boats to retreat. However, a boat with the dead bodies of four cadres and three survivors was seized.

October 19 The LTTE is linked to outfits like al Qaeda, the ULFA in India, the Afghan Mujahideens and the Kurdish Workers Party, said Foreign Minister Rohitha Bogollagama.

After a survey of the civil administration of the East, Karu Jayasuriya, Minister of Public Administration and Home Affaires disclosed that by January 1, 2008 civil administration of East will be almost completely established.

October 20 Eight LTTE cadres were killed when troops retaliated to intermittent fire by the outfit's cadre at Periyathampanai in the Vavuniya district. Four soldiers were also injured in the incident.

Troops observed a movement of LTTE cadres in the Uyilankulam area of Mannar district and opened fire towards them, killing eight cadres.

October 21 Troops in the Periyathampanai area of Vavuniya district foiled an LTTE attempt to breach the FDL, killing three cadres. Three soldiers were also killed and an equal number of them injured in the clash.

At least six LTTE cadres were reported killed in an accidental explosion in the Thampanai area of Vavuniya district. Reports said that a LTTE artillery round triggered the explosion at Weerawendan 81-mm mortar base of the outfit.

Civil society organizations said that the recently slain Mannar Diocesan Priest Nicholaspillai Packiaranjith is the fourth religious leader to be killed or subjected to enforced disappearance since August 2006 in the North and East of Sri Lanka. He is also the 58th humanitarian worker to be killed or subjected to enforced disappearance during the period.

October 22 Elite army troops of the Special Forces confronted LTTE cadres who infiltrated and carried out a suicide attack on the SLAF base at Anuradhapura and evicted them from the premises killing 20 militants. Nine SF personnel, including two officers, were killed and 20 others wounded in the encounter. Subsequently the LTTE carried out an aerial attack dropping two shells damaging two MI 24 helicopters parked in the hangar. One more BELL-212 helicopter that was to reinforce SLAF fighter craft resisting LTTE air movement had to crash-land at Doramadalawa area, closer to Mihintale, due to a technical fault, killing both pilots and two gunners. This was the first time the outfit had carried out a combined air and ground attack.

At least 15 cadres of the LTTE who had infiltrated into the cleared areas (area under government control) of Kaduruvitankulam in the Vavuniya district were killed by the troops.

At least 10 LTTE cadres were killed by the troops at Narikulam in the Vavuniya district.

After observing a group of LTTE cadres at Parappakandal in the Mannar district troops opened fire towards them, killing five militants.

October 23 Nine LTTE cadres were killed during an encounter between the troops and outfit's cadres in the Thampanai and Villattikulam areas of Vavuniya district.

Sri Lankan Parliament passed a legislation to enable parties like the LTTE and TMVP to register and contest elections in the country. The Local Government (Special Provisions) Act incorporating an amendment to this effect was passed.

October 24 Three LTTE cadres were killed when a group of militants attempted to infiltrate the Kilali FDL in the Jaffna district.

Troops killed three LTTE cadres in an encounter at Giant Tank in the Mannar district.

SLAF fighter crafts carried out two air strikes on identified LTTE targets at Pannichchankulam, north of Mankulam in the Mullaitivu district. One LTTE training center where the outfit used to train Black-Tigers (suicide cadres) was completely destroyed in the attack.

Investigations conducted on the LTTE attack on Anuradhapura SLAF base have revealed that a total number of eight aircrafts were damaged in addition to the BELL 212 helicopter that perished at Doramadalawa in Mihinthale. Three PT 6 basic trainer craft, one K8 advanced trainer craft, one MI 24, one MI 17, one BELL 206 and one beach craft that had been parked inside the camp had been irreparably damaged. One MI 24 helicopter that was earlier declared damaged can be made operational after repair.

October 26 Six soldiers were killed in an accidental explosion caused by a mine that was unearthed from a FDL in the Irana junction area of Vavuniya district.

Three LTTE cadres were killed when troops confronted a group of militants in the Kaduruvitankulam area of Vavuniya district.

Troops killed three LTTE cadres during an encounter at Palamoddai in the Vavuniya district.

The LTTE attack on the Anuradhapura Air Force Base on October 22 has in no way reduced the attack capability of the SLAF, said the SLAF Commander Air Vice Marshal Roshan Gunatilleke. He added that an air defence system which would enable the SLAF to face any

terrorist air attack will be completed within one year. Around 70 per cent of the system is already in place covering vital areas in the country though certain other areas could still be vulnerable to aerial attacks, he informed.

The UNHCR office in Sri Lanka stated that 190,669 individuals of 51,908 families have been displaced in 2007 due to the ethnic conflict. The highest number of displacements was reported from Kilinochchi district - 48,512 persons. Another 38,230 individuals were displaced in the Batticaloa district while 32,323 individuals have been displaced in Mullaitivu district.

October 27 Troops killed four LTTE cadres in the Parappakandal area of Vavuniya district.

Three LTTE cadres were killed by troops in the Mullikulam area of Vavuniya district.

At Palamoddai in the Vavuniya district, troops repulsed a LTTE infiltration attempt by killing three cadres.

October 28 Six LTTE cadres were killed as army soldiers destroyed a LTTE bunker ahead of the FDL at Narikkulama, west of Adampan, in the Vavuniya district.

At least six LTTE cadres were killed when troops confronted a group of the outfit's cadres near FDLs in the Mannar district.

Four LTTE cadres were killed during an encounter with the troops at the Muhamalai FDL in the Jaffna district.

Four LTTE cadres were killed when troops opened fire on a group of militants who tried to infiltrate the Muhamalai FDL, north of A-9 road, in the Jaffna district.

Troops killed three LTTE cadres in the Murukkankulam area of Mannar district.

There are over 1.3 million illegal weapons in use in Sri Lanka, a South Asian watch group on the use of small arms said. The availability of illegal small arms has led to the escalation of the rate of crime in the island, it added.

The Defence Secretary Gotabhaya Rajapaksa said that terrorism should be wiped out militarily as it was clearly evident that the LTTE was never in search of a politically negotiated peaceful solution to the ethnic crisis.

Some 16 political parties allied to the government led by President Mahinda Rajapakse are supporting the government's action to eliminate terrorism, said a statement.

October 29 The SLAF fighter jets pounded the gathering point of LTTE intelligence wing leaders North of Puthukkudiyiruppu in the Mullaitivu district, said the SLAF Group Captain Ajantha Silva. **[37D]**

All the SATP timelines for the years 2000-2006 and (less in detail) the period 1931-1999 can be accessed from the following link:
http://www.satp.org/satporgtp/countries/shrilanka/timeline/index.html **[37i]**

Additional details on events in Sri Lanka are available from the website of the International Institute for Strategic Studies (IISS) Armed Conflict Database, Sri Lanka (undated)
http://acd.iiss.org/armedconflict/MainPages/dsp_ConflictTimeline.asp?ConflictID=174&YearID=1010 **[80a] (Latest Timelines)**. The weblink also gives access to timelines for 2006 and previous years.

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Annex C: Political organisations

Akhila Illankai Tamil United Front (AITUK)
Founded in 2006; Tamil; advocates federal solution to ethnic conflict. **[1b]**

All Ceylon Tamil Congress (ACTC)
Founded in 1944. It contested the December 2001 and the April 2004 elections as part of TNA. **[8] (p563)** (See also TNA)

Ceylon Workers' Congress (CWC)
The CWC is both a trade union (with its main strength being among Tamil workers of Indian origin on tea plantations), and a political party seen as representing the community of Indian descent. **[8] (p437)**
"It was reported by the TamilNet website on Aug. 3 [2007] that the Ceylon Workers Congress (CWC) had withdrawn from the ruling United People's Freedom Alliance (UPFA). CWC leader Arumugam Thondaman, who resigned as minister of youth employment and socio-economic development, said that the party had pulled out of the alliance over 'political differences'…The CWC was formed in 1950 as a political party representing immigrant Tamils of Indian origin who worked in Sri Lanka's central tea plantations. The party joined the UFPA in August 2006." (Keesing's Record of World Events, August 2007, Sri Lanka) **[23c]**
"The party's five legislators claimed [in August 2007] that they would move to sit on the opposition benches… Nevertheless, the CWC announced that it would not be seeking to topple the government, and would work together on issues not detrimental to its supporters, suggesting tha the way has been left open for a reconciliation." (EIU Sri Lanka Country Report, August 2007) **[75a] (p13)**

Communist Party of Sri Lanka (CPSL)
Founded in 1943 and advocates the establishment of a socialist society. It supports the national unity of Sri Lanka. The party contested the April 2004 election as part of the winning coalition UPFA (United People's Freedom Alliance) winning only one seat. **[8] (p560)**

Democratic People's Liberation Front (DPLF)
Has operated as a national political party since 1988 and is the political wing of the People's Liberation Organisation of Tamil Eelam (PLOTE). **[8] (p560)**

Democratic United National Front (DUNF)
Formed in 1992 by a dissident group of UNP politicians. Supports the People's Alliance coalition. **[8] (p561)**

Democratic Workers' Congress (DWC)
Formed in 1939 as a trade union and in 1978 as a political party. Aims to eliminate discrimination against the Tamil-speaking Sri Lankans of recent Indian origin. **[1b]**

Deshapriya Janatha Viyaparaya (DJV)
(Patriotic People's Movement) Militant Sinhalese group associated with the JVP. **[1b]**

Desha Vimukthi Janatha Party (DVJP)
(National Liberation People's Party) Has operated as a national political party since 1988. **[1b]**

Eelavar Democratic Front (EDF)

Founded in 1989 by a majority of Eelam Revolutionary Organisation (EROS), which joined the LTTE. **[56]**

Eelam National Democratic Liberation Front (ENDLF)
Tamil; supports 1987 Indo-Sri Lankan peace accord; has operated as a national political party since September 1988. **[1b]**

Eelam People's Democratic Party (EPDP) http://www.epdpnews.com/
A Tamil group formed in 1986 as a split from ERPLF. **[56]** The party gained one seat at the 2 April 2004 elections for the National Assembly and supported the Government subsequently formed by the UPFA. **[8]** As noted in the final report of the European Union's Election Observation Mission (EU EOM) to Sri Lanka's Parliamentary Elections [of 2 April 2004] The Eelam People's Democratic Party (EPDP - Veena) is …a Tamil based party and has fought since 1990 against the LTTE. Their stronghold is Jaffna." **[40] (p10)** As recorded in Jane's Sentinel Security Assessments, Country profile - At a glance, Sri Lanka, 26 April 2007 "Led by Douglas Devananda, the Eelam People's Democratic Party (EPDP) broke away from the Eelam People's Revolutionary Liberation Front (EPRLF) in approximately 1988. Since 1990 it has fought alongside the Sri Lankan Army against the Liberation Tigers of Tamil Eelam (LTTE). Since 1994, the EPDP has been the most significant force in electoral politics in Jaffna, although voter turnout has been exceptionally low. The EPDP has generally been supportive of People's Alliance/UPFA government policy on the war and peace process. Although EPDP armed cadres may only be a few hundred strong, they retain a reputation for human rights abuses. Devananda has a cabinet portfolio and is currently the minister for social services and social welfare. However, his public profile is limited by the fact he is extremely high on the LTTE list for assassination." (Jane's Sentinel Security Assessments Sri Lanka, Internal Affairs, 26 April 2007) **[5a]**

Eelam People's Revolutionary Liberation Front (EPRLF)
The EPRLF now functions as two groups – the Suresh wing (on the TNA list) and the Varatharaja wing (on the EPDP list. **[8]** (See also TNA)

Eelam Revolutionary Organisation (EROS)
Founded in 1990 by a minority of the original EROS, led by Shankar Raji, the party supported EPDP in the parliamentary election of 2 April 2004. **[56]**
"EROS remains the most radically nationalist of the constitutional Tamil groups, but is not militarily active." (Jane's Sentinel Security Assessments, Country profile - At a glance, Sri Lanka, 26 April 2007) **[5a] (Internal Affairs, 26 April 2007, Non-parliamentary Tamil parties)**

Illankai Tamil Arasu Kachchi (ITAK) See TNA

Jathika Hela Urumaya (JHU)
Founded in 2004; Buddhist; Sinhalese nationalist. **[1b]**
It obtained nine seats at the 2 April 2004 elections for the National Assembly. **[39a]**
As noted in the EU EOM June 2004 report "Jathika Hela Urumaya (JHU - Conch shell) is a Buddhist monks' party, whose aim is the protection of the Buddhist Sinhalese identity and values and the national unity. The party candidates were all monks. The issue of monks getting involved into politics has divided that community." **[40] (p10)**

Janatha Vimukthi Peramuna (JVP) http://www.jvpsrilanka.com/
(People's Liberation Front)
Founded in 1964; banned following a coup attempt in 1971, regained legal status in 1977, banned again in 1983, but regained legal status in 1994; Marxist; Sinhalese

support. **[1b]** For the April 2004 election, the JVP entered into an alliance with President Kumaratunga's a member of the United People's Freedom Alliance (UPFA) and gained 40 seats. **[8]** As noted in the final report of the European Union's Election Observation Mission (EU EOM) to Sri Lanka's Parliamentary Elections [of 2 April 2004] "The People's Liberation Front (JVP – Bell) is a marxist-oriented party that grew out of disaffected educated Sinhalese youth…The party enjoys increasing support among students and in poor rural areas of the country." **[40] (p10)** "In June 2005 the JVP left the Government after the President's decision to sign a post-tsunami funding arrangement with the LTTE." The JVP supported Rajapakse's candidature but decided not to join the Government formed further to his election as a president in November 2005. **(FCO Country Profile, Sri Lanka) [15j]**

Lanka Sama Samaja Party (LSSP)
(Lanka Equal Society Party) The LSSP originated in the 1930s and has been a rare example worldwide of a Trotskyist party with a significant political influence, participating in left-wing Governments from 1964. It supported the UPFA coalition in the parliamentary election of 2 April 2004 but won no seats. **[8] (p561)**

Liberation Tigers of Tamil Eelam (LTTE) http://www.eelam.com
http://www.eelamweb.com/ltte/

LTTE front organisations include:
World Tamil Association (WTA)
World Tamil Movement (WTM)
Federation of Associations of Canadian Tamils (FACT)
The Ellalan Force

According to the research institute ICT:

"Founded in 1976, the LTTE is the most powerful Tamil group in Sri Lanka and uses overt and illegal methods to raise funds, acquire weapons, and publicize its cause of establishing an independent Tamil state. The LTTE began its armed conflict with the Sri Lankan Government in 1983 and relies on a guerrilla strategy that includes the use of terrorist tactics. The group's elite Black Tiger squad conducts suicide bombings against important targets, and all rank-and-file members carry a cyanide capsule to kill themselves rather than allow themselves to be caught. The LTTE is very insular and highly organized with its own intelligence service, naval element (the Sea Tigers), and women's political and military wings. The Tigers control most of the northern and eastern coastal areas of Sri Lanka but have conducted operations throughout the island. Headquartered in the Wanni region, LTTE leader Velupillai Prabhakaran has established an extensive network of checkpoints and informants to keep track of any outsiders who enter the group's area of control….Approximately 10,000 armed combatants in Sri Lanka; about 3,000 to 6,000 form a trained cadre of fighters. The LTTE also has a significant overseas support structure for fundraising, weapons procurement, and propaganda activities." **[61]**

As recorded in Jane's Sentinel Security Assessments, Country profile - At a glance, Sri Lanka, 26 April 2007 "The group's strength was estimated between 8,000 and 10,000." **[5a] (Non-State Armed Groups, 29 March 2007)**

As highlighted in the South Asia Terrorism Portal (SATP):

"Under the Prevention of Terrorism Act, 2002 (POTA) in India, the LTTE is a proscribed organisation. On October 4, 2003, the United States re-designated the LTTE as a

Foreign Terrorist Organisation (FTO) pursuant to Section 219 of the US Immigration and Nationality Act. The LTTE has been proscribed, designated or banned as a terrorist group by a number of governments – India, Malaysia, USA, Canada, UK, Australia – countries where the LTTE has significant terrorist infrastructure for disseminating propaganda, raising funds, procuring and shipping supplies to support their terrorist campaign in Sri Lanka…The LTTE leadership is organized along a two-tier structure: a military wing and a subordinate political wing. Overseeing both is a central governing committee, headed by the LTTE chief, Velupillai Prabhakaran…. This body has the responsibility for directing and controlling several specific subdivisions, including, an amphibious group (the Sea Tigers headed by Soosai), an airborne group, (known as the Air Tigers), an elite fighting wing (known as the Charles Anthony Regiment, named after Anthony, a close associate of Prabhakaran and is headed by Balraj), a suicide commando unit (the Black Tigers headed by Pottu Amman), a highly secretive intelligence group and a political office headed by Thamilselvam and Anton Balasingham, widely regarded to be the political advisor and ideologue of the LTTE. The central governing committee also has an International Secretariat, which is in charge of the outfit's global network…The LTTE has also set up a parallel civil administration within its territory by establishing structures such as a police force, law courts, postal services, banks, administrative offices, television and radio broadcasting station, etc." **[37a]**

In the UK the LTTE is one of the proscribed organisations under Part II of the Terrorism Act 2000 **[35c]** and the subsequent 'List of Proscribed international groups under the Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2005. **[35d]**

As noted in the report of the UN Special Rapporteur on his Mission to Sri Lanka (28 November to 6 December 2005), published on 27 March 2006:

"The LTTE plays a dual role. On the one hand, it is an organization with effective control over a significant stretch of territory, engaged in civil planning and administration, maintaining its own form of police force and judiciary. On the other hand, it is an armed group that has been subject to proscription, travel bans, and financial sanctions in various Member States. The tension between these two roles is at the root of the international community's hesitation to address the LTTE and other armed groups in the terms of human rights law. The international community does have human rights expectations to which it will hold the LTTE, but it has long been reluctant to press these demands directly if doing so would be to 'treat it like a State'". **[6x] (Paragraph 26)**

"Ministers of the EU on May 29 [2006] formally added the LTTE to a list of banned terrorist organisations, which meant a bar on LTTE fundraising and that the group's financial assets would be frozen in all 25 EU member states. LTTE officials would also be prevented from visiting the EU." **(Keesing's Records of World Events, May 2006 – Sri Lanka) [23d]** On 24 April 2007 the the Official Government News Portal of Sri Lanka reported that the European Union had taken the decision to keep the LTTE on the 'black list' of international terrorist groups. **[10g]**

As recorded in Jane's Sentinel Security Assessments, Country profile - At a glance, Sri Lanka, 26 April 2007:

"The heightened global concern over terrorist activities since 2001 has reduced the international community's level of tolerance and, in April 2006, the Canadian government became the latest previously tolerant government to proscribe the LTTE. The European Union followed suit in May 2006. However, the LTTE's main concern

now is with Karuna… Nevertheless, the LTTE remains the only Tamil organisation that maintains the capacity for pressuring and intimidating the government of Sri Lanka into granting significant concessions towards the demand for autonomy for the northeast of the country. Much more important, the LTTE has oligopolised the monopoly of force in Sri Lanka. If the peace process is to succeed according to the wishes of the government, the LTTE will have to be persuaded to relinquish control over the 'uncleared' areas. This is a far from likely scenario, which makes a political solution somewhere along the federalist-separatist continuum the only realistic outcome." **[5a] (Internal Affairs, 26 April 2007, Tamil Militancy and the LTTE's rise to supremacy)**
For the Karuna faction, see under TMVP.

See also Annex B and E

Mahajana Eksath Peramuna (MEP)
Founded 1956; Sinhalese and Buddhist support; left-wing; advocates economic self-reliance. **[1b]**

Nava Sama Samaja Party (NSSP)
(New Equal Society Party) A Trotskyist party founded in 1977. **[1b]**

People's Alliance (PA) aka Podujana Eksath Peramuna (PEP)
Formed in 1993 as a left-wing alliance which includes the LSSP, the SLFP (President Kumaratunga's party) and the SLMP. **[8] (p438)** This was the ruling party in Sri Lanka from August 1994 until December 2001. (See also UPFA)

People's Liberation Organisation of Tamil Eelam (PLOTE)
Formed in 1979 as a split from the LTTE. **[56] (Introduction)** Its political wing is the Democratic People's Liberation Front (see above). **[8] (p560)**
As recorded in Jane's Sentinel Security Assessments, Country profile - At a glance, Sri Lanka, 26 April 2007, "The PLOTE originated as an LTTE splinter group, but it was never well armed and its military activities remained low key. In time, internal feuds and a souring of relations with its Indian sponsors fuelled the PLOTE's slow demise and the group was largely wiped out by the LTTE in 1986. After the [1987] Indo-Lanka Accord, the PLOTE renounced its armed rebellion against the Sri Lankan government, but maintains armed cadres to this day." **[5a] (Internal Affairs, 26 April 2007, Non-parliamentary Tamil parties)**

Sri Lanka Freedom Party (SLFP)
"Founded in 1951, the SLFP campaigned for the attainment of republican status for Sri Lanka prior to adoption of the 1972 constitution. With a democratic socialist orientation, the party advocated a non-aligned foreign policy, industrial development in both the State and private sectors, and safeguards for national minorities. One family has led the party throughout its history. S.W.R.D. Bandaranaike (originally a leading figure in the United National Party) was the party's founder and first Prime Minister from 1956 until his assassination in September 1959. His widow, Sirimavo Bandaranaike, in 1960 became the world's first woman Prime Minister, holding this post until 1965 and again from 1970-1977. Following the party's return to power after 17 years in the August 1994 elections, she was again Prime Minister (the post by now being largely ceremonial) from November 1994 until her death in October 2000. Chandrika Bandaranaike Kumaratunga, the daughter of S.W.R.D. and Sirimavo, was Prime Minister from August – November 1994, becoming the elected President in November 1994, and is the leader of the SLFP. The SLFP returned to power in August 1994, heading the People's Alliance (PA) coalition. The PA secured another victory in general elections in October 2000, but lost power in the December 2001 general elections." In

January 2004 it formed an electoral pact with JVP dubbed the UNPFA **[see below] [8] (p561-562)** As noted in the final report of the European Union's Election Observation Mission (EU EOM) to Sri Lanka's Parliamentary Elections released on 17 June 2004: "The SLFP is strong in most of the provinces, except in the Northern and Eastern regions." **[40] (p10)**

"President Mahinda Rajapakse was on June 28 [2006] elected president of the ruling Sri Lanka Freedom Party (SLFP) without a contest, replacing former President Chandrika Kumaratunga. He was the first leader of the party from outside the Bandaranaike-Kumaratunga family since the SLFP was founded in 1951 by Kumaratunga's father, and it was reported that the former president had resisted being ousted by Rajapakse, even though she was currently domiciled in the UK." **(Keesing's Records of World Events, June 2006 – Sri Lanka) [23e]**

Sri Lanka Freedom Party – Mahajana Wing (SLFP – M)
The Keesing's Record of World Events, June 2007, Sri Lanka recorded that "Former Foreign Minister Mangala Samaraweera and former Port Development Minister Sripathi Sooriarachchi on June 22 [2007] announced that they were leaving the Sri Lanka Freedom Party (SLFP), the lead party in the ruling United People's Freedom Alliance (UPFA), to form a breakaway party the Sri Lanka Freedom Party--Mahajana Wing (SLFP--M), which would sit with the opposition in Parliament." **[23b]**
The EIU Sri Lanka Country Report, August 2007 noted that "The SLFP (M) has also formed an alliance with the UNP to create a broad political front that would contest future elections as the 'National Congress' claiming that it has the support of many others in the SLFP who oppose Mr Rajapakse!s style of government." **[75a] (p13)**

Sri Lanka Muslim Congress (SLMC)
The SLMC was formed to represent the Tamil-speaking Muslim population of the Eastern province and was organised as an all-island party in 1986. Led by Rauf Hakeem. At the 2 April 2004 elections for the National Assembly the party won five seats. **[8] (p562)** As noted in the EU EOM June 2004 report: "The Sri Lanka Muslim Congress (SLMC – Tree) is the other [together with NUA] officially recognised party representing the Muslim minority community. Their electorate is largely based in the East, Kandy and central Colombo. The SLMC is a member of the UNF [formed for the General Elections of 2 April 2004]; some of its candidates stood under the UNP in central areas while others ran alone in the East." **[40] (p10)**

Tamil Eelam Liberation Organisation (TELO) http://www.telo.org/
Formed in 1974, it is on the TNA list. **[56]** It has operated as a national political party since 1988. **[1b]** (See also TNA)

Tamil National Alliance (TNA)
Founded in 2001 as an alliance of Tamil United Liberation Front (TULF), All Ceylon Tamil Congress (ACTC), EPRLF[V], TELO. **[56]**
As noted in the EU EOM June 2004 report: "The Tamil National Alliance (TNA – House), a Tamil-based alliance, is the political proxy of the LTTE. The alliance includes the Tamil United Liberation Front (TULF) and the Tamil Eelam Liberation Organisation (TELO). The TNA's strongholds are the LTTE controlled areas in the North and some areas in the East. The TNA's primary aim is the creation of a "Tamil homeland" in the North and East. **[40] (p10)** The party gained 22 seats at the 2 April 2004 elections for the National Assembly. **[8] (p562)**

Tamileela Makkal Viduthalai Pulikal (Tamil People's Liberation Party) (TMVP)/Karuna faction

TMVP is a political party formed in 2004 by break-away LTTE leader V. Muralitharan (alias 'Colonel Karuna', aka Karuna Amman).

In May 2007 there were reports of a split within TMVP further to an alleged dispute between Karuna and a group headed by Pillayan which was eventually settled with the agreement that Karuna would remain as the leader. (Daily Mirror, 14 May 2007) **[11g]** However, on 1 October 2007 it was reported that former TMVP commander Pillayaqn was set to lead the group "in the wake of Karuna Amman fleeing to Britain in the midst of the deepening internal rift between Pillayan and Karuna owing to alleged financial mismanagement and tit-for-tat killings [between the respective supporters]." (Daily Mirror, 1 October 2007) **[11q]**
On 9 October 2007, it was confirmed that theTMVP central committee had decided to suspend its founder leader Karuna Amman from the organisation and to formally appoint Pillayan as its leader. Karuna had been apparently removed after being accused of financial irregularities and allegedly found guilty of embezzling more than Rs. 80 million of the party's funds (Daily Mirror, 9 October 2007) **[11r]** It was later reported that the TMVP central committee had been forced to reinstate Karuna as leader of the organisation (albeit only at a ceremonial level) following previously reported "pressure from the government to reconcile both Karuna and Pillayan factions out of fear the split would lead to inter-factional clashes in the east", while Pillayan would official hold the position of vice president. It was also reported that the top Karuna associates Iniyabharathi and Thileepan were included in the political and financial committees appointed by TMVP. (Daily Mirror, 17 October 2007) **[11s]** On 24 October 2007 it was further reported that, further to a series of suspect LTTE attacks on the outfit, the government had increased the security provided to the eastern political cadres of the TMVP. "The TMVP is an unregistered political party and operates a military unit. It had discarded the 'Tiger' emblem and the armed struggle for a separate state and from this year decided to use the 'fish' as its election symbol" "The SLMM said the TMVP appeared to be concentrating its resources in Batticaloa." (Daily Mirror, 24 October 2007) **[11t]**

On 9 August 2006 Reuters reported that the breakaway rebels had opened an office in the capital, aiming to eventually contest elections once registered as a recognised political party. "Karuna split from the Tigers, taking an estimated 6,000 loyal fighters with him, in early 2004 after accusing the leadership of discriminating against Tamils in the east -- his traditional stronghold. Most of his followers are believed to have either returned to civilian life or rejoined the Tigers, and his force is now estimated to number a few hundred at most." **[4a]**

As recorded in Jane's Sentinel Security Assessments, Country profile - At a glance, Sri Lanka, 26 April 2007:

"Effectively, Karuna with the alleged support of the Sri Lankan government and the Indian intelligence services has developed an insurgency against the LTTE, especially in the east. The success of the strategy to use insurgency tactics against the insurgents now poses the single greatest threat to the integrity and authority of the LTTE as the sole and primary representative of the rebellion for a separate 'Eelam'. The impact of Karuna on the security situation in Sri Lanka should not be under-estimated, not least because the threat from Karuna is surely a main motivating factor in the LTTE decision to jeopardise the future of the peace process in favour of a commitment to join the 'final war'…Following the initial shock of the revolt led by Colonel Karuna, Prabhakaran launched a carefully planned counteroffensive that succeeded in evicting renegade troops from their main encampments located in the coastal areas of Batticaloa and Ampara districts…Karuna and a small group of loyalists

evidently escaped to Colombo and went into hiding while directing the remnants of his troops in Batticaloa in both defensive and offensive guerrilla operations. Even more intriguing than the failure of the LTTE to suppress the revolt was Karuna's decision to ostensibly abandon the armed rebellion against the government and enter the democratic mainstream, forming a new political party [TMVP] in collaboration with other anti-LTTE groups. It is not entirely clear where the Karuna faction is now. The east itself has descended into low-level violence, a lack of governance and widespread criminality. The LTTE has largely lost control over the east but still maintains a presence there. Unable to maintain previous levels of political and ideological support, the LTTE has now resorted to tactics based upon sheer fear and violence to maintain whatever influence is left. Elsewhere, the Karuna hierarchy is thought to be based in safe houses close to Ratmalana airfield, protected by the Sri Lankan security forces. However, the CFA has allowed the LTTE to deploy across the island, and most notably to Colombo, where its intelligence capability is extremely good. Colombo has several Tamil suburbs where the incidence of Tamil-on-Tamil violence has risen markedly since the Karuna defection. In July 2004 eight top Karuna aides were shot dead in a presumed safe house in Kottawa, close to Colombo. This and several subsequent incidents may have convinced the Karuna faction that Colombo is unsafe and many are now thought to have taken refuge in the Gulf, especially Doha." **[5a] (Internal Affairs, 26 April 2007, Secessionist campaign & LTTE 2004 revolt)**

On 4 April 2007 by BBC News reported on a rare interview with Colonel Karuna:

"Col Karuna says he left the rebel movement because disproportionate numbers of cadres from the east, like him, were being sacrificed on the battlefield, while the rebels from the north controlled the organisation. And, he said, Prabhakaran was not serious about peace negotiations with the government of Sri Lanka and the now all-but-defunct 2002 ceasefire…There have been reports, denied by the government, that Col Karuna's cadres have been helping the Sri Lankan military as they have captured areas in the east that were under Tiger control. Aid agency workers report seeing Karuna cadres carrying weapons in government-controlled areas. He rejected those claims, but agreed his actions had had a major impact… His newly-formed party, the TMVP, would contest future provincial and general elections, he said. Senior government figures have spoken of him being a possible future chief minister of the Eastern Province. He says he has abandoned the idea of a Tamil Eelam - the Tamil homeland for which the Tigers have fought for decades - and now wants a solution to the ethnic conflict under one united Sri Lanka." **[9ab]**

As of April 2007, TMVP was repored to operate 20 political offices in the east including Batticaloa, Trincomalee and Ampara and one office in Colombo. (Daily Mirror, 17 April 2007) **[11h]**

Speaking to the BBC in July 2007, Colonel Karuna, said that he had no plans to disarm his fighters. He said that although Government forces were now in control of the east, LTTE's intelligence personnel were still operating there. He rejected again the suggestion that his forces had co-operated with Government troops in the fight against the LTTE but admitted that his fighters had taken part in the battle for the former rebel stronghold of Thopigalla, captured by the army on the previous week. (BBC News, Breakaway rebel will not disarm, 20 July 2007) **[9g]**

The Human Rights Watch (HRW) report 'Return to War, Human Rights under Siege', published on 6 August 2007 noted that:

"With the government's acquiescence if not open backing, the Sri Lankan security forces continue their support for the abusive Karuna group, the Tamil armed group that split from the LTTE in 2004. The LTTE's loss of key territories in the east has permitted the Karuna group to extend its influence over the districts of Ampara,Trincomalee, and Batticaloa. In 2007 the group was expanding its operations in the Vavuniya district in the north, working in tandem with government forces, and continuing to engage in extortion and abductions." **[21f] (Section IX)**

See also Annex F

Tamil United Liberation Front (TULF)
Founded in 1976 following the merger of the All Ceylon Tamil Congress and Federal Party. **[1b]** It contested the April 2004 general election as part of TNA. (See also TNA)

United National Party (UNP) http://www.unp.lk/portal/
The conservative UNP was founded in 1947. It advocates the development of the country through free markets and inter-communal co-operation. The UNP formed the Government from 1947-1956 and again from 1965-1970. In 1977 it secured a landslide victory under J.R. Jayawardene, holding office for the following 17 years. The party lost power in 1994, but regained power in the December 2001 elections. It came second (with 82 seats) in the April 2004 general election. **[8] (p563)** As noted in the EU EOM June 2004 report: "The United National Party (UNP – Elephant) is the party of the former Prime Minister, Mr. Wickremesinghe. The UNP has governed the country for 30 years since independence and it enjoys the confidence of the business community." For the General Elections of 2 April 2004 the United National Front (UNF) was formed as a coalition composed of the centre-right United National Party (UNP), the Sri Lanka Muslim Congress (SLMC) and the Ceylon Workers' Congress (CWC). **[40] (p10)**
The party was reported to have formed an alliance with SLFP (M) "to create a broad political front that would contest future elections as the 'National Congress'" (EIU Sri Lanka Country Report, August 2007) **[75a] (p13)**

United People's Freedom Alliance (UPFA)/People's Alliance
Founded in 2003, it is an alliance of Sri Lanka Freedom Party (SLFP), JVP, LSSP, CPSL, SLMP, DVJP, MEP and National Unity Alliance (NUA). It won 105 seats in the April 2004 general election. **[56]** It reverted to original founding name of People's Alliance in April 2007. President: Ratnasiri Wickremanayake. **[1b] (Political organisations)**
"The alliance between the SLFP and the JVP was very controversial. Although both parties support a larger role of the state in economic and social life, there are substantial ideological differences between them. In addition, the JVP is considered responsible for the assassination of the [former] President's husband in 1988.The UPFA political platform is based on issues such as the improvement of the state worker's conditions, the subsidizing of the agricultural sector, the amendment of the constitution (through the abolition of the executive presidency and the change of the electoral system) and measures to reduce the cost of living." **(EU EOM June 2004 report) [40] (p10)** "In June 2005 the JVP left the Government after the President's decision to sign a post-tsunami funding arrangement with the LTTE." **(FCO Country Profile, Sri Lanka) [15j]**

Up-Country People's Front
Represents the interests of workers, mainly of Indian Tamil origin, on tea plantations. **[1b]** At the 2 April 2004 elections for the National Assembly it gained one seat **[39a]**

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Annex D: Prominent people

Bogollagama Rohitha
Minister of Foreign Affairs. **[10d] [44a]**

KARUNA Colonel (nom de guerre of Vinayagamoorthi Muralitharan, aka Karuna Amman)
As highlighted by BBC News in a profile of 5 March 2004, Colonel Karuna was once a bodyguard of the LTTE leader Velupillai Prabhakaran.

> "He joined the militant outfit in 1983 and, within a few years, became the top commander in his native eastern province…. Colonel Karuna's importance in the Tamil Tiger hierarchy became clear when rebel leader Velupillai Prabhakaran elevated him to the rank of special commander for the eastern Batticoloa-Amparai districts in 2003…Prabhakaran later made Colonel Karuna part of the team that negotiated with the Sri Lankan government during several rounds of peace talks in Bangkok, Oslo and Tokyo…. He felt his personal promotion was not enough for the east and has been seeking better representation for eastern cadres within the Tamil Tiger hierarchy." **[9cr]** On 4 March 2004, BBC had reported that Colonel Karuna, had broken ranks after facing the threat of disciplinary action. "He was thought to be unhappy that the bulk of the rebel fighters come from the east and yet all the top leadership comes from the north of Sri Lanka." **[9bs]** According to BBC News reports of 12 and 13 April 2004, he was reported to have fled after his troops were defeated and dispersed by the LTTE main faction in April 2004 in the east. **[9bl] [9bm]** As noted in BBC News reports dated 21 and 24 June 2004 and 1 July 2004, Tamil Tigers rebels had accused the Sri Lankan security forces of aiding and abetting Colonel Karuna but President Kumaratunga had rejected allegations that the government had authorised military activities in the Eastern Province in support of the Karuna faction. **[9bp] [9bq] [9bbr]**

As recorded in Jane's Sentinel Security Assessments, Country profile - At a glance, Sri Lanka, 26 April 2007:

> "Karuna is a hardened strategist commanding the loyalty of a substantial number of cadres that were ensconced in Kokkadicholai, a rebel pocket off Batticaloa in the east immediately after their defection from the LTTE. These cadres have now dispersed. They are believed to be in protected houses in and around Colombo or may have gone further afield to join Tamil diaspora communities or to find work in the Gulf states… Over the course of the ceasefire, Karuna felt that the east had become overlooked and ignored. This resentment was the main motivation for his defection. The LTTE attacked the Karuna defectors in the east soon after the early 2004 split and the dissident movement quickly fell apart. However, a corps of supporters remains loyal to him. The LTTE has pledged to kill Karuna and claims that he remains closely protected by the Sri Lankan government." **[5a] (Vinayagamoorthi Muralitharan (alias Colonel Karuna)**

On 1 October 2007, it was reported that Karuna had fled to Britain. (Daily Mirror, 1 October 2007) **[11q]**

See also Latest News, Section 3 and Annex C and F

KUMARATUNGA Chandrika Bandaranaike
Former President of Sri Lanka. As outlined in a BBC News profile dated 3 April 2004:

> "Chandrika Kumaratunga came to power as president of Sri Lanka for the first time in 1994….The victory of her Peoples' Alliance (PA) coalition ended 17 years of rule by the United National Party (UNP)". She was almost killed in an attack by a suspected Tamil Tiger suicide bomber on the final day of campaigning for presidential elections in 2000 but she went on to be re-elected for a second successive term as Sri Lanka's president. "In December 2001, Mrs Kumaratunga suffered a setback when her political opponent Ranil Wickramasinghe took office as Sri Lanka's new prime minister…Mrs Kumaratunga's belief that Mr Wickramasinghe was too lenient with the Tamil Tiger rebels came to a climax in November, 2003, when she took over control of three ministries in his government, including defence." **[9cr]** On 4 April 2004 BBC News reported that President Chandrika Kumaratunga's party had won the country's parliamentary elections, but without enough seats for a majority. **[9az]** As recorded in Europa World Online, "[In August 2005] there was controversy over when the country's next presidential election was scheduled to take place. While, under the terms of the Constitution, the next election was due to be held in December 2005, President Kumaratunga claimed that the holding of an undisclosed swearing-in ceremony in 2000 [in fact it happened in January 2004] had actually extended her second term until December 2006…In August the Supreme Court brought an end to the controversy, ruling that the election should be held by 22 November 2005. In September it was announced that the election would take place on 17 November. **[1b]**
>
> See also Section 3

Pillayan
Former allied of Colonel Karuna and, from October 2007, new leader of the TMVP **[11r]**
See also Annex C

PRABHAKARAN (PIRAPAHARAN) Velupillai
Leader of the Liberation Tigers of Tamil Eelam (LTTE). As outlined in a BBC News profile dated 25 November 2003:

> "From a secret jungle base in the north-east of Sri Lanka, Velupillai Prabhakaran heads the Liberation Tigers of Tamil Eelam (LTTE). He has a reputation as a fearless and ruthless guerrilla leader, and under his leadership, the LTTE, or Tamil Tigers, have become a highly-disciplined and highly-motivated guerrilla force…. To his followers, he is a freedom fighter struggling for Tamil emancipation from Sinhala oppression. To his adversaries he is a megalomaniac with a brutal disregard for human life…His movements between his various jungle hideouts are the subject of great secrecy, and he is reported to have narrowly avoided assassination or capture on numerous occasions…. He soon became heavily involved in the Tamil protest movement, and in 1975 was accused of being responsible for the murder of the mayor of Jaffna….The killing of the mayor of Jaffna is not the only high-profile murder for which Mr Prabhakaran is the prime suspect. He has also been accused by India of playing a key role in the murder of the former prime minister, Rajiv Gandhi, in 1991…. Despite the conflicting views surrounding Mr Prabhakaran, there is one point on which both the Sinhala and Tamil communities agree: he is the dominating force in the rebel movement, and without his consent peace in Sri Lanka will never be attainable." **[9ae]**

Rajapaka Gothabaya
Defense Secretary and brother of the Presidente Mahinda Rajapakse (USSD 2006) **[2c] (Introduction)**

RAJAPAKSE Mahinda
President. "On 17 November 2005 14 candidates contested the presidential election. Mahinda Rajapakse secured a narrow victory over his closest rival, Ranil Wickremasinghe, winning 50.29% of the vote, compared with 48.43% for Wickremasinghe." **(Europa World Online) [1b]**

As recorded in Jane's Sentinel Security Assessments, Country profile - At a glance, Sri Lanka, 26 April 2007:

> "Mahinda Rajapakse, born on 18 November 1945, was educated at several reputed schools in Galle and Colombo. Although not proceeding from school to tertiary education, he went on to obtain qualifications as an Attorney through examinations offered by the Sri Lanka Law College. Rajapakse hails from a well-known family in southern Sri Lanka of which several members have figured prominently in politics… It was as the representative of the parliamentary constituency of Hambantota District which his father had represented from 1947 to 1960 that Mahinda Rajapakse first entered parliament in 1970. Rajapakse was one of the most active and articulate members of the SLFP throughout the United National Party (UNP) regime of 1977-94… when the UNP was ousted in 1994, Rajapakse was therefore appointed to only relatively unimportant cabinet posts such as those of labour and vocational training, and fisheries, despite his senior position within the party. During the tenure of the United National Front (UNF) government (2001-04) Rajapakse made further headway as an anti-UNP leader, surpassing in political stature most of the old guard of his party, often remaining neutral in inner-party disputes. After the elections of April 2004 Rajapakse was able to muster a broader spectrum of support than any of the other contenders to the premiership. His appointment as prime minister strengthened his claim to succeed Kumaratunga as party leader and become its nominee at the presidential election of 2005. By August 2005 it was apparent that Rajapakse had gained the backing of his party, despite Kumaratunga's personal preference for her younger brother Anura Bandaranaika. Rajapakse was elected president in November 2005 by a slim margin over rival candidate Ranil Wickremasinghe. Rajapakse's victory owed much to a LTTE boycott, as the insurgent group apparently preferred to have a president with a hardline policy towards the conflict in order to induce a 'final war' rather than the more compromising policy of Wickremasinghe." **[5a] (President Mahinda Rajapakse)**

TAMILSELVAN (THAMILCHELVAN) Sinniah Paramu
S.P. Tamilselvan was mentioned BBC News on 11 July 2004 (and on many other occasions) as the head of the Tigers' political wing. **[9cx]** Pro-LTTE website TamilNet referred to Thamilchelvan as head of the Tigers' political division on 14 May 2004 **[38n]** and as head of the Liberation Tigers' political wing on 17 June 2004. **[38o]**
See also Latest News section

WICKREMASINGHE Ranil
Leader of the main opposition party, United National Party (UNP). He was Minister of Industries, Science and Technology under President Premadasa and was appointed Prime Minister following the latter's assassination in 1993. As leader of the UNP, he

again became Prime Minister in December 2001 after his party's victory in the general election. **(BBC News of 7 December 2001) [9q]** The United National Party of Ranil Wickremasinghe was defeated by the UPFA in the general election of 2 April 2004. He came second in the presidential election of November 2005, obtaining 48.43% of the vote. **[1b]** In January 2006 he was confirmed as leader of the UNP. **[9f]**

WRIKEMANAYAKE Ratnasiri

Formerly Minister of Agriculture, Public Security, Law and Order and of Buddha Sasana, Ratnasiri Wickremanayake was appointed Prime Minister soon after the former prime minister Mahinda Rajapakse became president in November 2005. **[1b]**

As recorded in Jane's Sentinel Security Assessments, Country profile - At a glance, Sri Lanka, 26 April 2007:

> "Ratnasiri Wickremanayake, born on 5 May 1933, is the 14th prime minister of Sri Lanka and a veteran politician. He was sworn in as prime minister of Sri Lanka by President Mahinda Rajapakse on 21 November 2005. The decision to appoint Ratnasiri Wickremanayake as the prime minister appears to have been taken at the last minute, as his name did not appear in the context of potential candidacy until the night of his appointment. However, this is not the first time Wickremanayake has held the post of prime minister. His first tenure (August 2000-December 2001) came about as he succeeded the late Sirimavo Bandaranaike after she resigned from the position at the age of 84. He is also a senior vice-president of the ruling Sri Lanka Freedom Party (SLFP)… After the SLFP won the 2004 parliamentary elections, Wickremanayake was appointed minister of Buddhist affairs, public security, and law and order, and deputy minister for defence. He held both posts until being made prime minister in 2005. Wickremanayake is seen by many as taking a hard line on the ethnic conflict in Sri Lanka. During his previous term as prime minister, he refused to consider talks with the main Tamil militant group, the Liberation Tigers of Tamil Eelam (LTTE), until they unambiguously renounced terrorism. He has called for Sri Lanka's family planning policies to be modified, to encourage people to have more children and thereby produce more recruits for the Sri Lankan Army. As an opposition politician, he also spoke against the 2002 ceasefire agreement at the time." **[5a] (Prime Minister Ratnasiri Wickremanayake)**

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Annex E: Fatalities by district

The following charts produced by SATP (South Asia Terrorism Portal) cover the number of fatalities divided by district for 2007 (with data until 29 October 2007) and the year 2006.

A) Fatalities District-Wise 2007

http://www.satp.org/satporgtp/countries/shrilanka/database/fatilitiesdisticwise_2007.htm **[37g]**

State	Civilians	SFs	Terrorists	Total
Ampara	35	16	45	96
Anuradhapura	4	26	21	51
Badulla	3	0	0	3
Batticaloa	83	52	425	560
Colombo	13	8	0	21
Galle	16	0	0	16
Gampaha	7	0	0	7
Hambantota	0	7	0	7
Jaffna	90	54	329	473
Kalutara	0	0	0	0
Kandy	0	0	0	0
Kegalle	0	0	0	0
Kilinochchi	0	0	77	77
Kurunegala	0	0	0	0
Mannar	33	35	262	330
Matale	0	0	0	0
Moneragala	0	2	19	21
Mullaitivu	0	0	18	18
Matara	0	0	69	69
Nuwara Eliya	0	0	0	0
Pollonaruwa	9	3	9	21
Puttalam	9	0	16	25
Ratnapura	2	0	0	2
Trincomalee	52	19	99	170
Vavuniya	91	190	674	955
Total	447	412	2063	2922

*Data 29 October 2007

B) Fatalities District-Wise 2006

http://www.satp.org/satporgtp/countries/shrilanka/database/FatilitiesDisticwise_2006.htm **[37f]**

State	Civilians	SFs	Terrorists	Total
Ampara	27	19	55	101
Anuradhapura	69	09	00	78
Badulla	00	00	00	00
Batticaloa	169	107	348	624
Colombo	25	17	08	50

Galle	00	00	15	15
Gampaha	01	00	00	01
Hambantota	00	00	00	00
Jaffna	242	319	1170	1731
Kalutara	00	00	00	00
Kandy	00	00	00	00
Kegalle	00	00	00	00
Kilinochchi	05	00	00	05
Kurunegala	00	00	00	00
Mannar	30	30	104	164
Matale	00	00	00	00
Moneragala	00	01	04	05
Mullaitivu	00	00	08	08
Muttur	00	00	00	00
Nuwara Eliya	00	00	00	00
Pollonaruwa	16	11	20	47
Puttalam	03	13	28	44
Ratnapura	00	00	00	00
Trincomalee	319	219	519	1057
Vavuniya	75	81	40	196
Total	981	826	3219	4126

*Data December 31, 2006

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Annex F: Incidents of violence between the LTTE and the Karuna faction

The following chart produced by SATP (South Asia Terrorism Portal) covers incidents between the LTTE and the Karuna faction for the period 9 April 2004 – 25 October 2007).

Incidents of violence between the LTTE and Tamil National Front (rebel faction led by Vinayagamoorthy Muralitharan alias 'Colonel' Karuna) since March 2002
http://www.satp.org/satporgtp/countries/shrilanka/database/violenceincidents.htm
[37e]

Date	Place and District	Description	Fatalities-LTTE	Fatalities-Karuna faction
April 9, 2004	Verugal River, Batticaloa	LTTE launches attacks against the forward positions of 'Colonel' Karuna	0	22
April 25, 2004	Vavunithivu, Batticaloa	LTTE cadres are shot dead by the Karuna faction inside an area under the former's control	4	0
July 5, 2004	Batticaloa town	LTTE's political wing leader for Batticaloa town, Senadhi, is shot at and wounded	0	0
July 5, 2004	Batticaloa town	LTTE cadre, Murunkan Mama, is shot dead by the Karuna group	1	0
July 14, 2004	Punanai, Batticaloa	A Karuna group cadre is killed during an ambush by one of LTTE's special jungle warfare units	0	1
July 15, 2004	Batticaloa	Two Karuna faction cadres are killed in an attack by a LTTE cadre inside the Batticaloa prison	0	2
July 23, 2004	Kandaladi, Batticaloa	LTTE cadre, Seenithamby Mahalingam, is shot dead by the Karuna faction	1	0
July 25, 2004	Kottawa, Colombo	Seven suspected Karuna cadres and a Sinhalese person are shot dead by the LTTE	0	7
August 10, 2004	Kaluwaanchikudy, Batticaloa	Seniththamby Yogarajan of the Karuna group is shot dead by the LTTE	0	1
August 11, 2004	Kiran, Batticaloa	Sivrajah Sivaseelan of the Karuna faction is shot dead by the LTTE	0	1
August 20, 2004	Valaichchenai, Batticaloa	Two LTTE leaders are shot dead and two cadres sustain injuries during an ambush by the Karuna group	2	0
August 24, 2004	Akkaraipattu Batticaloa	A Karuna group cadre is shot dead inside the Akkaraipattu court premises	0	1
September 23, 2004	Illuppadichchenai Batticaloa	LTTE cadres kill Reggie, elder brother of 'Colonel' Karuna	0	3
September 29, 2004	Vakarai sector, Batticaloa	Karuna cadres fire rocket propelled grenades targeting a LTTE sentry point	5	0
October 1, 2004	Vakaneri, Batticaloa.	Ruben, a Karuna cadre, is shot dead by a LTTE special jungle warfare unit	0	1
October 2, 2004	Omadiyamadu, Batticaloa	LTTE cadres of the Jeyanthan Regiment attack a group of heavily armed Karuna cadres	0	2
October 11, 2004	Nagastenne, Batticaloa	Two Karuna cadres are killed and six others sustain injuries during an attack by the LTTE special forces group	0	2

October 19, 2004	Iyankerny, Batticaloa	LTTE supporter, Kathirgamathamby Ganeshamoorthy, is killed by cadres of the Karuna faction	1	0
October 20, 2004	Anpuvallipuram, Trincomalee	The LTTE kills a suspected Karuna faction cadre	0	1
October 25, 2004	Wellawatte, Colombo	A Karuna faction cadre is killed and two others sustain injuries as suspected LTTE cadres open indiscriminate fire	0	1
November 17, 2004	Valaichenai, Batticaloa.	A political worker of the LTTE is shot dead by suspected Karuna faction cadres	1	0
November 25, 2004	Akkaraipattu Batticaloa.	An LTTE political activist, identified as Umakanth, is killed by suspected Karuna group cadres	1	0
December 22, 2004	Arasady Junction Batticaloa.	A LTTE cadre is killed by suspected Karuna faction gunmen at Pioneer Road	1	0
February 7, 2005	Poonani, Batticaloa	LTTE's Eastern Political wing leader, Kaushalyan, his deputy Nedimaran and three other LTTE cadres are killed in an ambush by the rival Karuna faction	5	0
February 12, 2005	Mannar	One civilian is killed and two persons, including an LTTE activist, are wounded when suspected Karuna faction cadres lobbed a grenade targeting the LTTE's office	0	0
February 20, 2005	Muththukkal, Polannaruwa	Suspected LTTE cadres kill a Karuna faction cadre and injure another in an ambush	0	1
March 5, 2005	Welikanda, Polonnaruwa	Six persons are shot dead by the LTTE. Among the dead is a suspected cadre of the Karuna faction and four Muslims	0	1
March 5, 2005	Vanthaarumoolai, Batticaloa	A Karuna group cadre, identified as Mylvaganam Pulenthiran, is shot dead by the LTTE	0	1
March 5, 2005	Batticaloa district	A LTTE cadre, 'Major' Pushparaj, is shot dead by cadres of the Karuna faction. Two others were injured in the attack	1	0
March 14, 2005	Karapola, Polannaruwa	Two LTTE cadres, Sinnaturai Selvanaathen and Subramanium Gunesekaram, are shot dead by suspected Karuna faction cadres	2	0
March 21, 2005	Welikanda, Polonnaruwa	Two LTTE cadres are killed during a factional clash	2	0
March 26, 2005	Tharavai, Batticaloa	Five LTTE cadres are killed by the rival Karuna faction	5	0
March 28, 2005	Vavuniya	Suspected Karuna group cadres throw grenades targeting a LTTE office, wounding at least three people	0	0
April 8, 2005	Poonagar, Trincomalee	Two LTTE cadres are killed in an attack at a LTTE checkpoint by cadres of the Karuna faction	2	0
April 14, 2005	Welikanda, Polonnaruwa	Nine Karuna faction cadres are killed in an attack on their camp by the LTTE	0	9
April 21, 2005	Kanjikudichcha Aaru, Ampara	Five LTTE cadres are killed and seven others sustain injuries in a pre-dawn attack by the Karuna faction	5	0
April 21, 2005	Valaichenai, Batticaloa.	LTTE cadres kill a suspected Karuna group cadre	0	1
April 25,2005	Karapola, Polannaruwa	One Karuna faction cadre is killed while one of his colleagues is abducted	0	1
May 6, 2005	Welikanda, Polonnaruwa	Two LTTE cadres, believed to be 'intelligence operatives', are killed during a clash with the	2	0

		Karuna faction		
May 23, 2005	Manampitiya, Polonnaruwa	A LTTE cadre is shot dead by suspected gunmen of the Karuna faction	1	0
June 5, 2005	Aalankulam, Batticaloa	A Karuna group cadre is killed by rival LTTE cadres	0	1
June 8, 2005	Sangamankandy, Batticaloa	Two LTTE cadres are killed in an explosion triggered by the Karuna faction	2	0
June 21, 2005	Muttur, Trincomalee	A Karuna faction cadre is shot dead by suspected LTTE cadres.	0	1
July 6, 2005	Batticaloa	Suspected LTTE cadres kill, Selvaraja, a 'Colonel' Karuna group cadre	0	1
July 10, 2005	Trincomalee	Four LTTE cadres, including two top leaders Dikkan and Sinnavan, are killed by rival 'Colonel' Karuna faction.	4	0
July 26, 2005	Colombo	A suspected LTTE cadre, identified as Krishnapillai Kiribarathnam, is shot dead by a member of a rival 'Colonel' Karuna faction.	1	0
August 15, 2005	Polannaruwa	Suspected LTTE cadres shot dead, Mahathevarajah, a 'Colonel' Karuna group cadre.	0	1
September 2, 2005	Wennappuwa, Puttalam	Suspected LTTE cadres shot dead a former member of the 'Colonel' Karuna group.	0	1
September 4, 2005	Kaluwanchikudy, Batticaloa	Cadres of the 'Colonel' Karuna group lob a hand grenade towards the LTTE political office and subsequently shot dead a LTTE cadre, identified as K. Arulnesan.	1	0
October 26, 2005	Polonnaruwa	Two cadres of the LTTE are killed by the 'Colonel' Karuna faction.	2	0
November 14, 2005	Akkaraipattu, Ampara	Cadres of the 'Colonel' Karuna faction abduct and subsequently kill two top leaders of the LTTE, including Amparai district 'military commander' of the outfit, identified as Suresh.	2	0
December 5, 2005	Siyambalanduwa, Ampara	Four cadres of the 'Colonel' Karuna faction, including a senior commander identified as Iniyabarathy alias Barathy, are killed by the LTTE.	0	4
December 15, 2005	Kudapokuna, Polonnaruwa	Suspected cadres of the LTTE shot dead a cadre of the breakaway 'Colonel' Karuna faction, identified as Sivapulandu Passirasa alias Thran.	0	1
January 26, 2006	Vadamunai, Batticaloa	At least 10 LTTE cadres are killed and an unspecified number are injured when 'Colonel' Karuna faction cadres attacked a vehicle carrying LTTE cadres.	10	0
January 26, 2006	Vadamunai, Batticaloa	A senior LTTE cadre, 'Major' Kavilan, is allegedly killed by cadres affiliated to 'Colonel' Karuna.	1	0
February 22, 2006	Pulipaynthakal, Batticaloa	Six suspected 'Colonel' Karuna cadres shot dead a LTTE 'National Auxiliary Force' cadre, identified as Shanthakumar Narayanapillai.	1	0
April 5, 2006	Panichchankerni, Batticaloa	Two 'Colonel' Karuna faction cadres, including a key operative Chooty, are injured in a counter-attack by the LTTE.	0	0
April 13, 2006	Vakaneri, Batticaloa	Two LTTE cadres are killed and four others wounded in an ambush by cadres belonging to the 'Colonel' Karuna faction.	2	0
April 18, 2006	Kiran, Batticaloa	The LTTE announces that they had killed three paramilitary cadres and captured another in the LTTE-controlled area.	0	3
April 30.	Welikanda,	The LTTE raided three camps of 'Colonel' Karuna	0	20

2006	Polannaruwa	faction.		
May 2, 2006	Batticaloa	Cadres of the 'Colonel' Karuna faction attack the LTTE camp, killing eight of the outfit's cadres.	8	0
May 7, 2006	Sampoor and Ravulkulee, Trincomalee	'Colonel' Karuna faction cadres kill 12 cadres of the LTTE in an attack at the outfit's camp.	12	0
May 19, 2006	Sampur, Trincomalee	Cadres of the 'Colonel' Karuna group in the district kill five LTTE cadres.	5	0
May 21, 2006	Batticaloa and Trincomalee	Cadres of the breakaway 'Colonel' Karuna faction in the Batticaloa district kill a top 'commander' of the LTTE, identified as Ramanan. A spokesperson for the Karuna group, T. Thuyavan, claims they killed Ramanan who was deputy head of the LTTE 'Military wing' of the Batticaloa district. He also claimed that their cadres attacked an LTTE camp near Trincomalee, killing at least 10 cadres of the outfit.	11	0
May 26, 2006	Pattiaddy, Trincomalee	A counter-ambush commando unit of the LTTE killed three 'Colonel' Karuna faction cadres and captured two others, when it allegedly launched an attack on the infiltrating five-member Karuna group from the Sri Lanka Army camp.	3	0
June 7, 2006	Muttur, Trincomalee	At least 15 cadres of the LTTE are killed in an attack by the breakaway faction of 'Colonel' Karuna.	15	0
June 20 ,2006	Trincomalee	Eight LTTE cadres are killed during an overnight clash with the 'Colonel' Karuna group cadres in the Trincomalee district.	8	0
June 27, 2006	Vakarai, Batticaloa	Four LTTE cadres are killed in an attack by the breakaway faction of 'Colonel' Karuna in the Vakarai area of Batticaloa district.	4	0
July 24, 2006	Ampara	Two LTTE cadres are killed when a group of 'Colonel' Karuna faction cadres attacked them at an outfit-held village.	2	0
July 28, 2006	Vavunathivu, Batticaloa	The Sri Lanka Broadcasting Corporation reports that 30 LTTE cadres are killed in a suicide attack launched by the breakaway faction led by 'Colonel' Karuna.	Unconfirmed	0
August 29, 2006	Sittandy, Batticaloa	A woman, allegedly with the 'Colonel' Karuna faction, is shot dead by cadres of the LTTE near Murugan Kovil in the Sittandy area of Batticaloa district.	0	1
September 5-6	Kanchankudi, Ampara	Heavy fighting erupts between LTTE and its breakaway faction led by 'Colonel' Karuna in the jungles in the Kanchankudi area of Ampara district in which six LTTE camps, including the Kanchikudichchuaru, Pavata and 73 Camp, are overrun by hundreds of Karuna cadres.	0	0
October 26	Chenkalady-Badulla road, Batticaloa	Three cadres of the TMVP, a LTTE breakaway faction led by 'Colonel' Karuna, are killed and eight others sustain injuries in a LTTE attack on the TMVP political office on the Chenkalady-Badulla road in Batticaloa.	0	3
December 19	Ampara	LTTE cadres lob a hand grenade at the Kalmunai political office of the TMVP in the Ampara district, the political wing of the outfit's breakaway faction led by 'Colonel' Karuna, killing two of the TMVP	0	2

		cadres and injuring another.		
December 20	Vavuniya	At least three cadres of the LTTE breakaway faction led by 'Colonel' Karuna are killed in a clash with the LTTE in Vavuniya district.	0	3
2007				
January 9	Valaichenai/Batticaloa	Armed men ambushed two camps belonging to the breakaway faction of the LTTE led by 'Colonel' Karuna, killing several cadres of the Karuna faction. The LTTE claimed that unidentified assailants killed at least 10 members of the breakaway Karuna faction and wounded four more in the ambush. An official at the Defence Ministry in Colombo confirmed the attacks, but said only two Karuna faction members died and that two were wounded	0	2
February 5	Kaluthavalai, Batticaloa	At least two civilians were killed and another wounded in an encounter between the LTTE cadres and the Karuna faction in Kaluthavalai in the Batticaloa district.	0	0
March 4	Batticaloa	At least four civilians received injuries when LTTE cadres triggered a claymore mine and destroyed TMVP political office of LTTE (Karuna faction) in Batticaloa. The claymore explosion completely destroyed the office injuring one of the party supporters inside the office	0	0
April 14	Chenkaladi/Batticaloa district.	The LTTE cadres shot dead a member of the TMVP, political wing of the LTTE breakaway faction led by 'Colonel' Karuna, at the TMVP Chenkaladi office in the Batticaloa district.	0	1
June 10	Mawadivembu/ Batticaloa	LTTE cadres shot dead a cadre of its breakaway faction led by 'Colonel' Karuna, identified as Manoraj, while he was in his residence at Mawadivembu in the Batticaloa district.	0	1
August 29	Ambivelipuram, Trincomalee	Suspected LTTE cadres shot dead a Tamil youth, identified as Nadarasa Kumanan alias Murali, at Ambivelipuram in the Trincomalee district. He was a supporter of the TMVP, the political wing of the LTTE breakaway faction led by 'Colonel' Karuna.	0	1
September 22	Alliadiwembu, Ampara	Suspected LTTE cadres shot dead a supporter of the TMVP and injured two others at Alliadiwembu in the Ampara district.	0	1
September 22	Wellaweli, Batticaloa	One youth, identified as Ariyarathnam Selvakumar, a relative of a TMVP supporter was shot dead by LTTE cadres at Wellaweli in the Batticaloa district.	0	1
October 25	Mavadivembu Batticaloa	A 19-year-old youth, Sivalingam Chandrakumar, working at the TMVP, the political wing of the LTTE breakaway faction led by ‘Colonel’ Karuna, political office in Chenkaladi was shot dead by ‘pistol gang’ cadres of the LTTE in the Mavadivembu area of Batticaloa district.	0	1

[37e]

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Annex G: List of abbreviations

AHRC	Asian Human Rights Commission
AI	Amnesty International
BHC	British High Commission
CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
CID	Criminal Investigations Department
CPJ	Committee to Protect Journalists
ERs	Emergency Regulations
EU	European Union
FCO	Foreign and Commonwealth Office (UK)
FGM	Female Genital Mutilation
FH	Freedom House
GDP	Gross Domestic Product
GOSL	Government of Sri Lanka
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRC	Human Rights Commission
HRW	Human Rights Watch
ICG	International Crisis Group
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Person
IFRC	International Federation of Red Cross and Red Crescent Societies
IMF	International Monetary Fund
IOM	International Organisation for Migration
MSF	Médecins sans Frontières
NESOHR	North East Secretariat on Human Rights
NGO	Non Governmental Organisation
NPC	National Police Commission
NCPA	National Child Protection Authority
OCHA	Office for the Coordination of Humanitarian Affairs
ODPR	Office for Displaced Persons and Refugees
OECD	Organisation of Economic Cooperation and Development
OHCHR	Office of the High Commissioner for Human Rights
OSCE	Organisation for Security and Cooperation in Europe
PTA	Prevention of Terrorism Act
RSF/RWB	Reporters sans Frontières (Reporters withouth Borders)
SCOPP	Sri Lankan Government's Secretariat for Co-ordinating the Peace Process
SLA	Sri Lanka Army
SLAF	Sri Lanka Air Force
SLMM	Sri Lanka Monitoring Mission
STC	Save The Children
STD	Sexually Transmitted Disease
STF	Special Task Force
TB	Tuberculosis
TI	Transparency International
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
USAID	United States Agency for International Development

USSD	United States State Department
WFP	World Food Programme
WHO	World Health Organization

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