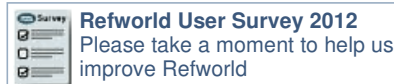


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State of the World's Minorities and Indigenous Peoples 2012 - Sri Lanka

As Sri Lanka marked another year since the end of its bloody civil war in 2009, the problem of how to ensure justice for wartime atrocities and reconciliation between the majority Sinhalese and the Tamil minority remained unresolved. In 2011, the government and the military issued a pair of reports that sought to address some of the violations, yet ultimately they proved to be a disappointment to rights groups hoping for significant signs of progress.

The government established the Lessons Learnt and Reconciliation Commission (LLRC) in 2010 under a storm of protest from rights groups, who questioned its independence and mandate. The resulting report, released in December 2011, contained some positive measures. MRG, for example, praised the report's acknowledgement of the impact felt by Sri Lanka's minority Muslim community. But MRG was also concerned that the LLRC report did not sufficiently investigate serious allegations of war crimes and crimes against humanity during the final days of the war. The report, MRG noted: 'exonerates the government for the manner in which the military campaign was conducted during the period'.

Earlier in the year, a Sri Lanka defence ministry report made a rare concession by acknowledging that civilians were killed in the government's final assault on the Liberation Tigers of Tamil Eelam (LTTE), commonly known as the Tamil Tigers. However, this report also contended that soldiers used only 'necessary force' and was seen by critics as presenting a one-sided account.

A UN report released in April was far more critical. The panel stated that it had found 'credible allegations' of war crimes and crimes against humanity by both the Sri Lankan government and the LTTE. Many of these allegations focused on the final stages of the war in 2009, when Sri Lanka's army pushed into Tamil areas of the north, trapping hundreds of thousands of civilians in the crossfire. It is believed that tens of thousands of people lost their lives in the war's final five months. 'The panel's determination of credible allegations reveals a very different version of the final stages of the war than that maintained to this day by the Government of Sri Lanka,' the report stated. The report called on Sri Lanka to begin credible investigations into alleged violations of human rights law; it also urged the UN Secretary-General to establish an independent international mechanism capable of conducting its own investigations. Neither the government of President Mahinda Rajapaksa nor the UN made such moves during 2011.

In the meantime, human rights groups continue to raise concern over recent disappearances. In December, two local human rights advocates disappeared while they were preparing for a press conference in Jaffna. The AHRC also reported on two other cases involving missing men who were later found murdered. Critics say the government has taken little action on these and other forced disappearances.

In November, a UK-based charity, Freedom from Torture, said it had compiled evidence that torture persists in Sri Lanka, despite the end of the war in 2009. The group's physicians assess Sri Lankan asylum-seekers and refugees, mostly ethnic Tamils, often for use in asylum claims. They had found at least one case showing that torture had continued during 2011.

Problems of reintegration for those displaced by the conflict continued throughout the year. Women in particular faced unique hardships upon return. Increasingly, women are bearing the burden of restarting their families' lives. A government report released last year found that nearly one-third of families returning to the Tamil north are headed by women. One Jaffna-based organization, the Center for Women and Development, estimated there were now 40,000

widowed female-headed households in the area – a figure that excludes women whose husbands are missing or detained by the government.

This has resulted in a precarious situation for Tamil women. In a December briefing, the International Crisis Group said there has been an alarming increase in gender-based violence within the community. Women have been forced into prostitution or trafficked abroad. At the same time, estimates suggest that unemployment in the north could be quadruple that of the national average.

In the aftermath of the civil war, its effect on Muslims has been largely ignored. The Tamil Tigers forced out much of the Muslim population from the north. Failure to implement proper reintegration and reconciliation measures in the region will only serve to exacerbate tensions between Muslims and Tamils.

The report from the UN Secretary-General's panel on accountability warns that recent government policies – requiring the national anthem to be sung only in Sinhala, for example – will alienate Tamil-speakers. Tamil groups also complained of destructive sand-dredging activities in Batticaloa district. In December, Tamil groups claimed that two activists, who were former Tamil Tiger members, were arrested after they protested against sand-dredging in the area.

During 2011, advocates raised concern over a tourism development in the Kalpitiya region of western Sri Lanka. They said up to 10,000 people, mostly Sinhalese Muslims, could be displaced or otherwise affected by a complex of hotels planned for the area. This project has raised concern that similar projects in other parts of the country, particularly in the north and north-east, where post-war tensions still run high, could undermine human rights for minority communities. In its annual report released in December, the AHRC raised concerns that the Sri Lankan government's concept of development 'does not include the guaranteeing of human rights'.

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