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14/2-05

Sri Lanka

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The most pressing rights issues in Sri Lanka continue to derive from the country's two-decades-old civil war. In April 2004, short but fierce fighting broke out between rival factions of the rebel Liberation Tigers of Tamil Eelam (LTTE), the first major hostilities in the country since a February 2002 ceasefire between LTTE and government forces. In the fighting, the LTTE's "Vanni" faction quickly defeated a breakaway group in the east led by Colonel Karuna Amman. In the aftermath, the Vanni faction launched intensive campaigns to re-recruit Karuna's former soldiers, which included some two thousand children. The LTTE has recruited thousands of children since the 2002 ceasefire.

Torture and mistreatment by government security forces and police continued to be a problem, as did harassment of Tamil civilians crossing government-controlled security check points.

Child Soldiers

Sri Lanka's twenty-one-year civil war has cost more than sixty thousand lives and has resulted in numerous atrocities by both the LTTE and government forces. The LTTE has a history of recruiting children—including by force—for participation in combat. The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, which came into force in February 2002, prohibits all use of children under eighteen by non-state armed groups:

Under an action plan agreed to in 2003 between the LTTE, the Sri Lankan government, and UNICEF, the LTTE was to release children from its forces back into the community as well as into transit centers co-managed by UNICEF and the Tamil Rehabilitation Organization (TRO), publicly identified as a front organization for the LTTE. An August 2004 Human Rights Watch investigation showed, however, that while the LTTE has released over one thousand children since agreeing to the action plan, forcible recruitment of children has intensified and new recruits outnumber those released. The LTTE specifically targeted for re-recruitment the 1,800 or more child soldiers released by the Karuna faction after its April defeat.

Political Killings

Political killings by the LTTE targeting rival Tamil party members, suspected Karuna sympathizers, and journalists intensified in 2004. Human rights workers who criticize the LTTE have also been threatened.

On July 25, 2004, police found the bodies of eight persons shot dead while asleep in a government safe house outside Colombo. Most were believed to be senior aides to Karuna. Police investigating the killings said they appeared to have been committed by someone within the house. The LTTE declared that the perpetrators were "dissidents" within Karuna's own faction.

The LTTE claimed responsibility for the public executions of Balasuntaram Sritharan and Thillaiampalam Sutarajan on July 8, 2004 at Illupadichai junction, saying the two men had been sentenced to death as pro-Karuna "traitors." The Karuna faction is suspected in a number of political killings, including that of journalist Aiyathurai Nadesan on May 31, 2004, and Eastern University lecturer Kumaravel Thambiah on May 24, 2004.

Members of rival Tamil parties, particularly the ex-militant groups who refuse to accept the LTTE as the

“sole representative” of the Tamil people, have been targeted. Killings in 2004 have included: Valli Suntharam, a 61-year-old trade union activist and member of the Eelam People’s Revolutionary Liberation Front (EPRLF), shot dead in Jaffna on September 27; Selvarajah Mohan, a 22-year-old Eelam People’s Democratic Party (EPDP) supporter, stabbed to death after being taken from his home in Jaffna district on September 24; Rajadurai Sivagnanam, killed in Batticaloa district on September 22; and Somasundaram Varunakulasingham, a central committee member of the EPDP, shot dead in Colombo on September 23.

Police Torture

The police continue to torture detainees. In 2003, the National Human Rights Commission and the Police Commission agreed on a set of steps to remedy the situation, including ensuring that families and lawyers have access to detainees, displaying written summaries of detainees’ rights in police stations, and holding officers in command responsible for torture in their stations.

However, cases of police torture continue to be reported. On November 5, 2004, twenty-one-year-old Don Mahesh Duminda Weerasuriya was illegally arrested and tortured by police officers at Panadura North Police Station who apparently wanted information about Weerasuriya’s uncle. After being tortured at the police station, he was charged and held at Kalutara Prison where he was detained until November 10.

On November 23, a man who had won his court case based on charges of torture while in police custody, was shot and injured by an unknown assailant while on a bus. The victim, G.M. Perera, had repeatedly been pressured by the police to drop his case against them. Perera was due to give evidence against seven police officers in December.

Following the assassination of a high court judge on November 22, 2004, and the attempted assassination of Perera, the president of Sri Lanka announced the reintroduction of the death penalty for rape, murder, and narcotics dealing. The death penalty had been dormant in Sri Lanka for thirty years

Key International Actors

At a June 2003 conference co-chaired by Japan, Norway, the United States, and the European Union, donors pledged a total of U.S.\$4.5 billion in post-war reconstruction and development aid to Sri Lanka. The aid was closely linked to the Sri Lankan government’s progress in ending the use of child soldiers and rehabilitating former combatants, and ensuring greater minority participation and gender equity in government.

Increasingly, the donor community has been speaking out against continuing violations by the LTTE. In June 2004, the U.S. and the E.U. released a statement in which they reiterated the call for a political settlement to the conflict and specifically mentioned child soldier recruitment as a continuing problem. On October 1, 2004, the U.S. specifically called on the LTTE to stop its recruitment of child soldiers.

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From: <http://hrw.org/english/docs/2005/01/13/slanka9854.htm>

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