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SRI LANKA

DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

Head of state: Mahinda Rajapakse (replaced Chandrika Bandaranaike Kumaratunga in November)

Head of government: Ratnasiri Wickremanayake (replaced Mahinda Rajapakse in November)

Death penalty: abolitionist in practice

International Criminal Court: not signed

UN Women's Convention and its Optional Protocol: ratified

Overview - Covering events from January - December 2005

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The ceasefire between the government and the Liberation Tigers of Tamil Eelam (LTTE) remained in place despite numerous violations and a deteriorating relationship between the two parties.

Escalating political killings, child recruitment, abductions and armed clashes created a climate of fear in the east, spreading to the north by the end of the year, while a nationwide state of emergency was in place for much of 2005. Hundreds of thousands of people remained displaced. Violence against women was reported, including from displaced people's camps. There were threats to reintroduce the death penalty and numerous reports of torture in police custody.

Background

The year began with massive efforts to provide emergency relief to the 1 million people displaced by the tsunami. However, initial co-operation gave way to wrangling, as the LTTE accused the government of discriminating against the north and east in the distribution of aid and allegations emerged that various parties were obstructing and diverting aid. In January the government declared a state of emergency and a coastal buffer zone in which rebuilding was not permitted, resulting in thousands of coastal communities being relocated inland.

Despite growing violence in the east, hopes for a return to peace negotiations rose as, in May, the government and the LTTE reached an agreement to jointly manage the distribution of tsunami aid. In June the People's Liberation Front (Janatha Vimukthi Peramuna, JVP) withdrew from the government coalition in protest at the agreement. Following a petition lodged by the JVP in July, the Supreme Court put a stay order on some elements of the agreement, effectively blocking its implementation and resulting in a further deterioration in the relationship between the LTTE and the government.

There was an escalation of violence and insecurity in the east and north throughout 2005, with a large number of killings and frequent ambushes and skirmishes, involving the LTTE, a breakaway LTTE faction led by Colonel Karuna, and the Sri Lankan Army.

On 12 August the foreign minister, Lakshman Kadirgamar, was assassinated, reportedly by the LTTE. In response the government announced a state of emergency and asked the LTTE to discuss the ceasefire agreement. However, the talks did not take place.

Presidential elections on 17 November brought to power the former Prime Minister, Mahinda Rajapakse.

Politically motivated killings

There were large numbers of politically motivated killings, primarily in the east but increasingly also in the north. The majority were apparently committed by the LTTE, which assassinated civilians, members of rival paramilitary groups and security force personnel. Members of the breakaway Karuna faction also killed civilians and LTTE cadres. The LTTE accused the security forces of supporting the Karuna faction. The security forces were reportedly responsible for a number of extrajudicial executions of civilians.

In addition to targeted assassinations, there were numerous attacks on security force posts, LTTE offices and other sensitive targets. The high level of violence created an atmosphere of fear and insecurity for civilians.

A number of high-profile individuals were assassinated. Foreign Minister Lakshman Kadirgamar was killed in Colombo on 12 August, reportedly by the LTTE. Ariyanayagam Chandra Nehru, a member of the North East Secretariat on Human Rights (NESOHR) and a former Tamil National Alliance (TNA) member of parliament, and Kaushalyan, the LTTE political head for Batticaloa and Ampara, were killed during an ambush on 7 February, reportedly by the Karuna faction. Joseph Pararajasingam, a member of parliament and of the NESOHR, was shot dead by unknown assailants on 24 December in Batticaloa.

In December, during a visit to Sri Lanka, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions stated that extrajudicial killings were “violating the right to life of a large number of Sri Lankans from all ethnic groups, and by undermining the peace process, putting at risk the lives of many more.”

- Dharmeratnam Sivaram, a Tamil journalist close to the LTTE, was abducted and killed in Colombo on 28 April. He had been gagged and shot in the head.
- Kanapathy Rajadurai, Principal of Jaffna Central College, was shot and killed on 12 October in Jaffna town. He was reportedly killed by the LTTE.

Internally displaced people

At the beginning of 2005, an estimated 1 million people were displaced by the tsunami and by September approximately 450,000 of these remained displaced, living in temporary shelters.

In response to the tsunami the government established a coastal buffer zone, set at 100 metres from the average high water line in the south and west, and 200 metres in the north and east. It was announced that no rebuilding was permitted in this buffer zone apart from certain exceptions (including tourist facilities) and that communities who had lived in the buffer zone would be relocated inland. By the middle of 2005 most of these communities remained in temporary shelters awaiting land to be identified for relocation. Coastal communities expressed concern that the forced relocation would erode their livelihoods and way of life. In addition, the large-scale relocation that followed the tsunami increased existing ethnic conflicts over land. Concerns were also raised that people displaced by the tsunami were treated differently on the basis of their ethnicity and regional location.

Approximately 350,000 people remained displaced by the conflict. These internally displaced persons (IDPs) had been unable to return home following the 2002 ceasefire for a number of reasons, including high-security zones, lack of available land for resettlement and landmines. Many were living in government-run camps in very cramped conditions with little privacy. Concern was expressed by the National Human Rights Commission in April at the lack of support and solutions available for people displaced by the conflict in comparison with people displaced by the tsunami. However, there were some indications that the focus on displacement following the tsunami helped to increase support for conflict IDPs.

Child soldiers

Following a short lull after the tsunami, reports of child recruitment by the LTTE rose, peaking in July, when 97 cases were reported to the UN Children's Fund (UNICEF). Although a small number of children were released by the LTTE during 2005, the LTTE failed to live up to its commitments under the Action Plan for Children Affected by War to end recruitment and comprehensively release the children within its ranks. In the face of these challenges, UNICEF began a review of the Action Plan.

It was reported mid-year that the LTTE was forcing all villagers within its territory between the ages of 15 and 50 to participate in military training.

Torture by police

Despite the announcement by the National Police Commission (NPC) in August 2004 that addressing torture by police would be its top priority, during 2005 there were numerous reports of torture in police custody, sometimes resulting in deaths. There was little attempt to prosecute police officers responsible for torture or to provide compensation for torture victims. Some torture victims who brought complaints were reportedly threatened by police. The terms of office of the current commissioners of the NPC expired at the end of November.

In November, the UN Committee against Torture considered Sri Lanka's second periodic report and expressed concern about “continued well-documented allegations of widespread torture and ill-treatment as well as disappearances mainly committed by the State's police forces”.

- Hettiarachchige Abeyesiri was detained and reportedly tortured at Peliyagoda police station on 13 July. He was taken to hospital where he died from injuries caused by a blunt instrument.

Death penalty

There were no executions, despite an announcement in 2004 that the death penalty would be reactivated for certain crimes. However, in July, the Justice Ministry and Attorney General recommended that the death penalty be implemented in the case of three men convicted of the rape and murder of Rita John. These death sentences were not carried out by the end of the year.

In July, the Commissioner General of Prisons reported that there were approximately 100 prisoners on death row.

Violence against women

Incidents of sexual and domestic violence were reported throughout 2005, including sexual and domestic violence against women living in tsunami IDP camps. Women's groups expressed concern that the facilities in these camps did not provide security and made women vulnerable to violence. High levels of domestic violence were reported in some camps.

The Prevention of Domestic Violence Bill was passed in parliament, bringing in laws to arrest the growing trend of domestic violence in the country.

AI country visits

AI delegates, including AI's Secretary General, visited Sri Lanka in August and December. Delegates met senior government and opposition politicians, local human rights activists and members of civil society and representatives of the LTTE.

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Archive information

[Sri Lanka: Amnesty International urges President not to resume executions](#)
(AI Index: ASA 37/001/2005)

[Sri Lanka: Launch independent inquiry into attack on National Human Rights Commission](#)
(AI Index: ASA 37/002/2005)

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