



Tamil Information Centre

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Committed to Human Rights and Community Development

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Discussions on human rights and humanitarian issues in Geneva vital for peace process

The Tamil Information Centre (TIC) welcomes the peace talks between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE) scheduled to take place in Geneva on 28 and 29 October 2006. The TIC urges the two parties to discuss issues that matter most to the people in the north-east. We believe that without resolving these urgent issues, it would be difficult for both parties to have extensive discussions on the political solution, as these issues would remain as obstacles to fruitful negotiations as experience has shown.

- 1) Human rights violations are continuing to be committed and a large number of killings and disappearances have taken place in the north-east region since the ceasefire. Many killings have also taken place outside this region. None of the violations has been probed or effectively probed by law enforcement agencies to find the perpetrators. The lack of prompt, independent monitoring and investigation of human rights violations is contributing to impunity, resulting in a cycle of violence.

A large number of people have also been killed and maimed in shelling and aerial bombardment, and the use of devastating weapons in populated areas indicates the lack of concern for the safety and health of civilians or for humanitarian law. Reports received by the TIC indicate that the indiscriminate and continuous use of multi-barrel guns by the Sri Lankan security forces is not only causing deaths but is also having an adverse effect on the mental health of the vulnerable sections of the population such as the children and the elderly.

- 2) People, from all communities, driven from their homes in the north-east are still not safe. They are traumatized by the loss of the past, in fear of the present and unsure of their future. TIC sources visiting the welfare centres find a vast gulf between the displaced people who fear to leave their centres without international protection. The testimony of displaced people and others in the northeast also confirms the role of the government in supporting the militias and the involvement of armed forces in many attacks on civilians. This feeling of insecurity can only be bridged by a total change in government attitude and action, and continued and increased engagement by the international community, including greatly enhanced international protection. International presence will be a first step in ensuring better protection, but the responsibility for ending the current abuses is a task that falls on the Sri Lankan government, the LTTE and the broader international community, given the limited role that humanitarians can play in terms of providing protection.

- 3) The government has closed the A9 Vavuniya-Jaffna road and has imposed restrictions on food, fuel, medicines and other essential needs to the LTTE-controlled areas of the north-east. Reports received by the TIC indicate that there is shortage of essential needs, including milk food for children in these regions as well as in the army-controlled areas of the Jaffna peninsula, which received only 50% of the food needed for two months after the closure of the highway. Only 10% of the fuel needs of the peninsula have been supplied. The blockade has also denied essential medicines and medical equipment to vulnerable sections of the population. It has prevented the sick and the injured people in LTTE areas being taken to government area for treatment, and has caused some deaths. The restriction on construction materials has brought infrastructure reconstruction efforts almost to a standstill. The security forces have imposed restrictions on fishing and in some places there is a total ban on fishing, but the fisher families have not been provided any assistance. The restrictions on fuel and implements have severely impacted on agriculture and other livelihood activities.

It is important that government should take effective measures to ensure reconstruction of the war and tsunami damaged infrastructure in the north-east and to provide adequate assistance for rehabilitation of the people affected in the areas by these disasters. The primary duty of all concerns should be to provide relief and alleviate the sufferings of the people. Imposing restrictions on the freedom of movement which has prevented aid workers and materials into the north-east has caused misery on the people. Aid workers and organizations have been deliberately targeted, which is a blatant war crime. This has resulted in the withdrawal of some agencies and has the potential of seriously affecting the welfare of the civilian population.

The use of humanitarian services as a weapon of war is a breach of international humanitarian law. Such a blockade in the 1990s resulted in the death of thousands of Tamils, including hundreds of children.

Hundreds of thousands of children in the north-east have been affected by the war, the tsunami and deliberate deprivation of essential needs by the Sri Lankan government. The children in the north-east have been worst affected by the military operations, including aerial bombardment by the air force. Humanitarian agencies and TIC sources working locally say children are the ones most affected by displacement, suffering from the scarcity of water and sanitation facilities, lack of adequate food and electricity and conditions too dangerous to attend school. Unless the military operations are brought to an end immediately, they can affect the young children's mental development. The government restrictions on food and medicine to the north-east have profound impact on infants. Children in refugee camps suffer from deprivation, exploitation, violence and are vulnerable to malnutrition and disease.

The people of the north-east are also concerned about the recruitment of children by the LTTE and the Karuna Group that continues unabated and is causing anxiety to the families involved. The TIC has received a number of reports that the Karuna Group, supported by the security forces, has abducted hundreds of children in Batticaloa and Amparai districts. The Sri Lankan government must take responsibility for the child recruitment of the Karuna Group, as it is clear that operations are directed from camps or offices of the group in Army-controlled areas, including an office in the heart of the Batticaloa town.

The TIC calls upon the Sri Lankan government and the LTTE,

- **To discuss the issue of humanitarian assistance to the people of the north-east and take immediate action to remove all restrictions on essential needs such as food, medicines and fuel, and lift all restrictions on humanitarian agencies and reconstruction materials into the north-east so that reconstruction efforts may continue;**
- **To discuss and enter into immediate negotiations with to create the necessary climate and institutional structure for a joint mechanism to provide adequate relief and rehabilitation**

facilities to the people in the north-east affected by war and the tsunami, and to engage in the reconstruction process;

- To live up to their pledges to respect human rights and international humanitarian law, and discuss at the Geneva sessions the current human rights situation throughout the island with the view to ending all violations and ensuring protection for all civilians;
- To discuss the establishment of an investigative mechanism for human rights violations throughout the island with international participation, bearing in mind that international observer missions are inadequate and will serve no purpose in the circumstances that prevail currently in Sri Lanka, and that the proposed body must have a robust mandate and expertise in human rights and civil affairs and meet the requirements of independence, credibility, effectiveness and empowerment, so that it contributes to public confidence, peace and stability in all parts of Sri Lanka;
- To discuss the plight of children in the north-east, including those in refugee centres, with a view to respecting child rights, ending all abuses, child recruitment and violence against children, and in order to take appropriate action with international support for uplifting the state of the children, including the provision of adequate healthcare services, nutrition, education and training.

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