

## NEWS

# 'Longstanding systematic discrimination' of Tamils - US report

SRI LANKA violated human rights last year as it dealt a final blow to Tamil Tiger insurgents the US State Department said in its annual human rights report.

"The government's respect for human rights declined as armed conflict reached its conclusion," the 2009 country report, released by the US Department of State on 11th March 2010 said.

The report adds that young Tamil men accounted for an "overwhelming majority" of victims of human rights violations, including extrajudicial killings.

The report highlights the concerns surrounding the estimated 11,700 LTTE combatants held by the government in detention centres near Vavuniya, especially with regards to the use of torture by the Sri Lankan army, including 'beatings, often with cricket bats, iron bars, or rubber hoses filled with sand; electric shock; suspending individuals by the wrists or feet in contorted positions, abrading knees across rough cement; burning with metal objects and cigarettes; genital abuse; blows to the ears; asphyxiation with plastic bags containing chilli pepper mixed with gasoline; and near drowning'.

The US Department of State's report adds significant weight to the international calls for war crimes investigations. Examining what is described as the Sri Lankan government's declining respect for human rights, all aspects of liberalism, including freedom of expression, press, religion and movement, are analysed, with extensive coverage of the latter stages of the conflict. Alleged human rights abuses by the LTTE are stated.

Acknowledging that extrajudicial killings were carried out by those 'working with the aware-

ness and assistance of the government', the report describes the disappearances and murders of activists, 'armed attacks against civilians' and the practice of torture, kidnapping and extortion. The disappearances, abductions, physical abuse and killings within the IDP population features highly, with sources said to include several international NGOs.

The unequal treatment of Tamils by the Sri Lankan state through the 'longstanding systematic discrimination in university education, government employment and in other matters controlled by the government' is unequivocally stated.

The requirement of all Tamils wishing to move within the country to obtain a special pass from the security forces is highlighted, with a poignant reminder of the law, which grants 'freedom of movement and of choosing his residence'. The compulsory registration of any Tamil tenants by all landlords and reporting of their presence to the police is also mentioned.

The unequal access to legal proceedings was specifically stated. The lack of availability of Tamil language hearings, court appointed interpreters and legal textbooks in Tamil was argued to restrict the 'ability of Tamil-speaking defendants to receive a fair hearing'.

The country's rule of law was repeatedly brought under question with specific examples of crimes inadequately investigated such as high profile political assassinations and the killing of prominent journalists. The COI (Commission of Inquiry) set up in response to the growing criticism of Sri Lanka's lack of justice and culture of impunity took a particular battering.



Both the US and the UK have drawn attention to human rights abuses in Sri Lanka

## Sri Lanka slams US report

SRI LANKA dismissed a U.S. State Department report accusing it of violating citizens' rights, saying the allegations were unsubstantiated and based on reports by unnamed sources.

The State Department's annual human rights survey faulted both the Sri Lankan government and the Tamil Tigers in the island's 25-year-civil war which ended last year.

"The document is a conflation of historical background, repetition of statements in earlier reports, unverified assertions of facts and broad generalizations," said a statement released on Monday, March 15, by the Sri Lanka's Ministry of Disaster Management and Human Rights.

The ministry said the allegations were based on "reports that are mainly attributed to anonymous NGO's, international sources, human rights groups, observers and other unnamed sources."

Wimal Weerawansa, the leader of the National Freedom

Front, a member party of the ruling alliance told reporters that the U.S. Embassy in Sri Lanka had provided wrong and distorted facts to the State Department.

"This was part of a sinister campaign to destabilize the country and pave the way for U.S. intervention here," Weerawansa said.

He said the main opposition United National Party and the leftist party JVP or the People's Liberation Front would benefit from the U.S. strategy in the forthcoming parliamentary election.

Referring to the annual Human Rights Report 2009 released by the U.S. State Department, Weerawansa said the United States had depicted Sri Lanka as a country run by the Rajapaksa brothers.

He said earlier a section of the international community had portrayed Sri Lanka as a Sinhala majority country but now they referred to the island as the

Rajapaksa brothers' country.

Weerawansa said the United States had turned a blind eye to the atrocities of the rebel Liberation Tigers of Tamil Eelam before it was defeated by the government troops in May 2009.

He alleged that defeated opposition presidential candidate Sarath Fonseka had been fully backed by the United States and other interested parties aimed at changing the government in Sri Lanka.

A spokesperson from the U.S. Embassy in Colombo had denied Weerawansa's allegations, saying the embassy would reply the accusation later.

Rights groups and Western governments are pressing for some kind of accountability for thousands of civilian deaths in the last months of the war against the Tamil Tigers.

The government has denied charges of deliberately targeting civilians and other human rights breaches.

## Britain names Sri Lanka as a country of concern

### TamilNet

SRI LANKA is the only country added on the annual human rights report by Britain this year as a country of concern by the Foreign Affairs Committee, according to British Foreign Office. The 2009 report on Human Rights 2009 presented on Wednesday March 17 to British Parliament says, 'Since the last report, we have added one country of concern. We agreed with the Foreign Affairs Committee's recommen-

dation to include Sri Lanka. This reflects our concern about allegations of serious conflict violations, as well as the deteriorating status of the rule of law and freedom of expression.'

*The following are some excerpts of the HR report:*

Human Rights Council Special Session on Sri Lanka

The EU led efforts in May to call a special session of the HRC in response to the situation in Sri Lanka. We found support for the session from select members of other regional groups who shared

our concerns. Together we worked hard on a draft resolution that could be presented to the wider HRC membership, even those with misgivings about the focus on Sri Lanka, as a constructive expression of HRC concern.

In doing so we hoped for a consensus outcome. Sri Lanka, unfortunately, tabled a text with a different purpose, which was passed by majority vote. The UK could not agree with their assessment of the situation and voted against the resolution because it:

□ omitted to reaffirm that it is the

primary responsibility of the state to ensure protection of the human rights of all persons under its jurisdiction;

□ failed to call on the government of Sri Lanka to start an inclusive political process, which would address the legitimate concerns of all of Sri Lanka's communities; and

□ did not address the need to ensure the protection of human rights defenders, journalists and minorities or the right to freedom of expression.

The session, nonetheless, pre-

sented an opportunity for many States, UN Special Procedures, and the High Commissioner for Human Rights to put on record the plight of civilians caught up in it. We continue to believe that the situation merited the attention of the UN's primary human rights body and that it was right to call the session. Since the end of the conflict we have been calling, along with the EU, for an independent and credible process to address possible violations of IHL. The Sri Lankan government has made little progress.