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Sri Lanka: Cluster bomb strike on hospital is despicable

UPDATE ON REPORTED USE OF CLUSTER MUNITIONS IN ATTACK ON HOSPITAL

6 February 2009

The United Nations has issued a statement clarifying that the munitions used against the hospital in the town of Puthukkudiyiruppu this week were not cluster bombs.

Amnesty International notes that the Sri Lankan government has denied it has cluster munitions. It is unclear whether the Liberation Tigers of Tamil Eelam (LTTE) have access to such munitions.

Whatever the munitions used, the fact that the hospital was bombarded repeatedly for several days is alarming. If the hospital was deliberately targeted by either the government or the LTTE, it would constitute a war crime. If the hospital was struck in the course of a disproportionate or an indiscriminate attack by either party, this would also constitute a war crime.. Amnesty International reiterates its call on both the Sri Lankan and LTTE forces to respect international humanitarian law.

The conflicting information about this incident shows the dire need for international, independent monitors to be deployed as a matter of urgency. The Sri Lankan government and the LTTE should allow access to such monitors without delay.

Sri Lanka: Cluster bomb strike on hospital is despicable

Amnesty International has denounced the reported use of cluster bombs in a civilian area by the Sri Lankan military as a serious violation of international humanitarian law.

According to a UN spokesperson, the main hospital in the town of Puthukkudiyiruppu, was hit by cluster bombs and had to be evacuated. The hospital, which has been subjected to several attacks in recent days, was bombarded by shelling for 16 hours.

“The use of cluster bombs in such circumstances could constitute a war crime,” said Sam Zarifi, Amnesty International’s Asia-Pacific director. “These bombs are inherently indiscriminate because of the wide area covered by the numerous bomblets released and the danger posed to all those, including civilians, who come into contact with them. Cluster bombs have been banned by the Convention on Cluster Munitions.”

“There has been no accountability on either side for serious violations of international humanitarian law in this conflict. The Sri Lankan government has an obligation to investigate war crimes and, whenever there is

sufficient admissible evidence, prosecute the person suspected of those crimes,” Said Sam Zarifi.

Background

In line with the 2008 Convention on Cluster Weapons, Amnesty International opposes the use, transfer and stockpiling of cluster munitions and is calling on all states to ratify the Convention. Sri Lanka is not a party to the Convention.

Cluster bombs or shells scatter scores of bomblets, or submunitions, over a wide area, typically the size of one or two football fields. These can be dropped by aircraft, or fired by artillery or rocket launchers. Depending on which type of submunition is used, between 5 and 20 per cent of cluster bomblets fail to explode. They are then left behind as explosive remnants of war, posing a threat to civilians similar to anti-personnel landmines. The use of these bombs in areas where there is a concentration of civilians violates the prohibition of indiscriminate attack.

The explosive debris left behind by cluster bombs also hamper post-conflict rebuilding and rehabilitation and the dangerous work of cluster bomb clearance absorbs funds that could be spent on other urgent humanitarian needs.

More than 300,000 civilians are now trapped in the north-eastern part of Sri Lanka as the fighting between Liberation Tigers of Tamil Eelam (LTTE) and the army intensifies. Hundreds of people have been killed or injured in the Wanni region of the island. Recent reports suggest both sides are violating the laws of war by targeting civilians and preventing them from escaping to safety.