

AI Index: PRE 01/059/2009
05 February 2009

Sri Lanka: Government, Tigers should declare temporary truce and open humanitarian corridors to get civilians out, aid in

The Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE) should immediately declare a temporary humanitarian truce and create humanitarian corridors, Amnesty International said today. This would allow more than a quarter of a million civilians trapped in the Wannu region to escape the ongoing war and also let food, water, and medical assistance reach these civilians who cannot leave.

Amnesty International also demanded that the Sri Lankan government ensure that displaced people who have fled the conflict zone to transit centres do not face improper restriction on their movement and are kept safe. Less than 6,000 people from the Wannu have sought shelter in government held areas since December. They are held in de facto detention centres and are vulnerable to abuses by government forces.

“The situation for civilians in the Wannu is unacceptable. People cannot move safely, even to collect the bodies of dead relatives, and the injured have no hospitals,” said Yolanda Foster. “A quarter of a million people are suffering without adequate food and shelter while shells rain down upon them. Most of those who have managed to escape the conflict have not received adequate hospital treatment.”

The last shipment of food to reach the civilian population, which is totally dependent on outside aid, went in on 29 January. Community-based organisations fear thousands of civilians are in critical danger in a rapidly deteriorating situation as the Sri Lankan armed forces attempt to regain all territory from the Tamil Tigers.

Amnesty International urges the Sri Lankan government and the LTTE to immediately:

- Declare a temporary truce in the fighting to allow for the evacuation of civilians along humanitarian corridors and the introduction of humanitarian aid to those remaining;
- Ensure civilians in the conflict zone are given adequate information about the location of aid corridors and can reach these corridors in safety;
- Allow aid agencies to carry out their relief responsibilities and assist civilians and allow international monitors full access to these areas, so that they can monitor the human rights situation in the area and observe the implementation of the truce;
- Ensure reception arrangements for displaced people fleeing the combat zone meet international standards;
- Ensure displaced people housed in transit centres in government-held areas have freedom of movement and are accessible to independent humanitarian aid and observers;

- Allow an interagency assessment team from the United Nations to investigate conditions on the ground and the deployment of human rights monitors in the areas affected by the fighting.

"The most important issue right now is to focus on immediate unimpeded humanitarian assistance for those families trapped between the conflicting parties," said Yolanda Foster. "The government wants international assistance but not international standards."

The Tamil Tigers have prevented civilians from leaving the conflict zone by instituting a pass system to restrict freedom of movement. The Tamil Tigers have forcibly recruited civilians, including children, to build bunkers and serve as troops.

Fears for Safety of Civilians in Government-controlled Centres

The Sri Lankan government has held civilians who have already fled LTTE-held areas since March 2008 at so-called welfare villages. These camps are located at Kalimoddai and Sirukandal in Mannar district and Manik Farm and Nellumkulam in Vavuniya district. The Sri Lankan armed forces have severely restricted the ability of the displaced people held at these camps to move.

"The last operational hospital in the conflict zone has now closed and there are no proper facilities for the critically injured," said Yolanda Foster. "Even the government-operated hospital at Vavuniya is unable to provide adequate medical treatment."

Although the government has allowed some displaced people out of these camps for education, livelihood and health purposes, they are required to leave a family member in the camp as a safeguard against them escaping. This policy violates the international legal prohibition of hostage taking.

The Sri Lankan government is keeping displaced people coming out of the Wannai in new temporary sites being created in Mannar, Vavuniya and Jaffna districts.

While the ICRC and the UN Refugee Agency (UNHCR) have been allowed limited access to the existing centres, the government has not allowed other humanitarian agencies access.

Amnesty International has received reports that Sri Lankan armed forces screen civilians who have fled the Wannai area, and have detained several people in police custody.

Given past experiences, there are credible fears among civilians that those confined in transit centres could be vulnerable to enforced disappearances or extrajudicial executions, as well as increased targeting of persons, including arbitrary detention and harassment on an ethnic basis. There have been reports of several hundred cases of enforced disappearances in Sri Lanka since 2006, many of them in government-controlled areas.

Sri Lanka is legally obliged to refrain from arbitrarily detaining any persons. The United Nations Guiding Principles on Internal Displacement (the international framework for the protection of displaced people) provides that, consistent with the right to liberty, internally displaced persons "shall not be interned in or confined to a camp." The Principles recognize that "exceptional circumstances" may permit confinement only for so long as it is "absolutely necessary," but the Sri Lankan government has not demonstrated that such circumstances exist.