

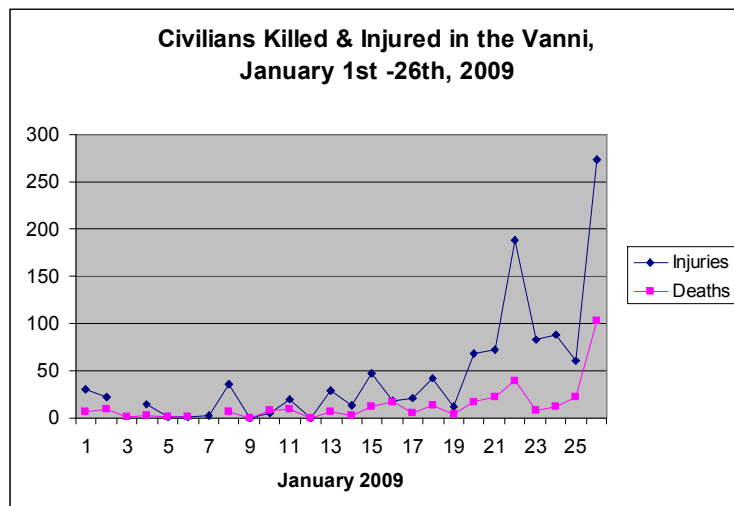
Briefing Note and Recommendations: **Urgent Action Needed in Sri Lanka** February 12, 2009

Important Note: All of the information provided in this document draws from reliable sources operating in Sri Lanka as well as publicly available media coverage. In 2008 Watchlist on Children and Armed Conflict published a comprehensive report on the impact of armed conflict on children in Sri Lanka, *No Safety No Escape: Children and the Escalating Armed Conflict in Sri Lanka*, available at www.watchlist.org

Update on the Humanitarian Situation in North-Eastern Sri Lanka

The human rights and humanitarian situation in Sri Lanka has significantly deteriorated since the beginning of 2009 as the Government of Sri Lanka (GoSL) has intensified military advances to capture the remaining areas held by the Liberation Tigers of Tamil Eelam (LTTE) in the north-eastern part of the country.¹ Despite the GoSL’s declaration of “safe zones” in these conflict areas, recent heavy fighting threatens the safety and security of an estimated 250,000 to 300,000 civilians who are trapped in the area. In many instances the perpetrators of shelling and artillery attacks remain unknown as the GoSL and LTTE deny responsibility, placing blame on the other and there are no independent on-the-ground monitors to investigate the incidents.² Reliable information indicate that both parties are likely responsible for shellings in safe zones.

Restrictions on the movement of civilians imposed by the LTTE have exacerbated the humanitarian crisis by preventing civilians from escaping into safety or seeking assistance. Most recent reports indicate that the LTTE may be firing at civilians attempting to flee the area. Armed conflict and violations committed by all parties to conflict have forced many civilians into displacement, often multiple times and have limited their access to food, water, shelter, medicine and emergency supplies. Some reports indicate that men women and children are responding by attempting to dig underground shelters to survive the shelling attacks, but at times they are even forced to abandon these areas due to inundation of water.



¹ Deterioration first began in 2008 with the abrogation of the ceasefire agreement.

² In September 2008, UN agencies, INGOs and media were requested to leave the north-eastern conflict areas by the GoSL.

Killing and Maiming of Children

From January 1 to 26, 2009, reliable sources operating in northern Sri Lanka reported a minimum of 324 deaths and 1,148 injuries among civilian adults and children due to the heavy fighting in north-eastern Sri Lanka. At least 287 of those injured and 81 of those killed were reported to be children under age 18. Since January, the situation has continued to worsen. Further, these figures are likely to underestimate the extent of civilian casualties, as health authorities and UN staff have reported dead bodies unattended by the side of the road and medical teams are unable to reach the wounded due to continual fighting.

On February 3, 2009 alone, 53 civilians were killed and 82 injured by shelling, some in areas demarcated as 'safe zones.' Due to the GoSL's restrictions to the area for media and humanitarian agencies, the ICRC is the only international presence in the area. This has made independent verification of the violations difficult.

Attacks on Hospitals

Attacks on hospitals are strictly prohibited by international law. Due to ongoing attacks on hospitals and medical facilities in north-eastern Sri Lanka there is currently a severe lack of medical facilities functioning there and injured civilians need to be moved to Vavuniya, Mannar and Anuradhapura which is also complicated. The Vavuniya hospital is difficult to access due to security issues and restrictions in movement. Further, it is located in a highly militarized zone. Military personnel are present inside the hospital and authorization for civilians to enter the hospital must be obtained from the military. Injured civilians arriving from the Vanni are screened by the military prior to receiving care. ICRC has evacuated some injured civilians to Trincomalee by sea.

- On January 13, 2009 shelling in the vicinity of PTK hospital, killed at least 1 person and wounded 6. Subsequently PTK shut down due to security concerns.
- On January 22 -25, 2009 artillery attack on makeshift hospital at Vallipunam (Jan 22-23) and on makeshift hospital at Udayarkaddu (Jan 24-25). Together the attacks resulted in at least 29 deaths and over 100 injuries
- On February 2, 2009 shelling on Puthukkudiyiruppu Hospital killed at least 9 people and injured 20 others. In the following days the hospital sustained further attacks, increasing casualties and creating damage and chaos. As of February 6, news reports indicated that the hospital has been shut down and that no major medical facility was operating in the area.
- On February 10, 2009 shelling on Putumattalam hospital killed 16 patients and forced ICRC to shift 240 sick and wounded persons from the site.

Civilians Fleeing the Fighting

Since March 2008, the GoSL has detained civilians fleeing areas controlled by the LTTE and kept them at GoSL sponsored "welfare centres" such as Kalimodda and Sirukandal in the Mannar District and Manik Farm and Nelikullam in Vavuniya District. While food and shelter are provided, these sites serve as de facto detention centers with severe restrictions on movement imposed by the Sri Lankan armed forces. Some of the civilians are allowed out of the centres for education, livelihood and health purposes. However, they are required to leave behind a family member in the site to ensure their return. Only ICRC, UNHCR and a small number of NGOs have been granted access to some existing sites, which are classified by the security forces as "high security areas."

The GoSL has recently created additional temporary sites in Mannar, Vavuniya and Jaffna for civilians fleeing the fighting in the Vanni. In February 2009, the GoSL opened 14 new transit sites in Vavuniya for the influx of internally displaced persons (IDPs). These sites impose similar movement restrictions on the IDPs. Between January 1 and February 12, 2009, over 24,000 newly displaced civilians were being accommodated in centres in Vavuniya, Mannar and Jaffna, according to OCHA.

IDPs fleeing the Vanni are screened by GoSL forces and have in several cases been detained before reaching the transit sites. International observers are not present during the screening process. On February 10, 2009 a suspected LTTE suicide bomber blew herself up at a checkpoint for civilians fleeing the area, killing 28 people including 8 women and children, and injuring at least 60.

Recommendations for Urgent Action by the UN in New York

- The UN **Under Secretary-General for Humanitarian Affairs** should provide an urgent briefing on the dire humanitarian situation in north-eastern Sri Lanka to the UN Security Council.
- The **UN Secretary-General** should immediately appoint and dispatch a special envoy for Sri Lanka to assess the humanitarian situation in the North of Sri Lanka and to report back to the Security Council
- The **UN Special Representative for Children and Armed Conflict** should immediately appoint and dispatch a special envoy for Sri Lanka who would assess and report back on egregious accounts of the six violations identified by Security Council Resolution 1612
- The **UN Security Council Working Group on Children and Armed Conflict** should call for an emergency session to review and assess the situation in Sri Lanka, given the significant escalation in the conflict since its last meeting and to produce a strong set of conclusions for action
- The **UN Security Council Working Group on Children and Armed Conflict** should dispatch an expert level delegation to Sri Lanka to review and assess the situation, given the significant escalation in the conflict since its last meeting and to produce a strong set of recommendations for action upon its return
- **Concerned Member States** should intensively engage the Sri Lankan GoSL and call on the LTTE to immediately establish internationally assisted humanitarian corridors that provide civilians with safe routes out of the conflict zone and allow humanitarian access to civilians to ensure their safety, security and protection, and to allow access to independent monitors
- **Concerned Member States** should urgently call on all parties to conflict to cease shelling in and around the vicinity of hospitals and safe zones in accordance with international humanitarian law
- **Concerned Member States** of the UN should call on the LTTE to remove restrictions in movement of civilians.