

SRI LANKA

ISSUE

Political deadlock and intensified conflict characterized the year 1998. The adverse effects of the conflict continued to be felt. Although there has been some decrease in human rights violations, the environment necessary to protect human rights is deteriorating.

BACKGROUND

The new government elected in 1994 made resolving ethnic conflict one of its main objectives. At the same time, it made a commitment to take the necessary steps to improve human rights conditions in Sri Lanka. To resolve the conflict, the Government initiated large-scale military operations to weaken the Liberation Tigers of Tamil Eelam (LTTE) while pursuing constitutional reforms. In both cases, the Government achieved only moderate success. LTTE still possesses indisputable military capacity, and constitutional reform is stalled in Parliament for lack of support by the opposition.

The Government of Sri Lanka has reiterated its desire to improve the status of human rights on various occasions. There has definitely been a decrease in the number of detainees, raids and missing persons, but mechanisms for the protection of human rights are lacking. Sri Lanka's ratification of the Optional Protocol relative to the International Covenant on Civil and Political Rights, as well as the creation of a human rights commission, were hailed as major political commitments to human rights. For lack of adequate resources, however, the Commission is not yet operational, and we are still awaiting the establishment of mechanisms that would allow individuals to benefit from the effects of the Optional Protocol.

The three Commissions established by the Government in 1995 to study the issue of missing persons tabled their reports to the President in early 1998. These reports have not yet been made public, and the Government has not taken any steps to prosecute those involved in disappearances, though it has repeatedly declared its intention to do so. This situation continues to perpetuate the feeling of impunity for human rights violators. The Government's lack of urgency in responding to allegations of a mass grave near the village of Chemmani is another subject of concern.

Various military operations have resulted in persons being displaced and deprived of essential services. The extrajudicial detention of civilians by groups of armed Tamil militants is also a growing matter of concern. Although these groups are not formally part of security forces, they are government auxiliaries.

While the Government is responsible for human rights violations by security forces or other groups under its authority, the responsibility of the LTTE to comply with the various human rights standards and international humanitarian law cannot be minimized. In February 1998, moreover, the LTTE announced its desire to be subject to the application of the Geneva Convention and additional protocols. Nevertheless, the LTTE is held responsible for numerous atrocities that include the assassination of political figures, such as the mayor of Jaffna and his successor. This organization is also held responsible for several bombings that claimed the