

Sri Lanka's initial report (E/1990/5/Add.32) is scheduled for consideration at the Committee's April/May 1998 session; the second periodic report was due 30 June 1995.

Civil and Political Rights

Acceded: 11 June 1980.

Sri Lanka's fourth periodic report was due 10 September 1996.

Reservations and Declarations: Declaration under article 41.

Optional Protocol: Acceded: 3 October 1997.

Racial Discrimination

Acceded: 18 February 1982.

Sri Lanka's seventh and eighth periodic reports were due 20 March 1995 and 1997 respectively.

Discrimination against Women

Signed: 17 July 1980; ratified: 5 October 1981.

Sri Lanka's third and fourth periodic reports were due 4 November 1990 and 1994 respectively.

Torture

Acceded: 3 January 1994.

Sri Lanka's initial report was due 1 February 1995.

Rights of the Child

Signed: 26 January 1990; ratified: 12 July 1991.

Sri Lanka's second periodic report is due 10 August 1998.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Arbitrary detention, Working Group on: (E/CN.4/1997/4, para. 13; E/CN.4/1997/4/Add.1, Decision 1)

Decision No. 1 (1996) related to 36 individuals, most of them arrested between 1989 and 1992 and a number of them charged with activities related to membership in or sympathy for the People's Liberation Front (JVP). The government provided information on each of the cases, which was not disputed by the original sources, indicating that 22 of those arrested or detained were no longer in custody either because they were discharged, had been acquitted, had finished serving their sentence, or were released on bail pending trial. These cases, plus three others, were filed by the Working Group (WG). The remaining 11 cases were maintained by the WG pending further information.

Disappearances, Working Group on enforced or involuntary: (E/CN.4/1997/34, paras. 12, 317-328, 392, 393)

Thirty-four newly reported cases of disappearance were transmitted to the government, 16 of them under the urgent action procedure. Of these 16 cases, four reportedly occurred in 1996. The majority of the newly reported cases occurred between mid-1995 and early 1996 following the resumption of hostilities between government forces and the Liberation Tigers of Tamil Eelam (LTTE), and concerned young Tamil men, many of them poor farm labourers, fishermen or students from Trincomalee, Batticaloa, Colombo and Jafna. The Working Group (WG) cites information indicating that the most intense fighting since hostilities broke out 13 years ago had taken place, leading to renewed reports of disappearances, particularly in Colombo and in the eastern part of the country. Those responsible reportedly included all branches

of the security forces, Muslim and Sinhalese home guards and armed Tamil groups opposed to the LTTE.

The report notes that, since the establishment of the WG in 1980, 11,513 cases of disappearance alleged to have occurred in Sri Lanka have been reported. The cases occurred in the context of two major sources of conflict: the confrontation of Tamil separatist militants and government forces in the north and north-east of the country and the confrontation between the People's Liberation Front (JVP) and government forces in the south. Cases reported to have occurred between 1987 and 1990 took place mostly in the Southern and Central Provinces, during a period in which both security forces and JVP resorted to the use of extreme violence in the contest for state power. The report further notes that, in July 1989, the conflict in the south took a particularly violent turn when JVP adopted even more radical tactics, including enforced work stoppages, intimidation and assassination, and the targeting of the family members of the police and army. To thwart the JVP military offensive, the state launched a generalized counter-insurgency campaign in which the armed forces and the police were given wide latitude of action to eliminate the rebel movement and restore law and order in any way they saw fit. By the end of 1989, the armed forces had put down the revolt, having succeeded in capturing and executing the nucleus of the JVP leadership.

Referring to the cases said to have occurred since 11 June 1990, the date of resumption of hostilities by the Liberation Tigers of Tamil Eelam (LTTE), the report states that they have taken place primarily in the Eastern and North-Eastern Provinces where the persons most often reported detained and missing were young Tamil men accused or suspected of belonging to, collaborating with, aiding or sympathizing with LTTE. Tamil persons internally displaced owing to the conflict and staying in informal shelters such as churches or school centres were the group particularly at risk of detention and disappearance and the most frequently utilized method of detention was the cordon-and-search operation in which the army, often in conjunction with the police, and particularly the Special Task Force, went into a village or a rural area and detained scores of persons. Many were released within 24 to 48 hours, but a percentage of the persons remained in custody for questioning.

The WG also cited information indicating that there was a lack of progress in prosecuting some 172 police officers who had been implicated in cases of disappearance in the central provinces, despite the fact that there was said to be sufficient information to indict many of them in the courts. The information also indicated that the military authorities had failed to take action against some 200 army officers implicated in cases of disappearance during the course of an investigation by the Presidential Commissions of Inquiry into Involuntary Removal and Disappearances, despite a directive issued by the President to the Ministry of Defence to this effect. Concern was also expressed at the duration of the mandate of the Commissions of Inquiry, which are investigating the fate of 23,000 disappeared persons in the northern and eastern parts of the country. Sources stated that the three-month extension of the Commissions' mandate granted by the President was insufficient to bring the details of the cases of disappearance to light and that the payment of compensation to affected families had been very slow with less than 5 per cent of the families compensated.