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22 September 2006

### LKA101786.E

Sri Lanka: Status of the conflict between state authorities and the Liberation Tigers of Tamil Eelam (LTTE) (November 2005 - September 2006)  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

### Background

Since the government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE) signed a cease-fire agreement in 2002, there have been numerous reports of cease-fire violations (AI 23 May 2006; *ibid.* 3 Feb. 2006; US 8 Mar. 2006, Introduction). In 2005 and 2006, human rights and news sources reported escalating levels of violence in Sri Lanka (AI 23 May 2006; Reuters 29 Aug. 2006; ICG 1 Sept. 2006), particularly in the northern and eastern regions of the country (*ibid.*; AI 3 Feb. 2006). According to Amnesty International (AI), since February 2005, cease-fire violations and human rights abuses have "escalated in number and are now taking place on an unprecedented scale" (3 Feb. 2006). Despite the escalating violence, however, the 2002 cease-fire is still technically in effect as of September 2006 (BBC 5 Sept. 2006).

Media and human rights sources consulted by the Research Directorate identify several factors affecting the security situation in Sri Lanka. For example, fighting has increased in the east of the country following a 2004 split in the LTTE and the formation of a breakaway group known as the Karuna faction (AI 1 May 2006; *ibid.* 3 Feb. 2006; BBC 12 May 2006). The breakaway faction, established by the LTTE's former eastern commander, who is commonly referred to as Colonel Karuna (AI 3 Feb. 2006), has reportedly been responsible for attacks on the LTTE and on civilians (*ibid.* 1 May 2006; SLMM 1 June 2006, Sec. 3). Sources report that Karuna-led attacks on civilians took place in the in the districts of Batticaloa (*ibid.*; AI 3 Feb. 2006), Ampara and Trincomalee (*ibid.*). According to a 3 February 2006 AI report,

[s]ince the split, the remaining elements of the Karuna group have continually ambushed and attacked the LTTE and those affiliated with it, while the LTTE has sought to regain control of the east through a violent crackdown, not just on Karuna supporters, but on any dissent within the Tamil community.

The LTTE has accused the Sri Lankan government of providing support to the Karuna faction (AI 3 Feb. 2006; Reuters n.d.; ICG 1 Aug. 2005; US 8 Mar. 2006, Sec. 1.a). A 12 May 2006 British Broadcasting Corporation (BBC) report notes that some analysts believe that "while the [Sri Lankan] military isn't arming Karuna, they are supporting him with finances, logistics and medical

assistance for his injured fighters."

On 12 August 2005, Lakshman Kadirgamar, Sri Lanka's Foreign Minister and an outspoken critic of the LTTE, was assassinated (ICG 1 Sept. 2005; see also US 8 Mar. 2006, Sec. 1.g and SATP n.d.). The government accused the LTTE of being responsible for the killing, although the group denied its involvement (ICG 1 Sept. 2005; US 8 Mar. 2006, Sec. 1.g). In response to the assassination, the government declared a state of emergency (AI 3 Feb. 2006; ICG 1 Sept. 2005) which, as of September 2006, remained in effect (Australia 13 Sept. 2006). The state of emergency reportedly gives Sri Lankan security forces the authority to close roads without notice, set up road blocks and impose curfews (ibid.), as well as make arrests without warrants and detain individuals for up to 12 months without trial (US 8 Mar. 2006, Introduction; see also AFP 31 Dec. 2005).

On 17 November 2005, Mahinda Rajapaksa [also spelled Rajapakse] won Sri Lanka's presidential elections (US 8 Mar. 2006, Introduction; ICG 1 Dec. 2005), taking more than 50 percent of the vote (ibid.). Rajapaksa is reportedly known for taking a "hard line" stance against the LTTE (ibid.; Reuters n.d.; see also AP 31 Dec. 2005). According to the European Union (EU) Election Observation Mission, the elections were carried out "in a professional and impartial manner," despite a boycott imposed by the LTTE in the north and east of Sri Lanka (19 Nov. 2005). On 31 December 2005, an Associated Press (AP) article reported that violence had "worsened" following the elections, and that the LTTE had warned they would "intensify their struggle if Tamil grievances [were] not addressed."

### **Current status of the conflict**

The northern Jaffna peninsula and the eastern districts of Trincomalee and Batticaloa, in particular, have been identified as areas of recent conflict (UN 15 Aug. 2006; ICRC 30 Aug. 2006; SLMM 1 June 2006, Sec. 6). An August 2006 World Health Organization (WHO) situation report notes that the conflict has also spread to Kilinochchi and will likely extend to other districts in the northeast of the country (UN 17 Aug. 2006).

In late July 2006, a dispute over access to water resources in Trincomalee in northeastern Sri Lanka led to increased fighting between the LTTE and government forces (HRW 2 Aug. 2006; Reuters 6 Sept. 2006; see also BBC 5 Sept. 2006). The fighting involved air strikes (Reuters 6 Sept. 2006; HRW 2 Aug. 2006) and a ground assault by Sri Lankan forces on territory under LTTE control (ICG 1 Aug. 2006). On 5 September 2006, news sources reported that the Sri Lankan military had taken control of the Sampur area in Trincomalee, an area which had traditionally been a "LTTE stronghold" (*The Daily News* 5 Sept. 2006; BBC 5 Sept. 2006). According to a BBC news article, fighting between the LTTE and the Sri Lankan armed forces in Sampur in August and September 2006 resulted in the death of 15 troops and "dozens" of Tamil Tigers (ibid.; see also *The Daily News* 5 Sept. 2006).

In 2006, the city of Colombo was the target of several suicide bombings (SLMM 1 June 2006, Sec. 3; HRW 28 Aug. 2006) and politically motivated assassinations, allegedly perpetrated by the LTTE (AI 23 May 2006; US 15 Aug. 2006). On 12 August 2006, Ketheshwaran Loganathan, the Deputy Secretary General of the government's Secretariat for Coordinating the Peace Process (SCOPP), was reportedly assassinated in Colombo by unidentified gunmen (AI 18

Aug. 2006). On 14 August 2006, a convoy from Pakistan's High Commission was attacked by a suspected LTTE suicide bomber in Colombo (SATP n.d.; Reuters n.d.). Although the ambassador was not harmed, at least seven people died in the attack (AI 18 Aug. 2006).

A 30 August 2006 BBC article indicates that claymore mines [remote-detonated anti-personnel mines containing steel balls which can be projected up to 250 metres upon explosion (BBC 15 June 2006)] have been found in Colombo. On 19 August 2006, police defused a 15 kilogram claymore mine allegedly targeting a politician in Colombo (*The Press Trust of India* 24 Aug. 2006).

According to a Reuters article, August 2006 was "by far the most violent month since [the] 2002 ceasefire" (29 Aug. 2006). August was also reportedly the first time since the cease-fire that there had been ground fighting in Sri Lanka (Reuters 4 Sept. 2006). According to a BBC article, it is estimated that hundreds of civilians, troops and rebels were killed in the conflict during the month (5 Sept. 2006). Since December 2005, the conflict in Sri Lanka has claimed over 1,500 lives (AFP 21 Aug. 2006).

The Office of the United Nations High Commissioner for Refugees (UNHCR) estimates that more than 200,000 Sri Lankans have been displaced internally by the conflict and more than 8,700 have fled to India (UN 25 Aug. 2006), the majority of whom have left by boat (ibid. 19 May 2006). UNHCR also states that, due to the deteriorating security situation in northern and eastern areas (ibid.), humanitarian organizations have had limited or no access to these areas, thereby preventing them from providing aid to civilians affected by the conflict (ibid. 15 Aug. 2006; Reuters 6 Sept. 2006). Restrictions imposed by both the LTTE and the Sri Lankan government (ibid.), as well as "threats, harassment, and violence" have further impeded their ability to carry out humanitarian work (HRW 21 Aug. 2006).

In August 2006, European Union (EU) members of the Sri Lanka Monitoring Mission (SLMM) announced that they would be withdrawing their observers by 1 September 2006 (HRW 2 Aug. 2006; *The New York Times* 30 Aug. 2006; ICG 1 Sept. 2006). The SLMM, an organization of observers from five Nordic countries (Denmark, Finland, Iceland, Norway and Sweden), was created by the government of Sri Lanka and the LTTE to monitor the cease-fire agreement (SLMM n.d.). However, following the EU's listing of the LTTE as a "terrorist" organization in May 2006, the group demanded that EU countries withdraw from the mission (HRW 2 Aug. 2006). Information on whether these monitors would be replaced could not be found among the sources consulted by the Research Directorate. The non-EU countries of Norway and Iceland have remained part of the SLMM following the withdrawal of the other members (ibid.; *The New York Times* 30 Aug. 2006).

## **Human rights situation**

According to Amnesty International, in the months preceding August 2006, the human rights situation in Sri Lanka deteriorated "dramatically" (29 Aug. 2006). The LTTE, the Karuna faction, and the Sri Lankan armed forces were all reportedly involved in killings, violent attacks and the abductions targeting civilians in 2006 (AI 23 May 2006; ibid. 3 Feb. 2006; AHRC 13 Sept. 2006), particularly in the north and east of the country (ibid.).

On 12 April 2006, for example, Sri Lankan security forces reportedly stood

by while Tamils were attacked by a mob following a bomb attack in a Trincomalee market, allegedly carried out by the LTTE (HRW 25 Apr. 2006; see also CPA 21 Apr. 2006). Approximately 20 people died in the unrest (ibid.; HRW 25 Apr. 2006). On 15 June 2006, more than 60 civilians were killed in a suspected LTTE claymore mine attack on a government-operated passenger bus in Anuradhapura district [northern Sri Lanka] (SATP n.d; see also Reuters n.d.).

In early August 2006, 17 workers from the international aid organization Action contre la Faim were killed execution-style in Muttur, Trincomalee district (HRW 28 Aug. 2006; see also *The New York Times* 30 Aug. 2006). The SLMM suspected the involvement of the Sri Lankan security forces in the incident, though this allegation was denied by the government (ibid.; *The Daily News* 1 Sept. 2006).

On 14 August 2006, the Sri Lankan air force bombed a school in Sencholai, reportedly killing 61 students and injuring roughly 150 others (*The Sunday Observer* 3 Sept. 2006; DPA 16 Aug. 2006). The Sri Lankan government claimed that the school was an LTTE training camp for child soldiers (ibid.; *The Sunday Observer* 3 Sept. 2006).

According to the Asian Human Rights Commission (AHRC), in the months preceding September 2006, there were "hundreds" of disappearances from the northern and eastern regions of Sri Lanka, as well as a few from Colombo (13 Sept. 2006). In a 13 September 2006 press release, AHRC states that there has been a re-appearance of "armed men travelling in white vans without number plates" in Jaffna peninsula, a practice reportedly linked with the Sri Lankan military and the abduction of civilians. Amnesty International also reports that, since the Sri Lankan government declared a state of emergency in August 2005, "[t]here are fears that a pattern of 'disappearances' by state agents is re-emerging in Sri Lanka" (29 Aug. 2006). AI reports that state involvement is suspected in the possible disappearance of a parish priest and another man at a Sri Lanka Navy (SLN) checkpoint in northern Sri Lanka on 20 August 2006 (29 Aug. 2006). The SLN allegedly accused the parish priest of providing assistance to the LTTE (29 Aug. 2006).

The LTTE has also reportedly been involved in the kidnapping of civilians, for the most part targeting those suspected of working against the group (AI 3 Feb. 2006). There have also been reports of abductions and the forcible recruitment of adults and children into the LTTE (ibid.; ibid. 23 May 2006; Reuters 4 Sept. 2006), as well as into the Karuna faction (AI 3 Feb. 2006; BBC 30 Aug. 2006). Paramilitary groups connected to the Sri Lankan government are likewise believed to have forcibly recruited children (ibid.).

In February 2006, AI reported that civilians in the east of Sri Lanka were experiencing "regular intimidation, harassment and extortion" by the LTTE and the Karuna faction (3 Feb. 2006). The LTTE was reportedly "taxing" business people and other wealthy individuals at a rate of between five and ten percent of their income (AI 3 Feb. 2006). Interviews conducted by AI found that the Karuna group was similarly "taxing" civilians in the district of Batticaloa (ibid.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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