



## The Plight of Tamil Women in Sri Lanka

International Women's Day (IWD), on 8th March, celebrates the contribution of women to social, political, cultural and domestic life in all countries around the world. It also serves as an important reminder that in many places the fundamental rights of women are still at risk.

This year's United Nations IWD theme is '**A promise is a promise: Time for action to end violence against women**'. It is time for such a promise to be fulfilled all over the globe, including Sri Lanka. Global Tamil Women Forum (GTWF) highlights that Tamil women on the island continue to live in fear after the end of the war, remaining highly vulnerable to sexual violence on a daily basis, and appeals that this should not become their permanent way of life.

### Heavy Militarisation

Since May 2009, following the brutal end of the armed conflict, the predominantly Tamil areas in the North and East have been militarised by State. The militarisation of the region may suggest an increased level of security for the inhabitants, however the reverse has been true and with the presence of the almost exclusively male, Sinhalese security forces, the current environment has posed a particular threat to the Tamil-speaking women and girls in these war-affected areas.

In September 2012, India's 'Hindu' newspaper reported an "overwhelming presence" of the military, with the Sri Lankan army "deploying 16 out of its 19 divisions in the Tamil-dominated regions."<sup>1</sup> Through its vast network of checkpoints and military stations in the Northern and Eastern regions of the country, between and within villages and towns, the security services are able to restrict the movement of residents and monitor their activities. Women generally have to pass by these points alone and therefore run the risk of exposing themselves to harassment, threats and assault by the military.<sup>2</sup>

Tamil women are, therefore, forced to negotiate their lives with military personnel. According to International Crisis Group, "The fact that women must rely on the military for everyday needs not only puts them at greater risk of gender-based violence, but also prevents them from building their own capacity within communities."<sup>3</sup>

Whilst the Government of Sri Lanka has said that 'any correlation between the military presence and sexual violence is unfounded'<sup>4</sup>, credible reports from governments, international human rights organisations and representatives of the Tamil people in Sri Lanka suggest otherwise.

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<sup>1</sup> The Hindu, 'Sri Lankan Army still has vast presence in North & East', September 2012, <http://www.thehindu.com/news/article3915391.ece?homepage=true> [accessed 5<sup>th</sup> March 2013]

<sup>2</sup> European Centre for Constitutional and Human Rights (ECCHR), 'Oral Statement to the Subcommittee on Human Rights - Brussels', November 2012, page 2, <http://tinyurl.com/clw8yef> [accessed 5<sup>th</sup> March 2013]

<sup>3</sup> International Crisis Group, 'Sri Lanka: Women's Insecurity in the North and East', Asia Report 217, December 2011, <http://www.crisisgroup.org/en/regions/asia/south-asia/sri-lanka/217-sri-lanka-womens-insecurity-in-the-north-and-east.aspx>, page i, [accessed 5<sup>th</sup> March 2013]

<sup>4</sup> UN Human Rights Council, 'Report of the Working Group on the Universal Periodic Review\* - Sri Lanka', December 2012, [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/AHRC2216\\_English.PDF](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/AHRC2216_English.PDF), page 5, [accessed 4<sup>th</sup> March 2013]



## Destitute and Desperate

Given the extensive loss of life in the final months of the armed conflict alone, which resulted in the deaths of tens of thousands of civilians, with many more unaccounted for, there are up to 90,000 war widows<sup>5</sup> heading up households in the North and East regions.

Although the internal displacement (IDP) camps are closed, many people have been unable to return to their former lands, houses and livelihoods in the North and East. The establishment of military cantonments, as well as 'High Security Zones' (HSZ), have displaced a large number of civilians. Relief aid to these people is unreliable, and the displaced women often arrive back with no assets or limited skills. The atmosphere of occupation by the army has made it all but impossible for the Tamil community to provide services to those most in need.



The high number of female headed households and the restricted livelihood opportunities open to women – due in large part to the military's involvement in economic activities – means that “prostitution and the emergence of brothels [are] on the increase in the Vanni [...with] the primary clientele compris[ing] both local men and the military.”<sup>6</sup>

Tamil women have also been coerced into joining the armed forces. Young women from female-headed families or families with five or more members have been targeted, falsely informed that they would be engaging in clerical work and then taken to military camps for training, not being allowed to leave. At least 20 recent, forced recruits, many of whom were unconscious were admitted to Kilinochchi district hospital in December 2012 and no-one was allowed to meet them whilst they were there, including family, friends and representatives from the TNA. As the Women's Action Network (WAN), a collective of 11 women's groups from the North and the East, stated at the time “this situation raises grave concerns regarding the role of the state and the military in the lives of women, [...] and the continued security of these women while in service.”<sup>7</sup>

<sup>5</sup> United Kingdom Foreign & Commonwealth Office, 'Human Rights and Democracy: The 2011 Foreign & Commonwealth Office Report', April 2012, <http://fcohrdreport.readandcomment.com/wp-content/uploads/2011/02/Cm-8339.pdf>, page 324, [accessed 6<sup>th</sup> March 2013]

<sup>6</sup> Sri Lanka Brief, 'THE STATE OF HUMAN RIGHTS IN THE NORTH OF SRI LANKA 2012', February 2013, <http://srilankabrief.files.wordpress.com/2013/03/slb-briefing-notes-no-5-hr-situation-in-north-sri-lanka-2012.pdf>, page 22, [accessed 6<sup>th</sup> March 2013]

<sup>7</sup> Women's Action Network, 'Tamil women coerced into joining the military', December 2012, <http://www.humanrights.asia/news/forwarded-news/AHRC-FST-060-2012> [accessed 5<sup>th</sup> March 2013]



With international NGOs unable to freely monitor the situation and treatment of women in the North and East, due to restrictions imposed by the Government and security forces, the true scale of abuse, destitution and desperation suffered by women in the region is very difficult to assess.



### Widespread Impunity and Fear of Reprisals

The Tamil National Alliance (TNA) has reported on the “increasing number of sexual assaults carried out against women and girls in the Jaffna, Mullaitivu and Kilinochchi districts, often by government officials and the military. The brutality with which these assaults are carried out is especially disturbing.”<sup>8</sup>

The UK’s High Commissioner to Sri Lanka, HE Mr John Rankin, has “discussed rising crime rates for violence against women with the police in these regions and more generally.”<sup>9</sup> Added to this, according to the European Centre for Constitutional and Human Rights, “the fact that the military are increasingly taking over police duties, meaning that women and girls would have to address complaints directly to the perpetrators [...] [they, therefore] avoid speaking out due to fear of stigmatization, threats and possible further attacks”.<sup>10</sup>

Human Rights Watch (HRW), in their most recent report, has highlighted serious concerns with ‘The Presidential Task Force for Resettlement, Development and Security in the Northern Province’ (PTF). The PTF, established in 2009, is a major barrier to redress, as it effectively prohibits local and international organizations from providing services for sexual violence survivors.<sup>11</sup> HRW also attributes the reluctance to report sexual abuse to institutional barriers imposed by the Sri Lankan government to block effective reporting and investigation of rape cases. “No member of the security forces has been prosecuted, let alone convicted, for rape in custody in the final years of the conflict or since the war’s end.”<sup>12</sup>

Interviewees told HRW that military and police personnel seldom made any effort to disguise being members of state security forces. These included the military, military intelligence and the police, including specialized units such as the Criminal Investigation Department (CID) and Terrorism Investigation Department (TID).

<sup>8</sup> MA Sumanthiran MP (TNA), ‘Situation in North-Eastern Sri Lanka: A series of serious concerns’, October 2011, <http://dbsjeyaraj.com/dbsj/archives/2759> [accessed 5<sup>th</sup> March 2013]

<sup>9</sup> *Op.cit.*, ‘Human Rights and Democracy: The 2011 Foreign & Commonwealth Office Report’, page 324

<sup>10</sup> *Op.cit.*, ECCHR, ‘Oral Statement to the Subcommittee on Human Rights - Brussels’, page 2

<sup>11</sup> Human Rights Watch, “‘We Will Teach You a Lesson’ Sexual Violence against Tamils by Sri Lankan Security Forces’, February 2013, [http://www.hrw.org/sites/default/files/reports/srilanka0213webwcover\\_0.pdf](http://www.hrw.org/sites/default/files/reports/srilanka0213webwcover_0.pdf), page 7, [accessed 5<sup>th</sup> March 2013]

<sup>12</sup> Human Rights Watch, ‘Press Release - Sri Lanka: Rape of Tamil Detainees’, <http://www.hrw.org/news/2013/02/26/sri-lanka-rape-tamil-detainees> [accessed 6<sup>th</sup> March 2013]



Victims frequently reported that members of several state agencies would together conduct abusive interrogations. They also identified the specific camps and detention sites where the abuse occurred. HRW deduces from these contributing factors that the use of sexual violence was not just a local occurrence or the action of rogue security force personnel, but a practice that was known or that should have been known by senior officials.



### Crimes Unpunished

In the months following the end of the armed conflict, over 300,000 people were herded into IDP camps. Numerous reports have emerged of the intimidation, harassment and sexual abuse committed against women whilst there<sup>13</sup>. 'The Australian' newspaper ("Tamil refugees forced into sex rackets"<sup>14</sup>) was just one of the media organisations, who reported on the creation of prostitution rings "run by officials" within IDP camps.

The 'Sri Lanka's Killing Fields' documentary series has provided compelling evidence of war crimes and crimes against humanity committed during the conflict, including footage of dead female Tamil combatants and others who appear to have been sexually abused and then murdered by the State security forces.<sup>15</sup>

Amnesty International believes that the prolonged failure of the international community to demand accountability for alleged crimes under international law in Sri Lanka has only encouraged official disregard for international law and UN mechanisms aimed at protecting individuals from harm and providing accountability. In turn, the refusal of Sri Lankan authorities to acknowledge and investigate allegations of such violations and bring perpetrators to justice fuels a growing lawlessness in the country, including by members of the state security forces and their paramilitary affiliates.<sup>16</sup>

<sup>13</sup> Refugee Documentation Centre Ireland, 'Sri Lanka – Researched and compiled by the Refugee Documentation Centre', January 2012, <http://www.unhcr.org/refworld/pdfid/4f196c5d2.pdf> [accessed 5<sup>th</sup> March 2013]

<sup>14</sup> The Australian, 'Tamil refugees forced into sex rackets', July 2009, <http://www.theaustralian.com.au/news/tamil-refugees-forced-into-sex-rackets/story-e6frg6n6-1225744996639> [accessed 6<sup>th</sup> March 2013]

<sup>15</sup> Channel 4, 'Sri Lanka's Killing Fields', June 2011, <http://www.channel4.com/programmes/sri-lankas-killing-fields/episode-guide/series-1/episode-1> [accessed 6<sup>th</sup> March 2013]

<sup>16</sup> Amnesty International, 'Sri Lanka: The Need to Address Persistent Impunity for Violations and Abuses of International Human Rights and Humanitarian Law', February 2011 <http://www.amnesty.name/en/library/asset/ASA37/002/2011/en/ffc3acc1-81f6-4f56-bca7-ab65ddd20faf/asa370022011en.html> [accessed 6<sup>th</sup> March 2013]



## Righting Wrongs

ICG has said previously, “the international response to women’s insecurity [in Sri Lanka] has been unnecessarily muted”.<sup>17</sup> The evidence of abuses listed above serves to highlight why it is incumbent upon the international community and the United Nations in particular to speak out about what is happening in Sri Lanka. As the IWD theme states, it is time for action to end violence against women, and therefore, it is most certainly time that Sri Lanka is held to account for its actions and made to live up its international obligations to end state sanctioned gender based violence.

### Global Tamil Women Forum calls on the Government of Sri Lanka to:

- ✦ Promote and protect women’s rights; take concrete actions to end gender based violence; cease and desist the coercion of Tamil women into the military; and support the provisions of Security Council Resolution 1325, which “reaffirms the important role of women in the prevention and resolution of conflicts, peace negotiations, peace-building, peacekeeping, humanitarian response and in post-conflict reconstruction and stresses the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security.”<sup>18</sup>
- ✦ Demilitarise the Tamil majority areas; restore complete civil administration to all militarised government departments and also national institutions, including the police; and ensure that the military desist from involvement in any economic activities which undermine the livelihood opportunities for inhabitants, particularly women, in Tamil areas.
- ✦ Support the UN Women’s Initiative, which is calling on Governments everywhere to commit to end violence against women and girls. <http://saynotoviolence.org/commit>
- ✦ Facilitate adequate witness protection so that the perpetrators of such crimes can be held accountable for their actions.
- ✦ Release immediately all those who remain in arbitrary detention.
- ✦ Grant full access to International Committee of the Red Cross and other international aid agencies to facilitate the rehabilitation process for these women to return to a life of normalcy.

### Global Tamil Women Forum calls on the international community, including the United Nations to:

- ✦ Remain seized of the situation in Sri Lanka; call for the demilitarisation of Tamil majority areas; ask the UN country team in Sri Lanka to monitor the ground realities for women the North and East; be prepared to speak out against all cases of gender-based violence and gender inequalities in Sri Lanka.
- ✦ Place conditions on aid and investment into Sri Lanka, which call explicitly for the promotion and protection of women’s rights.
- ✦ Support an international, independent war crimes investigation to be established as recommended by UN Secretariat appointed Panel of Experts on Accountability in Sri Lanka.<sup>19</sup>

*GTWF is a global network working towards raising awareness of the plight of Tamil women in Sri Lanka and seeks means of empowering them. GTWF is part of the Global Tamil Forum, for further details regarding our objectives and activities please visit <http://globaltamilforum.org/qtf/content/qtwf>*

<sup>17</sup> Op.cit., ‘Sri Lanka: Women’s Insecurity in the North and East’, page i

<sup>18</sup> United Nations Security Council, ‘Resolution 1325 (2000)’, October 2000, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N00/720/18/PDF/N0072018.pdf?OpenElement> [accessed 6<sup>th</sup> March 2013]

<sup>19</sup> Report of the UN Secretary General’s Panel of Experts on Accountability in Sri Lanka, March 2011, [http://www.un.org/News/dh/infocus/Sri\\_Lanka/POE\\_Report\\_Full.pdf](http://www.un.org/News/dh/infocus/Sri_Lanka/POE_Report_Full.pdf), page vii, [accessed 6<sup>th</sup> March 2013]