

Under Fire: Persons in Humanitarian Service

A Preliminary Report on Killings and Disappearances of Persons in Humanitarian Service in Sri Lanka, January 2006 – December 2007*

*Please note: This is a short version of the full report.
The full 64-page report can be downloaded from the website below.

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1. INTRODUCTION

Since the beginning of 2006, violence related to the conflict has escalated dramatically, and killings and disappearances of civilians have become widespread in Sri Lanka. Internal displacement has also been a serious problem. Government agencies have not been able to provide adequate assistance and protection to civilians. Thus, national and international humanitarian actors have become a crucial life line for thousands of affected people.

However, the situation on the ground has not been at all conducive to humanitarian work. Since 2006, numerous people engaged in humanitarian work have been killed and subjected to enforced disappearances. Many more individuals and organizations have been subjected to threats and attacks. Restrictions have been created which make it difficult or, in some cases, impossible to access civilians needing protection and assistance. Obtaining and renewing visas and work permits for expatriate staff of humanitarian agencies has also become extremely difficult.

While some incidents such as the killing of 17 ACF staff in August 2006 in Mutur received public attention, many incidents received hardly any coverage in local and international media.

Complaints have also been lodged with relevant authorities for a large number of these cases, but there is no available public information about progress made in investigations. To the best of our knowledge, there has not been a single prosecution or conviction in any of the incidents.

Through this report, the Human Rights in Conflict program of the Law & Society Trust (LST) seeks to remember and pay tribute to all humanitarian actors who have made a supreme sacrifice to serve all Sri Lankans. We also hope to contribute to a process of ensuring justice to these persons killed and subjected to enforced disappearances, their families and loved ones, by monitoring the status of investigations. LST believes that it is only by such documenting, that analyzes trends of attacks, threats and restrictions facing those involved in humanitarian work in Sri Lanka, can we put in place mechanisms to prevent such incidents in the future and bring about a more conducive environment for humanitarian work.

In line with this belief, on 19 November 2007, we shared a list we had compiled using available public information with the Ministry of Disaster Management and Human Rights. We sought the Ministry's support to document these incidents and requested additional information and corrections. The request for feedback specifically referred to the incident itself, as well as investigations, prosecutions and convictions. Staff of LST called the Ministry after a few days and were assured of feedback by staff at the Ministry. However, no response was received, even after three months. Earlier this week, another request was made through a letter, and an updated table of incidents was shared with the Ministry. However, to date, we have received no feedback. We therefore release this preliminary report based on information available to us via staff of humanitarian agencies, other civil society groups and media, as well as information gathered through frequent visits to the North and East, where all but two of the incidents occurred.

We have limited the scope of this preliminary report to killing and enforced disappearances of those who were engaged in humanitarian service. We have included staff of humanitarian NGOs, persons involved in humanitarian projects, as well as religious leaders who engaged in humanitarian work. We use the term "humanitarian service" rather than "humanitarian work" because those killed do not fit neatly into one category of persons. Rather, they belong to a broader range of Sri Lankan nationals of all ethnicities – lay people and religious leaders, technical staff and labourers – working to make a tangible improvement in the lives of people suffering from the double blow of disaster and the ongoing conflict.

We have not endeavored to identify the perpetrators, although some of the information available may indicate or refer to alleged perpetrators. Another crucial issue that arises from this preliminary report is ambiguity around the reason and motivation for the killing and enforced disappearances of these humanitarian actors. It is often not clear whether the incidents are the result of the person's involvement with a particular organization or project, or the nature of their work, or whether they are due to reasons that have nothing to do with these involvements.

Although the government has been unwilling or unable to provide information on these cases we have documented, we expect the government to use information in this report to investigate into these incidents, to uncover relevant factual information and ensure independent and speedy investigations into all these incidents, leading to prosecutions and conviction of those responsible. We also expect that such information would be made available to all Sri Lankans and concerned members of the international community.

We hope to present an updated and comprehensive report in the future.

I wish to thank the principal author, Mr. Dilshan Muhajarine, for his patience and hard work in putting together this preliminary report. Thanks are also due to the team at the Human Rights in Conflict program at LST, especially Researcher Ms. Dulani Kulasinghe and Executive Director of LST, Ms. Damaris Wickremesekera, for her encouragement. Appreciation is also due to several friends and colleagues, who encouraged and supported us to take up this project. I also remember with gratitude heads and staff of several humanitarian agencies who shared information and their views with us, and whose input has been invaluable in putting this report together.

Ruki Fernando
Coordinator
Human Rights in Conflict program
Law & Society Trust (LST)

06 March 2008

2. EXECUTIVE SUMMARY

Since 2006, it has been “open season” on humanitarian workers. What is universally considered a noble and compassionate profession, seeking to protect and assist people affected by conflict and natural disasters, has turned into one of the deadliest jobs in Sri Lanka. International humanitarian law seeks to protect humanitarian actors and requires armed actors, both state and non state, to turn their guns away from them. But in Sri Lanka, the guns have literally been on those engaged in humanitarian service, putting them directly in the line of fire.

In addition to the war against each other, armed actors in Sri Lanka are clearly waging a war against humanitarian service and those engaged in humanitarian service.

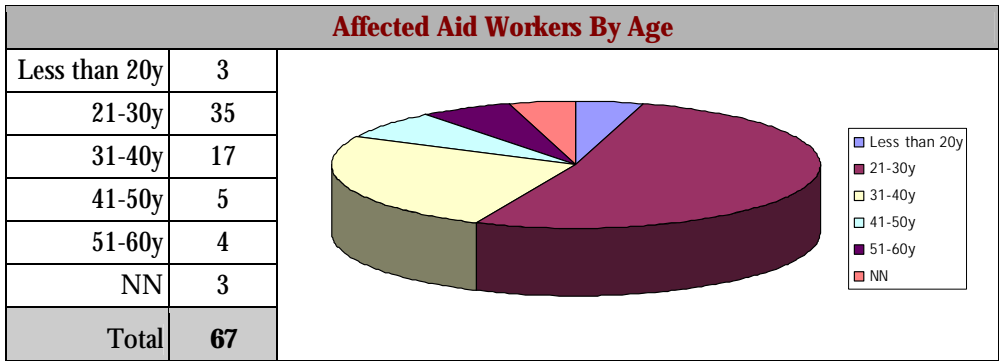
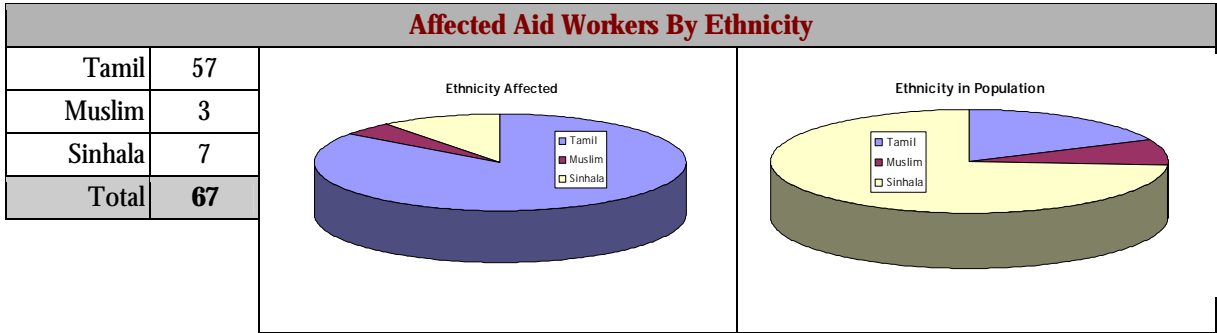
In the 24 month period from January 2006 to December 2007, there has been a killing or enforced disappearance of at least one person engaged in humanitarian service in every month, except March and October 2006.

Tamil male humanitarian workers between the ages of 21 and 40 have been the most vulnerable, as the analysis below indicates. More than a third of all humanitarian workers killed were from Jaffna, while all but one incident occurred in the Northern or Eastern provinces. Even in the incident that occurred outside the North East – the killing of two Sri Lankan Red Cross workers – the affected persons were from Batticaloa and based there for their work.

Victims’ occupations ranged from program staff, field staff, administrative staff of humanitarian agencies, as well as others employed to work in development and relief projects such as masons and construction workers. Victims also include two Catholic Priests and a Buddhist Monk – the monk and one of the priests became involved in humanitarian service as part of their religious practice.

To the best of our knowledge, not a single person has been convicted or even prosecuted in relation to any of the incidents listed in this report. Some of these incidents are more than two years old. There have been media reports and statements from the government that investigations into some cases have commenced and are proceeding, but no details have been made available to the public, only vague statements that “there is progress being made”. Some agencies and family members have claimed that they have not been informed of progress into investigations. Some cases have been included in the mandate of the Commission of Inquiry appointed to look into serious human rights violations, and while others have been taken up by UN human rights bodies such as the Special Procedures, but even in these, there is no known outcome. Reputed international groups, including the International Independent Group of Eminent Persons (IIGEP) appointed by the President in late 2006, have concluded that some of the investigation processes are not in line with international standards and norms.

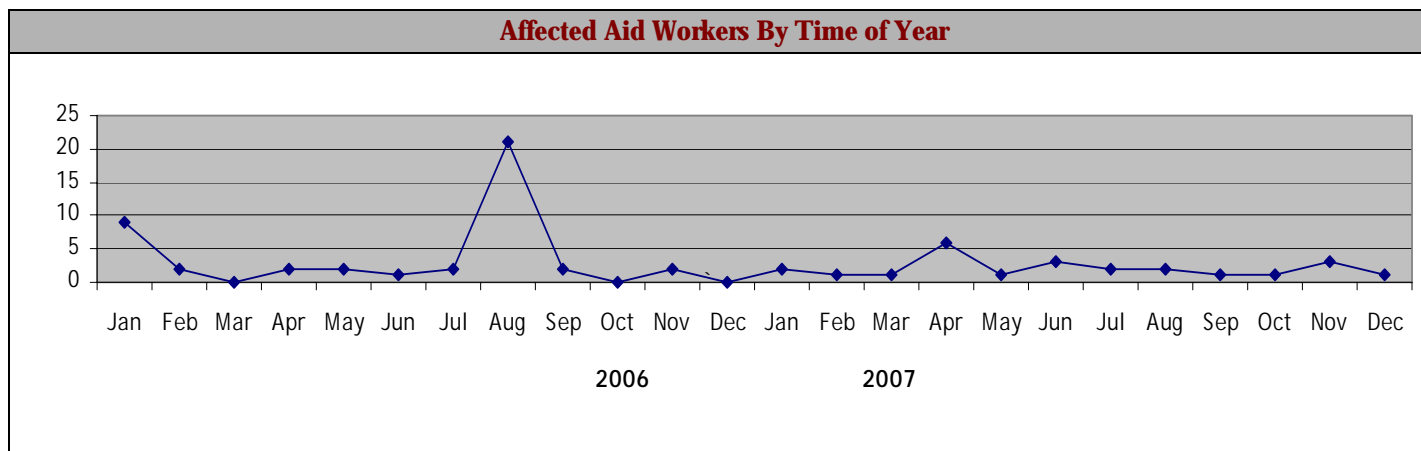
The Government appears unwilling to accept international advice and assistance being offered to address these many serious shortfalls. In view of the state of denial regarding the extent and seriousness of atrocities committed against those in humanitarian service, seen against a backdrop of continuing threats, attacks and restrictions, as well as impunity for even the most serious abuses, the future of humanitarian service in Sri Lanka looks bleak.



Affected Aid Workers By Type of Incident	
Disappearance	23
Killing	44
Total	67

Affected Aid Workers By Gender	
Male	62
Female	5
Total	67

Affected Aid Workers By Region	
Jaffna	21
Batticaloa (including incidents at Batticaloa-Polonnaruwa border)	17
Vavuniya	2
Trincomalee	20
Ampara	2
Mannar	3
Colombo	2
Total	67



	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2006	9	2	0	2	2	1	2	21	2	0	2	0	43
2007	2	1	1	6	1	3	2	2	1	1	3	1	24
													67

Affected Organizations By Aid Workers and By Incidents		
	Persons	Incidents
Danish Demining Group	6	5
Tamils Rehabilitation Organization	9	4
Halo Trust	6	6
Mines Advisory Group	1	1
HUDEC-Caritas	2	1
Norwegian Refugee Council	1	1
North East Irrigated Agriculture Project	1	1
Other [short term, contractual staff]	9	3
Action Contre la Faim	17	1
Religious Leaders (Catholic, Buddhist)	2	2
Sri Lanka Red Cross Society	4	3
United Nations Office for Project Services	1	1
Sewalanka Foundation	1	1
World Concern	1	1
Terre des hommes	1	1
Danish Refugee Council	1	1
United Methodist Committee on Relief	1	1
Jesuit Refugee Service	1	1
Rural Development Foundation	1	1
World Vision	1	1
TOTAL	67	37

3. TABLE OF INCIDENTS

Notes to column headings in the table below:

1. Incident number and total number of persons affected by the incident in parenthesis
2. Name of persons in alphabetical order
3. M for male and F for female
4. M – Muslim, S – Sinhala and T – Tamil.

Incident ¹	Date	Place, District	Type of Incident	Persons Affected ²	Age	Sex ³	Ethnicity ⁴	Organization
#01 (2)	11 Jan. 2006	Point Pedro, Jaffna	Disappearance (abduction in white van)	(1) Narayanamoorthy Kandeepan	30	M	T	Danish Demining Group (DDG)
				(2) Thambiah Tharmasri	28	M	T	
#02 (2)	29 Jan. 2006	Welikanda Polonnaruwa	Disappearance (abduction in white van)	(3) Kasinathar Ganeshalingam	53	M	T	Tamil Rehabilitation Organization (TRO)
				(4) Kathirkamar Thangarasa	43	M	T	
#03 (5)	30 Jan. 2006	Welikanda Polonnaruwa	Disappearance (abduction in white van)	(5) Arulnesarasa Satheeskaran	23	M	T	Tamil Rehabilitation Organization (TRO)
				(6) Kailayapillai Ravindran	26	M	T	
				(7) Shanmuganathan Sujendran	24	M	T	
				(8) Thambiraja Vasantharajan	24	M	T	
				(9) Thanushkodi Premini	25	F	T	
#04 (1)	04 Feb. 2006	Kaithady, Jaffna	Disappearance	(10) Kanagaratnam Logithas	23	M	T	HALO Trust
#05 (1)	17 Feb. 2006	Batticaloa	Disappearance	(11) Parameswaran	NN	M	T	Mines Advisory Group (MAG)
#06 (2)	10 Apr. 2006	Mirusuvil, Jaffna	Killing (claymore)	(12) Chelvendra Pradeepkumar	29	M	T	HUDEC – Caritas Jaffna
				(13) Shanmugaratnam Pathmanathan	55	M	T	
#07 (1)	15 May 2006	Vavuniya	Killing (shot)	(14) Jeyaruban Gnanapragasam	22	M	T	Norwegian Refugee Council (NRC)
#08 (1)	26 May 2006	Kalviyankadu, Batticaloa	Killing (shot)	(15) Ratnam Ratnaraja	48	M	T	North East Irrigated Agriculture Project (NEIAP)

#09 (1)	08 Jun. 2006	Polikandy, Vadamarachchy, Jaffna	Disappearance	(16) Rajani	26	M	T	FORUT funded Nilavan Kudiyiruppu Tsunami Housing Scheme
#10 (1)	02 Jul. 2006	Oddumawady Bridge, Valaichchenai, Batticaloa	Disappearance	(17) Krishnapillai Kamalanathan	24	M	T	Tamil Rehabilitation Organization (TRO)
#11 (1)	08 Jul. 2006	Polikandy, Vadamarachchy, Jaffna	Killing (beaten to death)	(18) Rasiah Muraleeswaran	42	M	T	FORUT funded Nilavan Kudiyiruppu Tsunami Housing Scheme
#12 (17)	04 Aug. 2006	Mudur, Trincomalee	Killing (shot execution-style)	(19) Abdul Latif Mohammed Jauffer	31	M	M	Action Contre la Faim (ACF)
				(20) Ambigapathy Jayaseelan	27	M	T	
				(21) Ganesu Kavitha	27	F	T	
				(22) Gangatharan Sritharan	36	M	T	
				(23) Kanakarathnam Kovarthani	28	F	T	
				(24) Mathawarajah Ketheswaran	36	M	T	
				(25) Mohanthasa Rishikesan	23	M	T	
				(26) Muralitharan Dharmarathnam	34	M	T	
				(27) Muthulingam Narmathan	24	M	T	
				(28) Richard Arunraj	23	M	T	
				(29) Sathyawel Koneswaran	24	M	T	
				(30) Sellaiya Ganesu	54	M	T	
				(31) SingharasaPrimus Anantharajah	32	M	T	
				(32) Sivapragasam Romila	25	F	T	
				(33) Thurai Raja Pratheepan	27	M	T	
(34) Vairamuthu Kokilavathani	29	F	T					
(35) Yogarajah Kodeeswaran	31	M	T					

#13 (2)	20 Aug. 2006	St. Mary's Church, Allaipiddy, Kayts, Jaffna	Disappearance	(36) Rev. Fr. Tiruchchelvan Nihal Jim Brown	34	M	T	Parish Priest of Allaipiddy (Catholic Priest)
				(37) Wenceslaus Vincens Vimalathas	40	M	T	Assistance to Parish Priest of Allaipiddy
#14 (1)	20 Aug 2006	Cheddikulam, Vavuniya	Killing (shot)	(38) Nagarasa Thavaranjitham	24	M	T	Sri Lanka Red Cross Society
#15 (1)	24 Aug. 2006	Munaiyoorkulam, Thambiluvil, Ampara	Killing (shot)	(39) P. Jestly Julian	29	M	T	UNOPS
#16 (1)	01 Sep. 2006	Karavedy, Jaffna	Killing (shot)	(40) Sathiyamoorthy Selvaroopan	27	M	T	Sewalanka Foundation
#17 (1)	11 Sep. 2006	Nilaveli Road, Trincomalee	Killing (shot)	(41) Ragnathan Ramalingam	31	M	T	World Concern
#18 (1)	15 Nov. 2006	Old Park Rd., Chudikkuli, Jaffna	Disappearance (abduction in white van)	(42) Charles Huston Ravindran	30	M	T	HALO Trust
#19 (1)	23 Nov. 2006	Periyaneelavanai, Ampara	Killing (shot)	(43) Sabaratnam Rubesh	31	M	T	Terre des Hommes (TDH)
#20 (1)	04 Jan. 2007	Racca Rd., Jaffna	Disappearance (abduction in white van)	(44) Subramaniam Parameswaran	29	M	T	HALO Trust
#21 (1)	09 Jan. 2007	Kellner Rd., Nallur, Jaffna	Disappearance	(45) C. Rajendran	35	M	T	HALO Trust
#22 (1)	09 Feb. 2007	Temple Rd., Nallur, Jaffna	Disappearance	(46) Nagarasa Narenthiran	27	M	T	HALO Trust
#23 (1)	24 Mar. 2007	Periyamadu, Mannar	Killing (claymore)	(47) Muthuraja Aruleswaran	30	M	T	Tamils Rehabilitation Orgaziation (TRO)

#24 (6)	01 Apr. 2007	Mailampaaveli, Batticaloa	Killing (shot)	(48) Liyanamohottilage Dayananda Cabral	33	M	S	Village of Hope (post-tsunami orphanage for survivors)
				(49) Liyanamohottilage Thushara Madasanka Cabral	17	M	S	
				(50) Thoranahena Gedara Susantha Ranjith Abeykoon	24	M	S	
				(51) Tissa Walan Mudiyansele Danapala	54	M	S	
				(52) Tissa Walan Mudiyansele Wijethunga	17	M	S	
				(53) Wele Pendige Chandrasiri	45	M	S	
#25 (1)	13 May 2007	Morawewa, Trincomalee	Killing (shot)	(54) Ven. Thero Handungamuwe Nandarathna	NN	M	S	Chief Incumbent of Sri Pabbathaaramaya (Buddhist Monk)
#26 (2)	01/02 Jun. 2007	Fort Railway Station, Colombo / Dumbara Estate, Ratnapura	Killing (shot)	(55) Karthequesu Chandramohan	26	M	T	Sri Lanka Red Cross Society
				(56) Sinnarasa Shanmugalingam	32	M	T	
#27 (1)	19 Jun. 2007	Kuppilaan, Mayilankaadu, Walikamam, Jaffna	Disappearance	(57) Sivarasa Vimalarasa	20	M	T	Danish Demining Group (DDG)
#28 (1)	18 Jul. 2007	Mulliveethi, Ariyaalai, Jaffna	Disappearance (abduction in white van)	(58) Sivalingam Prabakaran	34	M	T	Danish Demining Group (DDG)
#29 (1)	23 Jul. 2007	Jaffna	Killing (shot)	(59) Arumainayagam Alloysius	26	M	T	Danish Refugee Council (DRC)
#30 (1)	06 Aug. 2007	Trincomalee	Disappearance	(60) Mohamed Zavahir Mohamed Rizvi	NN	M	M	Methodist Community Organization for Refugees (UMCOR)
#31 (1)	20 Aug. 2007	Kasthooriar Rd., Jaffna	Killing (shot)	(61) Sivasamy Sritharan	31	M	T	Danish Demining Group (DDG)
#32 (1)	26 Sep. 2007	Mannar	Killing (claymore)	(62) Rev. Fr. Nicholaspillai Pakiaranjith	40	M	T	Jesuit Refugee Service (JRS) / (Catholic Priest)

#33 (1)	28 Oct. 2007	Narathanai, Kayts, Jaffna	Killing (shot)	(63) Shanmuganathan Pakeerathanathan	28	M	T	Danish Demining Group (DDG)
#34 (1)	10 Nov. 2007	Weerapura, Mannar	Killing (shot)	(64) Gouthu Jalaltheen	38	M	M	Rural Development Foundation (RDF)
#35 (1)	16 Nov. 2007	Jaffna	Killing (shot)	(65) Thangarajah Sujeevan	26	M	T	HALO Trust
#36 (1)	28 Nov. 2007	Navatkuda, Batticaloa	Disappearance	(66) Sinnathamby Sathananthan	28	M	T	World Vision
#37 (1)	14 Dec. 2007	Jaffna	Killing (shot)	(67) Sooriyakanthy Thavarajah	43	M	T	Sri Lanka Red Cross Society (Jaffna Branch)

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