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Human Rights Watch

Sri Lanka: World Leaders Should Demand End to Detention Camps



Internally displaced people (IDPs) stand near temporary structures in the Arunachalam camp at Manik Farm in northern Sri Lanka on August 19, 2009.

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Brad Adams, Asia director

Delay in Returns No Excuse for Rights Violations

September 22, 2009

(New York) - World leaders in New York for the United Nations General Assembly and the G-20 economic summit in Pittsburgh should call on the Sri Lankan government to immediately release more than 260,000 displaced persons illegally confined in detention camps, Human Rights Watch said today.

Human Rights Watch said it was concerned about a lack of protection mechanisms in the camps and the secret, incommunicado detention - and possible enforced disappearance - of suspected combatants. Poor conditions, overcrowding, and inadequate medical care increases the risk of serious health

problems during the coming monsoon season. Human Rights Watch also said that the authorities are not being open and honest with camp residents about when they may go home, keeping them in a state of uncertainty and anxiety.

Last week, Human Rights Watch sent a letter to European Union states outlining problems and urging governments to intervene forcefully with the Sri Lankan government.

"The civilians locked up in these detention camps have a right to liberty now, not when the government gets around to it," said Brad Adams, Asia director at Human Rights Watch. "World leaders should support calls from the UN to restore full freedom of movement to these people, who already have suffered mightily from war and displacement."

Since March 2008, the Sri Lankan government has confined virtually everyone displaced by the war between the government and the Liberation Tigers of Tamil Eelam (LTTE) to detention camps, depriving them of their liberty and freedom of movement in violation of international law. As of September 15, 2009, the government was holding 264,583 internally displaced persons in detention camps and hospitals, according to the UN, while fewer than 12,000 have been released or returned home.

Human Rights Watch said that recent government claims that a large number of camp residents had been released were false. A statement published on the website of the Ministry of Defence on September 12, claimed that the government released nearly 10,000 persons from the camps to their hometowns the previous day. However, it later emerged that they had been transferred to camps in their home districts, where they are undergoing further screening by the authorities. The Sri Lankan armed forces have indicated that the additional screening could take from several days to up to six months, even though each individual had already been registered and screened several times and cleared for release.

Sri Lanka has repeatedly promised to release the displaced persons from the camps as early as possible, including in a joint statement on May 23 by the UN secretary-general, Ban Ki-moon, and President Mahinda Rajapaksa. But four months after the end of the fighting, there has been little progress.

During a visit to Sri Lanka last week, the UN under-secretary-general for political affairs, B. Lynn Pascoe, issued a strong statement calling on the government to allow internally displaced persons who have completed the screening process to leave the camps and to allow those who choose to remain to go out during the day and to meet freely with family and friends elsewhere. In response, Rajapaksa said that arrangements would be made to complete the return of the displaced civilians by the end of January, but that the return depended on the progress of demining in areas to which some would return.

"Demining is crucial, but the presence of landmines is not a valid basis for keeping people locked up," said Adams. "Many of the displaced can stay with relatives and host families far from any mined areas."

A delegation of high-level Sri Lankan officials will be in New York this week to attend the high-level segment of the UN General Assembly. Prime Minister Rathnasiri Wickramanayake will address the General Assembly on September 26 on, "Strengthening of Multilateralism and Dialogue among Civilizations for International Peace, Security and Development."

Human Rights Watch called upon world leaders to keep the plight of Sri Lanka's displaced persons at the forefront of discussions with the Sri Lankan delegation and to raise the following additional issues:

Arbitrary detention and enforced disappearance

The government has announced that it has detained more than 10,000 displaced persons on suspicion of having been involved with the LTTE. The government has separated them from their families and transferred them to separate camps and regular prisons. Human Rights Watch documented several cases in which individuals were taken into custody without regard to the protections provided under Sri Lankan law. In many cases, the authorities have not informed family members about the whereabouts of the detained, leaving them in secret, incommunicado detention or possible enforced disappearance, and, as a result, especially vulnerable to abuse.

Inability to trace missing relatives

Families in the detention camps have no access to mechanisms for finding missing relatives who might be in other camps or in unofficial detention centers. Individuals with access to the camps report that a significant number of people still do not know the whereabouts of their detained relatives, weeks and months later. Although the authorities have reportedly finished registering camp residents, the authorities are not making the lists available to people with missing relatives or organizations that do tracing. The International Committee of the Red Cross (ICRC), which often traces family members, has been barred from the main camps since mid-July.

Lack of protection mechanisms in the camps

The military camp administration is preventing humanitarian organizations, including the UN and the ICRC, from undertaking effective monitoring and protection in the camps. In most cases, the military insists on being present during conversations with camp residents, preventing confidential exchanges of information about camp conditions. Even the Sri Lankan Human Rights Commission, a government entity, can only gain access to the camps with military permission.

Conditions in the camps and expected deterioration during the monsoon

The camps are severely overcrowded, exacerbated by the government's refusal to release civilians. Conditions will continue to deteriorate with the onset of the monsoon season, causing additional

hardship and suffering. Heavy rains in mid-August caused serious flooding, as water destroyed tents and other shelter, made cooking impossible for many, and caused roads to collapse, preventing delivery of crucial aid, such as drinking water. Water also flooded latrine pits, causing raw sewage to flow among the tents. Aid agencies are particularly concerned about the threat of disease due to flooding during the monsoon season.

Lack of access to proper medical care

Camp residents do not have access to adequate medical care. Health facilities are rudimentary, understaffed, and under-resourced. Residents have reported that they have to wait in line for hours to see a doctor and, when they do, language barriers between Sinhalese-speaking doctors and Tamil-speaking patients often prevent effective communication. Many camps have no doctors at night, leaving residents without access to medical care in emergencies. Camp doctors' referrals to hospitals outside the camp are subject to approval by the military. On several occasions documented by Human Rights Watch, the military has rejected doctors' referrals, leading to a worsening of a patient's condition.

Lack of transparency and information

The authorities are keeping the camp residents in a state of uncertainty by failing to provide them with information about the reason for their continued detention, the whereabouts of their relatives, or the criteria and procedure for their return home. In some cases the authorities seem to have misled the displaced deliberately, such as on September 11, when they told several hundred camp residents that they would release them, when in fact they just transferred them to other detention camps for further screening.

"Sadly, the Sri Lankan government has a track record of lying, deceiving and breaking promises to civilians displaced by the conflict," said Adams. "The UN, donors, and bilateral partners should demand immediate, concrete progress and not let themselves be fooled again by empty government promises."