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## **Sri Lanka: Warring Sides Must Let Aid Reach Civilians** *Government and Tamil Tigers Must Respect International Humanitarian Law*

Colombo—The Sri Lankan government and the armed opposition Liberation Tigers of Tamil Eelam (LTTE) must allow humanitarian aid to reach thousands of civilians trapped in the embattled northern Jaffna peninsula, Human Rights Watch said today.

Fighting in Jaffna since August 11 has left the peninsula's 500,000 residents with dwindling supplies of food and water and no ability to go to safe areas. There has been little or no electricity or fuel. About 40,000 people in Jaffna are believed to have fled their homes but remain in the conflict area.

"The fighting in Jaffna has had its biggest impact on the civilian population," said Sam Zarifi, Asia research director at Human Rights Watch. "Both the government and the LTTE must promptly act to allow the delivery of food, water and medicine."

According to international aid agencies, including the United Nations High Commissioner for Refugees, the humanitarian situation on the Jaffna peninsula is reaching crisis levels. The Sri Lanka armed forces and the LTTE, also known as the Tamil Tigers, have closed the main access road to the peninsula, which goes through LTTE-controlled territory. Aircraft flights except by military helicopters have also ceased due to the fighting. The government has loaded a ship to carry relief supplies to Jaffna but its departure from Colombo has been postponed several times.

Under international humanitarian law, parties to a conflict are required to provide for the basic necessities of the civilian population under their control. They are obliged to allow and assist impartial humanitarian agencies to supply food, medical supplies and other essentials to civilians at risk. The belligerent parties must consent to allowing relief operations to take place, and may not refuse such consent on arbitrary grounds. They can take steps to control the content and delivery of humanitarian aid, such as to ensure that consignments do not include weapons. However, deliberately impeding relief supplies is prohibited.

Amid heavy fighting in the peninsula, there are serious concerns that civilians will not be protected from harm, Human Rights Watch said. International humanitarian law requires parties to a conflict to take all necessary precautions to protect civilians against the dangers resulting from armed hostilities. They must to the extent feasible avoid locating military forces near civilians and remove civilians from the vicinity of military objectives. It is unlawful to prevent civilians from leaving areas close to military targets.

Human Rights Watch also expressed concern that sufficient humanitarian assistance has not reached conflict areas in the eastern districts of Trincomalee and Batticaloa, where thousands of displaced persons fled fighting earlier this month. According to the U.N. High Commissioner for Refugees, at least 170,000 Sri Lankans have fled their homes in

the north and east since the fighting in the country intensified.

Local and international aid organizations have increasingly been the target of threats, harassment and violence that hinders their ability to assist the population. The possibility that international organizations might permanently depart contested areas in the north and east has fueled fears among civilians for their safety. Recent incidents include:

- the execution-style murder of 17 Sri Lankan members of the international aid agency Action Against Hunger (Action Contre la Faim) on August 4 following fighting in Muttur in Trincomalee district;
- the blocking and harassment of several aid convoys to internally displaced persons by local authorities in Trincomalee district and other areas in August;
- grenade attacks by unidentified persons on the offices of three international organizations on May 21 in Muttur;
- threats seemingly made by the Tamil Tigers against women aid workers in several eastern towns in April.

Government officials and various political parties have contributed to an atmosphere of hostility against nongovernmental organizations by politically motivated criticism of aid agencies for delays in projects for victims of the 2004 tsunami.

“Threats and violence against aid organizations have made a bad humanitarian situation worse,” Zarifi said. “Unless the government and the Tamil Tigers ensure such attacks stop, civilians in need will pay an unacceptably high price.”

Human Rights Watch has called for an international human rights monitoring mission to Sri Lanka under the auspices of the United Nations to publicly report on violations of international law by all sides. An international monitoring presence could help deter abuses, provide systematic documentation of rights violations, and address the problem of impunity that has resulted in cycles of violence and reprisal in Sri Lanka.

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