



General Assembly

Distr.: General
21 February 2017

English only

Human Rights Council

Thirty-fourth session

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Association Burkinabé pour la Survie de l'Enfance, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 February 2017]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.17-02789(E)



* 1 7 0 2 7 8 9 *

Please recycle



State-sponsored violence against Eelam Tamil women in North*

On the one hand, the catalytic role of violence brought women out to a devastating and devastated public arena. Traditional roles of Eelam Tamil women underwent radical change and women were catapulted into hitherto unaccustomed roles of sole breadwinner and head of household.

In this scenario, women's activity focused on day-to-day survival issues such as how to get a pass, how to get food to eat, and to find out what happened to their husbands, fathers and sons who had disappeared.

With regard to missing relatives, the state has attempted to provide some relief to displaced women, and has responded to appeals for justice against the violation of human rights of the Tamil people by its own institutions. The courts and other mechanisms of the state, such as the Human Rights Commission, the Commissions on Disappearances and the Anti Harassment Committee, have provided a limited space for Tamil citizens to contest violations of their rights by the armed forces and police, and obtain some relief and redress.

In addition to the drastic change in roles and the loss of relatives, women have also been subjected to unprecedented violence. During the period of the active conflict, the police, paramilitary units and members of the government's armed forces, were involved in the commission of acts of torture, including rape and sexual violence, against women. Those acts are still ongoing, only about 5% of women who are victims said they give witness to different commissions, others won't give any testimony because of occupied military harassments,

Impunity for violence against women

The rape of a fifteen-year-old school girl, Krishanthi Kumarasamy, was made even worse when eight soldiers and a police officer on duty at the Chemmani checkpoint killed her mother, brother and neighbor who had come to look for her. The case marked the coming together of forces across the country, united in their condemnation of the horrendous incident.

The case of Ida Camelita who was raped and murdered in Mannar in July 1999, is proceeding very slowly while the investigation into the murder and alleged rape of Koneswary in Amparai in 1999 has fallen through due to intimidation of the witnesses.

In August 2001, Yogalingam Vijitha of Paruthiyadaippu, Kayts filed a complaint against the Reserve Sup. Inspector of Police, Police Station, Negombo and six others. This was a good example of a case in which the Supreme Court ordered compensation and costs to be paid to a Tamil woman who had been arrested, detained and brutally tortured. The Court stated the following:

But what sets Sri Lanka's conflict apart from many others is that sexualized violence was not used by all sides. While government, paramilitary forces all violated human rights, the Liberation Tigers of Tamil Eelam (LTTE), or the Tamil Tigers, successfully trained their fighters not to rape, according to multiple sources.

In his 2012 book *The Cage: The Fight for Sri Lanka and the Last Days of the Tamil Tigers*, Gordon Weiss, a journalist, former aid worker, and former UN spokesman, writes: "Under the guise of development, the Sri Lankan government is indeed using its army to control the economy of Tamil-majority areas, and to change the demography. Rather than justifiable security precautions and policing, its writ is characterized by disappearances, sexual violence, and a menacing presence to enforce a programme of exploitation."

But reports of sexualized violence in Sri Lanka are hard to investigate, according to Women Rights Activists, say that organizations are forced to seek permission from a presidential task force to work on issues of sexualized violence, which means that most organizations are thus prevented from working on the issue at all. We have several researchers are working to interview and organize survivors furtively, without permission from the authorities.

Tamil Women Rights activist, whom we'll call "Selvie" to protect her safety. Selvie, who is also a community organizer, conducts research on the forbidden topic of state-sponsored sexualized violence. She told us that in early from the 2013 until now May 2016, many intelligence officers surprised her at her home and questioned her about her research. She is Rights based activists who frequently travel to the region, said that any mention of their organizations, let alone their names, would put them in great danger because their work is de facto illegal. Activists who have documented state-sponsored violence have been attacked by occupied military, and that female activists in particular are sometimes targeted with sexualized violence.

How Sexualized Violence Is Used as a Weapon of War

To exert power: State security forces appear to have been the main perpetrators of sexualized violence. A groundbreaking Human Rights Watch report on sexualized violence against Tamil citizens, released in February 2013, found that rape is a regular aspect of military and police proceedings, with "army, police, and pro-government paramilitary groups frequently participating."

To control communities, territory, or natural resources: The Sri Lankan government, known for its lack of accountability and continued violence, acknowledged using rape as a tactic in certain instances for this reason. In a 1997 government report, the state's own representatives found that "violence against women was used as a tool of control of a community (family, village, peers)."

To gather information: rape is one of the unlawful tools used by the Sri Lankan military and police to gain intelligence about the Tamil Tigers both during and after the war. Sexualized violence was also used to force detainees, like we interviewed, to "confess" to LTTE membership.

For ethnic cleansing: Although state security forces have used rape against other communities as well, their main target has been the Tamil population. Indeed, "there appears to be no category of Tamil who, once taken into custody, is immune from rape and other sexual violence."

Selvie explained how sexualized violence fits into the larger context of "Sinhalization"—the Sinhalese government's attempt to stamp out Tamil culture on several fronts. In the post-conflict period since 2009, the state has continued to employ militarized zones that aid in "land grabbing" Tamil areas, and has tried to eradicate the Tamil language by employing tactics that include using only the Sinhala language to advertise public bus routes.

Patterns of Violence

- Researchers agree that the LTTE, purposely avoid sexualized violence, including the use of rape against civilians and the use of sexualized slavery and rape within its own ranks. Elisabeth Wood, a political scientist at Yale University, found in her research on sexualized violence in conflict that the LTTE, eschews the use of rape as a weapon against civilians and even punishes any members who do rape.
- Jo Becker, an expert on child soldiers in Human Rights Watch's children's rights division, told that LTTE members strictly avoiding using rape within their own ranks as well. When she interviewed former soldiers from the conflict, they reported a lack of sexualized violence.
- The rape and sexualized abuse of detainees by Sri Lankan government forces has been widely studied. State security forces continue to detain mostly Tamil women and men, accuse them of being affiliated with the LTTE, and subject them to sexualized violence.
- Selvie told that pro-government forces currently abduct and rape girls or young women for several days, then send them home blindfolded so they are unaware of where they were held. Selvie also said that survivors are prevented from reporting the rapes through fear of retaliation. "They are kept quiet—so quiet," she said.
- Revictimization the women who report being raped face additional brutality or harassment from the police. SP said she has heard of multiple instances in which women report attacks to the police and are then sexually harassed by officers, who use their contact information to make lewd and threatening phone calls late at night.

- Reports have also surfaced about crimes being committed by “grease devils”: military men who are naked and put grease on their faces, presumably to hide their identities, and attack women in their homes at night. SP says that women have told her about grease devils raping them and also biting their breasts—a violation reported by various survivors.
- A type of sexualized violence called “survival sex” also seems to be increasing among internally displaced women. Many who live in displacement villages are becoming sex workers—although the term may be inaccurate, given that they are not freely entering into the sexual relationships. In IDP and refugee camps throughout the world, a sexual act in exchange for rations or other survival aid occurs under force and is therefore defined as rape, according to the International Criminal Court.

In 2011 United Nations report on Sri Lanka states that rape and sexualized violence “against Tamil women during the final stages of the armed conflict and, in its aftermath, are greatly under-reported.”

We have about 300 testimonies from Military occupation affected women who are victim of Sri Lankan Security forces. Most are fear to talk and they are forced to have sex by Sri Lankan military. Unfortunately women have to accept the Silent war by Sri Lankan occupied military.

*Swiss Council of Eelam Tamils (SCET), NGO without consultative status, also shares the views expressed in this statement.