



CYCLES OF VIOLENCE IN SRI LANKA: A CRISIS OF ACCOUNTABILITY

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**SRI
LANKA
CAMPAIGN**
FOR PEACE & JUSTICE

As economic chaos engulfs Sri Lanka, one thing remains a constant: the country's culture of impunity.

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Introduction

Following years of mismanagement by successive governments in Sri Lanka, the country has recently erupted in a wave of protests as the economy has totally collapsed. Food, fuel, and other basic necessities have become scarce and expensive, whilst the nation's political class has so far proved totally incapable of managing the crisis. As Sri Lankans took to the streets in increasing numbers in April and May 2022 – particularly those in the predominantly Sinhala-speaking south of the country – the government's eventual recourse was to call in the military, which has since arrived in force in Colombo.

Throughout the recent unrest, protestors have continually demanded accountability for politicians, particularly those of the ruling Sri Lanka Podujana Peramuna (SLPP) and the Rajapaksa family, who they blame for mismanaging the economy. The Rajapaksas have been accused of corruption and nepotism, and there have been persistent calls for them not only to resign, but to face prosecution for these accusations. Despite this public desire for accountability, President Gotabaya Rajapaksa has remained in power, and most of the politicians who have stepped back have yet to face legal consequences for their supposed financial misdeeds.

However, as some protestors have argued, the accountability crisis in Sri Lanka is not a recent phenomenon. Indeed, protestors in the predominantly Tamil-speaking North and East of the country have long battled against Sri Lanka's culture of impunity, which has shielded prominent political and military officials from prosecution for crimes committed during the Sri Lankan civil war. Many of those same military and political leaders have also been implicated in other human rights abuses, such as the murder of journalists in the 2000s, as well as the abuses committed as part of the counter-insurgency operations during the JVP uprising of the late 1980s.

There is a long-running crisis of accountability in Sri Lanka, which has not only protected those responsible for human rights and economic abuses but has allowed them to remain in power and commit further abuses. For Sri Lankans, this has resulted not only in economic mismanagement, but in constant cycles of violence and conflict.

This report contains information acquired by some of the Campaign's partners in Sri Lanka. These experienced human rights researchers, who remain anonymous for reasons of security, have conducted interviews with countless victims and their families, particularly in the North and East of the country. Interviewees were informed of, and consented to, the use of the information we have reproduced in this report. However, to protect their identities, sensitive information they provided in their testimonies has not been used, and each individual will be referred to simply as an 'anonymous interviewee' throughout.

Our partners have processed many of these testimonies to find common themes and details in the many harrowing stories they have heard. However, this process is still a work in progress, and there are hundreds more testimonies which have not yet been processed. The information provided in this report represents only a fraction of the testimonies they have collated.

The Sri Lanka Campaign would like to thank Risa Thevakumaran for her help in researching and writing this report.

Cycles of Violence in Sri Lanka

Throughout its modern history, the island of Sri Lanka has been rocked by semi-regular cycles of violence. From anti-Tamil and anti-Muslim riots and pogroms to political uprisings and a full-blown civil war, violence has been a regular fixture in the lives of Sri Lankans for generations. The roots of these cycles of violence, which include deficiencies in Sri Lankan legal and political institutions, a lack of accountability, and a culture of impunity, have still not been addressed by any Sri Lankan government. This culture of impunity is particularly prominent in Sri Lanka's military and in its political institutions, which are filled with alleged perpetrators of gross human rights violations.

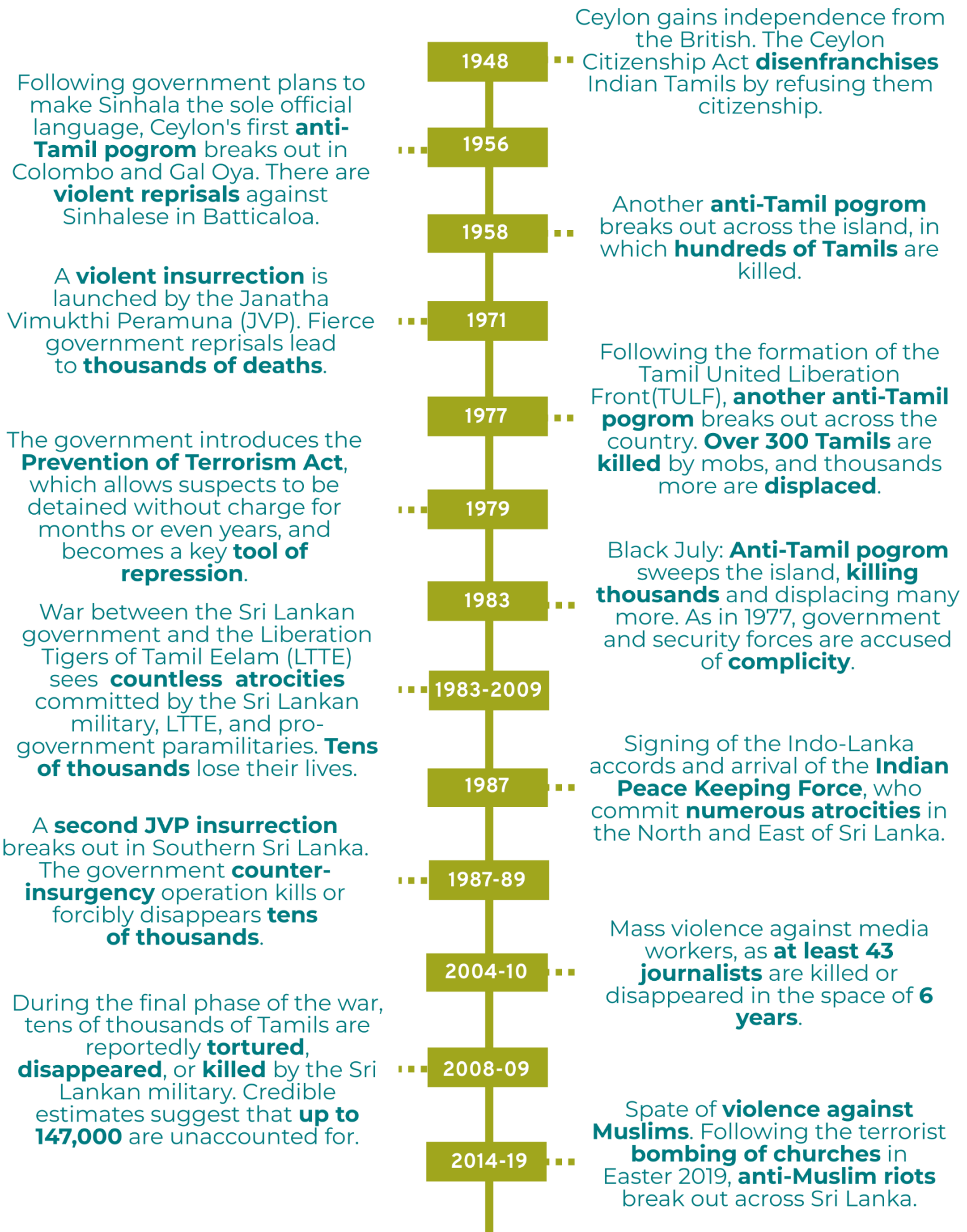
*“How is it possible to **forget what happened?** They cannot just leave it like that. They cannot just tell us to look forwards. They must give us an **answer.**”*

A Tamil woman from Northern Province, 2019.¹

¹ <https://www.srilankacampaign.org/wp-content/uploads/2019/11/A-Decade-of-Impunity-Sri-Lanka-Campaign-November-2019.pdf>

Sri Lanka's Cycles of Violence

Since independence, there have been many violent conflicts that have rocked Sri Lanka, including insurrections and civil wars. Whilst far from an exhaustive list, here are a few of the key cycles of violence. Their legacies continue to echo in Sri Lanka today.



The Sri Lankan Army

*“Many of the **structures** responsible for the violations and crimes [committed during the final stages of the armed conflict] **remain in place**, ready to be reactivated when necessary as well as to **prevent any progress in terms of addressing accountability.**”*

Report of the UN OHCHR Investigation on Sri Lanka, 2015.²

Sri Lankan military personnel who have been credibly accused of command responsibility for mass atrocity crimes, or of direct involvement in serious human rights violations, have seldom faced consequences for their alleged actions. Indeed, many of these alleged perpetrators have been promoted, not prosecuted.

Even when court cases are filed against Sri Lankan military personnel, these cases rarely yield results. One military officer, named by **17 anonymous interviewees**, has had a court case filed against him related to the enforced disappearance of a large group of people from Jaffna in the mid-1990s. Although there were witnesses to this incident, the case against the officer **remains suspended**. This officer has continued to be **promoted**, despite allegations against him relating both to these disappearances and other incidents since the turn of the century.

Several individuals have allegations against them which span many decades. President Gotabaya Rajapaksa, for instance, was Secretary to the Ministry of Defence from 2005-2015, and thus shares command responsibility for the gross human rights violations which were allegedly committed by Sri Lankan forces during that time.³ In recent months, the International Truth and Justice Project has also presented credible evidence alleging that Gotabaya played a key role in mass atrocities, including hundreds of enforced disappearances, committed by the Sri Lankan army during counter-insurgency operations against the Janatha Vimukthi Peramuna, whilst serving as District Coordinator in Matale in 1989.⁴ The lack of accountability in Sri Lanka has allowed credibly-alleged perpetrators to not only avoid prosecution, but to oversee more alleged human rights abuses, perpetuating that cycle of violence.

Shavendra Silva

Shavendra Silva, like Gotabaya Rajapaksa, is implicated in mass atrocity crimes which occurred both during the second JVP uprising in the late 1980s, and during the final stages of the war against the LTTE. Lieutenant Silva even served in the same district of Matale, as a Company Commander, when the army allegedly massacred hundreds of Sinhalese youths. In 2012, a mass grave from the period was discovered in Matale containing the remains of at least 154 people. It appeared that victims had been tortured before they were killed.⁵

² <https://www.ohchr.org/en/hr-bodies/hrc/oisl>

³ <https://www.bbc.co.uk/news/world-asia-48592714>

⁴ https://itjpsl.com/assets/ITJP_1989_mass_grave_report_v6_WEB.pdf

⁵ https://www.itjpsl.com/assets/shavendra-Silva_-final-dossier.pdf

During the final stages of the war, Shavendra Silva, then a Brigadier, was in command of 58th Division during the final months of the war, and there is credible evidence that serious human rights violations occurred under his command.

In 2009, the Sri Lankan government encouraged civilians in the Vanni to move to designated safe zones – so called ‘No-Fire Zones’ (NFZs). The report of the UN OHCHR Investigation on Sri Lanka (OISL) implicates 58th Division in the shelling of civilians within the NFZs, as well as attacks on hospitals, UN hubs, and food distribution centres, despite often having confirmed knowledge of the coordinates of these sites. The Division has, for instance, been implicated in the shelling of NFZ-3 at Mullivaikkal in May 2009, where tens of thousands of civilians are believed to have been killed.⁶

In addition to allegedly shelling civilian areas, Silva’s division has also been implicated in the torture and enforced disappearance of Tamil civilians and ex-LTTE cadres. The OISL report specifically mentions the 58th division as perpetrating acts of torture, and as of 2015, fourteen petitions had been filed in the Vavuniya and Mannar High Courts related to the disappearance of 22 individuals, including the Tamil Catholic Priest and human rights defender Father Francis, who were last seen in the custody of the 58th Division.⁷ One witness claims he saw Silva at the site where Father Francis and other surrendees were loaded onto a bus, never to be seen again.⁸

(Lack of) Accountability

Since the end of the war in 2009, Silva has been continuously promoted by the Sri Lankan government. In the 2010s, he was appointed to several diplomatic and UN postings, before being made Commander of the Sri Lankan Army by President Maithripala Sirisena in August 2019.⁹ He was tasked with leading the country’s COVID-19 response in 2020,¹⁰ and in June 2022, he took up the position of Chief of the Defence Staff.¹¹ Silva has faced no domestic accountability for his alleged mass atrocity crimes.

Internationally, Silva was designated for sanctions by the US State Department in 2020, on the basis of gross human rights violations.¹² However to date, no other country has followed the US’ lead. During his time as Army Commander, defence advisers and diplomatic representatives from several countries including Japan,¹³ India, China, the United Kingdom, and the United States have met with Silva in an official capacity, despite the strong allegations against him.¹⁴ The United Nations, despite pledging to scale back contributions of Sri Lankan peacekeepers following his appointment as Army Commander in 2019,¹⁵ has continued to use Sri Lankan troops. In May 2022, Silva himself greeted these troops as they left for Mali.¹⁶

⁶ <https://www.ohchr.org/en/hr-bodies/hrc/oisl>

⁷ <https://www.ohchr.org/en/hr-bodies/hrc/oisl>

⁸ https://www.itjpsl.com/assets/shavendra-Silva_final-dossier.pdf

⁹ <https://www.army.lk/news/lieutenant-general-shavendra-silva-new-commander-army>

¹⁰ <https://ingsa.org/covid-19-policy-tracker/asia/sri-lanka/17-march-2020-establishment-of-national-operation-center-for-prevention-of-covid-19-outbreak-nocpc/>

¹¹ <https://www.newsfirst.lk/2022/05/31/general-shavendra-silva-the-new-chief-of-the-defence-staff/>

¹² <https://www.theguardian.com/world/2020/feb/14/us-sanctions-sri-lanka-army-chief-shavendra-silva>

¹³ <https://www.army.lk/news/japanese-ambassador-pays-courtesy-call-general-shavendra-silva>

¹⁴ <https://www.tamilguardian.com/content/sri-lankan-army-ready-provide-security-state-accused-war-criminal-tells-diplomats>

¹⁵ <https://foreignpolicy.com/2019/09/25/united-nations-brief-unga-general-assembly-trump-speech-impeachment-diplomacy-boris-johnson-afghanistan-iran-news-u-n-history/>

¹⁶ <https://www.newsfirst.lk/2022/05/04/4th-ccc-contingent-for-mali-ready-for-departure/>



SHAVENDRA SILVA

CHIEF OF THE
DEFENCE STAFF

PROMOTIONS

Silva was made Army Commander August 2019, and was appointed to lead Sri Lanka's coronavirus response in 2020. In June 2022, he became Chief of the Defence Staff.

IMPUNITY

There have been no domestic attempts at accountability for Silva and few international reprisals. A 2011 case against him in New York for torture was dismissed on the grounds of diplomatic immunity.

The US designated Silva in 2020 on the basis of gross human rights violations. In 2012 he was rejected as a diplomat by South Africa and removed from a UN peacekeeping advisory committee. UN peacekeeping also suspended deployment of Sri Lankan troops after his promotion to Army Commander.

ATTACKS ON CIVILIANS

Silva was Commander of the 58th Division on the front line in final months of the war. There is credible evidence the 58th Division committed mass atrocity crimes, including:

- Attacks on the UN Hub, milk distribution zones, and hospitals in No Fire Zones, with confirmed knowledge of their coordinates
- Use of banned weapons
- Acts of torture and rape at army camps, including mutilation of dead bodies

ENFORCED DISAPPEARANCES

Hundreds of surrendering Tamils were disappeared after being last seen in the custody of Silva and the 58th Division.

Eyewitnesses saw Silva greet LTTE political leaders Balasingham Nadesan and Seevaratnam Puleedevan as they surrendered unarmed at Wadduvakkal Bridge - they were later found executed.

Witnesses also place Silva at buses where a priest, Father Francis, collected names of surrendering Tamils. The priest and bus-loads of persons were disappeared.

1980S CRACKDOWNS

In the late 80s Silva served in the Gajaba Regiment under Gotabaya Rajapaksa who was district military coordinator in Matale when the army is accused of massacring 100s of Sinhalese youth to crush an uprising.

In 2012 a mass grave was discovered in Matale containing more than 150 bodies with signs they had been subjected to torture and executed. There has been no investigation, though archaeologists linked the deaths to the uprising.

Kamal Gunaratne

In 2009, Major-General Kamal Gunaratne commanded the 53rd Division of the Sri Lankan Army, which played a critical role during the final stages of the civil war and has been accused of involvement in mass atrocity crimes, such as the indiscriminate shelling of 'No-Fire Zones, and of medical sites like Puthukkudiyiruppu (PTK) Hospital. As Gunaratne himself wrote in his autobiography, his division attacked PTK from the west in January and February 2009, whilst Silva's 58th attacked from the south.¹⁷ During this time, OISL found that PTK hospital was repeatedly shelled, even though the government had been made aware of the GPS coordinates of the hospital, which was 'clearly marked with the Red Cross emblem.'

Gunaratne's 53rd Division have been accused of perpetrating acts of torture and of extrajudicially killing surrendees, including LTTE newsreader Isaipriya. Whilst the Sri Lankan military claimed Isaipriya was killed in combat with 53rd Division, video footage viewed suggests she in fact surrendered to the Sri Lankan army before being executed and her corpse desecrated.¹⁸ During and after the final stages of the war, Gunaratne had command responsibility for the army garrison at Joseph Camp, where Tamils have reported being tortured and sexually abused by Sri Lankan soldiers. By November 2009, the Major-General was also 'Competent Authority for Internally Displaced Persons (IDPs)' and oversaw the main IDP camp at Manik Farm in Vavuniya.¹⁹ Manik Farm held 220,000 IDPs at its peak, often in atrocious conditions. In addition to heavy restrictions on visitation and freedom of movement, there are widespread reports of torture and sexual violence at the camp. Former LTTE cadres who had become government informants, as well as members of some pro-government paramilitary groups, were allegedly used to identify LTTE members, who were then reportedly tortured.²⁰ As Competent Authority, Gunaratne bears responsibility for the alleged atrocities of Manik Farm.

(Lack of) Accountability

Since the end of the war, Gunaratne has been given various military postings and served as Deputy Ambassador to Brazil.²¹ Following the election of President Gotabaya Rajapaksa in 2019, the retired General was appointed Secretary to the Defence Ministry and has since been appointed to several Presidential Taskforces.²² He has faced no domestic accountability for his alleged actions.

During the recent protests in Sri Lanka, Gunaratne has given several interviews to local and international press. Following the issuance of so-called 'shoot-on-sight' orders by Sri Lankan authorities in May 2022,²³ Gunaratne gave an interview with NDTV.²⁴ He stated that whilst the security forces 'don't want to fire at our own people', if 'violent mobs' refuse to disperse, police would first fire warning shots, then shoot below the knee, and would finally call in the army.

¹⁷ <https://itjpsl.com/assets/press/Kamal-Gunaratne-dossier-final-optimized.pdf>

¹⁸ <https://www.ohchr.org/en/hr-bodies/hrc/oisl>

¹⁹ <https://itjpsl.com/assets/press/Kamal-Gunaratne-dossier-final-optimized.pdf>

²⁰ <https://www.ohchr.org/en/hr-bodies/hrc/oisl>

²¹ <https://itjpsl.com/assets/press/Kamal-Gunaratne-dossier-final-optimized.pdf>

²² <https://www.newswire.lk/2020/06/03/presidential-task-force-appointed-to-build-a-secure-country-and-a-disciplined-virtuous-and-lawful-society/>

²³ <https://www.theguardian.com/world/2022/may/11/sri-lanka-unrest-shoot-on-sight-order-issued-troops-deployed-colombo>

²⁴ <https://www.ndtv.com/world-news/sri-lanka-crisis-senior-lankan-military-officer-general-g-d-h-kamal-gunaratne-explains-3-step-shoot-at-sight-orders-2966586>



KAMAL GUNARATNE

DEFENCE SECRETARY

PROMOTIONS

Since the end of the war Gunaratne has been repeatedly rewarded by promotions to influential positions, Deputy Ambassador position in Brazil, 2012-2014.

In November 2019 he was appointed as Defence Secretary by President Rajapaksa.

IMPUNITY

Gunaratne has never been independently investigated for his role in tens of thousands of civilian deaths in the final stages of the war. He even sat on the Board of Inquiry which exonerated the army's conduct.

He has been held up as a war hero and received three Gallantry Awards and two Distinguished Service medals.

In 2009, Kamal Gunaratne commanded the 53rd Division, one of five key Sri Lanka Army divisions fighting on the front line in the final months of the war. There is credible evidence the 53rd Division committed mass atrocity crimes including:

ATTACKS ON CIVILIANS

Indiscriminate attacks on areas densely packed with civilians, deliberately bombing hospitals and food distribution points, and using prohibited weapons.

UNLAWFUL KILLINGS

Extrajudicial executions of surrendering fighters, including Tamil Tiger newsreader Isaipriya. She was photographed alive and unarmed surrendering. Later photographs show her desecrated body with fatal gunshot wounds.

Gunaratne continued to occupy key positions after the end of the war and has been credibly accused of involvement in:

TORTURE

As Commander of Joseph Camp after the war until the end of 2010, Gunaratne had command responsibility for the army garrison where investigations found evidence of illegal detention, extensive and systematic torture (including purpose built torture rooms), and sexual violence.

ARBITRARY DETENTION

Gunaratne was involved in managing Manik Farm, where more than 200,000 Tamil civilians were illegally detained in appalling conditions. Witnesses report widespread torture and sexual violence, while the movements of people living there and their visitors were tightly restricted.

Sarath Fonseka

As Commander of the Army from December 2005-July 2009, Sarath Fonseka oversaw the Sri Lankan government's final offensives against the LTTE, including the campaign in the East in 2006, and the Northern campaign in the Vanni in 2008-09.

Since the war ended, Fonseka has promoted an image of himself as a hands-on commander who was heavily involved in the management of the army's military operations. In the Sri Lanka Guardian in 2011, he claimed that during his time as Army Commander, he monitored 'even the platoon, section, and four man team operations', and that he took 'total responsibility' for all operations, successful or unsuccessful. He further claimed that when Divisional Commanders – who he had selected himself – showed weakness, he was always able to 'fill the vacuum wherever it arose'.²⁵ Fonseka, therefore, had command responsibility for the entire offensive – including the mass atrocity crimes allegedly committed by the Sri Lankan Army.

*“Normally in conventional deployments, the Army Commanders do only coordination of Operations, provide resources, and leave the battle and Operations to be commanded by the Formation Commanders. Nevertheless, the **Sri Lanka Army Commander** took the whole Eelam War IV under his **personal Operational Command**”.*

Sarath Fonseka reflecting on his role in the war, 2011.

Whilst Army Commander in 2006, Fonseka's forces are accused of using heavy weapons against civilian targets during their campaign to capture the towns of Aru, Sampur, Manirasakulam, and Vakarai in Eastern Province. Army artillery allegedly bombarded Kathiravelli school in the Vakarai area on November 8, which was hosting around 1,000 IDPs. The Sri Lanka Monitoring Mission, which was initially prevented from entering the school by the Sri Lankan army, found no evidence of LTTE military installations at that location.²⁶

During the campaign in the Vanni in 2008-09, the Sri Lankan army is accused of regularly and deliberately shelling civilian facilities, including hospitals, UN hubs, and food distribution centres, both within and outside of the 'No-Fire Zones'. A report from the UN Secretary-General's Panel of Experts found that the army 'constantly adjusted' artillery batteries to 'increasingly target the NFZs' even after the military 'had indicated that it would stop using heavy weapons.' The military's indiscriminate usage of heavy weapons, including Multi-Barrel Rocket Launchers, caused heavy civilian casualties.²⁷

As Army Commander, Fonseka also holds command responsibility for the hundreds of Tamils who were forcibly disappeared after surrendering to the Sri Lankan army between 17-19 May 2009,²⁸ as well as the alleged torture, sexual assault, and extrajudicial execution of civilians and former LTTE cadres by troops under his overall command. There are also reports that, in a

²⁵ <http://www.srilankaguardian.org/2011/06/winning-war-sri-lankan-experience-4.html>

²⁶ <https://www.ohchr.org/en/hr-bodies/hrc/oisl>

²⁷ <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/POC%20Rep%20on%20Account%20in%20Sri%20Lanka.pdf>

²⁸ <https://hrdag.org/wp-content/uploads/2018/12/HRDAG-ITJPSL-2018-12-12-1.pdf>

possible attempt to destroy evidence, civilian mass burial sites were destroyed by the Sri Lankan army after the war had ended.²⁹

(Lack of) Accountability

In July 2009, Sarath Fonseka was made Chief of the Defence Staff in Sri Lanka. He resigned the role in November 2009 to contest the 2010 presidential election against Mahinda Rajapaksa. He had publicly fallen out with the Rajapaksa family, and following his electoral defeat, Fonseka was arrested on charges of conspiring against the President.³⁰ Following a trial by a military court, he was sentenced to 30 months in prison for corruption,³¹ and released in 2012.³² All charges against him were dropped by President Maithripala Sirisena in January 2015.³³ Fonseka has never faced legal accountability for the alleged human rights abuses committed by the Sri Lankan armed forces during his stint as Army Commander.

During Sirisena's administration (2015-19), Fonseka was promoted to the rank of Field Marshal, and appointed to parliament as a member of the United National Party (UNP),³⁴ serving in the Cabinet.³⁵ In January 2021, the Samagi Jana Balawegaya (SJB) – currently Sri Lanka's official opposition – appointed Fonseka Chairman of the party.³⁶ He remains a member of parliament.

²⁹ <https://www.ohchr.org/en/hr-bodies/hrc/oisl>

³⁰ <https://www.france24.com/en/20100208-defeated-presidential-candidate-fonseka-arrested>

³¹ <https://www.aljazeera.com/news/2010/9/30/sri-lanka-confirms-fonseka-sentence>

³² <https://www.bbc.co.uk/news/world-asia-18143907>

³³ <http://www.adaderana.lk/news.php?nid=29512>

³⁴ <https://www.hrw.org/news/2016/02/11/sri-lanka-investigate-not-promote-ex-army-chief>

³⁵ http://www.mrd.gov.lk/web/index.php?option=com_content&view=article&id=6:field-marshal-sarath-fonseka-sworn-in-as-a-cabinet-minister&catid=9&Itemid=127&lang=en

³⁶ <https://www.newswire.lk/2021/01/25/sjb-appoints-office-bearers-for-2021-fonseka-appointed-as-party-chairman/>



SARATH FONSEKA

FIELD MARSHAL
AND MP

PROMOTIONS

In July 2009, soon after the war ended, Fonseka was made Chief of Defence Staff. He resigned the role in November 2009 to contest the 2010 presidential election.

During Sirisena's presidency (2015-19), Fonseka was made Field Marshal, became an MP for the UNP, and served in the Cabinet. He is now Chairman for Sri Lanka's main opposition, the SJB.

IMPUNITY

Fonseka has never faced accountability for war crimes committed by the Sri Lankan army under his command.

Following Fonseka's public falling out with President Mahinda Rajapaksa and his defeat in the 2010 elections, the general was imprisoned on politically-motivated charges of corruption and conspiracy. He was released in 2012, and acquitted in 2015.

Appointed Commander of the Sri Lankan Army in December 2005, Sarath Fonseka bears command responsibility for the mass atrocity crimes committed during the final stages of the war. He selected commanders to lead the Northern Campaign of 2009, and led the war effort from Colombo.

COMMAND RESPONSIBILITY

In the Sri Lanka Guardian in 2011, Fonseka stated that he worked out all strategies and operational plans during the final stages of the war; that he closely monitored and directed tactical plans; and that he took responsibility for all operational matters down to the level of four-man teams.

SHELLING CIVILIAN FACILITIES

Whilst Army Commander, Fonseka's troops repeatedly shelled civilian facilities, including schools, hospitals, and food distribution centres. The UN OHCHR Investigation on Sri Lanka (OISL) documents numerous atrocities committed during his time in charge, including the bombing of Kathiravelli school in November 2006, which hosted over a thousand Internally Displaced Persons (IDPs). In 2009, the army is accused of deliberately shelling hospitals and facilities with clearly visible Red Cross and UN emblems.

SHELLING 'NO-FIRE ZONES'

In 2009, the Sri Lankan government encouraged Tamils in the Vanni to move to designated safe zones - so-called 'No-Fire Zones' (NFZs). Fonseka's forces are accused of repeatedly and deliberately shelling these NFZs. A UN Panel of Experts report concluded that the majority of civilian casualties in the final phases of war resulted from this shelling, and that artillery batteries were "constantly adjusted to increasingly target the NFZs". OISL has also called for an investigation into the alleged use of banned munitions, such as white phosphorous, during some of the shelling.

KILLING AND ABUSING DETAINEES

During the war and its aftermath, surrendered LTTE cadres were frequently extrajudicially executed or subjected to sexual violence. More than 500 Tamils were forcibly disappeared after surrendering to Fonseka's armed forces in 17-19 May 2009. OISL documented widespread torture and sexual violence at IDP, 'rehabilitation', and army camps, as well as in secret locations.

Prasanna de Silva

During the 2006 operations against the LTTE in the East, Colonel Prasanna de Silva led the army's Special Forces Brigade³⁷ and served as ground commander during the capture of key locations.³⁸ During this campaign, heavy weapons were reportedly used against civilians, and the OISL reported believed these attacks should be investigated as there are 'reasonable grounds' to believe they constituted war crimes.³⁹

After becoming a Brigadier, de Silva led the 55th Division of the Sri Lankan Army during the final offensives of the war before taking over command of 59th Division around 30 April 2009. Reports suggest that although Brigadier Chagi Gallage was appointed to oversee 55th Division, de Silva remained in effective overall command of both divisions.⁴⁰ Troops under de Silva's authority are alleged to have shelled civilians and conducted extrajudicial executions.

In February 2009, a makeshift hospital at Putumattalan, and a nearby UN hub were reportedly shelled from multiple locations. According to the UN Panel of Experts report, the shells came from the direction of several Army bases in the region, including Chalai, which had been captured by the 55th Division a few days' prior. 16 civilians were killed in the first strike on 9 February, with attacks continuing into April.⁴¹ Witnesses have also alleged that the army used cluster munitions during the attacks; OISL has called for an international investigation into these allegations.⁴²

55th Division has also been linked to attacks on several other makeshift hospitals, such as at Valayamadam and Mullivaikkal West. As units of the Sri Lankan Army – including both 55th and 59th Division – surrounded NFZ-3 in May 2009, the final remaining medical facility in the region at Mullivaikkal East hospital was repeatedly shelled. OISL has called for an international investigation into witness reports of the attack, which allege some victims had burns characteristic of white phosphorous, a banned chemical.⁴³

Troops of the 55th Division have also been implicated in a massacre on a bridge on the A35 Road between the final NFZ at Mullivaikkal and the town of Mullaitivu. On 16 May 2009 Tamil civilians, as well as surrendering LTTE cadres, were allegedly shot at by Sri Lankan forces. One surrendering cadre stated that she saw tanks on the bridge which bore the label of 55th Division, and which drove over the bodies of dead civilians.⁴⁴

³⁷ <http://archives.sundayobserver.lk/2011/05/15/victory.asp?id=s06>

³⁸ https://pptsrilanka.org/wp-content/uploads/2017/11/hosp_ptk_satellite.pdf

³⁹ <https://www.ohchr.org/en/hr-bodies/hrc/oisl>

⁴⁰ https://www.piac.asn.au/wp-content/uploads/island_of_impunity.pdf

⁴¹ <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/POC%20Rep%20on%20Account%20in%20Sri%20Lanka.pdf>

⁴² <https://www.ohchr.org/en/hr-bodies/hrc/oisl>

⁴³ <https://www.ohchr.org/en/hr-bodies/hrc/oisl>

⁴⁴ https://www.piac.asn.au/wp-content/uploads/island_of_impunity.pdf

(Lack of) Accountability

In September 2010, Major-General Prasanna de Silva was made Defence Attaché to the Sri Lankan High Commission to the United Kingdom, where he served until April 2012.⁴⁵ In 2011, during an interview with Sri Lankan television channel *Ada Derana*, de Silva stated that part of his role involved monitoring London's substantial Tamil diaspora.⁴⁶ In early 2012, the *Society for Threatened Peoples*, the *European Centre for Constitutional and Human Rights*, and *Track Impunity Always* (TRIAL) submitted a 28-page background dossier on the Major-General to the UK's Foreign and Commonwealth Office. Although this dossier accused de Silva of command responsibility for war crimes and crimes against humanity, and was supported by detailed evidence, the UK government took no action against the Defence Attaché. De Silva returned to Sri Lanka in April 2012.⁴⁷ De Silva has faced no domestic accountability for any of these alleged offences.

⁴⁵ <https://www.ecchr.eu/en/publication/ecchr-annual-report-2013/>

⁴⁶ <https://www.youtube.com/watch?v=XMkOp3sR0y4>

⁴⁷ <https://trialinternational.org/latest-post/war-criminal-in-london-uk-must-react-immediately/>



PRASANNA DE SILVA

MAJOR-GENERAL
(RETIRED)

PROMOTIONS

De Silva served as Defence Attaché to the Sri Lankan High Commission in the UK between 2010 and 2012.

In 2011, during an interview with Sri Lankan channel Ada Derana, de Silva stated that part of his role involved monitoring the Tamil diaspora in London.

IMPUNITY

De Silva has never faced domestic accountability for war crimes committed by troops under his command.

In January 2012, 3 international human rights organisations submitted a 28-page dossier of evidence about de Silva's command responsibility for international crimes to the British Foreign and Commonwealth Office. The UK took no action, which allowed De Silva to return to Sri Lanka in April that year.

As a Colonel in 2006, Prasanna de Silva was ground commander in several operations against the LTTE in the East, and may have been complicit in war crimes committed at that time. As Brigadier in 2008-9, he led 55th Division and later 59th Division of the army, which played prominent roles in the war's closing stages.

SHELLING 'NO-FIRE ZONES'

In 2009, the Sri Lankan government encouraged Tamil civilians in the Vanni region to move to designated safe zones, known as 'No-Fire Zones'. 55th Division is implicated in the mass shelling of these NFZs, particularly NFZ-2 and NFZ-3, including the deliberate shelling of civilians and civilian facilities. In one instance in March 2009, 55th Division was reportedly involved in the shelling of a food distribution centre in NFZ-2 at Ampalavanpokkanai, killing around 140 civilians.

BOMBING HOSPITALS

Prasanna de Silva is accused of command responsibility for the intentional bombing of hospitals. In February 2009, Putumattalan makeshift hospital and a nearby UN hub were shelled by the army from multiple locations, allegedly including Chalai - where De Silva's 55th Division was based. The 55th Division has also been linked to the shelling of Valayamadam and Mullivaikkal West makeshift hospitals in NFZ-2.

EXTRAJUDICIAL KILLINGS

Members of 55th Division were among those allegedly involved in the mass killing of Tamil civilians and surrendering LTTE cadres on the A35 road between Mullivaikkal and Mullaitivu town. One surrendee claims she saw tanks of the 55th Division driving over the bodies of dead civilians.

ALLEGED USE OF BANNED MUNITIONS

The 2015 UN OHCHR Investigation on Sri Lanka (OISL) reported the alleged use of banned munitions in attacks by the 55th Division. Witnesses allege that cluster munitions were used in NFZ-2 against Valayanmadam hospital and church in April 2009 and Putumattalan hospital between February-April 2009. Witnesses also claim that white phosphorus was used by the army during the shelling of Mullivaikkal in NFZ-3. OISL called for an international investigation into these incidents.

Nishantha Wanniarachchi

In December 2008, during the Sri Lankan Army's campaign against the LTTE in the Vanni, Colonel Nishantha Wanniarachchi was appointed commander of Task Force 4.⁴⁸ Wanniarachchi's forces were heavily involved in the Northern offensive, and are accused of deliberately shelling civilian locations, including hospitals.

Reports of Task Force 4's movements in the Sri Lankan media placed the unit at the town of Oddusuddan, just south of Puthukkudiyiruppu (PTK), in early January 2009;⁴⁹ Wanniarachchi's forces were tasked with capturing arms and ammunition from LTTE bases on the road between the two towns.⁵⁰ In January and February, witnesses report that PTK hospital and an adjacent UN hub came under repeated artillery and rocket fire, including from the direction of Oddusuddan.⁵¹ The hospital had clear Red Cross markings,⁵² and GPS coordinates of both locations had been provided to the Sri Lankan government.⁵³ The UN Panel of Experts report described PTK as 'the only permanent hospital left in the Vanni', and was treating many babies, young children, and elderly patients who were suffering with severe injuries resulting from previous artillery fire.⁵⁴

Wanniarachchi's Task Force 4 remained in the area around PTK during the final weeks of the offensive. During this time, several makeshift medical facilities in Mullivaikkal were directly shelled. Mullivaikkal West hospital at Karyamulluvaikkal and Mullivaikkal East hospital at Vellamullivaikkal were both repeatedly shelled from late April until early May, causing heavy civilian casualties.⁵⁵ The hospitals were shelled from multiple directions, including from army positions around PTK – where Wanniarachchi's forces were located.⁵⁶

(Lack of) Accountability

Nishantha Wanniarachchi has been promoted within the military several times since the end of the war. In 2018, Major-General Wanniarachchi was put in command of 12 Division, headquartered in Hambantota, the historic seat of the Rajapaksa family.⁵⁷ In July 2021, he was appointed general manager to the Government Printing Corporation under the Ministry of Mass Media and Information.⁵⁸

⁴⁸ https://www.piac.asn.au/wp-content/uploads/island_of_impunity.pdf

⁴⁹ <https://lankadailynews.com/2009/01/tf-4-troops-enter-oddusuddan-mullaittivu/> and <https://www.lankaweb.com/news/items09/050109-1.html>

⁵⁰ https://www.ecchr.eu/fileadmin/Publikationen/Sri_Lanka_Study_on_Criminal_Accountability_2010-06.pdf

⁵¹ <https://www.ohchr.org/en/hr-bodies/hrc/oisl>

⁵² https://www.piac.asn.au/wp-content/uploads/island_of_impunity.pdf

⁵³ <https://www.ohchr.org/en/hr-bodies/hrc/oisl>

⁵⁴ <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/POC%20Rep%20on%20Account%20in%20Sri%20Lanka.pdf>

⁵⁵ <https://www.ohchr.org/en/hr-bodies/hrc/oisl>

⁵⁶ <https://www.ohchr.org/en/hr-bodies/hrc/oisl> and https://www.piac.asn.au/wp-content/uploads/island_of_impunity.pdf

⁵⁷ <https://www.army.lk/news/12-div-new-goc-takes-over-duties>

⁵⁸ <https://www.aithiya.lk/english/former-army-chiefs-have-appointed-to-two-other-institutions/>



**NISHANTHA
WANNIARACHCHI**
MAJOR - GENERAL

PROMOTIONS

Nishantha Wanniarachchi has been promoted within the military since the end of the war, and in 2018, was made Commander of the 12th Division of the Sri Lankan Army.

He has also received civilian appointments, such as in July 2021, when he was made General Manager to the Government Printing Corporation under the Ministry of Mass Media and Information.

IMPUNITY

Major-General Wanniarachchi has never faced any domestic or international accountability for his actions during the war in Sri Lanka, despite having command responsibility for the alleged shelling of hospitals by troops under his authority.

Nishantha Wanniarachchi was appointed commander of Task Force 4 in December 2008, and would have a prominent role in war operations in the Vanni region in the North of Sri Lanka. Task Force 4 was heavily involved in the final stages of the war, and is **accused of deliberately bombing hospitals**.

PUTHUKKUDIYIRUPPU HOSPITAL

Task Force 4's known advance suggests it was involved in the shelling of Puthukkudiyiruppu hospital and an adjacent UN hub between January-February 2009. Whilst Task Force 4 was advancing on PTK from the town of Oddusuddan, the hospital was repeatedly shelled, killing hundreds of civilians and injuring many more.

MULLIVAICKAL WEST HOSPITAL

The path of Wanniarachchi's Task Force indicates it was also involved in the shelling of Mullivaikkal West Hospital in NFZ-2 at Karayanmullivaikkal, between April-May 2009, which caused heavy civilian casualties. Shells hit the hospital from the direction of Army positions in Puthukkudiyiruppu, where Task Force 4 was then located.

MULLIVAICKAL EAST HOSPITAL

During the final weeks of the war, thousands of Tamil civilians crowded into Mullivaikkal in Mullaitivu District, where the Sri Lankan Army had declared the final so-called 'No-Fire Zone'. Mullivaikkal East Hospital, the last remaining medical facility in the region, was heavily shelled between late April and early May.

Thousands of civilians are reported to have died in these attacks. Shells came from multiple directions, including from Puthukkudiyiruppu - where Wanniarachchi's Task Force 4 was believed to be located.

Paramilitary and Non-State Organisations

The LTTE has also been accused of committing serious human rights abuses whilst it was active, including attacks on civilians and the forcible recruitment of child soldiers. Whilst the organisation is now defunct and most of its senior leadership are deceased or in detention, some individuals have evaded accountability despite the serious allegations which have been made against them. Some former cadres, who defected to the government during the war, have evaded prosecution both for offences they allegedly committed whilst aligned with the LTTE, and whilst serving in pro-government paramilitaries. Leading figures from several government-affiliated Tamil paramilitary organisations have evaded justice for the offences they committed during their paramilitary careers, which often spanned several decades, and some continue to possess significant political power in contemporary Sri Lanka.

According to the testimony of several anonymous interviewees, some LTTE cadres who committed human rights abuses against them or their loved ones have not faced accountability for their actions, and indeed **remain prominent members** of their local communities. Some of these interviewees testified that they or their relatives were victimised **both by the LTTE and by the Sri Lankan army**; for instance, some were recruited by the LTTE as children, and were later arrested and forcibly disappeared by the Sri Lankan army. Interviewees also reported that their families had been victimised by members of **pro-government Tamil paramilitary organisations**, such as the EPDP, and that these perpetrators had not faced any accountability for these alleged offenses. Several anonymous interviewees gave testimony against one particular EPDP member implicating him in the murder or enforced disappearance of their relatives over several phases of the war. This individual continued to be politically prominent after the commission of these offenses despite the charges filed against him in court, **even standing for local elections**.

The culture of impunity that exists in Sri Lanka is most pronounced and problematic at the highest levels of government, where perpetrators continue to have substantial political or military power. However, this high-level impunity has also protected lower-level perpetrators through their connections to prominent political figures, whilst others enjoy impunity thanks to their status in their local communities.

Douglas Devananda

Douglas Devananda (a.k.a. Kathiravel Nythiananda Devananda) is leader of the Eelam People's Democratic Party (EPDP), a Tamil paramilitary and political organisation based in the Jaffna Peninsula. The organisation was founded in 1987 and although initially in conflict with the Sri Lankan state, Devananda aligned himself with the government in the early 1990s.⁵⁹ During the war, the EPDP was implicated in several extrajudicial killings of journalists, as well as the 2006

⁵⁹ <https://www.refworld.org/docid/4e43b8222.html>

Allaipiddy massacre, during which thirteen Tamil civilians were killed on an offshore island near Jaffna.⁶⁰ The Sri Lankan Navy was also implicated in this massacre, and some Tamil asylum seekers have claimed that they were tortured by a mixed group of EPDP members and Sri Lankan soldiers at the end of the war. One man, CR, claimed that this torture occurred at the notorious Joseph Camp in 2010, where Kamal Gunaratne was the garrison leader.⁶¹

Indeed, several anonymous interviewees from Jaffna described their family members being forcibly disappeared by EPDP members **in collaboration with** Sri Lankan army personnel. The disappearances reported by the anonymous interviewees occurred over an 18-year period, from 1990 to 2008. These allegations would suggest that army and EPDP personnel closely **collaborated for decades**, forcibly disappearing Jaffna residents, and committing acts of torture.

Devananda's organisation has further been linked to various criminal activities in the Jaffna region, including extortion,⁶² child trafficking,⁶³ and large-scale election fraud via intimidation and vote-buying.⁶⁴

(Lack of) Accountability

Although he has been implicated in these serious and varied offences, Devananda continues to serve both as a Member of Parliament and as Minister of Fisheries and has regular meetings with foreign dignitaries. Recently, this has included the Australian Minister for Home Affairs⁶⁵ and the Indian High Commissioner,⁶⁶ despite the fact that Devananda is a proclaimed offender in Chennai for his alleged involvement in a shootout and murder in 1986.⁶⁷

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https://web.archive.org/web/20070911101052/http://www.amnesty.ca/resource_centre/news/view.php?load=arcview&article=3479&c=Resource+Centre+News

⁶¹ https://www.hrw.org/sites/default/files/reports/srilanka0213webwcover_0.pdf

⁶² <https://www.nyidanmark.dk/->

</media/Files/US/Landerapporter/FactfindingreportSriLanka2010FINALNY.pdf?la=da&hash=747B4D0B52E3BFF9F8884A87C611E84FC3915BB3>

⁶³ <https://www.colombotelegraph.com/index.php/the-person-who-exposed-epdps-child-prostitution-was-abducted-and-no-information-so-far/>

⁶⁴ <https://irb-cisr.gc.ca/en/country-information/rir/Pages/index.aspx?doc=453846>

⁶⁵ <https://twitter.com/AusHCSriLanka/status/1539246864872226818>

⁶⁶

<https://hccolombo.gov.in/press?id=eyJpdjI6IjZwakNpRmlRNkR6dFkyazJSOVowdEE9PSIsInZhbHVlIjojMExKcDBDT3d6blgxNmR1NTI3NklZdz09IiwibWFjIjojOGVmNjhlMzc0YT1wYjFhYjg5NTgzYWY4N2ExMGU2M2UxMTFjYzRmZDA4ZDlkMzRmZDc1Nm0Zml2ZTU5YmZiNyJ9>

⁶⁷ <https://timesofindia.indiatimes.com/city/chennai/former-lanka-minister-douglas-devananda-to-stand-trial-for-murder/articleshow/49560107.cms>



DOUGLAS DEVANANDA
AKA KATHIRAVEL NYTHIANANDA DEVANANDA

MINISTER OF
FISHERIES

PROMOTIONS

Devananda has held several ministerial posts under previous Presidents, including Chandrika Kumaratunga and Mahinda Rajapaksa, and is an MP for Jaffna District.

In 2019, he was appointed Minister of Fisheries by President Gotabaya Rajapaksa.

IMPUNITY

Devananda has never been investigated for his role in the enforced disappearances, killings, and abductions committed by the EPDP.

Devananda is a proclaimed offender in India, and was allegedly involved in a shootout and murder in Chennai in 1986. After being released on bail, Devananda fled back to Sri Lanka. His ministerial position protected him from arrest when he visited India in 2010.

Devananda is the leader of the Eelam People's Democratic Party (EPDP). The EPDP is a Tamil paramilitary group and political party which allied with the Sri Lankan government in the 1990s, and has been accused of serious human rights violations before and after the end of the war in 2009.

EXTRAJUDICIAL KILLINGS

The EPDP has been accused of involvement in the extrajudicial killing of several people, including journalists Mayilvaganam Nimalarajan in 2000, and Ranjith Kumar and Suresh Kumar of *Uthayan* in 2006. The group is also implicated in civilian massacres, such as the killing of 13 Tamils near Jaffna in 2006, known as the Alaipiddy massacre, with the alleged support of the Sri Lankan Navy.

TORTURE

There have been numerous reports of torture by EPDP members. CR, a Tamil man interviewed by Human Rights Watch, claims he was beaten, asphyxiated, and sexually assaulted by a mixed group of EPDP members and Sri Lankan army officials at the notorious Joseph Camp in 2010.

CHILD TRAFFICKING

The EPDP is accused of having used child soldiers during the war, and of recruiting children to guard EPDP offices as recently as the January 2010 Presidential Election. The group also allegedly ran child trafficking rings in Jaffna, where the EPDP would use their connections in India and Malaysia to sell young boys for slave labour and young girls into sexual slavery.

ENFORCED DISAPPEARANCES

During and after the war, the EPDP has allegedly kidnapped, extorted, and forcibly disappeared Tamils in collusion with the state. A Danish report claimed the EPDP had been accused of many offenses that Jaffna residents in 2010, including the kidnapping, attempted extortion, and eventual murder of the young son of a Tamil businessman.

Karuna Amman and Pillaiyan

‘Colonel’ Karuna Amman (a.k.a Vinayagamoorthy Muralitharan) and Pillaiyan (a.k.a. Sivanethurai Chandrakanthan) were both part of the so-called ‘Karuna Group’, a faction of the LTTE based in the Eastern Province of Sri Lanka. Whilst an LTTE commander, Karuna is accused of various gross human rights abuses, such as the recruitment of child soldiers and extrajudicial killings, including the massacre of hundreds of civilians and police officers in several incidents between May and August 1990.⁶⁸

The ‘Karuna Group’ defected from the LTTE in 2004, and aligned itself with the Sri Lankan government, later rebranding itself as the political party Tamil Makal Viduthalai Pullikal (TMVP). It is alleged that the group continued its recruitment of child soldiers after this defection, with assistance from state security forces. Some estimates suggesting more than 200 Tamil children were recruited in 2006 alone; one mother claimed recruited children were as young as 10.⁶⁹ The TMVP has been implicated in extrajudicial killings, including the massacre of seven NGO workers from the Tamil Rehabilitation organisation in 2006,⁷⁰ and has been accused of extrajudicially killing civilians and those with suspected LTTE connections.⁷¹

After various factional struggles, Pillaiyan has led the TMVP outright since 2008, whilst Karuna Amman joined the United People’s Freedom Alliance (UPFA) as an MP that year. Reports suggest that Pillaiyan’s TMVP and Karuna’s own paramilitary remained both armed and active in the years immediately following the end of the war and are accused of continuing to commit offenses, such as extortion and the illegal confiscation of land for military use.⁷²

(Lack of) Accountability

In 2009, Karuna was named non-cabinet Minister for National Integration and Reconciliation by President Mahinda Rajapaksa,⁷³ and following the 2020 election, he was appointed District Coordinator for Batticaloa and Ampara by President Gotabaya Rajapaksa.⁷⁴

A few months after that 2020 election, Attorney-General Dappula de Livera withdrew charges against Pillaiyan and four others relating to the 2005 assassination of Tamil MP Joseph Pararajasingham at a Christmas Eve Mass in Batticaloa.⁷⁵ Pillaiyan remains a Member of Parliament for the TMVP.

⁶⁸ <https://www.hrw.org/news/2013/03/28/sri-lanka-probe-ltte-crimes-should-start-karuna>

⁶⁹ <https://www.hrw.org/report/2007/01/23/complicit-crime/state-collusion-abductions-and-child-recruitment-karuna-group>

⁷⁰ <https://www.tamilguardian.com/content/gang-rape-executions-and-cover>

⁷¹ <https://www.amnestyusa.org/reports/annual-report-sri-lanka-2010/>

⁷² <https://www.nyidanmark.dk/-/media/Files/US/Landerapporter/FactfindingreportSriLanka2010FINALNY.pdf?la=da&hash=747B4D0B52E3BFF9F8884A87C611E84FC3915BB3>

⁷³ http://news.bbc.co.uk/1/hi/world/south_asia/7933561.stm

⁷⁴ <https://www.newswire.lk/2020/10/13/karuna-amman-appointed-as-the-district-coordinator-for-ampara-and-batticalo-to-the-personal-staff-of-prime-minister/>

⁷⁵ <https://economynext.com/pillayan-released-due-to-ca-decision-lawyer-77804/>



KARUNA AMMAN

AKA VINAYAGAMOORTHY MURALITHARAN

AMPARA AND
BATTICALOA DISTRICT
COORDINATOR

PROMOTIONS

In 2009 Karuna was named as a non-cabinet Minister for National Integration and Reconciliation by President Mahinda Rajapaksa.

Following the 2020 parliamentary elections, Karuna was appointed District Coordinator for Batticaloa and Ampara by President Gotabaya Rajapaksa.

IMPUNITY

Karuna Amman has never been domestically investigated for the enforced disappearances, killings, recruitment of child soldiers, or other offences allegedly committed by his forces.

He was arrested in the UK for immigration offences in November 2007, but returned to Sri Lanka a few months later. In 2015, he was arrested on charges of corruption, but was released from the case in 2007.

'Colonel' Karuna Amman was the commander of an LTTE faction in Eastern Province during the war. In 2004, he and 4,000 cadres defected from the LTTE and formed a government-allied paramilitary force often known as 'Karuna group'.

KILLINGS AND MASSACRES

Karuna's group has been accused of extrajudicially killing political opponents and massacring civilians. Whilst an LTTE commander, his forces allegedly killed hundreds of Muslims in three separate massacres in 1990. Since his defection, he has been implicated in the murders of journalist Aiyathurai Nadesan in 2004, MP Nadarajah Raviraj in 2006, and 7 NGO workers in 2006.

SEX TRAFFICKING

According to leaked US Embassy cables from 2007, the Karuna group forced Tamil women into prostitution in camps for Internally Displaced Persons, where they were then sexually assaulted by Sri Lankan troops.

CHILD SOLDIERS

Karuna has been accused of abducting and forcibly recruiting child soldiers, with the LTTE, and later the Sri Lankan state, being complicit. It has been estimated that the Karuna group recruited more than 200 Tamil children from Eastern Province in 2006 alone. A mother of one abductee claimed recruited children were as young as 10.

In 2008, Karuna Amman joined the ruling United People's Freedom Alliance (UPFA) as an MP. His group remained armed, however, and their violations continued after the war:

EXTORTION AND INFORMATION

After the war, Karuna's paramilitary forces in Eastern Province allegedly extorted businesses and individuals, occupied land which was then transferred over to the army and Sinhalese population. They also reportedly provided information about former LTTE cadres, facilitating their torture by the authorities.



PILLAIYAN

AKA SIVANESATHURAI CHANDRAKANTHAN

MEMBER OF
PARLIAMENT FOR
BATTICALOA DISTRICT

PROMOTIONS

In 2008, Pillaiyan was appointed Chief Minister of the Eastern Provincial Council by President Mahinda Rajapaksa.

In 2020, Pillaiyan was elected to the Sri Lankan Parliament as an MP of the TMVP, in coalition with the ruling SLPP party of President Gotabaya Rajapaksa.

IMPUNITY

In 2015, following the electoral defeat of then-President Mahinda Rajapaksa, Pillaiyan was arrested in connection with the 2005 assassination of Tamil MP Joseph Pararajasingham. However, in January 2021, the Attorney-General dropped the charges against Pillaiyan and four other suspects.

Pillaiyan has never been domestically investigated for any other alleged crimes of the TMVP.

Pillaiyan had served in the 'Karuna Group', an LTTE faction led by Karuna Amman which defected in 2004 to the government. Whilst second-in-command to Karuna, he shares responsibility for many alleged offences, such as the use of child soldiers. This group was later rebranded as a pro-government paramilitary and political party, the 'Tamil Makkal Viduthalai Pullikal' (TMVP). He established his own faction of the TMVP in 2007 after breaking with Karuna Amman, and has led the TMVP outright since 2008.

EXTRAJUDICIAL KILLINGS

Pillaiyan, as a prominent figure in the Karuna Group and later TMVP, has been accused of command responsibility for various extrajudicial killings. This has included the murder of Tamil MP Joseph Pararajasingham during a Christmas church service in 2005, and the torture, disappearance, and probable murder of Eastern University Vice-Chancellor S. Raveendranath in 2006.

MASSACRES

Pillaiyan, in his capacity as deputy leader to Karuna Amman, bears responsibility for alleged massacres committed by the organisation. He is believed to have overseen two separate abductions of NGO workers from the Tamil Rehabilitation Organization in 2006, 7 of whom were killed, with one woman being raped before her murder.

After the war, Pillaiyan claimed that the TMVP had been disarmed; however, reports continued to emerge of armed TMVP groups engaging in violence and crime:

EXTORTION AND INTIMIDATION

Post-war, it is alleged that Pillayan's faction extorted the population of Eastern Province to pay TMVP members, and confiscated land for army use. Pillayan's group has also been accused of election interference on several occasions, such as in 2012, when armed members of Pillayan's TMVP reportedly intimidated voters in Vaakarai.

Recommendations

After decades of persistent failure on accountability, the Sri Lankan authorities have continually displayed a contempt for international law and show no willingness to challenge the country's culture of impunity, which has long shielded alleged perpetrators of serious human rights violations and abuses. This has both denied justice to victims and their families and insulated both individuals and institutions from accountability and reform, allowing violations and abuses to continue. To help combat this crisis of accountability, the international community needs to take strong action.

UN member states should:

- Push for a **strong resolution** on Sri Lanka at the 51st Session of the Human Rights Council in September-October 2022. This new resolution should include a renewal of the evidence-gathering mechanism established by resolution 46/1, which allows the Office of the High Commissioner on Human Rights to collect, consolidate, analyse, and preserve evidence relating to gross human rights violations and violations of international law.
- Implement the recommendations of the High Commissioner for Human Rights by pursuing **bilateral accountability options**, including by:
 - a) Imposing **targeted sanctions** on 'credibly alleged perpetrators of grave human rights violations and abuses;' and
 - b) Using the principles of **extraterritorial** or **universal jurisdiction** to 'investigate and prosecute international crimes committed by all parties in Sri Lanka through judicial proceedings in domestic jurisdictions.'
- Immediately **halt all engagement** with the Sri Lankan armed forces until there is meaningful security sector reform, including accountability for individuals credibly accused of human rights violations.
- Ensure that conditions for **economic aid** to Sri Lanka prioritise human rights and governance concerns, including accountability for those credibly accused of human rights violations, and the reform of institutions like the Sri Lankan army, which has a deep-rooted culture of impunity.
- Demand that the Sri Lankan government signs the **Rome Statue**, which would allow the International Criminal Court to pursue justice and accountability for historic and ongoing human rights violations.
- Denounce the **violent and militarised repression** of anti-government protests in the country, as well as the **ongoing arrest** of human rights activists and protestors in Sri Lanka.
- Demand that UN Peacekeeping **halts the deployment** of Sri Lankan troops until serious reforms are made to the security sector.