

Women and Children in the North – Sexual Harassment, Grievances and Challenges

- WATCHDOG

In September 2013, Watchdog travelled to the Vanni¹ and met with survivors of sexual violence, women's rights activists and representatives of women's groups. This report is based on information provided by them, Human Rights organisations based in the North and Colombo, and Government sources. During our interactions with these groups, we learnt of a disturbing trend in minors being subject to sexual violence over the last several months. In addition, we also spoke to war widows, single women and former female combatants who continue to face numerous forms of harassment and abuse at the hands of the military and the community.

In December 2011, more than two years after the end of the armed conflict in Sri Lanka, the International Crisis Group (ICG) published a report titled "Sri Lanka: Women's Insecurity in the North and East"². The report detailed the plight of women of the Vanni region- sexual violence perpetrated against them, trafficking and exploitation of young women, struggles of female- headed households to rebuild their livelihoods, the climate of fear and intimidation the women live in, the lack psychosocial care for survivors of sexual violence and the culture of impunity prevalent in the region. Nearly two years on, the issues highlighted in the ICG report remain mostly unaddressed by the Government and its agencies and, by all accounts, appear to have worsened. Further, the systematic repression of women's rights and the callous disregard for their security also continues to remain under reported by mainstream media outlets in southern Sri Lanka.

Sexual violence against minors

A disturbingly growing trend in cases of sexual violence³ is the targeting of minors. In Kilinochchi and Vavuniya, between January and September 2013 alone, we learnt of four cases of 7-8 year old girls being raped by either the military or men from the community. This highlights the level of impunity that exists in the community and the helplessness and oppression of women and children living in the North.

¹ The region referred to as Vanni in this report includes the entire districts of Kilinochchi and Mullaitivu, and parts of the districts of Vavuniya and Mannar. It does not refer to the Electoral District of Vanni.

² Sri Lanka: Women's Insecurity in the North and East. International Crisis Group. 20 December 2011. http://reliefweb.int/sites/reliefweb.int/files/resources/Full%20Report_428.pdf

³ Child Rape on the rise in Sri Lanka. Inter Press Service. 23 July 2012. <http://reliefweb.int/report/sri-lanka/child-rape-rise-sri-lanka>

Seven year old *Devi, from Nedunkerny, (Vavuniya District), was raped⁴ by a military personnel on her way home from school at about 1pm, on the 14th of May this year. He had waylaid the little girl, covered her face with his t-shirt and taken her to a nearby jungle, where he had punched her in the face and then raped her. When a neighbour was passing by at about 4pm, she had heard moaning nearby and found *Devi lying semi-conscious on the ground, her school uniform bloodied and her ear and mouth bitten and bleeding. There was also blood dripping down her thighs from her genitals.

The neighbours had immediately taken her to the Nedunkerny Hospital for treatment, where she had told the nurses “the Police uncle hit me on the face...” and that she couldn’t recall anything else. According to the child, the perpetrator had been wearing a white t-shirt and jeans and spoke in Sinhala. Later that day, a shop keeper had alerted the police that an outsider with a bloodied white t-shirt had purchased betel from his shop.

The police soon learnt that the alleged perpetrator, a soldier from the neighbouring Kanakarayankulam Army Camp, who had been at the Nedunkerny camp temporarily, had been transferred back to his camp soon after the incident. The police had arrested him 5 days later at the Kanakarayankulam camp, and accused has been held in remand since the 1st of July. The police had also informed the family that the soldier had been involved in a similar incident previously. On the 7th of June, *Devi and the shopkeeper identified the military person at the court.

*Devi was in severe pain and in hospital for 18 days following the incident, and didn’t want to see anyone. She would scream every time someone new walked into the hospital room. She has since got very thin and does not like to be hugged even by her mother. She still has pain near one of her ears as there is a crack on her skull there. Her mother presumes that the perpetrator had hit her on the head and left her for dead. Having used to be studious, *Devi has no interest in her studies anymore and often feels tired and sleepy. “I don’t want to force her to do her school work, because she’s been through so much, I don’t want to bother her,” lamented *Devi’s mother. She still feels a burning sensation when she urinates and also has pain in her lower abdomen. The hospital has told her mother that there’s nothing more they can do for her medically and to observe her and bring her in if she complains of any pain.

The day after she returned home in May, two military officers dressed in civil visited her house and asked her mother if she required any help. They had offered to dig a well for them. As *Devi had got scared at the sight of the two officers, her mother had first locked her inside the house before coming out to speak to them. She had then responded by

⁴ □□□□□□□□□□ □□□□□□□□ : □□□□□□□□ □□□□□□□□ □□□□ - BBC Tamil - http://www.bbc.co.uk/tamil/sri_lanka/2013/05/130523_vavuniaarrest.shtml

shouting, “get out! Look at what you’ve done to my 7 year old! You’ve done enough now. If you dare step into my house, we’ll kill ourselves and do something to you’ll too before we die. I will inform the Police and have you both arrested.

While military personnel and those attached to the security apparatus are largely shielded from conviction or prosecution for crimes committed by them, civilian perpetrators too appear to be emboldened by the climate of impunity in the region.

A 7 year- old child who had gone to her neighbour’s house to borrow a set of cooking utensils was raped by her neighbour at his house. The mother who had gone looking for her daughter witnessed the rape and immediately rescued her and brought her home. She is now receiving treatment.

In another incident, a 7 year old in Jayanthinagar, Kilinochchi was raped by her brother-in-law. The girl had been admitted to the Kilinochchi Hospital. According to local activists, the perpetrators in both cases, were bailed out in a matter of months, and continue to live among the survivors. They also suspect that families might have been paid off by the perpetrators. Further, local activists told us that as many in these communities are also fluent in spoken Sinhala, they are able to talk their way out of any serious punishment from law enforcement authorities.

In 2012, an 8-year-old was allegedly gang-raped by a group of four men in Anaivilundhaan (Kilinochchi District) in 2012. In this case too, the perpetrators managed to evade serious repercussion as the police were paid off to reduce the seriousness of the charges. The girl was later admitted to a hostel, where she still resides. The rapists are all free now and no further progress has been made in this case.

In March 2012, a 13 year old girl from Delft (Jaffna District) was brutally raped and killed by a former EPDP⁵ cadre.⁶ The accused is still in remand.

Recently, a *Virakesari* report detailed of a child who was sexually abused by Attambaskanda Kalyanatissa Thero at a Children’s Home in Vavuniya. The 8 year old boy was admitted to the Sethsevana Children’s Home in Attambaskanda, Vavuniya in 2011 had revealed that he was abused by the monk while four others would restrain him. After being refused visits to her son on a number of occasions, the child’s mother had complained to Government officials and the Police after which the child had been allowed to go with the mother in December 2012. Complaining of pain during urination, he was admitted to Vavuniya Hospital where it was revealed that he had been extensively abused. The JMO’s report had

⁵ Eelam People's Democratic Party (EPDP), a former para-military group, now acting as a proxy of the State.

⁶ Marisa de Silva, The rape of a 13 year old and paramilitary presence in Jaffna - <http://groundviews.org/2012/04/02/the-rape-of-a-13-year-old-and-paramilitary-presence-in-jaffna/>

revealed that the boy had sustained injuries to his genitals with a sharp object.⁷ The mother in her statement says that the monk had berated her in abusive language and threatened her, stating that the Army, Police and CID were “all on his side”. The mother and child are now under the care of the National Child Protection Authority in Colombo where, it is reported, that 27 children from the said Children’s Home have been brought for further care.

Ironically, the monk recently (September 26-27) spoke at an event organized by the National Human Rights Commission of Sri Lanka, on national reconciliation, held in Vavuniya. He continues to live within the community as no action has been taken against him.⁸

The All Island Probation Officers’ Association (AIPOA), protested in front of the National Child Protection Authority (NCPA) on the 24th of October, 2013, for both the Authority and the Police failing to carry out their duties and take action against the monk.⁹ Local activists in the North too, have expressed their concern by the inaction of law enforcement authorities and attribute their indifferent attitude to the power and influence the monk wields among the security apparatus and the highest offices of the State.

Insecurity due to militarisation

Contrary to the government’s claims, the ever increasing presence of the military in the North and Eastern Provinces, has only served to disintegrate the social fabric of the community and exacerbate the battles faced by the women of this region.

The specifics of a number of sexual crimes reported earlier this year typify the increasingly violent nature of such crimes.

T. Punithawathi, a 37 year old single mother of three girls, was raped allegedly by two military personnel in Pooneryn (Kilinochchi district), on the 13th of August, 2013. The military has denied any connection to this incident.

Punithawathi had gone to collect Palmyrah branches, near her home, to make boxes to sell, when she had been accosted by two men wearing light green t-shirts, khaki trousers, and

⁷ Nadia Fazlulhaq, Protest campaign against monk’s alleged sexual abuse of orphan - <http://www.sundaytimes.lk/131020/news/protest-campaign-against-monks-alleged-sexual-abuse-of-orphan-66366.html>

⁸ Human Rights Commission of Sri Lanka expresses commitment to play role in national reconciliation <http://thecommonwealth.org/media/news/human-rights-commission-sri-lanka-expresses-commitment-play-role-national-reconciliation>

⁹ Nirmala Kannangara, Child Abuse In Vavuniya? - <http://www.thesundayleader.lk/2013/10/27/child-abuse-in-vavuniya/>

were not fluent in Tamil. The men gagged her and shoved her towards a former LTTE bunker nearby, where one man had sat on her chest whilst the other raped her. Having raped her from 3-5pm, the men had left her for dead by the roadside.

A passer-by, having heard her crying near the bushes, had alerted her children and neighbours who were searching for her, who had then rushed to the scene and took her to the Pooneryn Hospital. She was soon transferred to the Kilinochchi Hospital for further treatment. Having being kept two weeks in hospital to receive medication for her multiple internal and external injuries, she was escorted home by military personnel. They had taken her to the Pooneryn military camp, given dry rations and dropped her home. As her home was located near a military check point, nobody could access her house without passing it, so no local women's organizations were able to visit her initially.

It was only in mid-September when she was re-admitted to the hospital due to further bleeding from her genitals, that some local activists were able to meet with her and check on her progress. She had sustained severe injuries to her womb and rectum as a result of the rape. However, the official report conducted by the JMO is still to be released.

Following the attack, the military had handed over a local fisherman to the Police, accusing him of having committed the sexual assault. However, the nature of her injuries indicate that there had been more than one assailant, and the fisherman, currently being held in remand, does not bear the initial description of her attackers.

Earlier last month, Punithawathi changed her story drastically and accused the fisherman as having been the perpetrator. Local activists believe that she had been intimidated/coerced by the military to alter her original statement. Living on her own with three daughters, she is obviously scared for their personal security and future.

The Pooneryn Police and the IGP have said that investigations are still underway.

An inmate of the Ramanathan IDP camp (Menik Farm) , *Logini a 22-year old (at the time) mother of two was given permission to go visit their home in Viswamadu (Kilinochchi District) on 2nd June, 2010. Her husband had just returned to the camp after visiting their home, as each family is issued with one 3 month pass to visit home.

The elderly woman who was living at *Logini's home with her daughter (40 years old), was conversant in Sinhala, and so would get frequent visits by the military who'd drop by and talk to her. Following *Logini's arrival, military personnel had visited her home on June 6th morning, and inquired after her from the elderly woman.

Later that night, the same four military personnel, drunk and dressed in civilian attire, returned to *Logini's house, and beat up her brother, until he managed to escape and run away to the jungle. The elderly woman's daughter had pleaded with the military not to

harm her as she had her period at the time. Having checked under her dress to see if she was saying the truth, they had tied her up and left her and her mother in the house. Thereafter, they had dragged *Logini to the nearby bushes and brutally gang raped her. They had then left her there and returned to their camp. As it had been a rainy day, their footprints leading back to the camp were visible in the mud.

The Viswamadu Police had been very supportive of the case and arrested the 4 men following an identification parade. Being held in remand for 3 months, they were eventually released on conditional bail. Having appeared in the Magistrate Court (MC) 2-3 times after their release, one of the perpetrators did not show up at the next MC hearing. His whereabouts are still unknown. The case has now been committed to the Jaffna High Court, and an indictment had been served on the 4 personnel.

Although the Government claims that the security forces in the North have been retained to safeguard and protect the people¹⁰, the high incidence of violence against women and high crime rate, despite the heavy military presence, state otherwise. The gruesome case below is testimony to the insecurity and impunity rampant in the North today.

Most recently, the decomposed and mutilated body of a 47 year old woman, displaced from Nelukkulam (Vavuniya District) was found at the temple chariot park site of the Naachchimaar Kovil, in the Jaffna town on the 17th of October, 2013. Medical sources in Jaffna have confirmed that she had been gang-raped, had acid thrown on her, and killed.¹¹ She had been living at the Holy Family Convent in Jaffna, and is reported to have been mentally traumatized by the war. She had been reported missing since the 3rd of October this year.¹²

In February this year Human Rights Watch (HRW) published a damning report¹³ on sexual violence inflicted upon detainees in custody suspected of being members or supporters of the Liberation Tigers of Tamil Eelam (LTTE). The report detailed systematic sexual violence against detainees of both genders, blocking of investigations into the cases, absence of prosecutions of the perpetrators and the lack of services to the survivors of such violence. The report went on to claim that cases of sexual violence, torture and ill- treatment

¹⁰ Full Text of the Speech delivered by Secretary Defence at the 'Defence Seminar 2013' on 03rd September 2013 at the Galadari Hotel in Colombo - http://www.defence.lk/new.asp?fname=full_text_Post_Conflict_Sri_Lanka_Challenges_20130903

¹¹ TamilNet, SL military blamed for brutal gang rape, murder at Jaffna suburb - <http://tamilnet.com/art.html?catid=13&artid=36758>

¹² Cayathri. D, Will Logarani Be The Last Victim Of Violence Against Women - <http://groundviews.org/2013/10/24/will-logarani-be-the-last-victim-of-violence-against-women/>

¹³ "We Will Teach You a Lesson": Sexual Violence Against Tamil by Sri Lankan Security Forces. Human Rights Watch. 26 February 2013. http://www.hrw.org/sites/default/files/reports/srilanka0213webwcover_0.pdf

“occurred in military camps and police stations in the capital, Colombo, and other locations in the south and east far from any fighting”¹⁴.

In a report titled “Sexual violence in conflict”¹⁵ tabled at the General Assembly in March 2013, the Secretary- General of the UN expressed concern at sexual violence crimes, sexual harassment and abuse and military presence in Northern Sri Lanka. However, he quoted the Government of Sri Lanka as stating that between January 2007 and May 2012 only 11 incidents of sexual violence were attributed to military personnel and that legal action had been taken against all of them.

In its latest report¹⁶ released this past week, the Minority Rights Group International (MRG) claims that “the government is actively contributing to the insecurity” of these women by “maintaining the climate of impunity” through militarization of the north.

Military Spokesman Brig. Ruwan Wanigasooriya flatly denied¹⁷ the contents of MRG and earlier HRW reports. He noted that during the period of the conflict (January 2007- May 2009) seven security forces personnel were involved in cases of sexual violence. During the post- conflict period (May 2009 to May 2012) ten soldiers were involved in incidents in cases of sexual violence, he added. However, his note made no mention of the specific incidents the soldiers were involved in, nor of the statuses of legal or internal disciplinary proceedings against them.

Speaking to a senior military official, he confirmed that all ten reported cases¹⁸ of military personnel involved in six incidents of sexual violence in the North, post war (2009-2012), “...have been prosecuted and punished. They have gone through the judicial process, and are serving time in prison. You can check with the police for exact details because this is their area, but I'm fairly sure all the cases are over now.”

¹⁴ Sri Lanka: Rape of Detainees. Human Rights Watch. 26 February 2013.
<http://www.hrw.org/news/2013/02/26/sri-lanka-rape-tamil-detainees>

¹⁵ Sexual violence in conflict- Report of the Secretary- General. United Nations. 14 March 2013.
http://reliefweb.int/sites/reliefweb.int/files/resources/N1325944_0.pdf

¹⁶ Living with insecurity: Marginalization and sexual violence against women in north and east Sri Lanka. Minority Rights Group International. 17 October 2013.
<http://www.minorityrights.org/12117/press-releases/minority-women-in-sri-lanka-facing-increasing-levels-of-sexual-violence-and-insecurity.html>

¹⁷ Lanka Army refutes HR allegations. DAWN. 19 October 2013.
<http://dawn.com/news/1050453/lankan-army-refutes-allegations-by-hr-bodies>

¹⁸ Frances Bulathsinghala, Lankan army refutes allegations by HR bodies -
<http://dawn.com/news/1050453/lankan-army-refutes-allegations-by-hr-bodies>

Sexual harassment of Female-Headed Households (FHHs)

The case from Mullaitivu reported below is clearly indicative of the vulnerability and insecurity faced by women in the Vanni, and also exposes the dire predicament of their circumstances.

In mid-September, a 19-year-old girl who was walking home from school was blocked by a drunk man who tried to touch her breasts, at which point she had hit him with her slipper and screamed, bringing a village boy to the scene, chasing away the drunken predator. She had then complained to her school Principal who had in turn complained to the Police on her behalf. The Police then sent over a CID officer to inquire into the matter, only to realize that the drunken man and the CID officer were the same. She had been scared to tell anyone this, as she has to take the same route to school each day.

Another distressing trend is the rise of late night phone calls and text messages to war widows, female former combatants and wives of disappeared men and frequent visits to their houses by security personnel. These women complained that frequent late night phone calls, usually emanating from the local Police station, add to the climate of fear and insecurity. The anonymous phone calls, sexually explicit in content, would usually start after Army personnel and intelligence officials registered family and contact details of recently returned IDPs in their locality. The callers would speak in broken Tamil and try to proposition the women. One woman, a mother of three, whose husband had disappeared in Mannar in 2008, also spoke of the harassment meted out by her local Officer in Charge (OIC) who would regularly ride past her house, call her out and attempt to engage in conversation regarding her marital status and relationships, which she deemed highly offensive and inappropriate.

*Luxmi, a single mother of one and a recent returnee to the Mullaitivu district, has been subject to much harassment at the hands of outside men working in cohorts with the military and police. She described an incident that took place one night in mid-July this year, where 7 men dressed in black had parked their bicycles on the lane alongside her house and shouted for her to come out, using broken Tamil. Her son's class-mate who was staying the night at their home as additional security, had shouted back to the men saying there were no women inside, at which point the men had run off saying there were men in the house.

Later that month, she had also received many anonymous late night phone calls from unknown persons who had propositioned her in sexually explicit language in broken Tamil. When asked what exactly had been said, she started to cry. She had also received pornographic images and text messages from unknown phone numbers.

Also in July, a woman in her neighbourhood had been followed to the toilet (located a short distance away from her hut) in the night, by a strange man dressed in a green t-shirt (usually

associated with the military) and jeans. Upon seeing him, she had screamed, bringing her husband and others in the area to where she was, at which point he had run away.

She says that the CID and the military come and take down family details of all the returnees, including their contact details. And it was following one of these registrations that the anonymous phone calls had started, she said. She added that workers who have been brought from the South by the military, would sometimes stop by her home during the day when all the men are at work, and ask for water and inquire after her family details.

Her village comprises approximately 200 families in the Mullaitivu district inclusive of about 30 female headed households.

She also told us of an incident where bare-bodied drunk men in shorts (not from the village), had waited by the side of the road at about 2pm when school children were returning from school, and how they had squeezed the breasts of an 8 and 10 year old girl.

In another incident, whilst returning from the market at about 11am three men dressed in black on bicycles had followed her and hit her bicycle from behind and pushed her into a nearby ditch. The village Postman having seen this had shouted and come towards her, at which point the men had ridden away. She had injured her head, hands and legs.

*Kumarithevi, whose husband was abducted allegedly by the SLN, from their home in 2008, and a mother of 3, explains her plight and the harassment she's had to face, as a single mother. Having being vocal about her husband's disappearance and wanting to pursue his case in court, she was visited many times at home in Mannar by the SLN, and told not to pursue the case. Fearing for her security she then moved to Vavuniya in 2009.

Even after she moved, she has been getting anonymous phone calls from men speaking in Sinhala. Even though she keeps saying wrong number and cutting the line, she has continued to get calls to her phone. In addition the local Police come and collect details from all the female headed households in the neighbourhood and subsequently give abusive phone calls and text messages to women like her, in the nights. "We have nobody to complain to because the people making the abusive calls are the same people who we have to lodge the complaints with," she added.

She was also carrying out a small catering business where she would take orders and deliver food to her customers. On her route, she would often be stopped at military check-points and asked random questions. Earlier this year, she was even asked if she had a husband and was then asked to bring him and come to the check point on a specific date and time. Later, some Police in civil had visited her brother's tyre shop and asked him if she had been involved in the LTTE before.

Thereafter, her brother had told her to stop her catering business and so now she only takes on orders where people can come pick up their packets from her home. This has drastically reduced her customer base and daily income. Some of her relatives had even told her that it was because of her long hair that she was being stopped at check-points and that she should cut her hair if she didn't want to be harassed.

Local women's rights activists told us how there are a few Indian Housing Scheme settlements that have primarily women and disabled persons as beneficiaries. They said that these settlements were particularly prone to theft, crime and prostitution. As many of the female headed households have no means of making ends meet, they're driven to sex work. Such communities are particularly vulnerable as there are only a few able-bodied men living in the community to help keep it secure. Several such settlements in Mullaitivu and Mannar are locally "notorious" for sex work they say, resulting in women residing in these areas being very susceptible to exploitation and harassment.

In Kilinochchi, Watchdog learnt that several young women had been coerced to marry Army personnel from camps in their locality only to leave home and return home a year or so later. While activists pointed out that there was very little that could be done to prevent such marriages, they noted that all women who had married Army soldiers were in their late teens. On two such occasions the soldiers were already married.

Alcoholism is yet another significant problem in the Vanni as many taverns have cropped up due to the high military presence in the region. Therefore, the local men in the area have more access to alcohol, and as a result the community has become less secure for women and children. Further, women in the area told us how the military would often give children passing by money to purchase alcohol for them. They fear that if their children are exposed to vices such as alcohol at a young age, they would eventually start consuming it too at a young age, which would lead to the further deterioration of the social fabric of the community.

The ICG report¹⁹ too highlighted that the growing consumption of alcohol significantly contributed to the rise of sexual violence and harassment in the region. This was reiterated by the activists Watchdog spoke to. The abundance of *kasippu* (illicit liquor) was cited as a major factor in the occurring of these incidents. They further noted that Police (who are on the payroll of these illicit distributors), often warn peddlers prior to carrying out raids on *kasippu* dens.²⁰

¹⁹ Sri Lanka: Women's Insecurity in the North and East. International Crisis Group. 20 December 2011. http://reliefweb.int/sites/reliefweb.int/files/resources/Full%20Report_428.pdf

²⁰ In October 2013, the BBC reported how officers of microfinance institutions in the Eastern Province sought sexual favours from women who were unable to repay loans. The women, largely from resettled communities

Trafficking for sex work

Trafficking and the exploitation of women in the Vanni on the pretext of job opportunities in Colombo and the Middle- East was also reported. Phone numbers of “middle-men” or agents are being displayed on buses in rural Kilinochchi. The immediate family of an applicant is promised LKR 200,000 (previously LKR 50,000). In one case a mother of two from Aanaivilundhaan, Kilinochchi was picked up in a three-wheeler by one such ‘agent’. She had later called home from Colombo and then Trincomalee. She had then been arrested by the Kilinochchi Police on charges of prostitution

When we called one of these numbers on the pretext of pursuing employment overseas, we were told that costs for obtaining passports and other relevant certificates would be subtracted from the LKR 200,000 and that the balance would be given to the next of kin of the person leaving the country on work. We were also given directions to an ‘office’ in Maradana, Colombo, where we could meet with an agent to obtain further details.

Earlier this month, a report published by the Integrated Regional Information Network (IRIN)²¹ stated that women from the north were forced to engage in commercial sex work due to very limited livelihood options. The report put the number of female-headed households at 59,000. In July 2009, in a typically angry response²² to a query posed on a prostitution racket within former IDP camps, Permanent Representative of Sri Lanka to the United Nations and recently appointed Chair of its Sixth Committee, Dr. Palitha Kohona, rubbished the claims and stated that “they (the military) could have raped every single woman on the way if they had wanted to” and that “not a single woman was raped”.

Grievances faced by former female combatants

Speaking to a group of young female combatants in their 20’s, who live in a safe house run by the clergy in the Vanni, we discovered that as content as they seemed within the walls of their shelter, they dreaded returning home for visits, due to the possibility of harassment and questioning they might face.

Initially, as soon as they had been released in 2010, they were subject to strict rules and regulations, such as signing in at the local Police station every month, regular house visits by

and rural areas of the Batticaloa District, were provided with microcredit for self- employment - http://www.bbc.co.uk/tamil/sri_lanka/2013/10/131002_microfinancebatticalao.shtml

²¹ Turning to sex work in Sri Lanka’s north. IRIN. 10 October 2013. <http://www.irinnews.org/report/98919/turning-to-sex-work-in-sri-lanka-s-north>

²² Tamil refugees forced into sex rackets. The Australian. 2 July 2009. <http://www.theaustralian.com.au/news/tamil-refugees-forced-into-sex-rackets/story-e6frg6n6-1225744996639>

the CID requesting personal and family details, and to have to carry around a proof of release letter to produce on request at a check-point or by the police. “These practices have gradually lessened but, we still feel safer here in the shelter. Whenever we visit home we usually remain within the confines of our homes and don’t step out of the house much. Even when we do travel, we never move around alone, as there are many check-points and military camps in the vicinity of our homes, so we are afraid to travel anywhere on our own,” they lamented.

“Ideally, we would love to return to our homes, find employment and live a normal life within our communities, however we don’t feel secure enough yet to do so. Even when we’re here at the shelter, we only travel outside to church and back, accompanied by the members of the clergy, as it may not be safe for us to travel on our own. As long as we’re inside the shelter, we feel safe,” they added.

They had also been offered to be recruited by the military, where they would also be given employment. Fortunately however, they said that as they were being provided with vocational training at the shelter, they were able to escape recruitment.

Since their release, they have received no assistance from the Government at all, they said. “We were told by the Government that now that the war is over, our problems will reduce, but so far, they have only increased,” they said hopelessly.

Controversy over population control implants

In September 2013, The Social Architects (TSA), in an expose, detailed coercive population control in three villages in Kilinochchi²³. This report and a follow up report²⁴ in October confirmed that the women of Vervail, Valaippadu and Keranchi of the Kilinochchi District had been coerced into accepting population control implants, violating reproductive and women’s rights. TSA go on to say that the women of these villages were provided with very little post and pre- implant care and information.

However, health officials who had met local activists regarding this matter had denied reports that this programme was being directed at controlling the population of any one ethnic community. Further, the officials had admitted that the programme was not ideally conducted due to they being severely understaffed and therefore having to work with a low capacity level. They had added that these were in fact serious administrative concerns that

²³ Coercive Population Control in Kilinochchi. The Social Architects. 13 September 2013 - <http://groundviews.org/2013/09/13/coercive-population-control-in-kilinochchi/>

²⁴ Above the Law: Violations of Women’s Reproductive Rights in Northern Sri Lanka. The Social Architects - <http://groundviews.org/2013/10/11/above-the-law-violations-of-womens-reproductive-rights-in-northern-sri-lanka/>

needed to be addressed immediately and that they would carry out the relevant follow-up work promptly (i.e. to print Jadelle²⁵ cards in the local language, print leaflets explaining side effects and precautions of using available contraceptives and create awareness among the community through Public Health Inspectors (PHIs) and Public Health Midwives (PHMs) and to have men also attend Child and Mother Care (CMC) clinic classes etc.,) The Northern Provincial Council Health Ministry Secretary has said that a three-member committee has been appointed to investigate complaints relating to forced sterilization.²⁶

Four years since the end of the war in Sri Lanka, women and children remain as, or more vulnerable and insecure than ever before. With the number of female headed households and poverty having drastically increased as a result of the war (i.e. war widows, spouses of the disappeared and long-term detained, teen mothers and wives abandoned by their spouses), so have the grievances and hardships they are being made to face. The State has set up few (if at all,) mechanisms/structure to ensure their security, and have nurtured a climate of absolute impunity with regard to how it treats perpetrators, particularly those directly affiliated to the State (i.e. police, military, local authorities).

Source – Children & Women’s Bureau (CWB), Colombo
*(*Numbers within parenthesis represent resolved cases.)*

Crimes against Women - 2012

Type	Division						
	Jaffna	Vavuniya	Mannar	KKS	Mankulam	Kilinochchi	Mullaitivu
Murder	1(1)	4(1)	1	3(2)	-	1	-
Att. murder	1	-	2(1)	1(1)	-	-	-
Grievous hurt	8(6)	1(1)	4(2)	1(1)	5(5)	2(1)	4(2)
Human smuggling	-	-	-	-	-	-	-

²⁵ Jadelle is a brand of silicone birth control implants usually inserted under the skin of the upper arm of a woman.

²⁶ □□□□□□□□□□□□□□□□□□□□□□□□ □□□□□□□□ □□□□□□□□□□□□ -

http://www.bbc.co.uk/tamil/sri_lanka/2013/10/131023_forcedfamilcontrol.shtml

Kidnapping	4(3)	3(2)	1	-	-	-	-
Rape	7(6)	2(1)	4(3)	1	3(2)	-	-
Gross indecency	-	-	-	-	-	-	-
Sexual Harassment	14(12)	3(2)	5(2)	7(7)	2(1)	3(3)	-
Assault and injury	77(55)	83(71)	67(56)	50(42)	13(11)	21(20)	-
Verbal assault, threats	7(6)	1(1)	6(4)	2(2)	-	-	-
Domestic violence	1	6(6)	18(12)	24(12)	-	-	-

Crimes against Women - 2013 (January- September)

Type	Division						
	Jaffna	Vavuniya	Mannar	KKS	Mankulam	Kilinochchi	Mullaitivu
Murder	-	1	-	1	1	-	-
Att. murder	-	-	-	1(1)	-	-	-
Grievous hurt	4	4	6(4)	3(1)	4	3(1)	1
Human smuggling	-	-	-	-	-	-	-
Kidnapping	1	-	-	1	-	-	-
Rape	2	-	4(1)	2(1)	2	1(1)	5(1)
Gross indecency	-	-	1	-	-	-	-

Sexual harassment	7(3)	5(1)	6(3)	4(3)	1	4	6(3)
Assault and injury	61(14)	18(5)	179(152)	69(38)	34(11)	28(11)	29(12)
Verbal assault, threats	5(1)	1	54(54)	5(2)	-	-	1
Domestic violence	1	8(5)	58(57)	19(16)	-	1	-

Crimes against Children - 2012

Type	Division						
	Jaffna	Vavuniya	Mannar	KKS	Mankulam	Kilinochchi	Mullaitivu
Murder	3(1)	-	-	3(1)	-	-	-
Att. murder	-	-	-	-	-	-	-
Grievous hurt	3	-	1	-	1(1)	2(1)	-
Sexual abuse	-	-	1	-	-	-	-
Kidnapping	-	-	-	1	1	-	-
Molestation	5(2)	6	4	3	3(1)	2	-
Rape	28(8)	13(2)	11(2)	12(6)	10(2)	11(2)	-
Trafficking	-	-	-	-	-	-	-
Gross indecency	3(1)	6(2)	7(1)	1	4	2(1)	-
Cruelty	5(1)	2(1)	-	-	1	1	-
Assault and injury	5(5)	5(5)	8(7)	4(4)	1(1)	3(3)	1(1)

Sexual harassment	8(8)	9(9)	13(11)	5(5)	5(5)	7(7)	5(5)
Sought NCPA protection	8(6)	4(4)	-	-	-	-	-
Verbal assault, threats	-	3(3)	-	-	-	2	-

Crimes against Children - 2013- (January- September)

Type	Division						
	Jaffna	Vavuniya	Mannar	KKS	Mankulam	Kilinochchi	Mullaitivu
Murder	1	-	-	-	-	1	-
Att. murder	1	1	-	-	-	-	-
Grievous hurt	-	-	-	-	2	-	-
Sexual abuse	-	-	-	-	-	-	1
Kidnapping	1	-	-	2	-	-	1
Molestation	5(2)	3	2	-	-	-	4
Rape	22(7)	10(1)	5(3)	10(2)	8	13(7)	-
Trafficking	-	-	-	-	-	-	-
Gross indecency	1	3(1)	3(1)	3(2)	5	5(2)	8(5)
Cruelty	1	1(1)	-	-	2	2	1
Assault and injury	4	3(1)	6(2)	2(2)	3(1)	7(2)	1(1)
Sexual harassment	12(1)	5	11(1)	5(1)	2(2)	4(2)	7(3)
Sought NCPA	13(7)	-	-	-	-	-	1(1)

protection							
Verbal assault, threats	-	-	-	-	-	-	-

The above statistics indicate a high incidence of assault and injury, domestic violence and verbal abuse and threats constituted against women in the North, with the most number of cases being reported from KKS and Mannar, in 2012. Further, the numbers indicate that the 179 reported cases of assault and injury against women in Mannar for the first 9 months of 2013 alone, is almost triple the number of the 67 corresponding cases reported during the entire course of 2012.

Further substantiating our observations on the rape of minors above, these statistics indicate an alarmingly high number of cases of child rape reported from the North; with 85 and 68 cases being reported in 2012 and 2013 (Jan-Sept) respectively.

Yet another noteworthy statistic is that 26 children in total, sought protection from the NCPA in 2012 and 2013, with the majority of them being from Jaffna.

Whilst acknowledging efforts by the NCPA and CWB in resolving many of the cases, a majority remain unresolved.

Recommendations

In light of this bleak situation, we call on the Government of Sri Lanka and the International Community to;

- To comprehensively investigate into all reported cases of rape, harassment and murder of women and children, and ensure that perpetrators are dealt with according to the law
- To set in place a fast-track, or at least a speedy and victim-sensitive system for dealing with cases of sexual abuse and violence
- To take every measure to ensure the protection of witnesses and survivors of sexual abuse and violence and their families (i.e. safe-houses)
- To provide survivors and witnesses of sexual abuse and violence and their families with specialized psycho-social care
- To recognize the vulnerability of women in the North and East and encourage, or at a minimum remove barriers to community-based support groups for women

- To empower survivors of sexual violence and abuse and their families to attain economic stability and security
- To set up mechanisms of monitoring/regulating employment agencies working in the North and East, and investigate into all allegations that a nexus exists between the military/para-military groups and these agencies
- To build the capacity and resources of local human rights defenders and women's rights advocates
- To raise awareness on issues of gender based violence and human rights within local communities, and educate them on preventive/remedial procedures
- To carry out island-wide awareness raising media campaigns to disseminate information on organization working on women and children's issues