



**U.S. Department of State**

**2009**

**Report to Congress on Incidents During the  
Recent Conflict in Sri Lanka**

**UNCLASSIFIED**



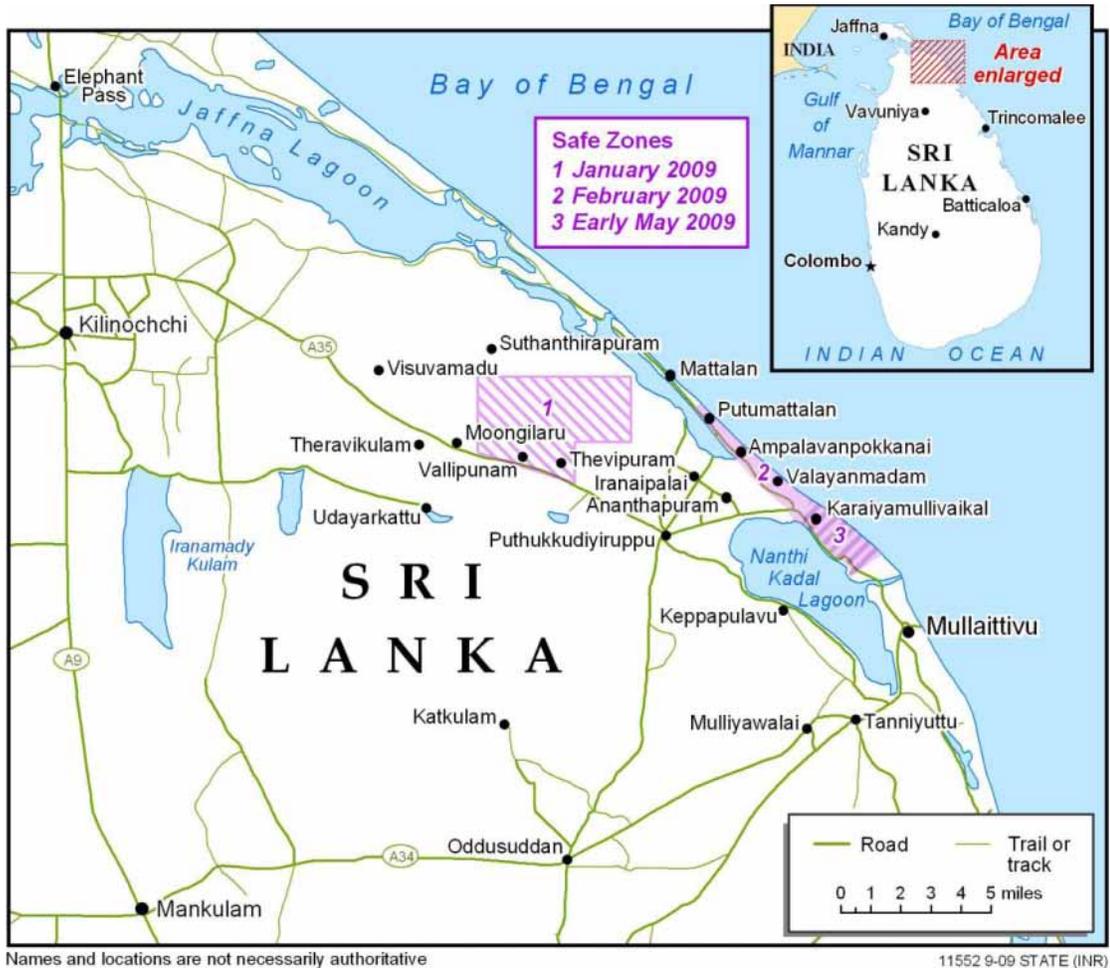
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## I. Acronyms and Terms

GSL	Government of Sri Lanka
HRW	Human Rights Watch
ICC	International Criminal Court
ICRC	International Committee of the Red Cross
IDP	Internally displaced persons
IHL	International Humanitarian Law
LTTE	Liberation Tigers of Tamil Eelam (also known as the “Tamil Tigers”)
MT	Metric ton (food quantity measurement for humanitarian food aid)
NFZ	No Fire Zone, also known as the “civilian safe zone”
RPG	Rocket-propelled grenade
SLA	Sri Lankan Army
SLAF	Sri Lankan Air Force
SLN	Sri Lankan Navy
USG	United States Government
UN	United Nations
Vanni	Term for the four northern districts of Sri Lanka including Vavuniya, Mannar, Jaffna and Trincomalee.

## II. Map of the area



<sup>1</sup> In January 2009 the Government of Sri Lanka (GSL) declared the first no fire zone (NFZ 1), a 22 square mile area, as a civilian safe zone into which the government would not fire weapons. This was communicated to citizens in the region through leaflet drops and messages to International Committee of the Red Cross (ICRC) personnel. As the Sri Lankan Army (SLA) continued its advance and took control of towns previously under the control of the Liberation Tigers of Tamil Eelam (LTTE), the LTTE retreated, accompanied by tens of thousands of civilians to an eight square mile area which the GSL established as NFZ 2. By early May 2009 LTTE cadres and civilians shifted to the largely unprotected one square mile area in the south of second NFZ, between the Bay of Bengal and NanthiKadal Lagoon (NFZ 3).

### III. Executive Summary

This report is submitted pursuant to the Joint Explanatory Statement accompanying the Supplemental Appropriations Act, 2009 (P.L. 111-32), which directed the Secretary of State to submit a report “detailing incidents during the recent conflict in Sri Lanka that may constitute violations of international humanitarian law or crimes against humanity, and, to the extent practicable, identifying the parties responsible.” The alleged incidents set forth herein occurred in the context of the final months of an armed conflict between the Government of Sri Lanka (GSL) and the Liberation Tigers of Tamil Eelam (LTTE), which has been listed as a terrorist organization by the United States since 1997. While the conflict lasted intermittently for 25 years, this report focuses on incidents that occurred from January 2009, when fighting intensified, through the end of May 2009, when Sri Lankan government forces defeated the LTTE. It does not provide, nor is it intended to be, a comprehensive portrayal of the conflict.

The United States recognizes a state’s inherent right to defend itself from armed attacks, including those by non-state actors such as terrorist groups. The United States also expects states and non-state actors to comply with their international legal obligations. This report compiles alleged incidents that transpired in the final stages of the war, which may constitute violations of international humanitarian law (IHL) or crimes against humanity and related harms. The report does not reach legal conclusions as to whether the incidents described herein actually constitute violations of IHL, crimes against humanity or other violations of international law. Nor does it reach conclusions concerning whether the alleged incidents detailed herein actually occurred.

The report addresses the following categories of incidents:

- Children in armed conflict—According to reports, on numerous occasions during the January to May 2009 reporting period the LTTE took both male and female children, some as young as 12, to join LTTE cadres.
- Harm to civilians and civilian objects—The State Department has not received casualty estimates covering the entire reporting period; sources alleged that a significant number of deaths and injuries incurred at the time of attack were likely never recorded. Senior Sri Lankan officials made repeated public statements denying that the GSL was shelling the NFZ or targeting hospitals and was not responsible for any civilian casualties. However, sources alleged that the majority of shelling in the NFZ was from GSL forces. The GSL announced that it would observe a 48-hour ceasefire on two occasions. The stated aim of these was to allow civilians to move

into areas in which they would not be subject to shelling. Incident reports suggest, however, that the GSL may have begun shelling before the end of the second 48-hour ceasefire. Reports also indicated that the LTTE forcibly prevented the escape of IDPs and used them as “human shields”.

- Killing of captives or combatants seeking to surrender—A number of sources alleged that the GSL committed unlawful killings. Multiple reports alleged that in the final few days of fighting, senior LTTE leaders contacted international representatives in an effort to broker a surrender but were killed after they allegedly reached a surrender agreement with the GSL.
- Disappearances—According to reports, GSL forces or GSL-supported paramilitaries abducted and in some instances then killed Tamil civilians, particularly children and young men. Sources reported that these individuals were taken to undisclosed locations without any further information being provided to relatives. IDP checkpoints and camps were alleged to be particularly vulnerable areas, with a heavy military presence hindering the ability of international organizations to conduct protection monitoring and confidential IDP interviews.
- Humanitarian conditions—Reports include instances of severe food shortages; malnutrition, particularly among the very young and old; as well as surgeries being performed with little or no anesthetic. The GSL pledged to provide sufficient food and medical supplies to people in IDP camps and to those trapped in the NFZ. However, most reports point to significant gaps between food, medicine, and clean water needs and the available supplies in the NFZ and IDP camps.

#### IV. Background

This report is submitted pursuant to the Joint Explanatory Statement accompanying the Supplemental Appropriations Act, 2009 (P.L. 111-32), which provides:

*The conferees direct the Secretary of State to submit a report to the Committees on Appropriations not later than 45 days after enactment of this act detailing incidents during the recent conflict in Sri Lanka that may constitute violations of international humanitarian law or crimes against humanity, and, to the extent practicable, identifying the parties responsible.<sup>2</sup>*

In accordance with further congressional direction, this report focuses on reports of alleged incidents and conduct which may constitute violations of IHL and/or crimes against humanity occurring during a period of especially intensive fighting, from January through May 2009. In the interest of creating a fuller picture of the circumstances of the conflict, the report also includes other related harms against civilians, including possible abuses of human rights.

##### *Context of the Conflict*

The period covered by this report marked the culmination of a protracted armed conflict between the Government of Sri Lanka (GSL), which is dominated by ethnic Sinhalese,<sup>3</sup> and the Liberation Tigers of Tamil Eelam (LTTE), a terrorist organization that campaigned for a homeland in northern and eastern Sri Lanka for the country's minority Tamils. While relations between the two major ethnic groups have been marked by tensions since the country became independent in 1948,<sup>4</sup> separatist violence emerged later. One of the earliest reported battles between the LTTE, which was formed in 1976 under the leadership of Velupillai Prabhakaran, and government forces occurred in 1983, when the LTTE ambushed 13 GSL soldiers. This incident sparked anti-Tamil riots in which an estimated several hundred to several thousand Tamils were killed. The ensuing conflict, which occurred intermittently over the next 25 years, resulted in the deaths of over

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<sup>2</sup> The deadline for this report was extended by mutual agreement between the Department of State and the Committees.

<sup>3</sup> According to a 2001 census, 82% of Sri Lankans are Sinhalese and approximately 9.4% are Tamil.

<sup>4</sup> Following the colonial period, which was characterized by perceived British favoritism toward Tamils, the Sinhalese majority government enacted a series of nationalistic laws, one of which made Sinhala the official language in 1956. That same year more than 100 Tamils were killed in widespread violence after Tamil parliamentarians protested the new laws. A law enacted in 1972 made Buddhism the nation's primary religion. Most Tamils are Hindu.

70,000 Sri Lankans, both Sinhalese and Tamil, and the displacement of hundreds of thousands more.

Over the course of the conflict the LTTE waged an insurgent campaign against the Sri Lankan state in the course of which the insurgents carried out hundreds of suicide attacks and bombed public buildings, transportation hubs, Buddhist temples and other locations. In 1997, the LTTE was designated a foreign terrorist organization by the U.S. Secretary of State, and is believed to be the only terrorist group to have assassinated two world leaders – President Ranasinghe Premadasa of Sri Lanka in 1993 and former Prime Minister Rajiv Gandhi of India in 1991.

During this 25-year period, the GSL and paramilitary groups allegedly aligned with the government were at various points accused of killings and disappearances, use of child soldiers, arbitrary arrests and detention, denial of fair public trial, and infringement of freedom of movement, all of which appeared to be disproportionately directed toward the Tamil minority.

With the conflict now over, more than 280,000 Sri Lankans who fled their homes in the conflict zone during or in the aftermath of the conflict are internally displaced persons (IDPs). The vast majority are still in IDP camps and are denied the freedom to leave those camps (Appendix B, photo 1). In statements, the GSL has justified the continual denial of IDPs' freedom of movement as necessary while the government screens for LTTE combatants. The GSL has not allowed international organizations or journalists to have unrestricted access to the IDP camps, which has made it difficult to have an accurate picture of events and conditions. Some IDPs have reported that they have been unable to confirm the whereabouts of injured persons who were evacuated from the battleground and taken into custody by GSL forces.

### ***Legal Framework***

While this report does not reach legal conclusions, an overview of relevant international law may be a useful foundation for reviewing the alleged conduct described herein.

The United States recognizes a state's inherent right to defend itself from armed attacks, including those by non-state actors such as terrorist groups. In the context of a non-international armed conflict (that is, an armed conflict that is not between states), such as the recently ended conflict in Sri Lanka, common article 3 of the Geneva Conventions of 1949 provides basic treatment protections to all

individuals not taking part in hostilities, including civilians and detained members of the armed forces.<sup>5</sup> Its core requirements are that individuals not taking part in hostilities must be treated humanely and without “adverse distinction” based on race, religion, or similar criteria. To this end, the Article prohibits murder; cruel treatment; torture; the taking of hostages; outrages upon personal dignity; and the passing of sentences without judgment by a court providing recognized judicial guarantees. Sri Lanka is neither a party nor a signatory to the Additional Protocol II to the Geneva Conventions, which includes more detailed rules relevant to non-international conflicts than those set forth in common article 3.

The customary laws of war also require all parties to a conflict to comply with the principles of distinction and proportionality in the conduct of hostilities. The principle of distinction holds that civilians and civilian objects (such as hospitals and schools) are generally immune from direct attack, though civilians lose this immunity if they take direct part in hostilities. The principle of proportionality prohibits attacks that may cause incidental loss of life, injury or damage to civilians that would be excessive in relation to the concrete and direct military advantage anticipated. The civilian population must not be used to shield military objectives or operations from attack, and parties must take all practicable precautions, taking into account military and humanitarian considerations, to minimize incidental death, injury and damage to civilians.

Crimes against humanity are certain offenses committed as part of a widespread or systematic attack against any civilian population with knowledge of the attack. Specific acts of crimes against humanity include murder; extermination; torture; rape; persecution; enforced disappearance; and other inhumane acts, when committed as part of a widespread or systematic attack against a civilian population with knowledge of that attack. The statutes of the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal

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<sup>5</sup> Common article 3 provides, in part: “In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions: (1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed 'hors de combat' by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria. To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons: (a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; (b) taking of hostages; (c) outrages upon personal dignity, in particular humiliating and degrading treatment; (d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples. (2) The wounded and sick shall be collected and cared for.”

for Rwanda, and the International Criminal Court (ICC) reflect generally accepted definitions of crimes against humanity.<sup>6</sup>

In addition to allegations of incidents that may constitute violations of IHL and/or crimes against humanity, and in our efforts to collect as much pertinent information as possible, we received reports regarding other alleged harms against civilians, including incidents that could constitute human rights abuses. These incidents are included in the report in the interest of providing a sense of the broad range of harms civilians allegedly suffered from January to May 2009.

The GSL has undertaken human rights obligations by ratifying various treaties. These include the International Covenant on Civil and Political Rights (ICCPR), the Convention Against Torture and other Cruel, Inhuman, or Degrading Treatment (CAT), the International Covenant on Economic, Social, and Cultural Rights (ICESCR), the Convention on the Rights of the Child (CRC), and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC OP). The ICCPR recognizes specific civil and political rights of individuals and related obligations of states parties, including the right to freedom of expression, the right to liberty and security of person, and the right to liberty of movement. During a time of publicly proclaimed public emergency that threatens the life of the nation, the ICCPR allows states parties to suspend some of their obligations under the Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, color, sex, language, religion or social origin. In 2000 the GSL filed a notice with the United Nations (UN) that purported to derogate from ICCPR articles relating to the duty to inform those arrested of the reasons for their arrest and to bring those charged with a criminal offense promptly before a judicial officer, the right to liberty of movement, minimum due process guarantees for criminal trials, protection against arbitrary/unlawful interference with privacy, freedom of expression, the right to peaceful assembly, and freedom

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<sup>6</sup> For example, the Rome Statute of the International Criminal Court defines crimes against humanity as “any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack: (a) Murder; (b) Extermination; (c) Enslavement; (d) Deportation or forcible transfer of population; (e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; (f) Torture; (g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity; (h) Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court; (i) Enforced disappearance of persons; (j) The crime of apartheid; (k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.”

of association. The GSL has not filed formal derogations with respect to any of the other human rights treaties to which it is party.

### *Methodology*

The State Department consulted a wide range of primary and secondary sources in gathering information for this report. These sources include internal USG reporting and subject matter experts, primarily from the State Department; foreign governments; international organizations; media reports; non-governmental organizations; and eyewitnesses. Information concerning the majority of incidents cited in this report originated in first-hand accounts communicated by persons from within the government-declared No Fire Zones (NFZs) and locations close to the fighting. Some organizations are identified by name if they have publicly released specific allegations while others, including foreign governments, UN agencies, and individual sources, are identified in more general terms to preserve confidentiality.

### *Limitations*

There were a number of limitations on the State Department's ability to collect and corroborate information. Both the GSL and LTTE denied press, foreign governments, and other organizations unrestricted access to the conflict zone, IDP screening points, IDP camps, and potential eyewitnesses to alleged incidents. It was extremely difficult, if not impossible, to move freely in all areas and without the presence of government or LTTE soldiers. There are allegations that GSL restrictions on access were part of a systematic attempt to hide violations of IHL and human rights abuses. Some governments and organizations that were contacted during the preparation of this report indicated that they have additional information that may pertain to relevant incidents but were unwilling to provide it at this time for a variety of reasons, including fears for the safety of their sources.

Since at least March of 2008, the GSL placed strict restrictions on the ability of national and international media to travel to and report on events within the conflict zone and IDP camps. Some organizations allege that when journalists did write articles or produce television reports on the conflict that were critical of GSL actions, their reporting resulted in their being detained or expelled from Sri Lanka. One such journalist is J.S. Tissainayagam, who has been detained since March 2008 on charges alleged to be politically motivated. In August 2009 Tissainayagam was sentenced to 20 years in prison on charges under the Emergency Regulations and the Prevention of Terrorism Act. Other journalists have received death threats which they attribute to the GSL. These threats are not

idle, as was shown by the murder of prominent newspaper editor Lasantha Wickramatunga in January 2009. President Rajapaksa publicly called Wickramatunga a personal friend and ordered a swift and thorough investigation. Nevertheless, many journalists, including Wickramatunga's wife, have elected to leave the country. In discussions with the State Department, organizations indicated that journalists who remain in Sri Lanka are concerned for their safety and practice self-censorship, which may have further limited the information available for this report.

Numerous commercial imagery-based reports issued by UN agencies and non-governmental organizations identified evidence of shelling in the NFZ. U.S. government sources are unable to attribute the reported damage to either the Government of Sri Lanka or LTTE forces. Sandy soil conditions in the NFZ and the emerging monsoon season resulting in increasing cloud cover further complicated efforts to monitor the conflict with commercial and USG sources.

Such limitations preclude the kind of testing and corroboration of evidence that would be necessary to evaluate whether the allegations presented are factually supported and/or would constitute violations of international law. Such legal analysis requires comprehensive and detailed information about the context of specific incidents that was unavailable here. For example, a determination about whether particular conduct would amount to a crime against humanity requires an assessment of the purpose and intent of government sponsored or sanctioned actions. In the context of civilian casualties, an analysis of whether particular military operations were conducted consistent with the laws of war would require an understanding of who committed the harms and the knowledge and intent of those actors when the operations were conducted, as well as information regarding whether apparently civilian persons were actually taking direct part in hostilities or civilian objects were being used to contribute effectively to military actions.

In conclusion, there were significant limitations on the State Department's ability to collect and assess information.

## V. Children in Armed Conflict

For many years there have been reports that the LTTE forcibly recruited children into its cadres.<sup>7</sup> According to reports of the incidents noted below, on numerous occasions during the January to May 2009 reporting period the LTTE took both male and female children, some as young as 12, to join LTTE cadres. In some instances, sources alleged that when parents or children resisted they were beaten or killed. The children were trained to use weapons and sent to the front lines for fighting, cleaning weapons, and performing other chores for the LTTE. In its public statements, the GSL has consistently indicated that it viewed child soldiers as victims rather than perpetrators, in line with international best practices. In close collaboration with UNICEF, the GSL has established centers where former child soldiers are receiving vocational and other training opportunities.

As a state party to the Optional Protocol to the Convention on the Rights of the Child (CRC OP) on the involvement of children in armed conflict, the GSL has an obligation to take all feasible measures to prevent recruitment and use of those under 18 by armed groups that are distinct from armed forces of a state, including the adoption of legal measures necessary to prohibit and criminalize such practices.<sup>8</sup> Upon ratifying the CRC OP, the GSL declared its minimum age for voluntary recruitment into the governmental armed forces as being 18. The GSL also has an obligation to take all feasible measures to ensure that persons within its jurisdiction recruited or used in hostilities contrary to the CRC OP are demobilized or otherwise released from service and, when necessary, to accord to such persons all appropriate assistance for their physical and psychological recovery and their social reintegration.

The following allegations with respect to children and armed conflict during the reporting period have been reported:

- February 16 – An organization reported that the LTTE was attempting to recruit by force all boys and girls aged 14 years or older in the LTTE-controlled territory.

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<sup>7</sup> Government-affiliated paramilitaries, namely the Tamil Makkal Viduthalai Pulikal (TMVP), have also been accused of recruiting child soldiers. However, sources and organizations have not reported such incidents during the January to May 2009 time period. Reports suggest that the GSL has recently made significant progress in obtaining the release of child soldiers originally recruited by paramilitary allies in the eastern region of the island.

<sup>8</sup> We note also that the Rome Statute of the International Criminal Court considers “conscripting or enlisting children under the age of 15 years into armed forces or groups or using them to participate actively in hostilities” a “serious violation” of the law of armed conflict.

- February 23 – Several organizations reported to Embassy Colombo that their sources reported ongoing LTTE forced recruitment of children. Another source stated that a young person who resisted being forcibly recruited had both his arms broken by the LTTE as punishment.
- March 3 – An organization received a report from a source in the NFZ that the LTTE was recruiting children as young as 12-years-old.
- March 7 – An organization reported that a source in Mullaitivu witnessed the LTTE abduction of children ages 12 to 16. The source saw the LTTE marching many children away.
- March 16 – An organization’s source in Mullaitivu reported that those recruited by the LTTE included male and female children as young as 14.
- March 17 – A Human Rights Watch (HRW) source in the Vanni reported that an angry mob formed following the death of two children caused by an LTTE recruitment unit. In a similar story, the nationalist daily newspaper Island reported that LTTE cadres shot the parents of a child whom they made an abortive bid to abduct, and then shot the child. This incident sparked violent protests by the civilians, who forced the cadres to retreat. Embassy Colombo noted that this report is consistent with earlier information regarding retaliation against the LTTE by civilians in the NFZ.
- March 18 – A source who escaped the conflict zone reported that anyone aged 12 or older was eligible for forced labor and recruitment by the LTTE.
- March 21-24 – HRW sources in the conflict zone reported that the LTTE rounded up over 400 youths who had sought refuge in Valaiganar Catholic Church, and immediately took the children to training camps by bus. A similar account was reported by another organization’s local source on March 23; this source estimated the number of youths taken at over 250.
- March 23 – An organization received a report from a local source that the LTTE was recruiting children aged 12.
- March 23 – Organizations with sources in the conflict zone provided to Embassy Colombo some details on communications from the NFZ, including reports that the LTTE forcibly recruited individuals, including children, and killed those who resisted orders. They noted that for the LTTE, “age is not an issue anymore for recruitment/building defenses.”

- March – A source reported that the LTTE forcibly recruited people regardless of gender or age, including those in their early teens. Parents and relatives who resisted such recruitment were insulted, beaten or even killed.
- March – A source in Mullaittivu reported to HRW that the 16-year-old daughter of a colleague was forcibly recruited along with three adults.
- March – On May 5 the Sydney Morning Herald reported an account of a 14-year-old girl who was abducted by the LTTE in March and forced to undergo military training. She performed drills using dummy weapons in preparation for battle and, as with many female recruits, her hair was cut short. The girl's mother was able to smuggle her out of the LTTE camp and they were able to escape to the camp in Vavuniya. The Herald quoted Major-General Jagath Dias of the Army's 57th Division saying that his men had been fighting girls as young as 11: "It's very difficult [to shoot at children] but when someone has a weapon and is firing it at you, it doesn't matter what age, you have to shoot." Brigadier Shavendra Silva of the 58th division<sup>9</sup> told the Herald that most of the LTTE cadres captured since April 23 were between 11 and 18-years-old. "There were many young girls aged 13 and 14. All of them had short hair. ... They don't have the numbers of fighters they need so they conscript civilians forcefully."
- April 16 – The BBC reported that IDPs evacuated from the safe zone confirmed reports of child recruitment by the LTTE.
- April 25 – The Guardian reported that the LTTE gave guns to children as young as 12 and forced them to fight on the front lines alongside LTTE cadres. Those forcibly recruited included the 16-year-old daughter of an organization staffer in the NFZ. An organization's spokesman said there had been reports of clashes on the beaches between LTTE members and families who had tried to prevent their children being taken. Some of those who resisted reportedly were beaten or shot.
- April – An organization reported the abduction of a 12-year-old boy from Kovilkulam in mid-April. An LTTE press gang came to his home in the NFZ. Two of the boy's elder brothers fled upon seeing the LTTE cadres. But the press gang caught the 12-year-old and took him away. The boy's father stayed behind and somehow got his son and escaped to Vavuniya a few days later.

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<sup>9</sup> For a more detailed display of the locations of Sri Lankan military divisions, see the Battle Progress Map on the Ministry of Defense website, <http://www.defence.lk/orbat/Default.asp>.

- April – A foreign government reported the account of a 17-year-old girl who was forcibly recruited in Mattalan. The LTTE police came with some cadres to take her. Her mother argued with the police and tried to stop them, telling them that the girl was only 17. When the mother resisted, the cadres beat her with sticks while the girl was taken away. The girl managed to escape with a friend four nights later.
- April – The May 3 edition of the New Indian Express ran the account of a woman who had recently escaped from the NFZ. She witnessed the LTTE's capture of some 600 teenagers who were hiding in a Valayanmadam church in April. The article quoted her as saying, "People had gathered there to hide from the army shelling, and also from the Tigers who were trying to recruit youngsters. But one day the Tigers arrived in 12 vehicles, firing their guns in the air, and forcibly took away around 600 girls and boys who had been hiding in the church. They were screaming and crying, but we were helpless."

## VI. Harms to Civilians and Civilian Objects

The State Department has not received casualty estimates covering the entire reporting period from January to May 2009. However, one organization, which did not differentiate between civilians and LTTE cadres, recorded 6,710 people killed and 15,102 people injured between January 20 to April 20.<sup>10</sup> These numbers were presented with a caveat, supported by other sources, that the numbers actually killed and injured are probably higher. This is because the majority of casualty statistics were based upon the deaths of people transferred to medical facilities or reported by eyewitnesses to attacks. Sources alleged that a significant number of deaths and injuries incurred at the time of an attack were likely never recorded.

During the reporting period, senior Sri Lankan officials made repeated public statements denying that the GSL was shelling the NFZ or targeting hospitals and was not responsible for any civilian casualties. However, sources alleged that the majority of shelling in the NFZ was from GSL forces. The GSL announced that it would observe a 48-hour ceasefire on two occasions. The stated aim of these was to allow civilians to move into areas in which they would not be subject to shelling. Incident reports suggest, however, that the GSL may have begun shelling before the end of the second 48-hour ceasefire. Reports also indicated that the LTTE forcibly prevented the escape of IDPs and used them as “human shields.”

In all armed conflicts, IHL requires that combat operations be conducted in accordance with the principles of distinction and proportionality. The law of war principle of distinction requires parties to the conflict to distinguish between military and civilian objects and prohibits the intentional targeting of the civilian population as such, including individual civilians. The law recognizes, however, that civilians taking direct part in hostilities lose their immunity from attack. In addition, while certain objects, such as schools, are presumed to be civilian objects, they are not immune from direct attack if they are being used in a way that makes an effective contribution to military action and if their destruction might accordingly offer a definite military advantage.

The principle of proportionality requires that parties to a conflict refrain from attacks on military objectives that would clearly result in collateral civilian casualties disproportionate to the expected military advantage. Accordingly, some level of collateral damage to civilians – however regrettable – may be incurred lawfully if consistent with proportionality considerations. All parties to a conflict

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<sup>10</sup> Estimates for April 20 through May were not available to the State Department as of the release of this report.

must take all practicable precautions, taking into account both military and humanitarian considerations, in the conduct of military operations to minimize incidental death, injury, and damage to civilians and civilian objects.

The following allegations of civilian casualties and harm to civilian objects have been reported:

### *January*

- January 2 – A foreign government reported that civilians were killed due to heavy shelling at the Puthukkudiyiruppu Hospital.
- January 2 – A foreign government reported that aerial bombing of a petrol station and bus depot 250 meters from Mullaittivu General Hospital killed four people and injured eight.
- January 8 – A source in the conflict zone reported to HRW that five people were killed and at least 15 injured by shelling in Thevipuram and Vaddakachchi.
- January 8 – HRW reported that at 1:20 p.m. shells hit Tharmapuram Junction 75 meters from the Tharmapuram Hospital, killing seven people.
- January 12 – A source in the NFZ reported that artillery shells fell into the premises of Puthukkudiyiruppu Hospital at around 10:00 a.m., injuring two patients.
- January 13 – HRW reported that at 10:00 a.m. Puthukkudiyiruppu Hospital was hit by shells killing one person and wounding six, and that patients fled the wards to seek shelter from the shelling. According to satellite imagery taken on January 28, the Puthukkudiyiruppu Hospital did not appear to show visible damage and appeared to be functioning. (See Appendix B, image 1.)
- January 15 – An HRW source in the conflict zone reported shelling in Udayarkattu, Visuamadu, and Puthukkudiyiruppu. Six people were injured close to the assistant government agent's office in Puthukkudiyiruppu.
- January 16 – A source in the conflict zone reported to HRW that the SLA was advancing from both sides; heavy shelling was causing many casualties.

- January 16-29 – An organization’s sources reported to Embassy Colombo that during their experiences in the Vanni they witnessed LTTE cadres taking civilians with them when they re-deployed.
- January 17 – A source in the conflict zone reported to HRW that five were killed and 21 injured by shelling in Visuamadu.
- January 18 – A source in the conflict zone reported to HRW heavy shelling in the Visuamadu area that killed nine and injured 40.
- January 19 – HRW reported that shells landed in the yard of Vallipuram Hospital injuring six people in the outpatient ward.
- January 20 – A foreign government reported shelling in a residential area of Redbana, Visuamadu around midnight. A witness reported that his wife and two daughters were killed; the witness was badly injured.
- January 20 – Sources in the conflict zone reported to HRW heavy shelling in Thevipuram, Vallipuram, Suthanthirapuram, and near Udayarkattu, killing at least 18 people and injuring over 50.
- January 21 – HRW reported that one shell hit Vallipuram Hospital with no reported casualties.
- January 22 – The Associated Press reported that a bomb strapped to a bicycle killed a police officer and a civilian when it exploded outside a police station in eastern Sri Lanka. The blast also injured one police officer, four school children, and six others. Military spokesman Brig. Udaya Nanayakkara said that the government suspected that the LTTE orchestrated the attack. This incident was also reported in the Christian Science Monitor.
- January 22 – HRW reported that on this morning shells hit the Vallipuram Hospital compound, killing five people and injuring 22. Sources who corroborated this story said that the hospital’s coordinates had been transmitted to the GSL on the previous day.
- January 22 – A source in the conflict zone reported to HRW that, according to Puthukkudiyiruppu hospital staff, 40 civilians were killed and 188 seriously injured by shelling in the villages of Thevipuram, Udayarkattu, and Moonkilaru.
- January 24 – A source in the NFZ reported to HRW that 11 people were killed and 88 injured in the safe zone.

- January 25 – HRW reported an attack by the SLA utilizing multiple rocket launcher systems. The source stated: “The area was completely flattened. As far as I remember, the area was full of displaced persons, tents, etc. only minutes before.”
- January 25 – A source in the NFZ reported to HRW shelling in the area allocated for the United Nations. Eight people were killed inside the building; two narrowly escaped to the bunker. Around 75 IDPs, 35 residents of an elders’ home, 15 other persons and their dependants were all present when the first shell hit at 8:30 p.m. The shelling continued until 3:30 in the morning. Nineteen people were killed and 52 were injured.
- January 26 – A foreign government reported shelling in Suthanthirapuram. A witness was at home near Sewa Lanka Foundation’s office when a shell fell near the house’s front gate. Ten people were reported killed. Another source reported shelling in Udayarkattu, when a shell hit a house with a family of 10, killing one and injuring nine others. Two of the children injured were permanently disabled.
- January 26 – A source in Puthukkudiyiruppu reported to HRW that 102 people were killed and 274 people were injured by shelling in Puthukkudiyiruppu.
- January 26 – HRW reported that shells hit Udayarkattu Hospital, killing 12 and injuring 40.
- January 27 – The New York Times reported that a hospital came under shelling. The article quoted one witness saying, “Our team on the ground was certain the shell came from the Sri Lanka military, but apparently in response to an LTTE shell. All around them was the carnage from casualties from people who may have thought they would be safer being near the UN.” Another witness said, “The team on the ground had suspected that the rebels were firing at government forces from close to where civilians were taking shelter.”
- January 27 – A source in the NFZ reported to HRW that 16 people were killed and 72 people were injured in Puthukkudiyiruppu.
- January 28 – Amnesty International reported that the LTTE stopped a convoy of 24 vehicles arranged to transport up to 300 wounded people, including 50 children, and prevented it from leaving the NFZ.

- January 28 – A source in Puthukkudiyiruppu reported to HRW heavy shelling within a kilometer of the Puthukkudiyiruppu Hospital. At least 21 people were killed.
- January 29 – An organization reported that 226 sick and wounded civilians, 51 of them children, were evacuated from the Vanni region. Many of them had lost limbs due to shrapnel and shells.
- January 29 – A source in Puthukkudiyiruppu reported to HRW hearing very heavy shelling and rifle fire. Forty-seven civilians were killed and 176 injured by the shelling.
- January 29 – HRW reported that the SLA shelled Vallipuram, a town just outside the government-declared safe zone. A local source reported that there were no known LTTE positions in the vicinity at the time of the attack.
- January 30 – An organization reported that SLA shelling destroyed the Vanni headquarters of the Human Development Centre (HUDEC) of Caritas Jaffna, the social arm of the Catholic Church in the Jaffna Diocese. The shelling destroyed humanitarian supplies, fuel reserves, and documents of the HUDEC Caritas office.
- January 30 – A source reported to HRW heavy shelling nearby in Puthukkudiyiruppu. Five civilians, including a schoolteacher, were killed, and 27 people were injured.
- January 31 – A HRW source in the NFZ reported heavy incoming shelling within 700 meters of the UN bunker in Puthukkudiyiruppu. Nineteen people were killed and more than 50 were injured.
- January – An organization's source witnessed the SLA heavily shelling an area of the NFZ where local government officers were distributing food items to IDPs, killing 300 people on the spot and injuring many others.
- January – An organization reported that in Vavuniya hospital, a local source witnessed 22 naked corpses in the morgue. All were young women with long hair and did not resemble LTTE cadres, recognizable by their short haircuts. All 22 individuals had been shot at point blank range between the eyes.
- January – An organization reported that nearly 600 civilians were treated for conflict-related injuries in small hospitals inside the LTTE-controlled area over the course of January.

- January – A foreign government reported the eyewitness account of a nine-year-old girl who was injured in a shell attack. She was riding a bicycle with some members of her family west of Puthukkudiyiruppu when the group heard an explosion, and the girl was hit by shrapnel. She was taken to the Puthukkudiyiruppu Hospital where she waited without treatment until she was evacuated on an International Committee of the Red Cross (ICRC) chartered ship around February 15. Her infected arm was later amputated.

## *February*

- February 1 – Numerous press outlets reported that Puthukkudiyiruppu Hospital was shelled just before midnight after some LTTE cadres fired their weapons into the sky from near the hospital. At least nine patients were killed. A foreign government and HRW received reports from local sources in the NFZ that shells fired allegedly by the SLA landed on the east and south sides of the hospital. Over the course of one day of shelling, seven people were killed and 15 were seriously injured. Multi-barrel rocket attacks were observed within 100 meters west of the hospital.
- February 2 – Multiple sources reported SLA shelling of IDP populations within the NFZ in the Vanni for IDPs and civilians caught in GSL–LTTE fighting. Aid organizations estimated that hundreds of casualties had resulted from recent violence, although numbers had not been confirmed.
- February 2 –HRW noted that civilians in LTTE-controlled areas had consistently been prevented from fleeing the conflict zone to reach safer areas under government control.
- February 2 – A source in the NFZ reported that, despite being told there was a 48-hour window for civilians to escape the conflict area, there had been no respite of incoming and outgoing shelling to and from the Visuamadu/Udayarkattu area.
- February 2 – A source in the conflict zone reported to HRW intense multi-barrel rocket launcher and aerial attacks in Puthukkudiyiruppu.
- February 2 – Multiple organizations and sources in the conflict zone reported shelling on the Puthukkudiyiruppu Hospital. The Associated Press quoted a witness stating “there’s heavy shelling where there are civilians... [The shells] are coming from the [Sri Lankan] army side.” Sources for an organization reported that GSL troops were within one kilometer of Puthukkudiyiruppu and that while the SLA was not targeting the hospital, it

was taking no special precautions to avoid hitting it. The shelling continued for 14-16 hours. The hospital sustained three direct hits in less than eight hours: twice between 3 and 4 p.m. local time, then again at 6:40 p.m. Sources reported that the hospital was hit for a fourth time on the same evening at 10:20 p.m. Another source in the conflict zone reported to HRW that the women and children's ward of the Puthukkudiyiruppu Hospital was shelled. Shells coming in from Oddusudan hit a tree and went into the pediatric ward. Sources reported from two to nine people being killed and up to 20 injured; the range reflected in these reports may be due in part to sources contacting the organizations at different times during the attacks. According to one organization, the hospital sustained continuous hits in early February when up to 800 patients were on the premises.

- February 3 – A source in the conflict zone reported to HRW that the Puthukkudiyiruppu Hospital was once again shelled, killing two people. The hospital was evacuated the next day in the midst of heavy shelling. This incident is corroborated by a second witness who reported to HRW that on the evening of February 3 the female ward was hit again, along with the operation ward and staff quarters. A young child died.
- February 3 – A foreign government reported shelling in Suthanthirapuram, which killed three adults and injured 19 children. However a source in the conflict zone reported to HRW that a much higher number, ranging from 52 to 58, were killed and another 43 injured.
- February 5 – HRW reported that Ponnampalam Memorial Hospital was shelled, killing 60 people. The local source for another organization also reported this incident and attributed it to the SLA.
- February 6 – A May 3 HRW report stated that on February six LTTE cadres fired on civilians when they tried to cross the front line in Moongilaaru, killing and injuring an unknown number of people. On this same day, a local source for an organization reported that LTTE shot people caught trying to escape in the legs.
- February 6 – Amnesty International reported that 48 people were killed and 174 injured during heavy shelling in Mahtalan, Thevipuram, Suthanthirapuram, Moongilaru, Udayarhaddu and Vallipunam. Amnesty International cannot confirm where the shells originated.
- February 7 – Amnesty International reported that “126 civilians, including 61 patients, were killed and 238 people were fatally injured when shelling

was directed on the Puthukkudiyiruppu area. Some shells fell on Ponnampalam Memorial hospital killing the warded patients there. The area was also subjected to aerial bombing.”

- February 7 – A source in Putumattalan reported to HRW that a shell attack killed 4 people.
- February 7 – Amnesty International reported that “shelling and cannon fire was directed on the people displaced from Suthanthirapuram area, resulting in the death of 80 civilians and fatally injuring 198 people.”
- February 8 – A local source in Mattalan reported to HRW that a shell landed approximately 10 meters from a hospital, and fragments hit the hospital.
- February 8 – According to a source cited in a July 1 report by the UN Security Council Working Group on Children and Armed Conflict, a seven-year-old girl was shot by the LTTE as she was escaping with her family to government-held territory. The girl died and her father was injured in the firing. Foreign government reporting apparently covered the same event, citing an account of a man who said that sometime in February he and his daughter were moving with a large group of IDPs when the LTTE fired at the crowd and killed his seven-year-old daughter.
- February 8 – An organization’s source in Putumattalan reported that local organization staffers were advised by sources in Colombo to move to the NFZ. An LTTE Liaison Officer refused to give them travel passes and told them they and their dependants would not be allowed to leave anytime in the near future.
- February 9 – Embassy Colombo, a foreign government, and media outlets reported that a female LTTE suicide bomber attacked a GSL processing center for IDPs in the Visuamadu area of Mullaittivu, killing 30-40 people, including 20 or more soldiers and approximately eight civilians.
- February 9 – A local source reported to HRW shelling within 500 meters of [the source in] Devipuram, coming in from the north. Seven people were killed nearby. In Pokkanai, three civilians were killed and five injured by aerial bombardments. In Mattalan, shelling killed 16 people and injured 49.
- February 9 – A source reported that the makeshift hospital in Putumattalan was hit by shelling, killing 16 patients.

- February 9 – On May 3 HRW reported that, according to displaced persons who had arrived in Vavuniya, LTTE forces tried to push civilians in the Suthanthirapuram area back to prevent them from crossing over to government-controlled territory. LTTE cadres opened fire on the civilians and injured 17 people.
- February 10 – Embassy Colombo cited press reporting that the LTTE shot and killed 17 civilians and injured 69 others near Udayarkattu as they attempted to flee the fighting. It is unclear whether this is the same incident reported to have occurred on February 9.
- February 11 – A source in Mattalan reported to HRW that shelling killed 19 civilians in Thevipuram and 15 civilians in Vallipuram.
- February 12 – An organization reported an aerial bombardment by the SLA on Thevipuram, Mullaittivu district in the region of Vanni.
- February 12 – A source in Mattalan reported to HRW shelling in Thevipuram and Vallipuram, killing 24 civilians and injuring at least 81. Ten more people died the following day from their injuries. One person was killed in Mattalan by shelling along the coastal area at noon.
- February 12 – An organization with sources in the NFZ reported to Embassy Colombo that to prevent further IDP departures the LTTE had moved as many as 70,000 IDPs to the coast near Putthumattalan.
- February 13 – Shelling in Iranaipalai killed at least 5 people and injured 35. Four more people were killed in an elderly home and many were seriously injured in the shelling.
- February 13 – Embassy Colombo received a report from a foreign government that the LTTE killed 60 civilians who were fleeing by boat at night. According to reports received by an organization, the LTTE then promised to arrest and detain, rather than shoot, those who sought to escape in the future in order to ease tensions between the LTTE and the civilian population.
- February 14 – A local source for an organization reported that the LTTE caught two of four fishing boats filled with escaping IDPs. The LTTE shot and killed seven people and arrested others.
- February 14 – A source in Mattalan reported to HRW an aerial attack close to the Puthukkudiyiruppu Hospital, killing 14.

- February 14 – A source in Mattalan reported to HRW that shelling in Thevipuram and Vallipuram killed 36 and injured 84.
- February 15 – Sources reported to Embassy Colombo that shelling, which killed seven to eight people in the conflict zone, most likely came from the government side.
- February 15 – An organization’s local sources reported SLA shelling and SLAF aerial bombardment at Mullivaikkal and Putumattalan, killing approximately 19 civilians.
- February 15 – A source in Mattalan reported to HRW shelling at 10:00 p.m., but there were no injuries to his organization’s staff. Two shells hit in Ampalavanpokkanai within the new NFZ, and many casualties were brought to the Mattalan hospital. At least 30 people were severely injured.
- February 15 – An organization’s source in Valayanmadam reported shelling in the safe zone, killing 62 civilians and injuring 128.
- February 16 – A source in Mattalan reported to HRW that 65 people were killed and 138 injured by shelling over the last 24 hours. Of these, 34 were killed and 60 injured within the NFZ.
- February 16 – An organization reported to Embassy Colombo that their source witnessed limited LTTE fire coming from the Puthukkudiyiruppu Hospital complex.
- February 17 – An organization’s source in Valayanmadam reported shelling in the NFZ, which killed 48 civilians and injured 37.
- February 18 – Sources reported to Embassy Colombo that there was shelling in the new safe zone with “large numbers of casualties.” The SLA denied that its forces delivered the fire. The sources noted that it could not be ruled out that the LTTE shelled civilian areas to assign blame to the SLA.
- February 18 – An organization’s source in Ampalavanpokkanai reported that at 2:00 a.m. the SLA fired more than 200 shells, killing 20 persons, most of whom were children.
- February 18 – An organization’s local sources in Valayanmadam reported continuous SLA shelling over the course of 10 hours in the GSL-declared safe zones of Puthukkudiyiruppu, Ampalavanpokkanai, and Idaikdu, which killed 108 civilians. Thirty entire families were killed during this period of

shelling. Another 21 civilians were killed by SLAF aerial bombing at 12:30 p.m. on the same day. Two hundred and twenty-three civilians were fatally injured during the shelling in the night and 71 civilians were injured in the afternoon bombing. The sources reported that more than 200 artillery cluster shells, mortar shells and multi-barrel rocket shells were fired by SLA forces into the civilian population in the safe zone.

- February 19 – An organization’s source in Valayanmadam reported that SLAF aerial attacks killed more than 100 LTTE forcibly recruited children.
- February 19 – An organization’s local sources in Valayanmadam reported that SLA shelling in the conflict zone caused the deaths of 46 civilians and fatally injured 126 people. Shells started falling in Puthukkudiyiruppu at 1:00 a.m., killing 24 civilians. At 2:00 a.m. shelling was directed at Iranaipalai, Ananthapuram, and Valayanmadam, killing 10 civilians and injuring 70. Shelling on Pokkanai, which began at 7:00 a.m., caused the deaths of 12 civilians and injured 56.
- February 20 – Multiple sources reported that the LTTE attempted an attack by air on Colombo at roughly 9:45 p.m. One plane crashed into the Internal Revenue Department in downtown Colombo. The second plane was shot down near Colombo airport. These were believed to be suicide attacks because the planes reportedly contained C4 explosives.
- February 20 – An organization’s local sources reported that seven civilians were killed in Puthukkudiyiruppu and five civilians were killed in Mullivaikkal, both of which were in the government-declared safe zones. Thirty-five people were injured due to constant shelling from the SLA. In the afternoon, shelling killed five people and injured six injured in Puthukkudiyiruppu, Ananthapuram, Iranaipalai and Mullivaikkal.
- February 20 – An organization’s local sources reported that 2 people were injured by SLA shelling in Valayanmadam. Later that night, 12 civilians were killed and 72 were fatally injured by shelling in Valayanmadam, an area declared to be part of the NFZ by the GSL. One source in Valayanmadam reported that the SLA shell attacks were targeting the roads.
- February 21 – An organization’s local sources reported severe, continuous SLA shelling in the Mullivaikkal, Pokkanai, and Mattalan areas (declared safe zones by the government), killing 19 civilians. Other sources reported that 50 civilians were killed and 130 fatally injured due to heavy artillery

shelling of the safe zones comprising the Mattalan, Ampalavanpokkanai, Mullivaikkal and Valayanmadam areas.

- February 21 – An organization’s local sources reported that 13 civilians were killed and 98 people were injured by SLA shelling on Iranaipalai and Ananthapuram.
- February 23 – An organization’s source in the Iranaipalai area reported heavy shelling, making it difficult for the source to move on to Valayanmadam as planned. Three people reportedly died and 27 were injured.
- February 25-26 – An organization’s source in Valayanmadam reported shelling and air attacks around Puthukkudiyiruppu, which killed 45 civilians.
- February 27 – An organization with sources in the NFZ received a report of three aerial bombings by GSL forces that killed and wounded many people.
- February – An organization reported that in the last two weeks of the month, surgical teams in the Vavuniya hospital performed over 300 operations on patients who were directly wounded in the conflict. Patients brought to the hospital had gun-shot and shrapnel wounds.
- February – An organization’s source reported that her family spent days in a bunker without food and water. When they left to find food, three of the 15 family members were killed by shelling. Her daughter was seriously wounded by shrapnel and admitted to the hospital when they reached Vavuniya.

### *March*

- March 1 – A media outlet reported witness accounts of heavy shelling [in the NFZ] by both parties to the conflict.
- March 3 – A source in Valayanmadam reported shelling in the area of the Mattalan hospital.
- March 4 – According to an organization, an aid worker was killed by shrapnel while he was returning from assisting wounded patients move from the Mattalan hospital to a ship in Mullaittivu District around 5:00 p.m. local time.

- March 4 – Embassy Colombo reported that 58 people were killed and 143 injured due to shelling in Ampalavakanai and Mullaivakal. This may be the same incident reported by a source in Mattalan reported to HRW shelling in the NFZ and heavy fighting in the north. Fifteen bodies were brought into the Mattalan hospital. Thirty-nine deaths were reported overall from the NFZ, and 120 people injured. Another organization’s source in Valayanmadam may also have described the same incident in a report on shelling in the NFZ that killed 58 civilians and injured at least 121.
- March 5 – A source in Mattalan reported to HRW that 57 civilians were killed and 154 injured by cluster bombs in Valayanmadam and Mattalan. An organization’s source in Valayanmadam reported that a shell hit a tarpaulin shed, completely burning it. Inside, eight people, including two children, were killed and 23 people were injured.
- March 6 – An organization’s source in Valayanmadam reported shelling in Puthukkudiyiruppu, Manthuvil, Iranaipalai, and Salai.
- March 6 – A local source reported that the LTTE fired on approximately 300 civilians moving to SLA controlled territory on foot, injuring 11.
- March 7 – A source in Mattalan reported to HRW that a cluster shell exploded in Valayanmadam, located in the NFZ, and that two cluster shells exploded in another NFZ area, Putumattalan. Fifty-two people were killed and 95 injured. Another organization’s source seemed to corroborate this account in its report that 51 civilians were killed by shelling in the same area.
- March 8 – A source in the IDP camps reported to an organization that the SLA fired at his five cousins, a sister and four brothers when they attempted to escape, shooting his sister in the head as the group broke through the lines. The brothers were sent to a detention camp and could not be contacted.
- March 8 – An organization’s source in Mullaittivu reported shelling that killed over 150 people.
- March 9 – An organization’s source in Mullaittivu reported that 21 people were killed in the safe zone. Another source reported 52 deaths and 101 injuries due to shelling in the NFZ.

- March 10 – A foreign government reported that an LTTE suicide bomber blew himself up in Akuressa in the South (Matarara), killing 15 people and injuring several dozen, including several Sri Lankan government ministers and local government officials. The target was a parade organized by the local Muslim community in honor of the Prophet Mohammed's birthday.
- March 10 – A media outlet broadcast footage showing army shelling of LTTE positions near Puthukkudiyiruppu, despite GSL pledges that it would no longer use heavy artillery, tanks or aerial bombing.
- March 10 – An organization's source in Mullaittivu reported that 124 people were killed and 180 injured. Another source reported the same number of dead, and noted that 59 of the victims were children, similar to a message from a third source reporting that 50 children had died in the day's attacks. Another organization reported between 130-150 deaths and over 200 injuries over the preceding two days. A source near Mattalan reported to HRW that shelling killed over 150 people.
- March 11 – Embassy Colombo reported that 72 people were killed and 91 injured by continued shelling in the NFZ. The U.S. Embassy was told that a multi-barrel rocket launcher sent 40 shells into the NFZ in one barrage, and that 21 of the 72 deaths were of individuals who were in line to receive their food ration. Upon learning of the shelling, an organization spoke with the GSL military in Vavuniya and requested that the shelling cease. An organization provided messages from a source in Mullaittivu with similar details about a multi-barrel rocket launcher attack in Mullivaikkal, wounding 93 people. A source near Mattalan reported to HRW very heavy shelling to the west. Many shells landed within 200 meters of the source.
- March 12 – An organization's source in Mullaittivu reported shelling in the NFZ, killing 32 and injuring 43. It was unclear whether this is a different incident than one reported by another source, which reported 38 killed and 43 injured in the Vanni.
- March 12 – A source near Mattalan reported to HRW that a shell came from the direction of Thevipuram and hit Pokkanai, 400 meters from the Mattalan port, killing five civilians and injuring many more. Later in the day, the source reported, three artillery shells came in from the west and landed 400 meters from the bunker, south of Mattalan.

- March 13 – A source in Mullaittivu reported that roughly 1,000 civilians were crossing the lines to the SLA on the land route to Kilinochchi, but the LTTE were alerted and prevented the civilians from fleeing.
- March 13 – An organization’s source in Mullaittivu reported that 52 people were killed and 43 injured. Two other sources sent messages reporting the same number of people killed, noting shelling in Pokkanai, Mattalan, and Mullivaikkal.
- March 13 – Two artillery shells, which witnesses believed were from the SLA, hit Mattalan. The shelling reportedly killed a child and seven other civilians. Shelling was heavier later in the day.
- March 14 – An organization’s source in Mullaittivu reported that 52 people were killed and 53 injured due to shelling. A source near Mattalan reported to HRW that 52 people were admitted to the hospital for serious injuries. Twenty-five who were admitted died of their injuries.
- March 14-21 – An HRW source in the Vanni reported that the LTTE shot and killed an estimated 10 civilians, including women and children, while they tried to escape from LTTE-controlled territory.
- March 15 – An organization’s source said that shelling had started that morning in Mattalan. A source near Mattalan reported to HRW that 61 people injured by shells in the NFZ were admitted to the hospital. Five people with severe injuries died after they were admitted. An organization’s source in Mullaittivu reported that 62 people were killed and 134 were injured by shelling that day.
- March 16 – A source near Mattalan reported to HRW that a shell, perhaps a rocket-propelled grenade (RPG), hit the Mattalan hospital and killed 2 people.
- March 16 – HRW reported that around 11 a.m. an RPG struck inside the Putumattalan Hospital compound, killing 2 people.
- March 16 – Satellite imagery showed that the Puthukkudiyiruppu Hospital facility, which had shown no visible signs of damage on January 28, was heavily damaged on this date. (See Appendix B, images 1 and 2.) Four days earlier the Sri Lankan military claimed in a press release that the hospital was used by the LTTE as both a command center and a weapons firing site. They also claimed that the LTTE did most of the damage and

that the patients and medical staff had been previously removed from the facility by the ICRC.

- March 16 – An organization’s source in Mullaittivu reported heavy artillery, mortar, and multi-barrel rocket-launched shelling in the safe zone. A source near Mattalan reported to HRW that 55 people were admitted to the Mattalan hospital for injuries from shelling and gunfire in the NFZ, four of whom died.
- March 17 – An eyewitness who had lived in Valayanmadam reported to HRW an air attack by a GSL combat aircraft at around 6:10 a.m., 500 meters from where people gathered to eat breakfast. About 20 people died in the attack. At around 6:45 a.m. another combat aircraft appeared. The source and his family hid in a bunker. While they were in it a bomb dropped directly on top of them. The witness’s two-year-old son received burns and an eye injury and his four-year old son received injuries to the head and arm. The witness’s brother was killed along with the brother’s wife and four children, aged nine, seven, and four-years-old, and 1.5 months. Altogether six people were killed and more than 60 injured. That area was attacked about eight times that day. There were no vehicles, cadres, or positions in the area. Around midnight the previous day, the LTTE had moved some heavy weapons on the road, but they were two km away.
- March 17 – An organization reported that a local staff member died after his leg was severed during shelling within the NFZ and there was no access to necessary medical care.
- March 17 – After a civilian retaliation against the LTTE, organizations’ sources in the conflict zone reported the LTTE used arms against civilians, causing many injuries.
- March 17-18 – Embassy Colombo relayed news reports that the LTTE was chasing and possibly firing on 643 civilians who fled the conflict area in dinghies. According to the reports, the SLN chased away the LTTE boats and rescued the civilians. A source reported that LTTE forces fired on his group of 15 people attempting to escape the conflict zone by crossing the lagoon on foot. When the group neared the government-controlled side, SLA soldiers provided cover fire for the civilians to safely exit the lagoon.
- March 18 – A local source reported to Embassy Colombo that the LTTE positioned its artillery within civilian concentrations.

- March 18 – Embassy Colombo received reports that the SLAF bombed targets within the safe zone.
- March 19 – An HRW source near Mattalan reported shelling in Pokkanai. A witness interviewed by HRW reported that in the Pokkanai area about 60 people were injured by two cluster bombs.
- March 19 – A local source in Valayanmadam reported that there were “36 deaths by LTTE rifle fire,” and added: “I saw some bodies. But can’t take photos. This will affect me. This is increasing.”
- March 20 – An HRW source near Mattalan reported shelling about 100 meters west of the port in Putumattalan, a heavily populated area. HRW later reported the incident in more detail, noting that a source at the makeshift hospital in Putumattalan said a shell hit a shelter about 200 meters from a church in Valayanmadam, killing five people and injuring nine. A local source also reported that seven people were admitted to the Mattalan hospital. One source was critically injured.
- March 21 – An organization informed HRW that a local employee was wounded, sustaining serious head wounds that required immediate treatment not available in the NFZ, and that several of his family members were killed by a shell that hit a shelter.
- March 21 – An organization’s local source in Valaiganarmadam reported that a fellow staff member was arrested by the LTTE when he tried to escape.
- March 22 – An HRW source in the Vanni reported that hundreds of people trying to escape were arrested by “local dictators” and beaten with sticks and poles without regard for age or gender.
- March 22 – A foreign government reported shelling in the NFZ at Putumattalan; the witness reported that two young children were killed.
- March 23 – HRW reported a phone conversation with a source at the makeshift hospital in Putumattalan, inside the government-declared NFZ, which was interrupted by shelling, audible over the phone. Later in the day, the source said that the hospital had received 14 corpses and 98 wounded persons that day. He told HRW that the shelling appeared to come from the direction of government positions three kilometers to the west. An artillery shell had struck approximately 250 meters from the hospital, killing two

civilians and wounding seven others. Another shell struck about a kilometer from the hospital, also killing and wounding civilians. Another HRW source near Mattalan reported shelling in Putumattalan, Mullivaikkal, and Valayanmadam. One hundred and forty-two people were injured, 16 died in the hospital, and many people were killed on the spot. An organization's source in Valayanmadam reported that 102 people were killed in shell attacks.

- March 23 – An organization received a report from a local source in the NFZ that the LTTE continued to shoot at escaping civilians.
- March 23 – Organizations with local sources in the conflict zone provided to Embassy Colombo information provided by those sources, including reports that the LTTE continued to prohibit civilians from departing the NFZ. Rumors were circulating that the LTTE damaged boats along the shore to prevent people from escaping.
- March 24 – An HRW source near Mattalan reported that an RPG shell hit one of the entrances of the Mattalan hospital. Another shell landed 10 meters in front of the hospital, killing a child.
- March 25 – Embassy Colombo noted that there were unconfirmed reports of continued shelling in the NFZ. A local source reported that 185 injured civilians were admitted to a hospital following a shell attack from a western direction, which was controlled by the SLA, into the NFZ.
- March 25 – An HRW source near Mattalan reported shelling near where hundreds of people were encamped. An RPG shell landed inside the encampment and injured one of the people hiding there.
- March 25 – A witness who escaped the NFZ reported to HRW that a multi-barrel attack occurred very close to the Hindu temple in Pokkanai. About 20 rockets had struck the area. “Mothers were crying and there were a lot of dead children. The bodies were seriously damaged and some of them were missing heads and limbs. Several tents had burned down. Over 75 people were injured. They didn't think that the area would be targeted because it was purely a humanitarian settlement. The area was thickly populated by tents and there were no permanent houses. When I arrived, many had already been taken to the hospital. Only people with minor injuries were still left.” The witness recognized that the LTTE had multi-barrel weapons, but that firing came from the direction of Puthukkudiyiruppu which was

controlled by the government. The hospital reported 10 civilians killed, but usually not all dead bodies are taken to the hospital.

- March 26 – An organization’s source in Valayanmadam reported 38 deaths as of noon.
- March 27 – A foreign government reported shelling in the NFZ at Putumattalan; the report indicated that one child had been killed and another injured.
- March 27 – An organization’s source in Valayanmadam reported 61 deaths and 121 people injured in the NFZ.
- March 28 – A source confirmed that at least 40 people died trying to escape the NFZ when the LTTE opened fire.
- March 28 – An organization’s source in Valayanmadam reported heavy shelling very close to this area of the NFZ. Fifty-one people died, including an entire family of five.
- March 30 – An organization’s local sources reported aerial bombing in the NFZ with jets dropping four to five bombs at a time on three separate occasions.
- March 30 – An eyewitness who had lived in a bunker about 200 meters behind the Putumattalan hospital reported to HRW that an LTTE vehicle with some kind of weapon fired off two to three shells and then drove away.
- March 31 – Embassy Colombo received reports from SLA soldiers and officers on leave from the front line that SLA soldiers had fired at escaping civilians. According to the reports, the soldiers remained concerned about suicide bombers disguised as civilians fleeing the conflict zone and had orders to use their own judgment to decide when escaping civilians might pose a threat. As a result, soldiers reportedly at times fired on civilians fleeing the NFZ.
- March – A local source reported that individuals arrested by the LTTE while attempting to escape the NFZ were labeled as “traitors” and severely punished.
- March – HRW interviewed a woman who escaped the NFZ in mid-March; she said that LTTE fighters had opened fire on her group as its members tried to flee in the dark, but they kept running.

- March - A foreign government reported the eyewitness account of a woman whose two-year-old son was killed during an aerial attack by the SLA in March. The infant was asleep in his cradle at the Mattalan IDP site when he was killed.

### *April*

- April 2 - An organization reported that shelling continued in the NFZ, further limiting IDPs' access to basic resources.
- April 4 – A foreign government received a witness report of an air strike on Valayanmadam, which injured the witness and her uncle and killed her aunt.
- April 6 – A source reported to HRW that at noon, while the source was having lunch with his family in a tent in Pokkanai, one shell struck 10 meters away. Seven people were injured and two died. The witness sustained a minor injury and his 19-year-old son was killed.
- April 7 – An organization's source in Valayanmadam reported that SLA forces were all around them, and shelling had increased.
- April 7 – HRW reported that several areas in the NFZ were subjected to heavy shelling, resulting in numerous civilian casualties. According to a source at the makeshift hospital in Putumattalan, the hospital received 133 wounded civilians and 20 corpses, all victims of a shelling in Pokkanai, a seaside area within the NFZ now crowded with IDPs.
- April 8 – According to an organization, IDPs who escaped the NFZ said that the SLA broadcast an announcement over speakers instructing residents to come across the lagoon into the government-controlled area immediately, as the SLA was going to advance into the NFZ. Soon afterwards, the government forces fired a large shell into the midst of these IDPs, causing heavy casualties.
- April 8 – Embassy Colombo received a call from a local source reporting heavy shelling in the NFZ. The source could not cite precise figures but noted that one shell had exploded in the immediate vicinity of a health center where women and children were waiting to receive vaccinations. It is unclear whether this is the same incident cited by an organization's local source in Valayanmadam, who reported shell attacks in Pokkanai at the primary health center killing 18 people, all mothers with babies. HRW also reported a shelling attack at 7:30 a.m. near the Pokkanai primary health

center. Hundreds of civilians were waiting in line near a food distribution center when four or five artillery shells hit the area, killing at least 13 civilians immediately and wounding over 50 others. A witness who examined the site two hours after the attack said that the shells were 120mm rounds and appeared to have been fired from SLA positions to the south. After another shelling incident in the same area, the hospital in Putumattalan admitted 296 wounded patients and received 46 corpses.

- April 8 – A source contacted the BBC from inside the NFZ to report that at least 60 civilians were killed in the past 24 hours. The source said that two health facility compounds in the northeast region were hit, describing one as a smaller health facility in the Ampalavanpokkanai area where people were waiting to collect milk powder for children. He said that the intensity of shell fire had increased in the last 24 hours and another health facility had also come under attack in the same area; one health worker was killed there. The shells were said to have come from an area dominated by the GSL.
- April 12 – An organization’s source in Valayanmadam reported shelling and RPG attacks as the SLA advanced, coming within 200 meters of the people.
- April 13 – An organization’s source in Valayanmadam reported shells and gunfire around his bunker. During the night there were also air attacks.
- April 14 – A local source in the conflict zone reported that both sides to the conflict fired upon a group of civilians with whom he was trying to leave the NFZ.
- April 15 – Media and private reports confirmed that the military recommenced operations following the 48 hour ceasefire declared by President Rajapaksa on April 12. An organization reported that the shelling started around 9:00 p.m. on April 14 (before the 48 hour ceasefire was to have ended).
- April 16 – An organization with sources in the NFZ reported to Embassy Colombo that the LTTE had forcibly moved a large number of civilians towards the southern end of the NFZ to prevent their escape.
- April 16 – A media source gained access to IDPs evacuated from the safe zone, who confirmed reports of LTTE firing on civilians attempting to escape.

- April 18 – A local source reported to HRW that 10 people were wounded when the LTTE started shooting at them as they tried to escape.
- April 18-19 – An eye-witness told HRW that at approximately 3:00 to 4:00 p.m., a shell fell on a tent in Pokkanai, killing four to five people.
- April 19 – An organization reported that sources at Putumattalan Hospital confirmed that many shells hit the civilian area and the hospital compound. The hospital roof was also hit by small arms fire.
- April 19-20 – Embassy Colombo reported that in a fairly large-scale operation, government forces penetrated into the NFZ overnight. Sources reported a heavy offensive in which the government took Mattalan junction and at least briefly reached the hospital in Putumattalan. The GSL rejected calls by the United Nations, USG, and others for a continuation of the previous week's humanitarian cease fire.
- April 20 – A foreign government with representation in Colombo reported an eyewitness account of shelling at the Mattalan hospital. Another witness reported that her husband, her nine-year-old daughter, and six others were killed during the attack.
- April 21 – An eyewitness who escaped the NFZ reported to HRW that right after 12:30 p.m. he saw a government drone doing reconnaissance over the Valayanmadam makeshift hospital. The people in the hospital suspected that an attack was imminent and lay down on the ground. Shortly thereafter they heard a loud explosion in the air followed by several smaller explosions on the ground. Some shells hit 1.5 – 2 meters away from the hospital. A doctor was killed by a shrapnel piece that hit him in the head. Four or five people were killed and more than 30 were wounded in the attack. According to the eyewitness, the LTTE had already moved its forces south to Mullivaikkal so there were no cadres or positions in the vicinity of the hospital. An Embassy Colombo source reported the deaths of medical staff and civilians when the facility was hit by artillery.
- April 21 – An Embassy Colombo source inside the NFZ reported heavy shelling from the SLA.
- April 21 – An Embassy Colombo source in the NFZ reported that the LTTE was trying to push civilians farther south in the NFZ and was firing at those trying to escape north into government-controlled territory. A witness interviewed by HRW reported that the LTTE wanted civilians to move south

to Mullivaikkal. The civilians refused because there were no bunkers in Mullivaikkal for protection and families had no resources.

- April 22 – An Embassy Colombo source reported that at approximately 5:40 a.m., a shell hit the roof of a small church packed with people on approximately 2 acres of property. Shrapnel exploding in every direction killing three people and injuring eight to nine. The witness sustained shrapnel wounds in his back. He believed the attack was committed by the LTTE.
- April 22 – An Embassy Colombo source with sources in the NFZ reported shelling and many civilian casualties, although it was not possible to get an accurate count because of heavy firing. The civilians were pinned down and victims could not be brought to the makeshift field hospitals. A separate source inside the NFZ reported deteriorating conditions for civilians. All medical treatment points were displaced to the southern part of the NFZ, mainly in Valayanmadam and Vellamullivaikal, but medical staff were confined to the bunkers and unable to treat injured patients. Six hundred or more people were seriously wounded on April 21, with over 100 of them dying after admission to makeshift hospital facilities. Many wounded were not coming to the hospitals, as they understood there was almost no treatment available.
- April 22 – An Embassy Colombo source with sources in the NFZ reported that artillery hit a research compound in the morning, injuring some of the residents. There was continuous heavy weapons fire in civilian areas in and surrounding his location in Valayanmadam. A foreign government with representation in Colombo received similar reports.
- April 23 – An eyewitness reported to HRW an attack in Valayanmadam in which many shells were fired, with one hitting a church serving as living quarters for civilians. Ten people died and 30 were injured.
- April 24 – An organization's local sources reported that the LTTE forcibly removed them, along with others who had taken refuge at St. Mary's Shrine in Valayanmadam. The LTTE reportedly forced these civilians at gunpoint to move from the relative safety of their bunkers to an exposed position on the beach in the east of the NFZ because their location had become too close to advancing SLA front lines. The civilians did not want to relocate because they had constructed bunkers at the shrine and felt at least somewhat protected there. Many of them refused to go, but after the LTTE reportedly beat them with Palmyra canes and threatened them at gunpoint, they sat

along the beach and under the trees. Off the coast were Sri Lankan naval ships. The sources stated that civilians were gathered on the beaches to serve as human shields against the SL navy.

- April 28 – An organization’s local source reported SLA or SLN artillery fire as a civilian supply ship landed at 7:00 a.m. in the NFZ. After 11:00 a.m., there was an SLAF aerial attack between Mullivaikkal and Iraddayvaikkal near the seaside. The source reported that 29 corpses and 204 injured civilians were admitted to the Kilinochchi hospital. Sources in the NFZ reported that one shell hit the Primary Health Center at Mullivaikkal Hospital, killing six patients. On the same day, the Ministry of Defense website reported that the 53rd and 58th Divisions of the SLA were in the area of Mullivaikkal.
- April 28 – An organization reported two aerial bombardments on the NFZ and raised concerns about assaults on men and women fleeing into government areas.
- April 28-29 – Embassy Colombo reported that despite the GSL’s April 27 promise to end its use of heavy weapons in the conflict, the Embassy continued to receive reports from multiple reliable sources with access to first-hand information of such firing continuing and causing civilian deaths and injuries in the safe zone.
- April 29 – HRW and the USG cite sources in the NFZ who reported that the Mullivaikkal Hospital was hit by shelling that killed 9 people and injured 15. The hospital’s roof was heavily damaged. A third organization received the following message from a witness in the NFZ: “9.00 AM, a shell exploded 150 m from my dwelling. A local source confirmed there are really 165,000 people still inside. Saw yesterday 10.00 - 12.00 hours, 15 dead bodies beside the road to the Mullivaikkal hospital about 50 m from the hospital. They were civilians who died from shelling. There were four deaths in hospital. Explosions continue this morning, including firing from sea. The Government does not appear to be restrained in the use of heavy weapons. It is often too dangerous to go out of the house/bunker.”
- April 29 – Sources in Kilinochchi reported to Embassy Colombo that shelling and aerial attacks in the towns of Iraddayvaikkal and Mullivaikkal, Mullaittivu District, resulted in 29 deaths and injured 204 civilians.
- April 30 – An organization cited reports from the combat zone which suggest continuous fighting and utilization of heavy weapons.

- April 30 – A source in the NFZ reported shelling of Mullivaikkal at 9:00 p.m. and provided photographs. (See Appendix A, photo 4.)
- April - A foreign government reported in July the eyewitness account of a man whose children and grandchildren were killed by SLA shelling as they were crossing the LTTE berm (defensive barrier) sometime in April.
- April – A May 12 HRW article cited a witness in the NFZ saying that in early April he and his family, along with hundreds of others, tried to leave the NFZ but were fired upon by LTTE fighters. He is quoted as saying, “I saw them shoot at least 15 people. They just opened fire on the first row of people. I don’t know whether they lived or died, however... There were children among the people who got shot as well.”

### *May*

- May 1 – [On this date] Al Jazeera aired an interview with Sri Lankan Foreign Secretary Palitha Kohona in which he admitted that the Government had shelled the NFZ despite earlier Government denials. The admission came after Al Jazeera showed satellite imagery with analysis that documented shelling and air bombing damage within the designated NFZ between February 15 and April 19. While admitting that the Government had shelled the NFZ, Kohona maintained that this occurred before any civilians had actually entered the safe areas. Al Jazeera [then] showed footage from an earlier interview with Kohona and with military spokesman Udaya Nanayakkara, which aired on April 19, the same day that the satellite images were taken, in which Kohona insisted that the Government was not shelling [these areas] due to civilian presence in them—a position inconsistent with the claim that the shelling occurred before civilians entered these areas.
- May 2 – A local source in the NFZ reported that Mullivaikkal Hospital was shelled at 9 a.m. and again at 10.30 a.m. The hospital had many patients because it is the main hospital providing services to injured civilians. The first shell hit the main outpatient department. Twenty-three civilians died and 34 were injured, including two medical staff who were critically wounded. The source provided pictures. (See Appendix A, photo 5.) The attached photo shows the destruction of the hospital and two dead bodies, one female at center left and one male in the lower right. HRW later reported these attacks, noting that the second attack also resulted in dozens of casualties. A foreign government, an organization, and local and international media also reported this attack.

- May 3 Report – HRW reported shelling of the Mullaittivu District, stating that many of the civilian deaths in the district occurred as early as late January. According to several detailed accounts from people who stayed within the safe zone, Sri Lankan armed forces repeatedly shelled and bombarded the safe zone, killing and injuring dozens of civilians.
- May 3 – A local source reported that as part of a multi-barrel shell attack, over 40 shells were launched in the vicinity of civilians living in an area between the Mullivaikkal Pillayar temple and the sea. Because this area had been shelled on the two preceding days (May 1 and 2), most of the civilians had already left. (See Appendix A, photos 6 and 7.)
- May 4 – A source at Mullivaikkal Hospital reported that injured civilians were not receiving proper treatment and surgery due to attacks on the hospital and the lack of essential medicines.
- May 4 – An organization’s source in the NFZ reported that the SLA was engaged in daily shelling and bombing of the NFZ, killing an estimated minimum of 100 people per day.
- May 5-7 – Local sources in the NFZ reported that various sections of Mullivaikkal were subject to air attack, artillery fire and cluster bombs and provided pictures attesting to these reports. Nine civilians were reported dead in Mullivaikkal central. (See Appendix A, photos 8, and 10.)
- May 6 – A local source reported that the remaining hospital facilities were continually hit by SLA shelling, even though their locations had been carefully reported to the government.
- May 8 – An HRW source in the NFZ witnessed an SLA drone conduct reconnaissance above the Valayanmadam hospital. Shortly thereafter the hospital was attacked, killing four or five people including a doctor and wounding more than 30. Several sources informed HRW that each time a hospital was established in a new location, GPS coordinates of the facility were transmitted to the Sri Lankan government to ensure that the facility would be protected from military attack. Witnesses said that on several occasions, attacks occurred on the day after the coordinates had been transmitted.
- May 8 – An organization reported that an organization’s staff member was killed in a shell attack in Mullivaikkal. Separately, another organization also reported a staff member killed in a shell attack in the conflict zone.

- May 9 – HRW reported the experience of a witness referred to as “R. Raman.” R. Raman and his family had been hiding in their bunker in Mullivaikkal—a dug-out trench without any cover—for several days. Early in the morning on May 9, a shell struck one of the tents nearby, killing Raman's 15-year-old nephew and wounding his another nephew and niece. Raman believed that the shell came from SLA positions and may have been targeting LTTE forces that were deployed in the jungle about 100 meters away. Several shells struck the tented area, which was inhabited by displaced civilians. Another witness, referred to as “K. Kanaga,” said that around 7:00 p.m. on May 9, she and 15 others were hiding in a bunker that they had built under a tractor when a shell struck the tractor. "If it hadn't been for the tractor, we would have all been dead," she said. About eight to ten shells struck the immediate area, which was populated with tents and improvised bunkers. Kanaga's 45-year-old cousin was staying in a tent nearby; she never reached the bunker and was killed in the attack. "Many other people were injured as well, but I don't know how many," Kanaga said. "I could hear their screams."
- May 9 – An organization's local source reported from the NFZ that the zone received artillery fire from all four directions for over 12 hours. He estimated that over 1,000 were killed and another 1,000 injured.
- May 9 – An organization reported heavy shelling in Vellamullivaikal and Karaiyamullivaikal areas. Witnesses stated that the LTTE shelled from civilian areas. The SLA shelled, but once inside they helped to evacuate the civilians they had access to, including the injured. A local source confirmed that the casualties were mainly from SLA shelling, but the LTTE had also been firing at the SLA.
- May 9-10 – A local source in the NFZ reported that a congested civilian area was under heavy shell attack with many houses and vehicles burning. Many civilians' temporary tarpaulin houses were struck by shells, and many hundreds of civilians were killed. (See Appendix A, photos 11 and 12) A local source for an organization also reported heavy shelling with an estimated 1,000 killed and another estimated 1,000 injured. Embassy Colombo also reported that heavy shelling occurred in the NFZ, killing at least 300 civilians. A source in the NFZ reported to the BBC that the bodies of 378 people had been registered at the hospital that day and 1,122 others had been injured. More bodies were on the beaches and along road sides. The source said that heavy arms appeared to have been fired from government-controlled territory into a mainly civilian area under LTTE

control. The Associated Press also reported that two overnight artillery barrages hit the area over the weekend, with several shells landing inside the newly demarcated NFZ. Allegedly, this is where the government had urged civilians to gather. A source said that a total of 430 ethnic Tamil civilians, including 106 children, were either brought to the hospital for burial or died at the facility after the attacks. The death toll is thought to be closer to 1,000; many of those killed would have been buried in the bunkers where they were slain, and many of the gravely wounded never made it to the hospital for treatment.

- May 12 – According to HRW, an eyewitness stated that when he and several hundred others tried to leave LTTE-controlled areas, LTTE fighters opened fire on the first row of people. The forces shot at least 15 people; children were among those shot.
- May 12 – A local source reported that the new makeshift hospital in Mullivaikkal was attacked at 8:00 a.m. (See Appendix A, photo 13.) The attack came during a busy time of day, when many civilians were present. One shell landed in front of the admission ward, killing 26 people instantaneously. Among the casualties was the Administrative Officer of Mullaittivu Regional Director of Health Services (RDHS), who was killed while arranging a patient's admission to the hospital. This same incident was reported by HRW, which said that nearly 1,000 patients were in the hospital at the time of the attack, including many wounded during the May 9-10 attacks. A shell reportedly exploded in front of the admission ward during visiting hours, when many relatives came to visit patients and doctors usually arrived for work. Local sources reported that the attack killed 49 people (29 immediately, with others succumbing to their injuries later); another 31 injured were treated in the hospital. A witness at the hospital said that the shelling came from the direction of Iraddayvaikkal, which GSL forces had recently captured. Another source said that in addition to the 49 killed, scores of others were wounded, and he expected the death toll to rise. Shells were still hitting the area hours later, including one that landed about 150 yards from the hospital. A witness at the makeshift Mullivaikkal hospital told The Guardian that a shell had exploded at the hospital, killing 47 people. She also said that shelling had become an everyday occurrence.
- May 12 – An eyewitness reported shelling on the Mattalan Hospital. The eyewitness was seriously injured, and her father was killed.
- May 12 – An organization with sources in the NFZ reported that the push by the SLA beginning on May 10 had continued essentially uninterrupted, with

the army using the full gamut of heavy weaponry, and that the smaller NFZ unilaterally declared by the GSL continued to come under attack.

- May 12 – A local source for an organization reported witnessing the shelling of a crowd of civilians who were receiving food supplies, resulting in numerous deaths.
- May 13 - An organization reported that an ICRC humanitarian worker and his mother were killed in a shell attack on Mullivaikkal.
- May 14 – A foreign government reported the experience of a family that escaped the NFZ in a larger group of an estimated 60,000 people who attempted to cross the Nanthikadal lagoon. A group of LTTE cadres fired and shelled the civilians, killing many of them. The organization also reported an account from a youth in the same group who was travelling with 12 others; the youth stated that a shell from the LTTE struck his group and killed the other 12..
- May 14-18 – An organization reported that, at the beginning of the final operation, the SLA used shelling that resulted in some civilian casualties. However, the IDPs to whom the organization spoke were uniformly emphatic that the SLA shelled only in reply to the LTTE’s mortar and gun fire from among the civilians. Civilians also said that on May 15 the SLA stopped shelling when the LTTE began destroying its own equipment. The organization also reported that some LTTE cadres were going to bunkers where civilians were sheltered, asking “So you want to run away to the Army do you?” and then opening fire against them.
- May 15 – Sources reported that services were no longer offered at the makeshift Mullivaikkal Hospital due to continuing fighting. One source reported that 50% of health workers would not report to duty due to heavy shelling in the combat zone.
- May 15 – An organization reported that when civilians tried to run away from the NFZ, they were confronted by LTTE forces, who threatened to shoot them. The LTTE prevented the civilians from escaping a second time, but on the third try they succeeded.
- May 15 – A foreign government with representation in Colombo reported the eyewitness account of a young man attempting to escape shelling in Mattalan. When he and his family left the bunker and ran to the SLA soldiers with other civilians, the LTTE started shooting at them.

- May 16 – An organization’s local sources reported that they attempted to escape the NFZ with a large group of children, coming out with white flags. The SLA started shooting at them and told them to go back to their bunkers. The sources reportedly saw soldiers throw grenades into two bunkers, and saw tanks going over bunkers and destroying everything inside.
- May 17-18 – An organization reported accounts from IDPs of heavy fighting from the night of May 17 into the morning of May 18. The IDPs were certain, based on the direction from which the shells were coming, that a large number, perhaps the majority, of those killed in the NFZ during the previous 12 hours of fighting were killed by LTTE forces.
- May 18 – An organization reported accounts from witnesses in the NFZ of SLA soldiers throwing grenades into several civilian bunkers as a precaution against the LTTE attacking them from those bunkers. Some civilians also reported seeing an army truck running over injured people lying on the road. Later in the day, the SLA brought in earth-moving equipment to bury the bodies that had been lying outside for two days or more. Civilians reported seeing among the corpses injured people who were asking for help, and believed that the SLA did not always attempt to separate the injured and the dying from those who had died.
- May – An organization reported that shelling into the NFZ continued on a regular basis after the May 9 attack, based upon information from aerial photographs. Separately, top officers in the SLA and SLN confirmed the shelling during this period.
- May – A foreign government with representation in Colombo reported the eyewitness account of a man whose wife and one-year old daughter were killed by cannon fire from an SLN gunship sometime in May.
- May – An organization reported that surgical teams in the Vavuniya hospital performed 963 surgeries between April 20 and May 8; over 90 percent of these were for injuries related to the conflict.

## **VII. Killing of Captives or Combatants Seeking to Surrender**

A number of sources alleged that the GSL committed unlawful killings. There is video footage showing purported evidence of GSL soldiers killing captive Tamils in January. Separately, multiple reports alleged that in the final few days of fighting, between May 14 and May 18, senior LTTE leaders contacted international representatives via satellite phone in an effort to broker a surrender but were killed after they allegedly reached a surrender agreement with the GSL.

As reflected in common article 3 of the Geneva Conventions, IHL prohibits all violence to life and person, including murder, of armed forces who have laid down their arms or are in detention.

The following allegations of killing of captives or combatants seeking to surrender have been reported:

- January – In late August an organization received a video clip from January which allegedly showed the summary execution of nine bound and naked Tamils by SLA soldiers. The video was supposedly filmed by a soldier present at the scene. Since the video’s release, the GSL has analyzed the clip and issued a statement identifying specific aspects of the video which it claims proved it to be forged. However, there has been no independent analysis of the footage.
- February 1 – An organization received reports from local sources that young men who managed to reach the government-established safe zones with their families were being picked up by the military; their bodies were found several days later. The organization opined that with no international or independent third party presence in the camps, the military was able to act with impunity, which was a reason why Tamil civilians were afraid to move to government-controlled areas.
- May 14-18 – An organization reported information from its sources that “all the LTTE persons remaining in the NFZ were massacred.” The GSL maintains that these senior LTTE leaders in fact did not raise white flags or give any indication to the SLA soldiers in their vicinity that they intended to surrender, but instead continued fighting and were subsequently killed in the ensuing final battle.
- May 18 – Embassy Colombo, as well as press and foreign governments, received reports that LTTE political leaders Nadesan and Puleedevan, along with other LTTE leaders, were killed while surrendering to GSL forces.

According to these reports, Nadesan and Puleedevan spoke to international and domestic actors who acted as intermediaries with the Secretary to the Foreign Ministry, Dr. Palitha Kohona, to negotiate their surrender along with 300 other people. Nadesan requested the presence of UN Secretary-General envoy Vijay Nambiar to witness the surrender, but was told that he had President Rajapaksa's assurance that the safety of surrendering LTTE leaders would be assured. On the morning of May 18, Nadesan and Puleedevan led a group of approximately one dozen men and women out to the SLA troops, waving a white flag. According to a Tamil witness who later escaped the area, the SLA started firing machine guns at them. Everyone in the group reportedly was killed.

- July 10 – A media outlet reported on July 18 that at a celebratory event in Ambalangoda, Army Chief General Sarath Fonseka stated that the military had to overlook the traditional rules of war and even kill LTTE rebels who came to surrender carrying white flags during the war against the LTTE.

### VIII. Disappearances

Organizations and sources alleged that GSL forces or GSL-supported paramilitaries abducted and in some instances then killed Tamil civilians, particularly children and young men. Sources reported that these individuals were taken to undisclosed locations without any further information being provided to relatives. IDP checkpoints and camps were alleged to be particularly vulnerable areas, with a heavy military presence hindering the ability of international organizations to conduct protection monitoring and confidential IDP interviews.<sup>11</sup>

While applicable provisions of IHL do not address disappearances in detail, the United States supports the principles that families have a right to know the fate of their relatives and that each party to a conflict should search areas under its control for persons reported missing when circumstances permit, and at the latest from the end of active hostilities. The Rome Statute of the ICC recognizes that enforced disappearances of persons may constitute a crime against humanity when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack. Article 9(1) of the ICCPR provides that everyone has the right to liberty and security of person; no one shall be subjected to arbitrary arrest or detention; and no one shall be deprived of his liberty except on such grounds and in accordance with such procedures as are established by law. Article 10 of the ICCPR states that “[a]ll persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.” Further, Article 16 of the ICCPR provides that “[e]veryone shall have the right to recognition everywhere as a person before the law.”

The following allegations of disappearances have been reported:

- February 3 - One woman in an IDP camp reported to an organization that when she was crossing the Omanthai checkpoint with her husband and child, her husband was detained there by GSL forces. As of a week later, she had no information about him.
- February 8 - A source told HRW that she was approached by about 50 families whose relatives had been detained at Omanthai checkpoint by GSL forces in previous days. Neither the families nor the source had any information as to the whereabouts of the detainees.

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<sup>11</sup> As is common in the aftermath of armed conflict, there have been reports that organizations had located some of the people previously believed to have disappeared during the conflict.

- February 11 – A source in the Vavuniya IDP camps told HRW that during the week of February 2 the military separated 70 to 80 young people from their families at Omanthai checkpoint and detained them. Two days later, many of the young people were brought to the IDP camps, yet the fate of others remained unknown. The source said that at least two mothers approached her saying their children had gone missing.
- February 12 – Embassy Colombo sources reported that some IDPs said that their sons were taken away by the Sri Lankan military at IDP screening centers.
- February 23 – An organization's local sources reported that at night young girls would be taken out from the IDP camps in Vavuniya and never returned. Due to death threats, most of these events were never reported to the camp authorities.
- April 24 - An organization reported that the SLA was separating people into small groups of 10-12 for screening before the civilians reached the official IDP screening center. Only three to five members of each of the smaller groups later returned to the larger group. The local staff did not know what happened to the remaining people in the screened groups.
- April 27 – Embassy Colombo received a report that buses were taking all boys and men between 14 and 35 from two schools in Vavuniya. The men and boys were told that they were being taken under the Prevention of Terrorism Act to a police station for screening. However, the young men reportedly had not turned up at any police station, and their location was unknown to the reporting organization.
- May 10 – An eyewitness who escaped the NFZ reported to HRW that a boy was held back by the Sri Lankan military while his family passed through Omanthai checkpoint.
- May – A foreign government reported two separate accounts of disappearances in May. The first is the account of a 15-year-old girl who was injured in May and taken by the SLA for treatment. The second is the account of a man carrying his three children out of the conflict area. The SLA took the children to an unknown hospital. As of June 2 the whereabouts of the children involved in both accounts remained unknown.
- May 21 – According to sources in Manik Farms, many newly-arrived IDPs reported being separated from their children at the Omanthai screening point in Vavuniya District.

- May – Numerous organizations, including the Coalition to Stop the Use of Child Soldiers, reported that children were being abducted from IDP camps and from Vavuniya by government-supported paramilitary groups who enjoy tacit support from the GSL.

## IX. Humanitarian Conditions

The GSL pledged to provide sufficient food and medical supplies to people in IDP camps and to those people still trapped in the NFZ. On February 17, the Senior Presidential Advisor announced a commitment to provide 80-100 metric tons (MT) of food per day to civilians, and that medicine would be included in the next shipment of supplies. In early March the GSL Presidential Secretariat issued a statement saying that there had been no case of any citizen in the north of Sri Lanka dying from starvation and that the GSL would take all measures to prevent such a tragic occurrence.<sup>12</sup> Later that month the Minister of Health Care and Nutrition stated that the GSL continued to send enough medical and essential food supplies and “won’t stop sending medical and food supplies” despite the possibility that the LTTE was confiscating supplies for its own cadres.<sup>13</sup>

However, while some incidents reported in this section cite deliveries of up to 500 MT of foodstuffs to the NFZ, the majority point to significant gaps between food, medicine, and clean water needs and the available supplies in the NFZ and IDP camps. These reports include instances of severe food shortages, malnutrition, particularly among the very young and old, as well as surgeries being performed with little or no anesthetic. (See Appendix A, photo 9.)

### NFZ Estimated Population, Food Needs, Food Delivered, and Food Deficit

Month	GSL Pop (estimated)*	Food needs**	Food delivered	Accum Food deficit	International pop estimate	Food needs	Food delivered	Accum Food deficit
February	70,000	980	150	-830	250,000	3500	150	-3350
March	50,000	775	1080	-525	230,000	3565	1080	-5835
April	50,000	775	1119	-181	150,000	2325	1119	-7041
May (20 days)	20,000	200	50	-331	80,000	720	50	-7711

\* It has been alleged that the GSL used low civilian estimates in the NFZ to reduce the amount of food disbursed in an effort to pressure civilians to escape.

\*\* Food needs and deficit estimates are based upon the estimation of several organizations that one MT of food per day is needed for 2000 IDPs.

International humanitarian law recognizes that relief organizations may offer their services in relation to victims of armed conflict, and the United States

<sup>12</sup> On March 20, the government-owned *Tamil Daily* quoted the Minister of Disaster Management and Human Rights, Mahinda Samarasinghe, who claimed that the GSL provided sufficient food and medicine for the trapped population. He further claimed that reports concerning shortages of medicines were LTTE propaganda.

<sup>13</sup> In an interview with the AFP on February 24, the Sri Lankan Defense Secretary accused the LTTE of taking part of the food and medicine sent for civilians.

supports the principle that, subject to the requirements of imperative military necessity, impartial relief actions necessary for the survival of the civilian population should be permitted and encouraged. The GSL, as a party to the International Convention on Economic, Social, and Cultural Rights (ICESCR), also has an obligation to take steps to the maximum of its available resources, with a view to achieving progressively the full realization of the rights in the ICESCR, and has recognized that these rights will be exercised without discrimination of any kind as to race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Potentially relevant rights in the ICESCR include the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. As a state party, the GSL has recognized the right of everyone to be free from hunger, and is required to take measures, including specific programs, which are needed to, inter alia, ensure an equitable distribution of world food supplies in relation to need. As a state party, the GSL has also recognized that everyone has the right to the highest attainable standard of health, and that one step to be taken to achieve full realization of this right is the creation of conditions that would assure medical service and medical attention in the event of sickness.

The following allegations in which civilians may have been deprived of food and medical supplies have been reported:

- January 30 – An organization confirmed to Embassy Colombo that a 14-truck convoy organized by the Government Agent of Mullaittivu reached Puthukkudiyiruppu with approximately 179 MTs of food. Embassy Colombo reported that the last food convoy to reach the Vanni did so on January 16. An organization staffer in the Iranaipalai area reported that food resources were low, and he estimated that area residents could survive on existing stores for a maximum of two or three weeks.
- January – An organization reported that hospitals in the LTTE-controlled area were overburdened and in need of medical supplies and staff.
- February 2 – Local sources reported that six IDPs died in Putumattalan hospital due to lack of food.
- February 6 – Embassy Colombo received a report that people were running out of food in the NFZ. An organization reported that because of security concerns and the need for monitoring assurances, it was unable to send a food convoy as planned. The organization issued a press statement noting

that 250,000 people needed food and that it had only very limited access to the displaced people in Vanni since GSL access restrictions were implemented in September 2008.

- February 9 – An organization reported to Embassy Colombo that civilian authorities authorized an additional food convoy, but the military and the LTTE had not yet granted a clearance. With no food convoy since January 30, the organization reported that the “quarter of a million people trapped in the war zone are facing a food crisis.”
- February 12 – An international organization reported to Embassy Colombo that the military was still preventing food convoys from entering the Vanni, insisting that the LTTE had mined the area.
- February 13 – An HRW source in Mattalan reported that the food stocks in the market were not enough for even one week.
- February 16 – Embassy Colombo reported that the GSL had yet to grant permission to organizations to bring medical supplies by ship to the makeshift hospital in Putumattalan.
- February 16 – Sources reported a short supply of medicine and no antibiotics, conditions that were causing even minor shrapnel wounds to become gangrenous and require amputation. There were unconfirmed cases of cholera and malnutrition, particularly affecting children, in the conflict area.
- February 17 – Embassy Colombo received information from multiple international organizations operating among the IDPs that water, food, and shelter was scarce, and that the Mattalan school, which was being used as a hospital, had no medicines or dressings.
- February 19 – Embassy Colombo received a report that there was an acute shortage of preventative and curative supplies and no buffer stocks at the public hospitals in Trincomalee, Anuradhapura, and Vavuniya.
- February 20 – An organization reported that civilians remained in two designated areas within the NFZ on the coast without protection, safe drinking water, or functional food stores.
- February 24 – Embassy Colombo received reports uniformly stating that water and food supplies were insufficient to meet IDP needs.

- February 25 – An organization’s source in Valayanmadam reported that food resources were low. The source estimated that his family could survive on stores for a maximum of two or three weeks.
- February 26 – Embassy Colombo reported that the food shipments sent every few days via boat could not meet the daily food needs of all trapped civilians. According to a source in the NFZ, the last shipment of food could not be distributed immediately because of the chaos and clamor attending the food’s arrival. One of Embassy Colombo’s local sources in the NFZ reported that they had no food or medicine. Another source in the NFZ estimated that civilians could live for two or three weeks under prevailing conditions and that mortality rates would soon begin to spike. A local source for an organization in Mullivaikkal reported that food shortage was a problem and that food recently brought in by ship was not sufficient. Separately, a local source for an organization reported that there was no food, water, or medicine in Valayanmadam.
- February 26 – An international organization reported insufficient access to clean drinking water and lack of hygiene promotion activities at IDP camps in Vavuniya.
- February 28 – An organization’s local source in the Vanni reported that a hospital in the area announced that 11 patients died due to the food shortage.
- March 3 – Embassy Colombo reported that the food aid delivered twice a week was not enough to sustain the people remaining in the LTTE-controlled pocket. Organizations told Embassy Colombo that the GSL stalled in providing permission for tugboats to bring food aid to the NFZ and that local sources reported the first cases of starvation deaths in the conflict zone.
- March 4 – A source in Mullaittivu reported 13 recent starvation deaths in the NFZ, confirming earlier anecdotal reports from organizations during the week that ended February 28. An organization’s source in Valayanmadam reported that six people were in a coma from eating poisonous plants, and people were dying of starvation.
- March 5 – A local source reported that drugs had not been sent to Mullaittivu and Kilinochchi districts for four months. There was a severe shortage of medicines, particularly anesthetic drugs, surgical items, intravenous (IV) fluids, IV antibiotics, oral antibiotics, pediatric syrups,

Jeevani, ARV, toxoid, and vaccines. Immunization programs had been disrupted for the preceding two months. Vaccine coverage was below 50%.

- March 5 – Embassy Colombo noted an accumulating shortfall in food delivery to the NFZ. The Embassy also reported that two weeks ago an organization and the Commissioner General for Essential Services (GSL) negotiated a verbal agreement to send one tugboat of food aid per day (40 MT), six days per week, to Mullaittivu. In the past two weeks only one tugboat had been authorized to carry food.
- March 5 – A source in Kilinochchi reported that the last food convoy to reach the Vanni by land did so on January 17. Children, women, elderly, and the seriously ill were particularly at risk for starvation. Thirteen people died of starvation in the latter part of February. Water available from open wells and provided by bowsers (water delivery trucks) was insufficient to meet the population’s needs. People waited in long lines for an extended duration even to collect a few pots of water provided at 10 operational sites. Without materials to construct toilets, open defecation had become common among the majority of the people.
- March 6 – An organization’s source in Mullaittivu reported that starvation was increasing. Some people were starting to steal and prices had increased by 500%.
- March 11 – According to sources, an aid worker in the NFZ “literally begged” for medicines to treat injuries, as medical workers were forced to operate on severe injuries without anesthetics. Embassy Colombo sources reported that the GSL did not permit anesthetics to be shipped into the NFZ due to fears that they would be used to aid wounded LTTE cadres instead of civilians.
- March 14 – An HRW source in the Vanni reported that the only functioning hospital in Mullaittivu, the Mattalan hospital, was closing due to drug shortages.
- March 16 – A source told Embassy Colombo that the newly arrived supply shipment did not include any medicine, despite GSL pledges to send medical supplies. Sources in the conflict area reported “undue deaths due to non-availability of essential drugs at Mullaittivu” in a letter to the Ministry of Healthcare and Nutrition. They specifically complained of a lack of antibiotics, anesthetics, and IV fluids. Sources also reported being unable to provide even lifesaving emergency surgery. An organization reported that

aid workers would have to refuse health services if they continued to lack even the most basic supplies.

- March 17 – A source reported to Embassy Colombo that no medical supplies had been sent to the NFZ in recent weeks. The source had been in the NFZ for three weeks in February; even at that time medical supplies were low and emergency procedures were performed with low levels of anesthesia. Now emergency procedures like amputations were performed without any anesthesia. Only one shipment of medicine was delivered to the NFZ since the February 17 statement in which the Senior Advisor to President Rajapaksa publicly committed to providing medical supplies in the NFZ. An Embassy Colombo source reported that the Ministry of Defense repeatedly blocked medical shipments due to their concern that supplies would be used by LTTE to treat their wounded cadres.
- March 18 – Embassy Colombo reported that the GSL had not provided any medical supplies to the NFZs since a shipment on February 20, which only included bandages and some other basic supplies. It did not include any anesthesia or other medicine, and the supplies ran out within two days.
- March 20 – A source informed the Embassy that despite government assertions, no medical supplies at all had been sent to the conflict area since February 20. Embassy Colombo reported that most of the 178 children who recently arrived from the Vanni were malnourished.
- March 22 – Embassy Colombo reported the arrival in the conflict zone of a GSL shipment, provided via an ICRC-flagged vessel, with two tons of medicines and medical supplies. This was the first such shipment since February 20. The medical supplies provided by this shipment were projected to last for 2-3 weeks. Sources confirmed that surgical items were included, including antibiotics, intravenous drugs, and rabies vaccinations. However, no anesthetics were included, although they were desperately needed. Information provided to Embassy Colombo two days later revealed that doses of the tetanus vaccine were not included in the shipment, even though it is critical for combat-related wounds. There were also no blood bags in the shipment. Without critical supplies, medical personnel were forced to stop performing surgeries in the conflict zone, applying only temporary measures to stem bleeding.
- March 22 – Embassy Colombo reported that an aid worker who had just escaped the conflict zone claimed he walked for two days up and down the NFZ with 30,000 rupees (\$265) in his pocket but could not buy food.

- March 23 – An organization staffer in Valayanmadam reported that no medicines or vegetables were available, even on the black market.
- March 31 – An organization source in the area of Putumattalan hospital reported that there was an acute shortage of milk for children, food, and drinking water.
- March – An organization’s local source reported that the quantity of food items arriving in the NFZ was totally insufficient. Medicines allowed to be brought by ships did not meet the rising medical needs of the people. Antibiotic drugs and syrups, vaccines, IV fluids, analgesics, and surgical items were in acute shortage.
- April 6 – An organization’s source in Valayanmadam reported that there were no vegetables, fruit, fish, or biscuits available – only a little flour, oil, and lentils.
- April 10 – Local sources reported to Embassy Colombo that the stocks of medicine that had been delivered to the NFZ on March 22 were exhausted, and once again medicine was desperately needed.
- April 11 – A source in the NFZ reported that malnutrition was a major problem among children, with a recent survey showing that 69% of children were malnourished. Supplementary foods such as Thiriposa and corn soy blend (CSB) were given to children in small quantities.
- April 14 – A source in the NFZ reported that there was a severe shortage of food among IDPs, and noted that the last food shipment had arrived about 10 days earlier.
- April 16 – A source in the NFZ reported that many civilians were directly affected by the food shortage, with children and elderly people at higher risk for starvation. Children were coming to the hospital with various malnutrition-related disorders. BBC reporters gained access to IDPs evacuated from the NFZ, who confirmed shortages of food, with one saying his family had gone five days without eating.
- April 17 – Embassy Colombo was briefed regarding the severe shortage within the NFZ of medical supplies, including anesthesia, dressings, and injection pain relief medication. Organizations estimated that only 5% of needed supplies were being received, and avoidable deaths were occurring as a result. A foreign government with representation in Colombo reported

that the Ministry of Defense imposed a strict ban on anesthetics entering the LTTE-controlled area. The Ministry of Defense also allowed only minimal amounts of bandages and very few medicines to be carried on the ICRC ships. The Ministry of Health supported the ban, saying “They do not need medicines inside the zone, as you evacuate the wounded.” A source in the NFZ reported that at his hospital location, most of the 92 children in the ward were undernourished.

- April 22 – Embassy Colombo’s sources inside the NFZ reported significant civilian deaths and virtually no operating medical facilities or supplies. Many wounded were not coming to medical points as they understood there was almost no treatment available. A source at Mullivaikkal hospital reported a shortage of medicines when a supply ship did not arrive as expected.
- April 24 – Embassy Colombo reported that the last shipment of medicine into the NFZ took place on April 8 and there was a critical shortage of needed supplies.
- April 25 – An organization with sources in the NFZ reported that there was no food for the 165,000 IDPs in Mullivaikkal West, Mullivaikkal East, and Thalampanai. A ship had been waiting with food items at Trincomalee harbor, but it was not given clearance by the SLN and there were reports that the ship might be directed to Jaffna. Sources said they had not eaten in three days and were surviving on only small quantities of rice-water. People in the Chettikulam area in the Vavuniya district were crying for food and lying down by the side of the road, hardly able to move. Children needed milk. A source in the NFZ noted that a severe shortage of food was affecting all people, and many children and elderly people’s lives were at risk. Many families did not have rice at home and families were cooking only dhal (lentil soup).
- April 27 – An organization reported that limited medical supplies were received both in the conflict zone and in camps. Medical personnel were also in short supply: There was an average of one nurse available to attend 40 patients in medical facilities, and there were not enough surgeons, according to reports from hospitals.
- April 30 – A source in the NFZ reported that a ship arrived with 30 MT of food; however, the shortage continued and no medicine was sent. An organization observed: “The population in the No Fire Zone (NFZ) lack access to safe drinking water and sanitation facilities.”

- May 2 – An organization’s local source sent a request for an emergency delivery of food for 150,000 people who were at immediate risk of starving to death in the NFZ.
- May 4 –A local source in the NFZ of an organization reported that food stocks had fallen to a dangerous level and that there was already a series of starvation deaths among the young population. A source at Mullivaikkal Hospital reported that there was a severe shortage of food and that injured civilians were not receiving proper treatment and surgery due to attacks on the hospital and non-availability of essential medicines.
- May 5 – A source in the NFZ reported that there were no antibiotics available to treat illnesses.
- May 6 – An organization’s sources expressed their belief that the GSL was deliberately preventing delivery of medicine to the NFZ and reported that “over the last week, at least 20 people have died due to starvation and lack of medication.”
- May 8 – An organization’s local sources in the NFZ reported that a supply ship had arrived but was forced by the GSL to return to Trincomalee with its cargo of food and medicine still on board. The sources reported that the SLN had refused to allow them to offload the cargo, and then began firing on the beach.
- May 8 – An organization reported that shipments of food and medicine to the NFZ were grossly insufficient over the prior month and that the GSL reportedly delayed or denied timely shipment of life-saving medicines as well as chlorine tablets. A source in the NFZ reported that patients were brought to the hospital for fainting attacks attributed to their lack of food. Mothers were crying at the hospital and asking for milk powder. They had not eaten and were unable to feed their children, but the hospital did not have milk powder in stock.
- May 9 – Embassy Colombo reported that a ship delivered food and some medical drugs, but no surgical equipment or disposables for treating war-related wounds.
- May 12 – An organization reported that ground reports indicated a severe food shortage in the combat zone.

- May 14 – Embassy Colombo reported that a ship loaded with 500 MT of food was waiting offshore of the NFZ but that it was not able to dock due to insecure conditions. An organization reported that for the third consecutive day, a ferry carrying 25 MT of food was unable to evacuate patients because of continuous heavy fighting. The last time any food and medical supplies were offloaded or patients were evacuated was on May 9.
- May 15 – According to an organization’s update for the period May 1-15, sources in the combat zone reported that there were no antibiotics in the hospitals. A limited quantity of essential drugs, sufficient for one week, was transported by ship to Mullivaikkal; the shipment did not include antibiotics, however.
- May – A witness released from an IDP camp in September reported that in the final weeks of the conflict, doctors in the Mullivaikkal hospital had to operate with butchers' knives and watered-down anesthetics due to the shortage of medical supplies. With replacement blood running out, staff filtered what they could from the patients through a cloth before feeding it back into their veins.

## Appendix A: Photos

1. Photo received by the State Department on May 7 showing men, women, and children behind the barbed wire fence of an IDP camp in Vavuniya.



2. Photo of a queue for medicine in the NFZ during the week of March 9.



3. Photo of a queue for water in the NFZ taken during the week of March 9.



4. Photo of shell crater taken on May 1 following the April 30 shelling of Mullivaikkal.



5. Photo of Mullivaikkal Hospital taken on May 2 following shelling at 9:00 a.m. The attached photo shows the destruction of the hospital and two dead bodies, one of a female at center left and one of a male in the lower right.



6. Photo taken on May 3 following a multi-barrel shell attack on civilians living in an area between Mullivaikkal Pillayar temple and the sea.



7. Photo taken on May 3 showing shell casings from the above-pictured multi-barrel shell attack.



8. Photo of child who was injured in the shelling of Mullivaikkal, taken on May 6.



9. Photo taken on May 6 of a malnourished baby in the NFZ.



10. Photo of characteristic cluster bomb smoke cloud from a shelling on May 7 in Mullivaikkal.



11. Photo of a crater taken on May 10 following shelling from that day.



12. Photo of a child victim taken on May 10 following shelling from that day.



13. Photo following the shelling of a new, makeshift hospital in Mullivaikkal, taken on May 12. A crater is clearly visible to the lower left, but information

concerning whether the victim to the lower right was blown apart due to the shell is inconclusive.



## Appendix B: Satellite Imagery

Images 1 and 2: Puthukkudiyiruppu Hospital Complex



Images 3 and 4: Medical Center





