

**Silenced: survivors
of torture and sexual
violence in 2015**

நினைவுகளைத் தடுத்தே

#StopTorture

20 cases in 2015 ^{a)}



Male to female ratio



Post-August polls^{b)}



Reprisal against family



LTTE members



Forced to join LTTE



Low-level LTTE



1 year or less in LTTE^{c)}



Child soldier



Injured in final war

a) This is based on the 20 cases for which we have full sworn statements.
b) In addition ITJP is aware of at least 3 additional cases post-August 2015.
c) Four of those who testified were never in LTTE.

20 cases in 2015



Abducted when returned home^{d)}



Involved in politics



Politician/ICRC in Sri Lanka aware of case



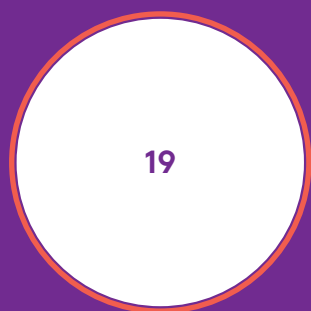
Family member tortured^{e)}



Family member disappeared



Close family member fled abroad recently



Ransom paid^{f)}



EPDP brokered ransom



Smuggled abroad^{g)}

d) Returned to Sri Lanka from abroad or to their village in the Vanni thinking it was safe.

e) Generally a sibling.

f) The remaining person escaped.

g) Those not smuggled abroad had valid visas.

20 cases in 2015



Sexually violated



Seriously
tortured



Group sexual
abuse^{h)}

^{h)} Multiple perpetrators were involved in the same episode of sexual violence at the same time.

Acknowledgement

Many of the torture and sexual violence survivors we met for this report had arrived abroad very recently; indeed, some still had wounds that were bleeding, let alone the psychological scars. Men and women recounted brutalising violence with courage and selflessness. They know they will likely never get justice for themselves but they hope that by speaking out they can stop this evil for others. Just because they have been marginalised, driven out of their country and terrorised into silence, does not mean they should have no voice.

“I was bleeding. I did not tell my wife that I was raped only that I was detained and beaten. These are not things you can say to your wife. You do not talk about these things in my culture and she would be worried and upset. I have been suffering from mental health problems as a result of the torture I experienced in detention in Sri Lanka and from the sorrow of being separated from my wife and children and my homeland and way of life. I have a constant sense of despair and loss. I have a poor appetite, lack of sleep, headaches and pain over all my body. I am currently taking paracetamol pain killers. I have not seen a doctor yet.”

Witness 158

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2015 case:



Introduction

The Sirisena government in Sri Lanka was elected one year ago, on 8 January 2015, on a promise of change. In September 2015 at the Human Rights Council in Geneva the Government of Sri Lanka sketched out a plan to deliver post-war accountability: namely a national consultation with victims, a Truth Commission, a Special Court, an Office of Missing Persons and a reparations body. On paper the plan looks impressive but the reality on the ground in the former conflict areas tells a very different story. Human rights violations by the security forces continue with impunity and a predatory climate against Tamils prevails. Tamils with tenuous links to the LTTE or low-level cadres continue to be targeted, along with their families. Victims and witnesses rightfully fear that coming forward will endanger their lives and those of their families. In this environment of continued abductions and reprisals, it is hard to imagine how witnesses will testify to a Truth Commission, let alone implicate members of the security forces in a Sri Lankan court.

Sri Lanka's Foreign Minister, Mangala Samaraweera, promised the Human Rights Council in September 2015 that clear instructions would be given to all security forces regarding a zero tolerance for sexual violence. These instructions have not been publicly issued¹. Instead, one year after the change of government in Sri Lanka the security forces continue to detain, torture and sexually violate Tamils in a network of sites across the island. ITJP's experienced war crime investigators have taken sworn statements from post-election survivors of torture and sexual violence that continues to occur in a network of known army camps and police stations as well as in secret sites not only in the north but also across the island. Some torture sites appear to be inside or adjacent to army camps. In other cases the perpetrators go to considerable lengths to hide the locations from the victims and their families, all the while not being concerned that their own identities are revealed to the victims or their families.

The change of government in January 2015 led many young Tamils with tentative past links to the LTTE and low level cadres to think it was safe to return to Sri Lanka or to come out of hiding and return to their home villages. Some were abroad; others spent the last six years lying low in towns like Vavuniya or Jaffna:

¹ The 2015 UN resolution on Sri Lanka which the Government co-sponsored also refers to: "the Government's commitment to issue instructions clearly to all branches of the security forces that violations of international human rights law and international humanitarian law, including those involving torture, rape, and sexual violence, are prohibited and that those responsible will be investigated and punished..."; 1 October 2015, 30/1, Promoting reconciliation, accountability and human rights in Sri Lanka, Available at <http://daccess-dds-ny.un.org/doc/UNDOC/LTD/G15/220/93/PDF/G1522093.pdf?OpenElement>

“Assuming that I would not have any further trouble at the hands of the Sri Lankan authorities under the new government, I decided to move back to my home village and live with my family. I went home in mid 2015. My decision to return home was a happy one to make. I was joyful to live with my family again. As it turned out, it was the worst decision of my life - one that will impact me forever.”

(Witness 159)

This witness was quickly identified by the security forces, abducted in a “white van” and repeatedly tortured and raped. This phenomenon of Tamils thinking it is safe to return home is similar to the spate of Tamil students abroad with LTTE links who either voluntarily returned in 2012 after President Rajapaksa had said it was safe to come home or were forced to return after their asylum claims failed on the basis that the respective foreign government determined that it was safe to go home. It was not. Many lived to regret it.

Intimidation of witnesses and victims’ families continues unchanged since our last reports. Tamils abroad cannot openly give an interview to a Tamil TV station in London or Chennai, or elsewhere without risking the lives of their parents in Sri Lanka.

Despite the promises of the new government, the culture of impunity in the security forces remains virtually the same as under the previous Rajapaksa government. Perpetrators, who make no attempt to hide their faces, are operating in an identical fashion to previous years². The Eelam People’s Democratic Party (EPDP), which plays a key role in brokering releases of the victims for ransom, is still operating with impunity. The modus operandi for abduction, detention, interrogation, torture, sexual violence and release in exchange for large payments to the security forces and human smugglers remains unchanged. It is not surprising that Sri Lanka’s torture industry continues to thrive given how lucrative it is.

² For a full legal and factual analysis of the patterns and the widespread and systematic nature of the crimes please see our previous reports: *An Unfinished War* (March 2014) and *A Still Unfinished War* (July 2015), available online at www.stop-torture.com and www.itjpsl.com respectively.

“White Van” Abductions

Being “white vanned” has become shorthand in Sri Lanka for abduction by the security forces. The vehicles, usually Hiace and white in colour, belong to the country’s police and military intelligence services. Usually between three and five plain clothes officers are involved in the initial abduction. There are rarely witnesses except sometimes the immediate family. Though the abduction has been planned and the victim specifically targeted, the officers generally check the identity of the detainee, asking for an identity card, before bundling them, blindfolded and handcuffed, into the back of the van. “White van” detainees are almost always kept in solitary confinement so their accounts cannot be corroborated by each other. Those who survive and are released are handed over to relatives in exchange for money in remote quiet spots where nobody can witness the exchange. The victim is always blindfolded until arriving at the predetermined release site. Generally victims do not seek medical attention after being abducted in a “white van” even though all badly need it. The most that happens is that a relative or agent fetches ointments and painkillers from a pharmacyⁱ⁾. None of the victims goes to a hospital or a doctor because they know they will be reported to the police. As a result some witnesses arrive abroad needing belated medical treatment, including surgery as a result of their torture^{j)}.

The notoriety of “white van” abductions has become so ingrained in Sri Lanka that politicians openly refer to the practice^{k)}. The Foreign Minister tweets about the country’s #whitevan culture which he erroneously claims disappeared with the previous government.

i) In one 2015 case where the victim needed stitches he experienced considerable difficulty finding any doctor who would treat him, such was the level of fear among the medical profession in Sri Lanka regarding treating a torture survivor.

j) For example Witness 132 who said: “The hospital did some X-rays as I had pain in my ribs and they said I have to undergo a surgery. This is from the recent detention. Mentally, I am unable to sleep and I feel frightened and I have dreams about my torture and sometimes forget things. I have flashbacks.”

k) See our July 2015 report, *A Still Unfinished War* for a range of references from politicians in the new government to “white van” abductions in the past, Pages 34-5, available at www.itjpsl.com

“The criminalization of enforced disappearance will protect all citizens and prevent the reign of the #whitevan culture ever returning. #lka”^{k)}

Mangala Samaraweera @MangalaLK



k) This is a reference to Sri Lanka's commitment in December 2015 to ratify the International Convention on Enforced Disappearances. The empty nature of this promise of radical change could be underscored by an examination of the non-implementation of similar domestic laws incorporating international treaties, such as the 1994 Convention Against Torture Act or the International Covenant on Civil and Political Rights (ICCPR) Act. For an examination of how these laws have failed to deliver accountability or curb ongoing violations see Sri Lanka's Deficit of Justice Cannot Be Corrected By Laws Alone, by Kishali Pinto Jayawardena, The Sunday Times, 13 December 2015.

I. The Victims

We have taken sworn statements from 20 people, all but one of them victims of a “white van” abduction resulting in unauthorised detention, repeated torture and sexual violence. The victims comprise 15 male and 5 female Sri Lankan Tamils now in three different countries. Our experienced war crime investigators took lengthy statements and obtained corroborating evidence from experts in scar healing and symptoms of psychiatric or psychological torture and sexual abuse, photographs of recent wounds and scarring and other corroborating evidence. Several witnesses still had fresh wounds from the recent torture in Sri Lanka when they were interviewed abroad; two were still bleeding.

Five of the abductions took place after the August 2015 parliamentary elections; fifteen were after the January 2015 presidential elections. The most recent abduction was in December 2015. In addition, we are in the process of obtaining more evidence regarding an additional five “white van” survivors in two countries who were abducted in 2015, some very recently. This would bring the total number of cases, we alone have identified, to twenty-five.

During interrogation by the Sri Lankan security forces several victims were falsely accused of working to restart the LTTE or bringing the country into disrepute by talking about what happened in the war and its aftermath:

“They wanted to know if the LTTE was starting all over again. I said I did not know of that. That day they hit me with wooden sticks on my back, backside and legs. They also punched me.”

(Witness 158)

In some cases the interrogators showed the victims print outs of photographs of themselves or people close to them attending recent Tamil diaspora commemorative events abroad. Several 2015 victims had also been detained at the end of the war either in an Internally Displaced Person (IDP) camp or in the government’s so-called “rehabilitation” programme for suspected former combatants. Some had spent periods in hiding in southern India and it was clear their interrogators regarded this with great suspicion when they returned home. For two of the witnesses, this was the third phase of detention and torture they had endured since the end of

the war in 2009. For one victim the incident in 2015 was the second abduction in a “white van” and he did not think this time he would survive the experience.

Why These Victims

The victims documented in this report were abducted in targeted pre-planned operations. There was nothing random or opportunistic about the security forces’ actions. None of the victims was charged with any crime or given any indication under what law, if any, they were detained. In short their detention had nothing to do with solving crime or identifying candidates for rehabilitation. The 2015 victims appear to be targeted for some or all of the following reasons, among others:

1. They are identified as LTTE child soldiers who failed to surrender when crossing the government lines in 2009.
2. To deter them and other Tamils from exercising their legitimate, democratic political rights by campaigning in elections or distributing political information or protesting regarding the disappearance of a relative in state custody.
3. To maintain control over the Tamils through an atmosphere of oppression and tyranny and deter them from testifying against the government in upcoming justice initiatives.
4. As a form of post-war ethnic cleansing in order to make their life so fearful and unbearable, with a deep feeling of shame in their village, that they flee the country.
5. Racism.
6. Persecution.
7. To obtain a ransom.

Child Soldiers

Five of the 2015 victims interviewed were former child recruits forced to join the LTTE when aged 14, 15, 16 and 17 years. Several give graphic descriptions of traumatic forced abductions by the LTTE during the final few months of the war. However, there are no

reports that the LTTE used rape or sexual violence as a tactic of war or against detainees during the decades of conflict.

These children did not declare themselves to the authorities in 2009 as former LTTE cadres because they had only been with the organisation a matter of weeks under duress and had then deserted. Instead they hid with their families in the IDP camps. Six years after the war ended they are still being identified by informers, picked up and brutally and repeatedly tortured and sexually abused. The fact that they explain they were compelled as children to join the LTTE does not seem to make any difference to their interrogators:

“They beat me saying ‘you are LTTE, you are hiding and you failed to surrender’...they accused me of not surrendering as LTTE and not going through rehabilitation. I think they knew I was LTTE but when I told them I had been forced to join they didn’t believe me... they introduced themselves as military intelligence during the interrogation.”

(Witness 121)

Though the interrogators knew that their victims had not been through “rehabilitation”, which is one of the stated lines of concern for the perpetrators, they made no effort subsequently to send them for rehabilitation but instead released them after a ransom was paid by the family.

Political Activity

Before being abducted, many victims had been involved in a variety of peaceful protests or election activities demanding rights for Tamils. This ranged from attending campaign meetings during presidential and parliamentary elections in 2015 for MP’s from the Tamil National Alliance (TNA) and the Tamil National People’s Front (TNPf); handing out leaflets; campaigning for the disappeared; to attending memorial events marking the anniversary of the end of the war. The victims said their torturers referenced this legitimate political activity during their detention:

“They told me I am ...trying to turn people against the government and diminish its reputation internationally. Mainly they were asking about my involvement in organising demonstrations and in the LTTE. I was involved in the TNA’s election campaign and that was public knowledge. I posted posters and distributed leaflets. My detainers mentioned my TNA activity and said I shouldn’t do this.”

(Witness 117)

"In 2009 we were living in a tent and the LTTE recruited everybody – they gave up their 'one person one family' policy and took every able bodied person. They took me in spite of the fact that we had my sister already in LTTE. They came into our tent and grabbed me. My mother asked them to leave me, saying we already have one child in the LTTE. They said everyone should join them. They took me in a van to Mullivaikkal where they left me in their training camp. They took people regardless of age. I was 15 but they took people younger than me. Some were even 14 or 13 years old."

Witness 122

"I was forcibly recruited on 14 February 2009. I was in our family bunker when the LTTE came and forced me. The man in charge was Shanthan. He had ten armed cadres with him and he told me that I was coming. They said that things were bad and I had to come even though we already had one member of our family in the LTTE. I knew I would be harmed if I did not go or they would take one of my other siblings, so I had no choice but to go with them. They sent me to basic training for 15 days in Mullivaikkal. After a while I decided to desert. I could no longer take looking at dead bodies and handling the wounded. I felt my death was imminent and I decided to leave. I left alone in the night, leaving my weapon behind."

Witness 158

“I continued with the TNA after Cameron³ left and I attended meetings in Jaffna and helped in local elections. I continued to help them during the presidential election won by Sirisena...The torturers said those who go on protest marches and those who try to start up the LTTE again or work against the government will go through what I have gone through.”

(Witness 158)

“My interrogators knew about my TNA activities and asked me about them. They asked ‘are you still supporting the idea of a separate homeland for Tamils?’ They said I am acting against the government by supporting the TNA.”

(Witness 131)

Four victims tortured in 2015 had attended a high profile protest by the families of the disappeared in Jaffna in 2013 when the British Prime Minister visited for the Commonwealth Heads of Government Meeting. One of these witnesses described how his parent had been forced to falsify the date of the disappearance of his sibling to hide the fact that the sibling had disappeared after surrendering to the Sri Lankan army in May 2009. The family were forced to report that the sibling had disappeared in January 2009, which would imply the sibling died in the conflict.

³ He is referring to the British Prime Minister’s visit to Jaffna during the Commonwealth summit in November 2013.

2015 case:



2015 case:



II. The Perpetrators

Perpetrators operate in groups revealing an extraordinary degree of impunity and an undiminished confidence that they will never be held accountable. The abductors, torturers or rapists or those who eventually release them once the bribes are paid, never hide their faces. The perpetrators still operate in groups with one team that picks up the victim, another that interrogates (including torturing and rape) and a third team that releases detainees. This strict division of labour appears to be a distinguishing feature of all the “white van” abductions in the post-war period, irrespective of where in the country they occur.

The perpetrators comprise both CID (police) and military intelligence operatives and they also include senior officers. In one case the torture chamber actually had a photograph of the interrogator shaking hands with the former President, Mahinda Rajapaksa:

“I saw plastic pipes, long wooden sticks about three feet long and about two inches in diameter and a barrel of water. There was a table and three or four chairs. The walls were painted. There was nothing on the walls except a big, framed picture of a man shaking hands with Mahinda and a group of people surrounding him. The man in the picture shaking hands with Mahinda was in the room.”

(Witness 142)

The Torture

Torture occurs in well-equipped rooms prepared in advance for this purpose, with cables, wooden sticks or batons, plastic pipes filled with sand, water barrels and other instruments. In some cases victims report that the room had a pulley system for hoisting them upside down:

“They tied my ankles together with ropes on a pulley and pulled me up upside down. There was a window that was closed that had iron bars. They tied the ropes to the iron bars on the window. People were coming in and out and they all were in civilian clothes. One of the men climbed up a ladder or steps and started hitting the soles of my feet with plastic pipes or

sticks. I was not looking as they were shouting and I was screaming and the pain was unbearable.”

(Witness 142)

“They didn’t have a pulley system for hanging people upside down but they had a thick wooden pole across the rafters. They will tie the ankles and hang a person upside down and the rope will run through these wooden poles and the other end of the rope was tied to the window bar. This happened to me.”

(Witness 122)

Torture methods include beating, whipping, burning with cigarettes, branding with heated metal rods, water torture, asphyxiation in a plastic bag soaked in petrol or chilli and tied around their necks, hanging upside down, beating on the soles of the feet and the use of electric currents through their body. These are the same methods of torture as reported in our earlier reports and by the report of the OHCHR Investigation into Sri Lanka (OISL).

Ransoms and Human Smuggling

All but one victim paid money to the security forces to escape from detention and the country. In many cases the family had already paid at least one previous ransom to the security forces for the release of this victim or a sibling during the post-war period. In total 20 victims collectively recorded 38 ransoms paid to the security forces for their freedom during the time period 2009-2015. This money was paid for:

1. Escape from IDP camps such as Manik Farm.
2. Release from the government’s “rehabilitation” programme.
3. As ransom for release after an illegal abduction.

The victim is often not told by his or her family how much money they have paid for their release lest it distress them further to know how much debt the whole family has incurred in order to stop the continued torture and sexual violence:

“My parents and my uncle abroad paid a ransom for my release. They pawned their jewels. A Muslim agent was involved in brokering the deal but I don’t know how much they paid. I was

taken to my parents' home by the agent and CID officer and from there I was taken by the MP XXX⁴ to Colombo under his protection in his vehicle."

(Witness 132)

In some instances there is a link between those who detain the victims and those who help smuggle them abroad. In at least two of the documented 2015 cases the security forces warned the victim not to remain in Sri Lanka and assisted with their departure from the country.

In half of these 2015 cases the pro-government Eelam People's Democratic Party, or EPDP, was known to have brokered the ransom for the release deal⁵; in several cases Muslim CID officers or Muslim agents were said to be involved in brokering the releases for money as well as the exit from the country and transit to Europe. This is an aspect of corruption that the new government has yet to indicate it will investigate.

In 19⁶ of the cases from 2015 the bribes ranged from 3.5 to 10 lakh rupees (US \$2,500-\$7,000) just for release from detention⁷. The families paid 25 to 45 lakh rupees (US\$17,000-31,500) to agents for the victim to be smuggled out of the country. Many of the victims' parents are fishermen or farmers from the Vanni who incurred loss of property during the final phase of war. This ongoing persecution of their children has driven them into further debt and greater poverty.

This is not unique to the 2015 cases. The payment of a ransom to the security forces and the use of human smugglers to flee the country is a common practice in all abduction cases we have investigated since the end of the war. If this small group of victims paid \$30,000 to escape the country and their families had also paid bribes of on average \$3,000 to escape various detentions in the past, that would mean more than half a million US dollars had been paid to the security forces and human smugglers by these people alone. Furthermore, if you assume a very conservative estimate of 10,000⁸ Tamils who have paid to escape the country

⁴ Name withheld for witness protection reasons.

⁵ This is the case in previous years too.

⁶ In 3 of the 20 cases the victim later left Sri Lanka without paying a human smuggler.

⁷ In previous years bribes range up to 10 lakhs.

⁸ More than 7,000 Sri Lankans have claimed asylum (though not necessarily been accepted) in the UK since the end of the war and there are many thousands more who have fled to Switzerland, Norway, Sweden, France, The Netherlands, Germany, India, Malaysia, Thailand and Australia to mention just some of the main destinations. The business is likely more lucrative because some Tamils rejected for asylum also pay a smuggler to get them back into Sri Lanka to avoid being deported. In other words the smuggling occurs in both directions – in and out of the island.

since the end of the war six years ago, then the torture industry could be worth US \$300 million over that period. That would mean the torture of Tamils is bringing in on average \$50 million a year tax-free⁹.

The Sexual Violence

Most human rights groups in Sri Lanka have focused on sexual violence as a problem for women. However, two-thirds of our post-war torture victims are male. Anal rape of male detainees by the Sri Lankan security forces appears prevalent and is an even less recognised issue than vaginal and anal rape of women¹⁰.

There are multiple accounts from witnesses of perpetrators committing sexual abuse in groups, indicating they have no fear of discovery not only from the victims but also by their colleagues. This entrenched practice also serves to bond perpetrators together as a group¹¹.

“Their penises were exposed outside their trousers. They had erections. They made me masturbate them. When each of them started to ejaculate, they forced my face to their penises and ejaculated all over my face and laughed at me, calling me ‘Kotiya’ (Tiger) and were smoking cigarettes while doing so... That night, the man who usually threw water on me while I was sleeping, came in to my room. I was in severe pain. He squeezed my penis and I screamed and he beat me. He wanted me to touch him. I refused and he started slapping my face then rubbed his erection on my face. He forced his penis in my mouth and moved it in and out like masturbating and ejaculated all over my face and left. The guard kicked the metal door all night and kept yelling ‘Kotiya’. This same conduct occurred every night thereafter. The two guards anally raped me on every occasion they abused me, which was every day. It was mostly at night but sometimes they did it to me in the afternoon.”

(Witness 142) “The sexual torture involved touching me in places where they shouldn’t and they rubbed their private parts on my face and they ejaculated on my face. They used abusive

⁹ That’s the same figure the World Bank gave in 2015 for a five year project to enroll 150,000 children in Early Childhood Development centres, while enhancing an additional 2500 such centers to meet national quality standards. <http://www.worldbank.org/en/news/press-release/2015/06/24/50-billion-national-plan-early-childhood-care-development>.

¹⁰ If the targets of these assaults are Tamils with connections to the LTTE then it is likely there would be a preponderance of male victims given there were only 2,000 female cadres reportedly “rehabilitated” by the Government of Sri Lanka compared to approximately 9,000 male cadres at the end of the war.

¹¹ Gang rape can increase group cohesion by strengthening social bonds that are also reproduced in the process of recounting the abuse. Gang rape may also improve group morale by inducing feelings of power and victory among the perpetrators. For a discussion on the multiple functions of gang rape within a perpetrator group, see Dara Kay Cohen, “Explaining Rape during Civil War: Cross-National Evidence (1980–2009)”, *American Political Science Review*, Vol. 107, No. 3, 2013, pp. 463–464 (internal citations omitted).

Bribes paid: (100,000 LKA Rs)

Witness 1

Ransom Paid 2015:
Muslim agent to CID

2009 Bribe Paid to escape
Manik Farm IDP camp:
Paid to escape Manik Farm

Previous Ransoms:
Paid ransom for sibling

Witness 2

Ransom Paid 2015:
EPDP to CID (45 lakhs)

Previous Ransoms:
Paid ransom to EPDP
for sibling

Witness 3

Ransom Paid 2015:
EPDP

Previous Ransoms:
Paid ransom to EPDP
for sibling

Witness 4

Ransom Paid 2015:
Muslim CID officer

Witness 5

Ransom Paid 2015:
Muslim agent to CID

2009 Bribe Paid to escape
Manik Farm IDP camp:
Paid to Escape
Rehabilitation Camp

Previous Ransoms:
Paid ransom
in previous year

Witness 6

Ransom Paid 2015:
3.5 lakhs paid

2009 Bribe Paid to escape
Manik Farm IDP camp:
Paid EPDP to escape
Manik Farm

Witness 8

Ransom Paid 2015:
Agent paid ransom

2009 Bribe Paid to escape
Manik Farm IDP camp:
Paid to escape Manik Farm

Previous Ransoms:
Paid ransoms in two
previous years

Witness 7

Ransom Paid 2015:
Sum of unknown size

Witness 9

Ransom Paid 2015:
Sum of unknown size

Witness 20

Ransom Paid 2015:
Bribe paid (10 lakhs)

Previous Ransoms:
Paid for sibling to escape

Witness 10

Ransom Paid 2015:
Paid EPDP

2009 Bribe Paid to escape
Manik Farm IDP camp:
Paid to escape Manik Farm

Witness 19

Ransom Paid 2015:
Bribe via EPDP to CID
plus Smuggler (30 lakhs)

2009 Bribe Paid to escape
Manik Farm IDP camp:
Paid to escape Manik
Farm(3 lakhs to SLA)

Previous Ransoms:
Ransom for
sibling plus paid agent to
leave country.

Witness 11

Ransom Paid 2015:
n/a

Witness 12

Ransom Paid 2015:
Paid EPDP

2009 Bribe Paid to escape
Manik Farm IDP camp:
Paid to escape Manik Farm

Previous Ransoms:
Paid EPDP for sibling
to escape

Witness 18

Ransom Paid 2015:
Bribe to CID

Witness 16

Ransom Paid 2015:
Bribe to CID

2009 Bribe Paid to escape
Manik Farm IDP camp:
Paid to escape hospital &
then also IDP camp

Witness 13

Ransom Paid 2015:
Paid via EPDP to CID

2009 Bribe Paid to escape
Manik Farm IDP camp:
Paid to escape Manik Farm

Witness 15

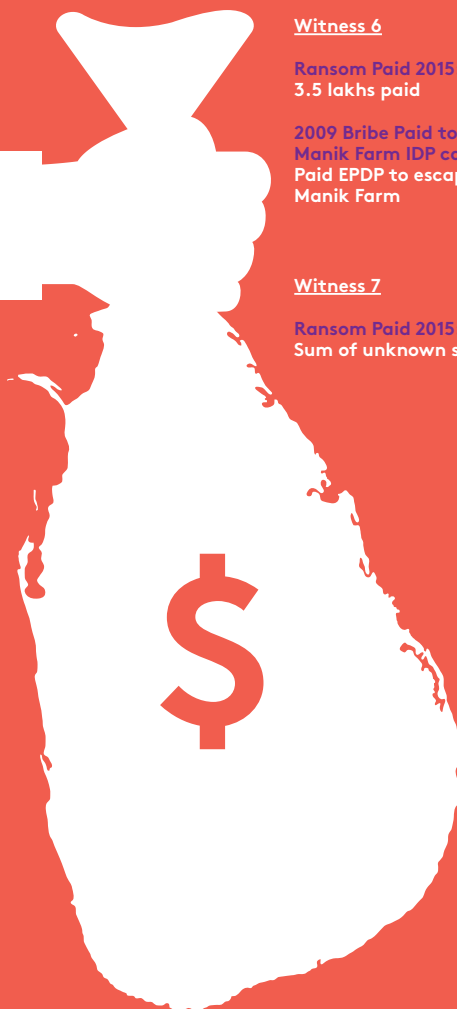
Ransom Paid 2015:
Bribe to TID (25 lakhs)

Witness 14

Ransom Paid 2015:
Paid TID

Witness 17

Ransom Paid 2015:
EPDP to CID (5 lakhs)



words in Sinhala but I didn't understand them but could understand from the tone. They also put their penises into my mouth and I was asked to bend in front of a table and they put their penises into my anus; they ejaculated inside my body. This happened many times to me. It was different men who did this to me. On every occasion two men were involved but this happened on many occasions. I bled a lot as a result of that. The torture was initially severe and at one stage I even admitted to their allegations that I was trying to regroup the LTTE and then the torture was slightly less. The sexual abuse continued nevertheless."

(Witness 133)

There is also no attempt by male members of the security force to hide the rape of female victims from their colleagues. In this case a woman soldier actually prepared the victim for rape by her colleague by undressing her and then leaving the room¹²:

"Later that night an army woman came. They were calling me 'Kotiya' (Tiger) repeatedly. The woman tried to take off my clothes. I thought she was doing this because I would not let the men earlier look at all my body. I thought she was looking for scars. The man was in the room too. She removed my clothes except my bra and panties. I was crying. They were looking at my body and laughing at me saying things in Sinhalese. I was trying to push the woman away and she said "oossh, oossh" and started slapping me...the woman said something to the man and she left the room. He came up to me and tried to pull my bra and panties off. I was fighting and I was running around the room trying to stay away from him. I became exhausted and simply sat on the floor. He grabbed my hair and was slapping me and saying something in Sinhalese...I remember laying on the floor on my back and in a daze trying to get up but being held down by hands on my arms pinning them to the floor."

(Witness 159)

The Locations: Both Secret and Identified Sites

Torture and sexual violence have occurred under the new government in a known army camp in the north of Sri Lanka (name withheld for witness protection reasons), the Vanni Security Force Headquarters in Vavuniya Town, (known as Joseph Camp), TID headquarters in Colombo (known as the 4th Floor), and in secret camps that are still operating in unknown but diverse places in Sri Lanka - known to the security forces but not the victims.

¹² This has also occurred in cases before 2015.

There are also cases in 2015 of victims being abducted and taken to secret torture sites while reporting to known CID offices or army camps. The names of these transit sites are withheld for witness protection reasons.

Otherwise, the sites are unknown to the victim. The perpetrators use the same modus operandi as in previous years of abduction, blindfolding, being driven some distance to detention, the same methods of torture and sexual violence including repeated vaginal and anal rape and then release in a remote spot in return for money.

The Families of the Victims

The victims' suffering also needs to be viewed in the context of what their families as a whole have been through. The extent to which other close members (a sibling, spouse or parent) of the same family had also suffered after the war is very striking. Among the pool of 20 survivors of 2015 torture we interviewed, they reported that:

1. Two close relatives had been killed in detention.
2. Nine close relatives had been tortured.
3. Nine close relatives had disappeared, many of them in state custody after the war ended.

This does not include deaths and injuries of relatives incurred during the war itself for those families who were in the "No-Fire Zones" in 2008-9. Nor does it include families who have been forced into hiding because of the threats and intimidation from the security forces and their fear that they too will be harmed.

Relentless Persecution Undermines Accountability

These continuing violations run contrary to the repeated assurances from the new Sirisena Government of Sri Lanka that there are no secret camps in operation and that the notorious "white vans" of the previous regime no longer abduct its citizens. The single best way to

indicate to the outside world and to Tamils that there has been real change in Sri Lanka would be for the rape, torture and reprisals to stop. This would encourage witnesses to come forward and testify in the future accountability process. Instead, the persecution of Tamils has not ended with the war but continues thereafter through loss of land, detention, torture, sexual violence, repeated extortion of ransom money, reprisals and the inability to seek justice.

"I was put in a small room and they removed my handcuffs and this room had no windows and had a metal door with no handle inside and no lights. There was a toilet facility in the corner – an open toilet, very dirty and smelly. I couldn't even sleep there was such a very bad smell of blood and toilet. There was no furniture. I couldn't sleep straight – I had to bend my body to fit in the room, which was tiny. I was kept alone. They removed my clothes and when I refused they slapped me. I was left there in my underpants... I could also hear the screams sometimes within the same building – male and female voices."

Witness 120,
Joseph Camp in 2015

"I was put in a very small room – I couldn't even extend my hands and legs. It was dark and there was no window. The door was made of metal bars through which I could see. I stayed there all the time I was detained. I heard crying and screaming in Tamil of people, both male and female, but I never saw them."

Witness 127,
Joseph Camp in 2015

2015 case:



III. Reprisals During 2015

Intimidation and harassment by the security forces of the families in Sri Lanka of those tortured in the past has continued in 2015.

The Families of the 20 Cases

In all 20 cases, the remaining family members in Sri Lanka had been repeatedly visited and threatened after the victim had fled abroad in 2015. In at least two cases a parent had been detained and in other cases a parent was forced to report to the security forces on a routine basis. Victims remain frightened to phone home lest they put their families in danger. There are also reprisals if they give interviews to the media. This does not bode well for witnesses being able to testify to a Truth Commission.

Other Reprisals During 2015

ITJP has also recorded at least one case of reprisal against someone who testified to the OHCHR Investigation on Sri Lanka (OISL) report. The reprisal involved detention of a family member in 2014 but the threats and harassment continued throughout 2015. In addition, there is evidence that the intelligence services have continued in 2015 to show detainees who have returned to Sri Lanka photographs of themselves attending Heroes' Day events and other commemorations abroad. This suggests there is continuing interest in surveillance of diaspora events.

ITJP has also recorded two cases of a Tamil war survivor giving an interview to a Tamil language TV station or magazine abroad and then their family facing a violent and swift reprisal during 2015 – in one case a beating resulting in death; in the other case detention. In a third case, a person was arrested on arrival in Sri Lanka and questioned about media interviews abroad. In another case, the wife in Sri Lanka of an asylum seeker abroad told his lawyers in confidence that she had been gang raped during 2015 by CID officers who continued to visit and question her.

Reprisals — Vanni

"Since I left in 2015 the authorities do go and ask my mum and dad about me. The TID officer received information about me from XXX and they don't know that I am not returning there. CID visit my family and they go back and forth to XXX to escape there. They are old my parents so they just harass them saying if I come back they must hand me over."

"I have not spoken to my family since I left. My mum told my sister that people came looking for me and asking for me after I left the country. They threatened my mother to tell them where I was but she said she doesn't know."

"After I left my father is required to report weekly to the XX police station – they ask about me and my brother. They took away my dad's ID card. They are still facing problems. I have no direct contact but my uncle sometimes talks to them and once I spoke to them through my uncle. They are in fear."

"After I left my family had problems. I did an interview with XXX...on XX 2015 and I didn't tell about my torture but I did say what I witnessed in the last phase of war and the suffering of the people. On XX September 2015 four men in plain clothes came to my home in XXX at night time and threatened my mother and searched the house and they said your son is working against us publicly and if he continues to do this you will have to face severe consequences and you should surrender him. They threatened and pushed my mother who tried to stop them entering the house. She is alone."

"Once I got to the UK, I found out that after I fled Sri Lanka, the CID went to my family home and threatened my family. They came asking my mother where I was. My mother told them that I ...never came home. She told them that they had indeed reported it to the local village chief, Grama Sevaka. I learned this from my brother who had been in contact with my family after I left. I do not know if they have been back or anything bad has happened to them. My brother has been told not to call the family home in case the CID are listening in. I have not spoken to my parents since I have been in the UK. My uncle dialed their number once and handed me the phone and said to speak to my mother. When I heard her voice I broke down crying and gave the phone back to my uncle. I fear that my family may face persecution."

"CID went to my parents home in XXX and they wanted to know where I was. My mother said, 'you arrested him and he did not come back'. They threatened my mother that she must 'bring him to us and if you don't and we find him we will shoot him'. They told her our whole family was LTTE. They came back more than once looking. They finally moved to get away from the threats and harassment. They are currently hiding in XXX with relatives."

"My family lives in fear. A couple of times people in civil dress whom we believe were CID visited my family and asked about myself and my whereabouts."

Reprisals — Jaffna Peninsula

"Since I have been in the UK I have communicated with my wife through my cousin's husband's phone. She told me that the CID have been back at our home two or three times looking for me. She did not say that they had threatened her or her relatives. They reminded my wife of an incident in 2014 where three Tamils were taken into the woods at Nedungkelli, near Ottisuttan, Mullaitivu District, where they were shot for allegedly trying to reform the LTTE. This was an infamous incident in Sri Lanka. They told her that I would meet the same fate if they caught me. I have no information that they have been to my family's village as I have not communicated with them because it would put them in danger if they found out I contacted them."

"Two CID men in civilian clothes visited my home twice since I left the country. They didn't introduce themselves. They asked about me and my whereabouts. On one occasion they asked my father to come to the XXX camp where they interrogated him. He was not hurt but threatened. They asked about me and my father had no contact and doesn't know where I am. I don't directly talk to him — sometimes my uncle talks to them and tells me about them."

"Once I left Sri Lanka the CID went to my home and questioned my family about me. They did this on several occasions and asked a lot about me. They phone me only from the public telephone booth. I never speak to them directly."

"Soon after my escape they visited my home and threatened them to surrender me as soon as possible. CID did this. They were in civil clothes. My family said they didn't know where I was. I don't phone them."

"Since my escape and coming to the UK, I have spoken to my mother using a phone the agent gave me to phone her landline. I have a UK SIM card. I have phoned her landline about 5 times since I have arrived in the UK. The last time I called was XX November 2015. My parents have told me that since my escape from detention that the CID has come to our house about four times looking for me. The last time the CID came was XX November. She told the CID that she does not know where I am. They told her that when I return, I was to be told that I had to go report to the CID. There is a CID office about 4 kilometres from my village. I do not know the exact date of their last visit to my home but my mother told me that it was after I was in the UK. She told me that my family was unharmed by the CID but they have fear of harm as the CID speaks very harshly to them."

Not applicable as interviewed while still in Sri Lanka.

"My XXX is facing problems and I don't talk to her. The army came to her house looking for me and they asked if she knew me. She said to them that she didn't know me and had no contact. This happened in March 2015. Even last week the authorities visited my brother and asked about me and whereabouts. I don't have direct phone conversations."

Reprisals — Vavuniya

"After I left the country my wife started having visits in XXX from the authorities so she moved to stay with my parents. So far they haven't had any visits but they are still living in fear. I don't telephone them more than once a month. I am frightened."

"About 3-4 days after I left the country my father was taken for interrogation and they asked him about me and where I was. I didn't ask them in detail where he was taken. They didn't hurt him; they kept him a couple of hours. He told them he had no contact with me. I talk to my family through my uncle."

"They often visit my home and ask about me and ask them to surrender me within a week but they keep telling them they have no contact with me. I don't contact them out of fear. They fear they can trace the calls. They only talk to my brother here in the UK."

"My father was arrested on XX 2015 and detained until XX August 2015 and now has to report monthly. When I was abroad I tried to contact my mum and she told me not to contact them as it would cause more trouble. Once I came here on my dad's birthday I contacted them and that day she said my dad had been released but she said not to contact them."

"I have no direct contact with my mum. After I fled the country, the authorities visited my home and my mum told them she had no contact with me. I and my mother are very concerned that the authorities might monitor my conversation. My mother is currently reporting to the authorities monthly at the police station. They visited my house many times since I left and searched it. My mother was detained for one month. My mother was arrested a week after I left the country. My uncle doesn't want to tell me where she was taken because he thinks I can't take it and he's scared. It should have been Joseph Camp she was taken to—I am guessing that."

"After I left they visited my home and threatened my father and told him to deliver me or face the consequences. I don't have direct contact with my family out of fear but sometimes they call me and then they said they were visited but they were frightened to tell me more. He hasn't been arrested but he's being threatened."

IV. Corroboration

The twenty cases in this report have been corroborated in the following ways:

1. Medical: In half the cases (10), the victim had a medical legal report by a court-recognised expert in wound/scar healing, a doctor and/or a psychiatrist with special expertise in dealing with victims of conflict, torture and sexual violence. Many survivors have reports from doctors in the UK and other countries and/or hospital records regarding their condition and corroborating that they have recent torture scars consistent with the manner of torture the survivors have described. The remainder had arrived so recently in Europe that there has been insufficient time for them to obtain an appointment with a medical expert.

2. Tamil politician: In six of these 2015 cases, MP's or former MP's from the TNPF or TNA¹³ are aware of the incidents because they have either been informed by the families of the victim or, in four cases, they personally drove the victim to the airport and through security to ensure they escaped safely after their ordeal¹⁴.

3. Refugee Status Granted: One of the victims, who was interviewed and his scars photographed by the British police (as well as the immigration authorities) on arrival at the airport, has already been granted asylum in the UK which means his account of being tortured and abused in 2015 has been accepted by the British authorities. Because of their very recent arrival in European countries, all other witnesses' applications for asylum are pending.

4. Visa: Two witnesses already had a valid visa for the UK. One has not yet claimed asylum; the other had no other motive to claim asylum other than that he feared he would be raped and tortured again if returned.

5. ICRC and Diplomatic Missions: Of the 2015 cases at least three are known to the ICRC in Sri Lanka. Others are known to at least one diplomatic mission in Sri Lanka. The name of that mission is withheld for witness protection reasons.

¹³ We have the names but are withholding them for witness protection reasons.

¹⁴ For example Witness 131 who said: "I helped the TNA (Tamil National Alliance) before the elections and during the presidential elections in January 2015 and the parliamentary election in August 2015. I gave out leaflets for them and told people to vote for them. I took part in campaigns and meetings. I did this as a volunteer and was not paid. I worked with XX (Tamil politician, name withheld for witness protection purposes.). He knows me. He's aware I am facing threats from the Sri Lankan authorities. My brother informed him about my recent torture".

6. Site Descriptions: Different witnesses, unknown to one another, have given identical descriptions of holding cells in Joseph Camp over the post-war years. Of the 20 cases from 2015, two were held in Joseph Camp; their accounts of tiny cells match other accounts from many witnesses detained in previous years which we have detailed in our earlier reports.

7. Patterns: Multiple accounts by different witnesses, unknown to one another, corroborate a pattern of widespread and systematic abduction, interrogation, torture and release on payment of a ransom which is common among the 2015 cases and also approximately 200 earlier post-war cases for which we have taken sworn statements from or otherwise have independent medical legal reports.

Some have asked why the evidence of “white van” survivors has only been collected abroad and not inside the island. These are the reasons why:

- 1. Fear:** most victims are too terrified to speak to anyone about their ordeal until they have reached safety abroad.
- 2. Protecting Family Members:** Those who know about the abductions inside Sri Lanka tend to be the victims’ families and yet most victims do not confide the details of sexual abuse to their relatives in order to spare them distress¹⁵.
- 3. Stigma:** the pervading shame around rape in Tamil culture¹⁶.
- 4. Timing:** most of the survivors of “white van” abduction we meet leave Sri Lanka very quickly after being released. The vast majority never even go home or see their family to say goodbye. That makes it highly unlikely that they would give a statement to an investigator about their experiences while in Sri Lanka.
- 5. Reprisals and Surveillance:** against families, as outlined above.
- 6. Lack of Eyewitnesses.**
- 7. Medical Treatment Not Sought in Sri Lanka:** for the above mentioned reasons.

¹⁵ Survivors often do not tell their parents: *“How can I talk to my parents about this? What is the point in living? As a young Tamil lady if my parents find out how are they going to bear it. But then I thought it would be harder for them to take if I died. Now when I think of what happen to me I think sometimes that death would be better”* (Witness 159).

¹⁶ The culture of shame in the Tamil community in Sri Lanka is so extreme that female witnesses describe even close childhood friends shunning them in their villages when they are released from detention. One female LTTE cadre feared to tell her relatives in London lest they throw her out of the house. Most Tamil women also assume they will never marry and have children after being raped. A victim described it like this: *“Taking my virginity is so important in my Tamil Hindu culture. I thought it would have been better if I were dead than to have lost my virginity. I felt ugly. I did not think I would be able to marry. I simply wanted to die. It would be better if they killed me rather than send me home spoiled and in mental and physical pain.... I feared that others would now look upon me as soiled, as a prostitute.”* (Witness 177)

8. Reporting to Police: The victims cannot safely go to the police to complain about being abducted. In several cases the police (CID and TID) are involved or suspected to be involved in the abduction. In one case a woman reported to the local police that she had been repeatedly raped by the military and only ended up being detained, and sexually assaulted again by them and the military.

"I did not go to the hospital for treatment or testing for diseases. I did not want to tell any doctor or anyone in my community that I was raped. If I went and told the story to the government hospital so I could get examined and tested they would report it to the police and I did not want the police to know as I may get in even more trouble as they too would take me into their custody for inquiry and they would torture and abuse me as well. My family got ointments for me from the Pharmacy."

Witness 177

"I was crying. We went to straight to Colombo in that vehicle. My physical condition at that time was bad. I had great pain on my back from the burns and the beating with plastic pipes. The cigarette burns on my body were hurting. My feet and legs were also in pain from the beatings. I did not say anything to my father about the torture as I was crying the whole way. My father removed my shirt in the car and saw the marks on my back and elsewhere on my upper body. We did not stop for medical attention on the way. We did not stop because it was night and because we were escaping."

Witness 142

Conclusion

The lives of the twenty survivors of torture and sexual violence described in this report have been utterly destroyed. That should weigh heavily on all those in the new government in Sri Lanka whose action or inaction has failed to protect their citizens and their families.

These recent victims, as well as those whose rights were violated in the past, are entitled in terms of international law to access justice and reparations for the crimes committed against them. This means that those perpetrators within the Sri Lankan security forces should be held criminally accountable. Ultimately the responsibility to identify, investigate and prosecute the perpetrators of these heinous crimes lies with the Government of Sri Lanka.

These cases reveal not only that torture and repression continue in Sri Lanka but that they remain widespread and systematic. They are the work of a well-organised machine which continues to thrive within the Sri Lankan police and military fuelled by extortion. It is responsible for terrorising and oppressing Tamils. This is therefore not a question of a few rotten apples in the system, as the new government so often suggests, but rather the result of structures that have long been corrupted.

Ending torture and sexual violence and addressing the impunity under which the security forces in Sri Lanka currently operate, requires that those in power acknowledge the extent of the current problem. Advocating for real change is dependent on a comprehensive programme on security sector reform that seeks to unravel those structures and individuals responsible for torture and sexual violence. Removing only those officers at the top without understanding the scope and scale of the violations and the need to dismantle the structures responsible will not yield transformation or accountability.

It is twelve months since the new government came to power: it is inexcusable that the government continues to deny ongoing torture and sexual violence in Sri Lanka or aver that they are unable to take action. An independent credible investigation process will be able to establish the facts required for a criminal prosecution.

The new government has committed before the Human Rights Council to establish a number of transitional justice mechanisms including a Truth Commission and a prosecutorial process. In the current climate of impunity in which torture, sexual violence, intimidation and persecution are ongoing in the former conflict areas, it is unlikely that Tamil victims of torture and sexual violence at the hands of state forces will be able to participate. The pursuit of accountability requires the domestication of international crimes, an independent judiciary and Office of Attorney General independent of all political influence as well as an appropriate

and effective witness protection programme that secures the interests and safety of victims and witnesses so that they can participate freely, safely and without fear of reprisals against them or their families. The new government, if it is to be taken seriously, must deal immediately, decisively and conclusively with those in the security forces who continue to commit these serious crimes and/or undermine accountability. This requires political will without which no witness protection program, new legislation or re-training of the security forces will solve this problem.

Tackling the crimes of the past is an enormous undertaking that cannot be taken lightly. Many survivors have fled Sri Lanka and have sought refuge outside the country. Establishing the truth about the past and building future accountability must include them if transitional justice in Sri Lanka is to have any credibility.

While many supporters of “the new Sri Lanka” advocate patience and the need to give the new government time, the classic peace versus justice argument, peace and justice are mutually reinforcing of each other. Peace should also not come at the expense of justice and accountability for victims. If the impunity of the security forces is not addressed with urgency, many more victims will continue to be tortured and sexually assaulted, hung upside down, suffocated, whipped, branded with hot metal rods and brutally gang raped. Surely the new government in Sri Lanka cannot allow this to continue.

Suggestions

The new government has repeatedly said it cannot investigate the allegations of continuing abductions, torture and sexual abuse unless they are given the names and details of the victims. Given the level of ongoing violations and reprisals it would be unprofessional and irresponsible from a witness protection point of view for us to hand over such information to the Sri Lankan authorities at present. In addition, sharing any information would require the informed consent of the victims, who quite reasonably do not trust the same security forces who tortured them, to investigate and provide witness protection services to them and their families. The current “Assistance to and Protection of Victims of Crime and Witnesses Act”¹⁷ is far from being in line with best practice internationally but even this legislation has yet to be implemented since it came into force in nearly five months ago in August 2015¹⁸. Unfortunately this indicates that witness protection is not a top priority.

In addition to the detailed recommendations we have made in our earlier reports, there are some further steps the government could easily take to investigate immediately and properly the cases detailed in this report and others like them:

1. As with the victims indicated in our previous report, the 2015 victims of abduction say that the interrogators have files on them containing their information and within which they make notes. They also report that they are forced to sign coerced confessions in Sinhala. This documentation will be stored by Military Intelligence and CID/TID. All interrogators are members of the security forces and are assigned duties and duty stations. They are paid accordingly, just like any other public employee. A legitimate investigative unit, with the power and political will to investigate properly, could:
 - a. seize police and military records to find out the locations of the secret camps,
 - b. identify the officers who purport to witness the confessions and the officers who were on duty at relevant times,
 - c. seize photographs of the relevant officers,

¹⁷ Available online at <http://www.documents.gov.lk/Acts/2015/Act%20No.%204/Act%20No.%204E.pdf>

¹⁸ Assistance for crime victims, witnesses, The Sunday Times, 16 August 2015, Available at <http://www.sundaytimes.lk/150816/columns/lankas-vips-bust-millions-to-watch-movies-including-porn-in-new-york-160649.html>

- d. require the officers to account for all the 'escaped' or released detainees who have not been legally released, and finally,
 - e. arrest and interrogate security force suspects and bring those responsible for these crimes to justice before an independent judiciary.
2. Examine which victim's families in the North and East military the intelligence services and police are routinely questioning or calling in for interrogation. The security forces know very well which families have a child or sibling who has fled the country after being detained because every family has been visited afterwards.
 3. Ensure that victims' families are not further harassed or harmed.
 4. Ask a range of politicians to share their knowledge of who is involved in the abductions and smuggling abroad. Several MPs and former MPs from a variety of parties, whose names we are not releasing for witness protection reasons, have been involved over the years in helping victims escape from torture sites at considerable risk to themselves. They have negotiated releases, hid victims, bought them tickets (with receipts in their names) and driven them to the airport where they are escorted through specific immigration counters where the official has been paid to allow them through. Over the years these MP's and officials come from the TNA, TNPf, EPDP and SLFP¹⁹.
 5. Given the EPDP is a pro-government Tamil party and was involved in brokering half the ransoms paid by the 2015 victims in this report, questioning their cadres would be a starting point for evidence gathering regarding ongoing cases
 6. Examine the bank accounts of military officers and other participants suspected to be involved in abductions and torture, such as those naval intelligence officers named in our July 2015 report as in charge of the secret site at Trincomalee Naval Dockyard and those in charge of Military Intelligence posted in Joseph Camp during the final phase of the war and in the post-war period.
 7. Iniya Bharathi's paramilitary group in the East of Sri Lanka received Treasury cheques worth Rs 18,000 for 40 members from December 2005 onwards from the Rajapaksa Government. Tracing these cheques would be an easy matter and links the Rajapaksas to Iniya Bharathi and CID who worked with him. His group is alleged to have been involved in abduction, torture and extortion over many years.

¹⁹ Namely the Tamil National Alliance, the Tamil National People's Front, the Eelam People's Democratic Party and the Sri Lanka Freedom Party.

8. The Attorney General and members of his office must recuse themselves from any investigation or prosecution into allegations of serious crimes being committed by members of the security forces and in which members of the government may be complicit. Accordingly, absent international investigators and prosecutors, the only reasonable solution is for the government to appoint respected, experienced, and independent members of the private bar independently to perform the duties normally performed by Attorney General and his office.
9. The Government of Sri Lanka should commit to bring its witness protection provisions in line with best practice international standards as a matter of urgency.

Important Information for Tamils Abroad Considering Returning Home

1. It is not yet safe to return home if you had any connection with the LTTE in the past, however tenuous and however long ago, even being a low level cadre. Some cases in this report involve people who left the LTTE during the Norwegian peace process time; others involve child soldiers recruited in the final months of the war.
2. Be aware that the Sri Lankan authorities are closely monitoring Tamils in India and Malaysia and their contact with their families in Sri Lanka.
3. Be aware that Tamils who return to Sri Lanka from abroad are under surveillance and there is still an extensive network of Tamil informers watching for people returning home, especially in the Vanni. The intelligence services will likely watch someone for a few days on return to the country before picking them up, so clearing the airport is no guarantee of future safety.
4. Be aware that the Sri Lankan intelligence services are still monitoring diaspora events at home and abroad such as Heroes' Day and Mullivaikkal Remembrance Day events, taking photographs and then showing them to detainees. This indicates that attending these events is a risk if you are intending to return home or have family living there.
5. Tamils who worked briefly for the LTTE as low-level undercover agents in cells operating in Colombo, Vavuniya and Jaffna are being systematically hunted down. These cells have been compromised by a number of members who have been detained and turned informer. It is highly unlikely that such activity is not known to the authorities now.
6. Giving media interviews abroad about the 2009 war or post-war detention and abuse can lead to immediate and violent reprisals against family members still in Sri Lanka.

“This has happened to me, but I know it has happened to thousands more like me by the security forces and this evil needs to be stopped.”

Witness 168

“I have had a very bad experience. However, I was so lucky that my family was able to pay a bribe and get me to a safe country. I am giving this statement because, though I do not feel I will get justice for what they did to me, I hope my friends and other helpless people back home will not be harmed by the security forces.”

Witness 159

This report focuses on 20 cases of torture and sexual violence by the security forces that occurred under the new government in Sri Lanka during 2015. For more information on the 180 post-war cases of torture and/or sexual violence previously reported by ITJP please see itjpsl.com and stop-torture.com.

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