



Sri Lanka

Population: 20,300,000

Capital: Colombo

Political Rights: 4

Civil Liberties: 4

Status: Partly Free

Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

| Year Under Review | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 |
|-------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Rating | 3,4,PF | 3,4,PF | 3,4,PF | 3,4,PF | 3,3,PF | 3,3,PF | 3,3,PF | 4,4,PF | 4,4,PF | 4,4,PF |

Overview:

After steady military advances early in the year, the long-running civil war between the government and the rebel Liberation Tigers of Tamil Eelam ended in May after a final battle in which the Tiger's leadership was decimated. Thousands of civilians displaced by the final phases of fighting remained forcibly interned in camps for much of the year before the majority were allowed to leave and/or be allowed greater freedom of movement in late November; at year's end approximately 100,000 remained in the camps. Despite the war's completion and an improvement in security throughout the country, the situation for human rights defenders and journalists remained grim, with numerous attacks and cases of intimidation occurring during the year amidst a prevailing climate of nationalist rhetoric and impunity.

Since independence from Britain in 1948, political power in Sri Lanka has alternated between the conservative United National Party (UNP) and the leftist Sri Lanka Freedom Party (SLFP). While the country made impressive gains in literacy, basic health care, and other social needs, its economic development was stunted and its social fabric tested by a long-running civil war that killed at least 100,000 people before finally ending in May 2009. The conflict initially pitted several ethnic Tamil guerrilla groups against the government, which is dominated by the Sinhalese majority. Although triggered by anti-Tamil riots in 1983 that claimed hundreds of lives, the war came in the context of long-standing Tamil claims of discrimination in education and employment. By 1986, the Liberation Tigers of Tamil Eelam (LTTE, or Tamil Tigers), which called for an independent Tamil homeland in the merged North Eastern Province, had eliminated most rival Tamil guerrilla groups and was in control of much of the northern Jaffna Peninsula. At the same time, the government was also fighting an insurgency in the south by the leftist People's Liberation Front (JVP). The JVP insurgency, and the brutal methods used by the army to quell it in 1989, killed an estimated 60,000 people.

In 1994, Chandrika Kumaratunga ended nearly two decades of UNP rule by leading the SLFP-dominated People's Alliance (PA) coalition to victory in parliamentary elections and then winning the presidential election. Early in her term, she tried to negotiate a peace agreement with the LTTE, but following their renewal of hostilities, she reverted to focusing on a military solution. Kumaratunga won early presidential elections in 1999, but the UNP and its allies gained a majority in 2001 parliamentary elections, and UNP leader Ranil Wickremasinghe became prime minister.

Following a February 2002 permanent ceasefire accord (CFA), the two sides agreed to explore a political settlement based on a federal system, and while the LTTE suspended its participation in peace talks in 2003, it stated that it remained committed to a political solution and did offer some proposals regarding a self-governing mechanism for the areas under its control. The peace process was also constrained by infighting between the main political parties about how to approach the Tigers.

Kumaratunga called parliamentary elections in early 2004, and bolstered by the support of the JVP, her new PA-led United People's Freedom Alliance (UPFA) coalition won 105 out of 225 seats and formed a minority government. Apart from the JVP, other extremist and ethnic-based parties also made inroads, including a new party formed by Buddhist clergy, the National Heritage Party (JHU). The peace process was subsequently hampered by the addition of the JVP to the ruling coalition and by the presence of pro-Sinhalese forces such as the JHU in Parliament.

The ceasefire with the LTTE continued to hold, despite an increasing number of violations. A complicating element emerged in 2004, when Colonel Karuna Amman (the *nom de guerre* of Vinayagamoorthi Muralitharan), an LTTE commander in the east, formed a breakaway faction called the Tamil Makkal Viduthalai Pulikal (TMVP) and alleged discrimination in the treatment of eastern Tamils by the LTTE leadership. By 2006, the Karuna faction had become loosely allied with the government, which provided it with logistical support in exchange for valuable intelligence.

In the 2005 presidential election, PA nominee Prime Minister Mahinda Rajapaksa narrowly won with 50.3 percent of the vote, as opposed to 48.4 percent for Wickremasinghe, largely as the result of an LTTE boycott and intimidation of voters. Rajapaksa's immediate political objectives were to consolidate his position within the party and his coalition's position within Parliament. He also cultivated a more authoritarian style of rule, relegating Parliament to a secondary role. Furthermore, the process by which a constitutional council nominates members of key independent commissions was sidestepped; the council itself was not reconstituted after the terms of its members expired, and in its absence, the president unilaterally appointed loyalists to official posts.

Prospects for the peace process dimmed further in 2006 and 2007 as consensus-building among the southern parties stalled, fighting with the LTTE escalated, and both sides engaged in targeted killings of key leaders. A pattern of daily attacks in the north and east resumed, punctuated by LTTE land-mine and suicide attacks throughout the country, and the government embarked on an aggressive campaign to recapture rebel-held territory. Ground operations and largely indiscriminate aerial shelling by the Sri Lankan military killed hundreds of people and

displaced tens of thousands. People's mobility and commercial and social activities were increasingly curtailed by curfews, road closures, and security checkpoints. All parties to the conflict engaged in human rights abuses, including civilian killings, abductions, detentions, political assassinations, child conscription, and extortion. Even outside the conflict areas, emergency and antiterrorism legislation facilitated the detention of perceived security threats and critics of government policy.

After the government formally annulled the largely defunct CFA in January 2008, bombings and other fighting escalated sharply as the military stepped up its offensive. The fierce fighting deepened the humanitarian crisis, with tens of thousands of people, overwhelmingly Tamil civilians, newly displaced. In March 2008, the government began detaining civilians who fled rebel-held areas at special "welfare centers." Although authorities said the measure was intended to protect civilians from LTTE reprisals, it also allowed the army to screen the refugee population for LTTE infiltrators. International aid agencies, which had provided a large measure of support for the displaced, were asked to leave northern Sri Lanka in September.

As open warfare continued in the north, in January 2008 the president jump-started the stalled work of the All-Party Representatives Committee (APRC), which had been convened to build political consensus on measures aimed at resolving ethnic grievances. The committee offered proposals for more thorough implementation of the 13th amendment to the constitution, which had set up a system of provincial councils and had also called for the establishment of "interim councils" to administer the Northern and Eastern Provinces. However, analysts were not convinced that the proposals would adequately address long-standing Tamil grievances. The government also delayed the nominations process for the constitutional council, provided for by the 17th constitutional amendment. In March 2008, the parliamentary group tasked with implementing the amendment proposed that the existing commissions continue to function until new members could be appointed by a restored council.

In elections for a new provincial council in the Eastern province held in May 2008, the ruling UFPA alliance, boosted by its alliance with the TMVP, secured 20 of the 37 council seats. TMVP deputy leader Pillayan, who had assumed control of the group, was sworn in as the province's first chief minister, prompting criticism in light of the TMVP's rebel past and its continued use of violence to intimidate political rivals. Although the elections marked a step toward resumed normalcy in the east, tensions continued to simmer between the province's political factions and ethnic groups.

As 2009 opened, the military continued its gradual advance, capturing a series of villages and strategic points, and had gained control of Mullaitivu, the last big town controlled by the LTTE, by late January. With thousands of civilians trapped in the remaining territory under rebel control, fighting proceeded slowly, but in a decisive final battle over a small coastal strip of land in mid-May, government forces gained full territorial control over the north as well as decimating the Tigers' leadership, including Velupillai Prabhakaran. An official end to the war was declared on May 9. Around 11,000 conflict deaths were reported in 2008, according to the South Asia Terrorism Portal, and at least 15,565 people (including 11,111 civilians, 1,315 security force personnel, and 3,139 LTTE militants) were killed nationwide in 2009, the majority civilians that were killed during the final phase of the war in May.

In the immediate aftermath of the fighting, international attention remained focused on the plight of approximately 300,000 civilians displaced by the final phases of the war, many of whom were interned in government-run camps, who faced a humanitarian crisis including severe food shortages and outbreaks of disease. While the government promised that these internally displaced people (IDPs) would be released and resettled by the end of the year, it initially limited access by local and international aid groups to the camps, with the primary aim of screening of all refugees to weed out any rebels hiding among them. In addition, the safe return of IDPs to their homes was hampered by the large number of mines laid throughout the conflict zone by both sides that had to be cleared. In August, in what was termed a “first phase” of the resettlement program, officials allowed approximately 1,100 IDPs to return to their homes or seek shelter with relatives. By late November, under considerable pressure, officials announced that IDPs remaining in the camps would be allowed to come and go from the camps freely. Approximately 100,000 remained in the camps at year’s end, although authorities promised to release all of them by January 2010.

Local government elections, the first to take place in more than a decade, were held in the northern cities of Jaffna and Vavuniya in August. The UPFA won 51 percent of the votes and a majority of the 23 seats in the Jaffna municipal council elections, while the Tamil National Alliance (TNA) secured eight seats; however, the TNA won the largest share of seats in the Vavuniya urban council elections. The Jaffna campaign was marred by accusations of intimidation. Further normalization occurred with the reopening after several years of the A9 Jaffna–Kandy highway, which is the only land route connecting the capital with the northern part of the country.

Disagreement over how to resolve the ethnic grievances that contributed to the LTTE insurgency remained a problem. In particular, the degree of implementation of the 13th amendment, particularly which powers would be devolved to the provinces and if this would be sufficient to meet Tamil aspirations, were a subject of contention among both big and small political parties. The APRC was deadlocked throughout 2009 over the devolution issue, with President Rajapaksa’s SLFP and its allies opposing a federally-based solution giving increased power to the provinces. Despite missing an August deadline for the submission of its final report, the APRC continued to meet to resolve differences, but was unable to reach consensus by year’s end. The government’s continued failure to implement the 17th amendment (regarding the appointments process of members of several important commissions) was cited by public administration and home affairs minister Karu Jayasuriya as he resigned from the administration and rejoined the opposition UNP in December.

Meanwhile, the SLFP strengthened its position heading into the next election with the inclusion of a number of senior figures from the TMVP (which is a fellow member of the UPFA ruling coalition), including former head Karuna Amman, into the party; Karuna received a non-cabinet post in the government as national integration and reconciliation minister. Tensions continued to grow between Karuna and Pillayan, his former deputy and chief minister of the Eastern Province, leading to the risk of renewed violence between supporters of the two Tamil factions. The UPFA recorded landslide victories in local elections held in the Central and North-western provinces held in February, as well as the April Western and August Uva provincial elections—both traditional strongholds of the UNP. The string of victories was seen as a strong

public endorsement of the government's war strategy. Buoyed by public support, the government continued to crack down on dissent despite the end of the war, including harassment of prominent journalists and human rights advocates, as well as international critics. Hoping to take advantage of his government's post-war surge in popularity, Rajapaksa called for presidential elections to be held—two years early—on January 26, 2010. However, in a surprise move, General Sarath Fonseka resigned as head of the armed forces and declared his candidacy on behalf of an opposition coalition, mainly comprised of bitter rivals the JVP and the UNP, in December, making for a closely contested race as the year ended.

Political Rights and Civil Liberties:

Sri Lanka is an electoral democracy. The 1978 constitution vested strong executive powers in the president, who is directly elected for a six-year term and can dissolve Parliament. The prime minister heads the leading party in Parliament but otherwise has limited powers. The 225-member unicameral legislature is elected for a six-year term through a mixed proportional-representation system. Elections are open to multiple parties, and fair electoral laws and equal campaigning opportunities ensure a competitive political process.

While elections are generally free and fair, they continue to be marred by some irregularities, violence, and intimidation, and the LTTE regularly refused to allow free elections in areas under its control. The independent Center for Monitoring Election Violence (CMEV) reported that the 2004 parliamentary elections were considerably less beleaguered by violence and malpractice than previous polls. The European Union's Election Observation Mission noted that the 2005 presidential vote proceeded fairly smoothly in the south, despite some inappropriate use of state resources and biased reporting by both state-run and private media outlets. However, voting in the north was suppressed by the LTTE, which enforced a boycott through acts of violence including grenade attacks on polling stations and the buses intended to carry voters into government-controlled territory. After the election, intimidation by armed groups dramatically reduced the space for nonviolent Tamil politics in the north and east, while the war led to more muted opposition from southern political parties. Provincial council elections held in Eastern Province in May 2008 were accompanied by widespread reports of irregularities and intimidation by the TMVP, casting doubts on the credibility of the results, while those held in several southern provinces in 2009 were acknowledged to be generally free and fair despite isolated instances of violence and the abuse of state resources by the ruling alliance, according to the CMEV.

Governmental coherence has been improved by the fact that the executive and legislative branches are currently controlled by the same party. Some observers charge that Rajapaksa's centralized, authoritarian style of rule has led to a lack of transparent, inclusive policy formulation. According to a report by the Centre for Policy Alternatives (CPA), the president and his three brothers—who were appointed to head the ministries of Finance, Defense, Ports and Aviation, and Nation-Building and as such control an estimated 70 percent of Sri Lanka's budget—made all the crucial decisions and controlled most public spending, with the cabinet and other party stalwarts serving as implementers and advisers.

The 17th amendment to the constitution was designed to improve governance and depoliticize key institutions by creating a constitutional council responsible for appointing

members to independent commissions overseeing the police, the judiciary (including human rights), and public servants. Owing to a parliamentary impasse, Rajapaksa failed to reconstitute the council in 2006 after the terms of its previous members expired, and instead made unilateral appointments to several commissions in 2007. Some local groups allege that these actions have threatened the independence of the institutions and created a class of appointees who owe their positions to the president. Rajapaksa has expressed his opposition to the amendment and the council remained dormant in 2009.

Official corruption is a continuing concern, and the current legal and administrative framework is inadequate for promoting integrity and punishing corrupt behavior. While Sri Lanka has signed on to several international anti-corruption conventions and has several anti-corruption laws on the books, implementation and enforcement has been a problem. For example, legislators routinely ignore the requirement to declare their wealth as stipulated in the 1994 Bribery Amendment Act. Although hundreds of cases are under investigation or prosecution by the Commission to Investigate Allegations of Bribery or Corruption (CIABOC), no current or former politician has been sentenced. Corruption watchdogs have branded CIABOC as ineffective due to government interference which has compromised its independence, as well as the ability of the Treasury to withhold its funding. In addition, corruption cases can only be initiated by members of the public, who have been reluctant to do so because of a lack of whistleblower protection. Sri Lanka was ranked 97 out of 180 countries surveyed in Transparency International's 2009 Corruption Perceptions Index.

Media freedom declined further in 2009, with a continued increase in intimidation of journalists, particularly those covering the war or other political issues. Although freedom of expression is guaranteed in the constitution, a growing number of laws and regulations—including the Official Secrets Act, emergency regulations reintroduced in 2005, the Prevention of Terrorism Act (PTA), additional antiterrorism regulations introduced in December 2006, and defamation and contempt-of-court laws—restrict this right. Senior journalist J. S. Tissainayagam was detained in March 2008, and after being held without charge for five months, he was indicted under the PTA, marking the first time the law was used against a journalist. In September 2009, Tissainayagam was sentenced to a 20-year prison term, a harsh punishment that was criticized by numerous rights groups. While state-run media outlets have increasingly fallen under the influence of the government, private media have become more polarized. Official rhetoric toward journalists and outlets perceived to be “unpatriotic” or critical has grown more hostile, with high-level officials regularly making statements that equate any form of criticism with treason.

Journalists' ability to adequately cover the war during the first half of the year was restricted by bans on physical access to conflict zones in the north of the country. Some of these continued after the war's end; reporters were denied entry to cover local elections held in Vavuniya and Jaffna in August. Over the past several years, a number of Tamil-language newspapers have been banned or seized by various factions, distributors have been attacked or warned not to sell certain papers, several independent outlets have closed due to threats, and other such as *Uthayan* faced harassment from numerous sources. Journalists throughout Sri Lanka, particularly those who cover human rights or military issues, faced considerable levels of intimidation in 2009, leading to rising levels of self-censorship. State-controlled media, as well

as the Defense Ministry website, are regularly used to smear individual journalists and other activists. A number of journalists received death threats in 2009, while others were subject to attempted or actual kidnapping and assaults, including Poddala Jayantha, general secretary of the Sri Lanka Working Journalists Association; Dileesha Abeysundera, a journalist at the weekly *Irudina*; Frederica Jansz and Munza Mushtaq, of the Leader media group; Upali Tennakoon, editor of the weekly *Rivira*. In the most serious incident, prominent editor Lasantha Wickrematunga of the *Sunday Leader* was shot dead in January by unknown assailants as he drove to work in Colombo; he had previously received threats and posthumously published an article predicting his own murder. Previous cases of attacks on journalists have not been adequately investigated or prosecuted, leading to a climate of complete impunity. Internet access is generally not restricted, although the government occasionally blocks access to pro-LTTE websites.

Religious freedom is respected, and members of all faiths are generally allowed to worship freely, but the constitution gives special status to Buddhism and there is some discrimination and occasional violence against religious minorities. Tensions between the Buddhist majority and the Christian minority—and in particular, evangelical Christian groups, who are accused of forced conversions—sporadically flare up into attacks against churches and individuals by Buddhist extremists. The US Department of State's International Religious Freedom Report for 2009 describes several cases of harassment and violence aimed at Christian churches. Work permits for foreign clergy, which formerly were valid for five years, are now being issued for only one year with the possibility of extension. In January 2009, the Prohibition of Forcible Conversions bill was brought to Parliament a second time by the JHU, but once again it did not make it out of committee; the JHU indicated that it would reintroduce the bill in 2010. Conditions for Muslims in the north and east improved with the demise of the LTTE, which had discriminated against them in the past, but relations between Tamils and Muslims in those provinces remained somewhat tense. In recent years, the minority Ahmadiyya Muslim sect has faced increased threats and attacks from members of the Sunni Muslim community, who accuse Ahmadis of being apostates.

The government generally respects academic freedom, and no official restrictions were reported in 2009. However, the LTTE had a record of silencing intellectuals who criticized its actions, sometimes through murder or other violence, and progovernment Tamil groups have also allegedly made threats.

Freedom of assembly is typically upheld. Although the 2005 emergency regulations give the president the power to restrict rallies and gatherings, permission for demonstrations is usually granted. Police occasionally use excessive force to disperse protesters. The LTTE did not allow freedom of association in the areas under its control. International staff of humanitarian groups were subject to new visa and work-permit regulations starting in 2006, and were occasionally barred from rebel-held areas. Following the end of the war in May 2009, access remained restricted to the conflict zone, as well as the IDP camps, for many humanitarian workers including the International Committee of the Red Cross. Over the past few years, human rights and pro-peace NGOs throughout the country, particularly those considered “unpatriotic” or unwilling to support the official line, have faced greater threats and harassment from authorities, including assaults on their gatherings, proposed parliamentary investigations into their activities,

and harassment of staff. In August, Paikiasothy Saravanamuttu, head of the respected think tank Centre for Policy Alternatives, received death threats and then was detained for questioning by airport officials upon his return from a business trip to the United States. Several dozen nongovernmental organization (NGO) and humanitarian workers have been killed in recent years, while others have been subject to attacks, harassment, and enforced disappearance, as was the case with Stephen Sunthararaj in May 2009. Several foreign staff of UN agencies and NGOs were deported during the year after making remarks critical of official policies.

Sri Lanka has a strong workers' rights tradition, with more than 1,500 trade unions registered. Most unions are independent and are legally allowed to engage in collective bargaining. Except for civil servants, most workers can hold strikes, but the 1989 Essential Services Act allows the president to declare a strike in any industry illegal. Even though more than 70 percent of the workforce on tea plantations is unionized, employers routinely violate the rights of the mainly Tamil workforce. The government has increased penalties for employing minors, and complaints involving child labor have risen significantly. Nevertheless, thousands of children continue to be employed as domestic servants, and many face abuse.

Successive governments have respected the constitutional provision for an independent judiciary, and judges can generally make decisions without overt intimidation from the political branches. In recent years there has been growing concern about the politicization of the judiciary, particularly with respect to the chief justice of the Supreme Court, Sarath Nanda Silva, who held the office from 1999 until his retirement in June 2009. A critical report issued by the International Crisis Group on the state of the judiciary raised a number of key issues, including the President's refusal to implement the 17th amendment; continuing executive power to make high-level judicial appointments; the chief justice's control over the Judicial Service Commission, which makes lower level appointments; and the lack of a mechanism to sanction biased or corrupt judges. On a positive note, newly appointed chief justice Ashoka de Silva has expressed a commitment to reform, and in September it was announced that the judicial system planned to add some 50 new courts in order to expand services and speed up processing times for cases. Corruption remains fairly common in the lower courts, and those willing to pay bribes have better access to the legal system.

Heightened political and military conflict beginning in 2006 led to a sharp rise in the number of human rights abuses committed by security forces, including arbitrary arrest, extrajudicial executions, forced disappearances, torture, custodial rape, and prolonged detention without trial, all of which predominantly affect those of Tamil ethnicity. Torture occurred particularly in the context of the insurgency but also takes place during routine interrogations. Such practices are facilitated by emergency regulations reintroduced in 2005, under which detainees can be held for up to a year without trial. In December 2006, the government reinstated certain provisions of the Prevention of Terrorism Act, giving security personnel powers to arrest and detain suspects indefinitely without court approval. The Prevention and Prohibition of Terrorism and Specified Terrorist Activities Regulations, also introduced in 2006, was criticized for providing an overly broad definition of terrorism and granting immunity to those accused of rights abuses. These laws have been used to detain a wide variety of perceived critics, including political opponents, journalists, and members of civil society, as well as Tamil civilians suspected of supporting the LTTE.

The National Human Rights Commission (NHRC) is empowered to investigate abuses but has traditionally suffered from insufficient authority and resources, and further encroachments on its independence by the executive have occurred in the past several years. A lack of aggressive prosecution of the majority of past abuses, coupled with inadequate protection for victims and witnesses, contributes to a climate of almost complete impunity. Since 2006, as a result of the continuing impasse over reconvening the constitutional council, appointments to key bodies such as the NHRC and the National Police Commission have been made unilaterally by the executive branch, raising questions about the suitability and independence of the appointees and further weakening these institutions. In 2008, the NHRC's status was demoted by an international coordination body of human rights commissions as a result of its perceived lack of independence.

A Presidential Commission of Inquiry, established to examine cases of egregious violation of human rights committed since 2006, was disbanded in June 2009 after its mandate was not extended, having investigated only seven of the 16 cases referred to it and produced initial reports on five. In November 2008, former justice Mahanama Tillekeratne—chairman of the Presidential Commission, which produces reports that are not made public—stated that at least 1,100 missing or abducted persons remained unaccounted for. Human rights groups have criticized the government for insufficient registration policies in the IDP camps which they claim have contributed to widespread disappearances and removals from the camps without accountability. Following the release of a video in August that appeared to show a series of extra-judicial killings of captured rebels by government forces, the UN called for a full investigation into the incident and rights groups urged the government to lift its censorship policy for war coverage. The government rejected calls by the United Nations and international NGOs for an inquiry into abuses committed by both sides during the war.

For years, the LTTE effectively controlled about 10-15 percent of Sri Lankan territory and operated a parallel administration that included schools, hospitals, courts, and law enforcement. It raised money through extortion of both local and overseas Tamils, kidnapping, theft, and the seizure of property. The LTTE imposed mandatory military and civil-defense training on civilians, and regularly carried out summary executions, assassinations, disappearances, arbitrary detentions, torture, and the forcible conscription of children. By May 2009, with the end of the war, the Tigers had been decimated in terms of leadership and territorial control, though concerns persisted that any remaining cadres could still mount terrorist attacks. Approximately 11,000 suspected LTTE cadres or sympathizers remained detained by the government at year's end, while authorities reported that 550 ex-child soldiers were also being rehabilitated.

Tamils maintain that they face systematic discrimination in areas including government employment, university education, and access to justice. Legislation that replaced English with Sinhala as the official language in 1956 continues to disadvantage Tamils and other non-Sinhala speakers. Thousands of Tamils whose ancestors were brought from India to work as indentured laborers during the 19th century did not qualify for Sri Lankan citizenship and faced discrimination and exploitation. However, in 2003, Parliament granted citizenship to about 170,000 previously stateless "Indian" Tamils. Tensions between the three major ethnic groups (Sinhalese, Tamils, and Muslims) occasionally lead to violence, as occurred in Eastern Province

in 2008. The government generally does not take adequate measures to prevent or contain such violence.

The number of internally displaced persons (IDPs) within Sri Lanka shifted dramatically throughout the year, while a smaller number continued to live as refugees in the southern Indian state of Tamil Nadu. While many of those displaced in the east returned to their homes following the end of fighting in that province, new rounds of displacement occurred as the battlefield shifted across the northern province in early 2009. Several hundred thousand civilians were caught in the final phases of the war in May; after being used as human shields by the LTTE and subjected to aerial shelling by government forces, many were kept in internment camps under extremely poor conditions for much of the year, with small numbers being gradually released starting in August. At the end of November, the government, bowing to international pressure, allowed freedom of movement to those remaining in the camps as of December 1 and also pledged to resettle the remaining internees, numbering approximately 130,000, and to close the camps as soon as possible. In the wake of the war, earlier groups of IDPs, including a large group of 70,000 Muslims forcibly ejected from the north by the LTTE in the early 1990s, also contemplated returning to their original homes. The general militarization of the conflict areas led to serious restrictions on freedom of movement—citizens from the north and east are required to obtain a pass to travel and live in other parts of the country—as well as military control over many aspects of civilian administration. In August, the Governor of the Northern Province confirmed the continuation of the requirement for residents of the Jaffna Peninsula to obtain passes from the army to travel outside the Peninsula, pending a Supreme Court hearing on the issue. However, in November, the government eased restrictions for Tamils based in the Sinhalese-majority south to travel to and from Jaffna using public transportation.

Women are underrepresented in politics and the civil service. Female employees in the private sector face some sexual harassment as well as discrimination in salary and promotion opportunities. Rape and domestic violence against women remain serious problems, with hundreds of complaints reported annually; authorities weakly enforce existing laws. Violence against women, including rapes, increased along with the general fighting in conflict areas and has also affected female prisoners and IDP internees. Although women have equal rights under civil and criminal law, matters related to the family—including marriage, divorce, child custody, and inheritance—are adjudicated under the customary law of each ethnic or religious group, and the application of these laws sometimes results in discrimination against women. The government remains committed to ensuring that children have good access to free education and health care, and it has also taken steps to prosecute those suspected of sex crimes against children.