

## **An Appeal to the Next President of Sri Lanka by Women Affected by War**

We, women directly impacted by war and working on issues of truth and justice, believe that the dawn of the new year in Sri Lanka provides an opening to address several urgent issues. The Presidential Election on 8 January 2015 presents an opportunity to the people of Sri Lanka to decide its future, with the two main contenders being President Mahinda Rajapaksa and Maithripala Sirisena. Since the announcement of elections and campaigning in late 2014, we have observed the promises and pledges by all candidates and hoped there would be recognition of the issues faced by women affected by the war and post war conditions in Sri Lanka. We write this appeal as women who face daily challenges in Sri Lanka and as women from across the globe who have faced similar situations in the search for truth, justice and accountability.

More than five years after the end of the war, women across Sri Lanka face numerous challenges in rebuilding their lives. Throughout the war, women all over Sri Lanka called for answers to the whereabouts of their missing loved ones and justice for the wrongs that occurred. This continues in the post war context. The most recent Presidential Commission appointed by President Rajapaksa commenced in 2013 as an investigation into the overwhelming numbers of enforced or involuntary disappearances, but was converted into one looking at a broad range of violations of human rights and international humanitarian law, a move that raised questions as to whether the present government is genuinely interested in revealing the fate of the tens of thousands missing. Although around 20,000 complaints were received, the Commission so far has moved at a snail's pace. Serious issues have been raised regards its independence. Observations of its public proceedings also beg the question whether the commission is in actual fact interested and able to meet its mandate and whether this commission like the successive commissions before it is yet another tactic by the State to delay and subvert the call for truth and justice.

Many women who search for their loved ones, for the basic right to know the truth, face threats, abuse and assault. Jeyakumari Balendran, whose son surrendered to the security forces, has been detained since 13 March 2014 without being produced in court or formally charged. Vibooshika, her 13 year old daughter, is separated from her and placed in the care of the State with limited visitation rights. The injustice Ms. Balendran has faced is not an isolated incident but indicative of the situation faced by many such families.

Regardless of all these odds, thousands of women have gone before national commissions, committees and courts and appealed to international actors, including the United Nations Working Group on Enforced or Involuntary Disappearances (UNWGEID) and the United Nations High Commissioner for Human Rights, to call for answers.

The forthcoming election is the second Presidential election after the war. Since then, the North and East of Sri Lanka has undergone heightened militarisation. Around 89,000 women headed households in the former war areas struggle to address livelihood needs, look after their remaining family and in many cases also look for their missing loved ones. Despite numerous promises, no independent investigation into serious human rights violations has resulted in a successful prosecution and conviction of alleged perpetrators, a sign of the culture of impunity pervasive in post war Sri Lanka.

We, the undersigned women both from Sri Lanka and outside take this moment to call on the candidates to publicly acknowledge the situation faced by a significant number of women across Sri Lanka. A public recognition of the situation of the thousands unaccounted for is vital if we as a country are to move forward. We also list several demands that must be addressed if peace and reconciliation are to be viable in Sri Lanka

**Demands:**

- Those being held under the Prevention of Terrorism Act (PTA) without charge should be released immediately or charged based on sound and credible evidence. Trials, including on-going trials, of those charged under the PTA should be expedited.
- Immediately publish a list of those who are detained, the reasons for their detention and the places where they are detained. This list should be shared with their family and legal counsel.
- Ensure unhindered access of family and legal counsel to all who are detained.
- Ensure persons are held only at gazetted detention centres and close all unofficial detention centres.
- Ensure constitutional safeguards and due process rights are protected in the conduct of arrests and detentions.
- Take immediate steps to end torture, sexual violence and other inhumane treatment of those in custody and the investigation and prosecution of those responsible.
- An immediate investigation, arrest and prosecution of State and non State actors who are alleged to have committed enforced or involuntary disappearances, and other grave human rights violations.
- Introduce an effective witness and victim protection mechanism and action against anyone who threatens, coerces and harasses individuals who continue to search for their missing loved ones.
- Repeal the PTA and other laws that provide for broad powers to arrest and detain with limited recourse to due process.
- Introduce reform in the investigative processes including amending the Commissions of Inquiry Act and ensure future restorative and retributive processes are transparent, just and efficient.

- Immediate steps to demilitarise the country, particularly the North and East and return all lands occupied by the security forces, police and others to their rightful owners and to provide compensation.
- Conduct independent investigations and allocate resources for identified mass graves and provide for technical and forensic expertise required for next steps.
- Provide for an inclusive process at memorialisation which is not limited to triumphalist war monuments but involves and captures the views of families who have lost loved ones from across Sri Lanka.
- Address the issue of intimidation and surveillance of war affected communities including former combatants and families of the disappeared.
- Respect freedom of association and expression and facilitate a space for civil society, women's groups and community groups to be able to function freely without undue control and pressure from the State. This should include space for families and affected communities to mourn their dead.
- Facilitate pending visits by special procedures including the UNWGEID

**Signatures;**

**Individuals**

1. A. Loorthunayaki- Paruthithurai
2. A. Mery Sakunthala- Valaippadu
3. Abha Bhaiya, Jagori Rural- India
4. Annette Lawson, the National Alliance of Women's Organisations, United Kingdom
5. Chanchana Chakma, women rights activist- Bangladesh
6. Chandra Tripura, cultural and women rights activists- Bangladesh
7. D. Selvarani- Vidathalteevu
8. E. Vashanthathevi- Vaddakkachchi
9. G. Keetha- Kanakarayankulam
10. Galuh Wandita- Asia Justice and Rights
11. Genevieve Sukhdeo, Fiji Women's Rights Movement

12. I. Kamalampikai- Jaffna
13. I. Lokanayaki- Puththoor
14. I. Thavamani- Aankankulam
15. I. Theivanayaki- Nochchikulam
16. I. Uthaya Bamini- Vaddakkachchi
17. I. Uthyakumari- Puthukudiyiupu
18. I. Uthyakumari- Puthukudiyiupu
19. J. Jenitha- Maharampaikulam
20. J. Kanakaranjinai- Thondamannagar
21. J. Kavitha- Pallimunai
22. J. Pathmavathi- Eluthoor
23. J.K. Nakamma- Jaffna
24. Jasmine Kaur, Oceania Pride- Fiji
25. Jensila Majeed- Mullaitivu
26. Jeyantha G. Selvarasa - Mannar
27. Jeyatheepa P. Morthy - Batticaloa
28. Juwairiya Mohindeen – Puttalam
29. K. Anila Lempet - Vankalai
30. K. Kanakalinkam- Thondamannagar
31. K. Muththuraman- Adampan
32. K. Navareththinam- Vatpalai
33. K. Palaninathan poompukar- kalmadu
34. K. Ponnamma- Kilinochchi
35. K. Pruntha- Visvamadu
36. K. Shantha- Vishvamadhu

37. K. Shanthirathevi- Kilinochchi
38. K. Vashanthakumari- Jaffna
39. K. Vashanthamalar- Kanthapuram
40. K.Pushpa- Killinochchi
41. K. Rajaledsumi – Batticaloa
42. Kabita Chakma Member, International Council for the Indigenous Peoples of the CHT (ICIP-CHT) and Human Rights Coordinator, CHT Indigenous Jumma Association Australia (CHTIJAA).
43. Kamala Vasuki – Batticaloa
44. Kanahalingam Vickneshwari- Killinochchi
45. Kanapathipillai Manonmani- Killinochchi
46. Kanthasamy Ponnamma- Killinochchi
47. Kanthasamy Thevi- Killinochchi
48. Krishnapriya – Trincomalee
49. Kunarettinam- Kilinochchi
50. Kurushanthan Mahaluxmy – Mannar
51. L. Kalista- Tevanpitty
52. M. Ariyamalar- Puthukudiyiupu
53. M. Ariyamalar- Puthukudiyiupu
54. M. Dominikamma- Nanattan
55. M. Kajenthini- Alavetti
56. M. Kalaiselvi Kaiveli- Puthukudiyiruppu
57. M. Kalavathi Kaiveli- Puthukudiyiruppu
58. M. Mariyanayagam- Paruthithurai
59. M. Muniyamma- Prappankandal
60. M. Sharasvathi- Kodikamam
61. M. Sumanathevi- Jaffna

62. M. Uthayakumar- Kanakarayankulam
63. M. Uthyashanthira- Pallimunai
64. Mabel Bianco, Funadacion para Estudio e Investigacion de la Mujer- FEIM- Argentina
65. Makeshvari- Vattakachchi
66. Massan d'Almeida, Réseau des Organisations Féminines d'Afrique Francophone (ROFAF)- Togo
67. Najwa Bourawi, Association pour la Protection de l'Environnement et le Développement Durable de Bizerte (APEDDUB)- Tunisia
68. N. Annalatsumi - Sivanagar
69. N. Lalithatheevi - Pokkanai
70. Najia Munira Akhuzada -Afghanistan (South Asian Feminist Alliance)
71. Nishanthini G. Starlin – Mannar
72. Nurgul Djanaeva, Forum of women's NGOs- Kyrgyzstan
73. Olenka Ochoa Berreteaga - Council Member, ALC Latin American & Caribbean Federation of Women & Municipalities, PERU
74. P. Arulamma- Kumulamunai
75. P. Eesvari
76. P. Jejakumari- Kilinochchi
77. P. Karunavathu Uthayanagar- Vaddakkachchi
78. P. Lathakumari Uthayanagar- Vaddakkachchi
79. P. Paleshvari- Mullikulam
80. P.Anitha- Poovarankulam
81. Paneechelvam Pushparani- Killinochchi
82. Priti Darooka - Executive Director, Program for Women’s Economic, Social and Cultural Rights, India
83. Prof. Sitrallega Maunaguru
84. Prof. Sumathy Sivamohan
85. Puspampal- Kumulamunai

86. R. Ajitha- Maharampaikulam
87. R. Inthiratheevi- Periyapandivirichan
88. R. Keetha- Varikudijirupoor
89. R. Mariyanayaki- Vettilaikeni
90. R. Nagarani- Iranaippalai
91. R. Nagarani- Iranaippalai
92. R. Sharoyathevi poompukar- Kalmadu
93. R. Shayarani- Tevanpitty
94. R. Subalatsumi- Eluthoor
95. R. Thulachimalar- Kaarainagar
96. R. Vashanthi- Poovarankulam
97. R. Subramaniam - Director, Thamizh Women Development Association, Northern Province
98. Rahnuma ahmed, Bangladeshi from the Kalpana Chakma's Unresolved Abduction campaign
99. Rajany Chandrasegaram - Jaffna
100. Rehana Wagh Mauj Development Foundation - Pakistan
101. Renu Alehendiram – Trincomalee
102. Reesarasamalar- Arippu
103. Sandya Ekneligoda
104. Sanjida Islam- Victim family on enforced disappearance - Bangladesh
105. S. Sri Tharuni - Batticaloa
106. S. Thayarani – Trincomalee
107. S. Annalatsumi- Aananthapuram
108. S. Jokamma- Kannati
109. S. Kamalampikai- Nedunkeni
110. S. Kanakampikai- Jaffna

111. S. Nagarani- Jaffna
112. S. Nakuleshvari- Puththoor
113. S. Ranjitham- Vankalai
114. S. Sepamani- Prappankandal
115. S. Shakunthalatheevi- Siruthoppu
116. S. Shanthakumari- Semmalai
117. S. Sivanithi- Alvaai
118. S. Sivapakkiam- Semmalai
119. S. Vashantha- Nedunkeni
120. S. Vasuki- Kilinochchi
121. Sascha Gabizon, Women in Europe for a Common Future- Netherlands
122. Sebathian Mariya Jasintha- Kiliinochchi
123. Shanmuganathan Maya Shanthi- Killinochchi
124. Sugathini Theivendram – Killinochchi
125. T. Shanthakumari- Kanthapuram
126. T. Alvinamma- Thullukudiyiruppu
127. T. Annalatsumi- Kilinochchi
128. T. Easvari- Kilinochchi
129. T. Irajalatsumi- Tharmapuram
130. T. Jeyaseeli- Adampan
131. T. Kalavathi- Varikudijirupoor
132. T. Kamalanayaki- Jaffna
133. T. Nanthakumari- Nochchikulam
134. T. Parvathi- Alvaai
135. T. Perinparani- Mirusuvil



136. T. Thavamanitheevi- Kokkuvil
137. T. Thavamanitheevi- Kokkuvil
138. T. Thilakavathi- Nochchikulam
139. T. Vashanthamalar- Semmalai
140. Theresamma- Iranaippalai
141. Thirunwakkarasu Mangeleshwari- Killinochchi
142. U. Dorin Iankani- Vanaklai
143. U. Kirushnapiriya- Kaiveli, Puthukudiyiruppu
144. V. Nanthini- Kanakampikaikulam
145. V. Siyamala- Veppankulam
146. Vanie Simon – Ampara
147. Vanitha Mahendran- Vavuniya
148. Yogarasa Kanaha Ranjani- Killinochchi

#### Organizations

149. Association of Families Searching for their Disappeared Relatives – Vanni
150. AWID, Association for Women's Rights in Development
151. Center for Peace Education, Philippines
152. Citizens for a Secure Sri Lanka
153. Diverse Voices and Action for Equality, Fiji
154. Khulumani Support Group- South Africa (Khulumani)
155. Land Access Movement of South Africa (LAMOSA)
156. Mannar Women's Development Federation
157. Mujeres Sin Fronteras- Chile & Argentina
158. WE Act 1325, Philippines

159. Women's Alliance for Peace and Democracy
160. Women's Action Network (WAN)
161. Women's Coalition for Disaster Management - Batticaloa
162. Women's Action for Independent Development (WOMENAID) - East