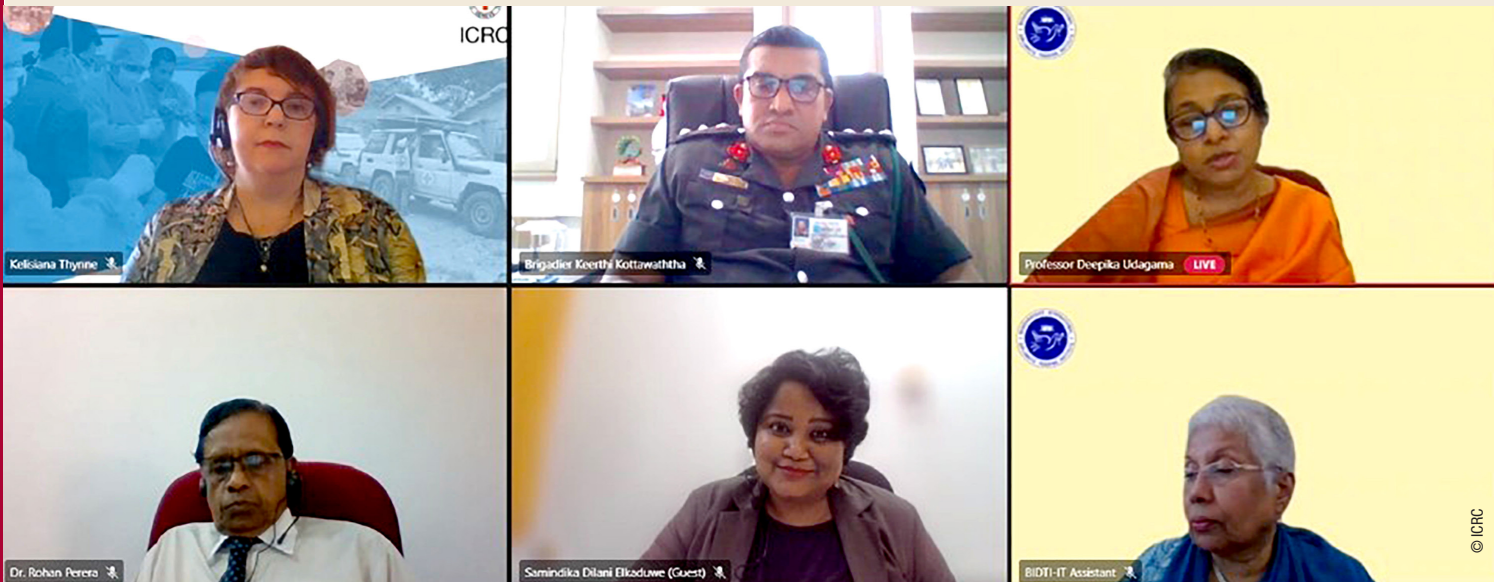


SRI LANKA

EXPLORING CONTEMPORARY CHALLENGES TO INTERNATIONAL HUMANITARIAN LAW

MAY 2021



The Geneva Conventions enjoy universal acceptance, even seven decades after their adoption. Their integration into domestic law and military doctrine continues to prevent and minimize the human cost of armed conflict, while preserving a minimum of human dignity in times of armed conflict. However, as methods, means and geography of warfare are transformed, the implementation of international humanitarian law (IHL) faces new challenges.

The International Committee of the Red Cross (ICRC), in collaboration with the Bandaranaike International Diplomatic Training Institute (BIDTI), organized a series of webinars to raise awareness and promote discussion on selected contemporary challenges to IHL, based on the [fifth Challenges Report published by the ICRC](#). The webinar series benefited from the knowledge and experience of prominent diplomats, representatives from the military, academics and IHL experts.

The first webinar (17 December 2020) focused on “Contemporary challenges to IHL and the role of the diplomat”, examining the important role played by states in domestic and multilateral settings. Dr Rohan Perera, former permanent representative of Sri Lanka to the United Nations in New York and former legal advisor to Sri Lanka’s foreign ministry, explored the role of the diplomat in bringing up such challenges for discussion and seeking solutions. His remarks were complemented by Ambassador A.M.J. Sadiq, current chairman of the National IHL Committee of Sri Lanka, who highlighted the challenging yet essential interventions that diplomats can make to bridge discussions at the multilateral level with those at the domestic level.

The second webinar on “New technologies of warfare and challenges to IHL” (2 February 2021) looked at the opportunities and threats posed to the implementation of IHL by technological advances in warfare, including autonomous weapon systems and cyberwarfare.

Ambassador A.L.A. Azeez, Additional Secretary (East), Ministry of Foreign Affairs, shared useful insights from the deliberations of the Group of Governmental Experts on Lethal Autonomous Weapons Systems (LAWS), laying emphasis on human control. Wing Commander A.P.I. Sampath Kumara and Squadron Leader L.N. Randeni from the Sri Lanka Air Force (SLAF) added their operational perspective on functions of the newly established cyber operations centre of the SLAF and how IHL principles can be integrated into cyberwarfare.

The final webinar in this series, “Counterterrorism measures and international humanitarian law”, (8 April 2021) focused on humanitarian and legal concerns stemming from counterterrorism operations in the context of armed conflict. Professor Deepika Udagama, Chair Professor of Law, University of Peradeniya, and former chairman of the Human Rights Commission of Sri Lanka, examined the concurrent application of IHL and international human rights law in counterterrorism operations in armed conflict, and the importance of respecting both legal frameworks. Brigadier Keerthi Kottawaththa RWP RSP USP, director of the Directorate of Human Rights and International Humanitarian Law, Sri Lanka Army, shared the operational perspective on the application of IHL to domestic counterterrorism operations.

The webinar series was well attended by a wide range of participants from around the world, who interacted actively with the panellists and contributed to a vibrant discourse.

OPERATIONAL HIGHLIGHTS



ENSURING SAFE OPERATIONAL CONTINUITY FOR MEDICOLEGAL UNITS ACROSS THE COUNTRY DURING THE COVID-19 PANDEMIC

The ICRC and the Sri Lanka Red Cross Society entered into an agreement to implement the infection prevention and control (IPC) project in September 2020. In the first phase of the project, 13 medicolegal facilities across the country were provided with personal protective equipment (PPE), hygiene and disinfection material and body bags. The material has helped maintain safe operational continuity during the pandemic.

The items provided in the IPC project included 450 body bags, 52 PPE kits for doctors, 36 PPE kits for mortuary technicians and 13 hygiene and disinfection kits. The IPC project has now entered its second phase, which includes minor structural support to selected medicolegal units.



ENHANCING KNOWLEDGE ON HUMAN RIGHTS AND IHL

The ICRC delegation in Sri Lanka conducted a two-day workshop on IHL and international human rights law for faculty members and trainee officer cadets of the Sri Lanka Military Academy on 23 and 24 February 2021 at the Sino-Lanka Friendship Auditorium. The workshop covered a wide range of topics including IHL and its historical evolution, means and methods of warfare, IHL and peacekeeping operations, and the application of IHL in post-conflict settings, assisting the participants to improve their knowledge on IHL and human rights.



TRAINING WORKSHOPS ON DETENTION STANDARDS

The ICRC delegation in Sri Lanka conducted seven training programmes and workshops on detention standards with the Department of Prisons, Department of Immigration and Emigration and Bureau of the Commissioner General of Rehabilitation. The training programmes and workshops focused on national and international detention standards, with a specific focus on the Nelson Mandela Rules, the prohibition of ill-treatment and torture as well as the fundamental judicial guarantees and use of force. The ICRC also concluded the third and final stage of an orientation workshop initiated in 2018 in support of a structured orientation programme for prisoners, and the development of a handbook for prisoners on rules and regulations in prisons.



ICRC LAUNCHES WEBSITE ON RELIGION AND HUMANITARIAN PRINCIPLES

The ICRC launched a website on religion and humanitarian principles, its latest resource exploring the theme of IHL and humanitarian and religious principles.

The website currently provides an overview of the ICRC's engagement with the religious traditions of Islam, Buddhism and Hinduism from an IHL perspective. The work and contributions of a wide variety of religious leaders, scholars, researchers, and civil society institutions from around the world can be accessed on the site in several languages. The website also features information on collaborations with religious scholars and prominent academics from Sri Lanka, along with interviews and past webinars on research on Buddhism and IHL.

Visit the [blog](#)



ACCFA - UNODC ANCILLARY MEETING

Asian Conference of Correctional Facilities Architects and Planners (ACCFA) and United Nations Office on Drugs and Crime (UNODC) held their ancillary meeting online on 10th March 2021 with representatives of Department of Prisons joining in, at the ICRC conference room in Colombo. Participants from Bangladesh, Malaysia, Thailand and the Philippines presented new initiatives relating to rehabilitation and reintegration. The importance of design in correctional facilities was also highlighted and discussed in view of the tendency to construct prisons with high-security profile.



“I now make a sustainable income on a weekly basis and I am able to save something while investing in my own business ... I can also now cover my parents medical expenses and other household expenses without being in debt to anyone” – Saraswathi

STORIES FROM THE FIELD

TAKING ON LIFE WITH NEEDLE AND THREAD

Armed with needle and thread, Suntharalingam Saraswathi is ready to take on the world. Not long ago, her world was full of chaos. Life was hard for her family during the 30-year conflict. Her parents lost two sons and the family was displaced three times. One of her brothers went missing while being displaced during the last phase of the war in Mullaitivu. Saraswathi now lives with her parents and two remaining brothers, one of whom has a disability following an accident.

“I am the main source of strength for my parents and I love them unconditionally. I realized that I had to do something to find a stable source of income,” she says. Saraswathi found this source through her passion for creativity with fabrics and fabric draping. As a first step, she decided to get herself trained by enrolling in a sewing course conducted by the District Secretariat of Kilinochchi. Upon completing the course, she took on a few sewing projects with her small sewing machine and was able to make an income with a decent profit that enabled her to cover some household expenditure.

In 2019, Saraswathi received support from the microeconomic initiative component of the ICRC’s accompaniment programme for families of missing persons. The grant strengthened the foundation Saraswathi had already built through her own courage, drive and passion. She was able to upgrade from her small sewing machine to a professional JUKI machine. Saraswathi developed her expertise in customized orders for school uniforms, school bags, sarees for special occasions, handbags, wedding gift boxes and jewellery boxes and amenity bags, etc. She now also customizes wedding sarees by threading in intricate and unique details into the designs, earning a sufficient amount from each order she undertakes.

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To make production more linear and efficient, she has developed a network of tailors to whom she delegates tasks based on the bulk of orders received, while retaining a small commission. She also promotes herself through social media platforms and trade exhibitions. These promotional efforts have helped her gather a few international orders.

“I now make a sustainable income on a weekly basis and I am able to save something while investing in my own business, in order to further expand it... I can also now cover my parents’ medical expenses and other household expenses without being in debt to anyone,” says Saraswathi. She has successfully further diversified her business by commencing sewing classes for beginners at a reasonable course fee.

Saraswathi is a shining example of what can be achieved with hard work, dedication and a little help.

FACTS & FIGURES (JANUARY – APRIL 2021)



ADDRESSING THE NEEDS OF THE FAMILIES OF MISSING PERSONS

- Met 31 families to follow up on their tracing enquiries, and registered 31 cases of missing persons
- Provided mental health and psychosocial support (MHPSS) through the COVID-19 remote accompaniment programme to the families of the missing; 110 relatives of missing persons from 86 families received MHPSS support via 198 telephone calls made by the ICRC
- Referred 15 relatives of missing persons to the appropriate service providers for support on MHPSS, economic or legal and administrative needs
- Provided Micro Economic Initiative cash grants to 70 households to develop their livelihoods
- Assisted 42 destitute families of missing persons with multi-purpose cash grants to cover their immediate needs such as food and other essential expenses



MONITORING THE CONDITIONS OF DETENTION

- Conducted 6 visits in 5 places of detention
- Visited 68 detainees individually and shared findings and recommendations confidentially with prison authorities
- Gave 175 families each a travel allowance to visit their relatives in detention
- Provided around 100 detainees ad hoc assistance in the form of hygiene items
- Conducted 7 training programmes on detention standards for prison rehabilitation authorities and immigration authorities, benefiting about 340 people at the central level, as well as in three places of detention
- Provided 9 detainees with news about their families via Red Cross messages/phone calls
- Donated personal protective equipment (PPE) to 3 prisons to support COVID-19 control activities
- Conducted water and habitat technical assessments in at least 5 prisons, including monitoring of waste and maintenance, and supported prison authorities for the rehabilitation of infrastructure in 2 prisons, including via donation of materials
- Facilitated the participation of prison authorities in the online ancillary meeting of the Asian Conference of Correctional Facilities Architects and Planners and United Nations Office on Drugs and Crime ancillary meeting
- Initiated the deployment of Familylinks Answers, a software application to record cases and services involving missing persons and reuniting families, for the Sri Lanka Red Cross Society.



PROMOTION OF IHL

- Facilitated the participation of the Department of Law, University of Jaffna at the Asia-Pacific Moot Court competition organized by the Hong Kong Red Cross
- Promoted and disseminated information through 2 monthly webinars on the interface between Buddhism and IHL during which Buddhist scholars and academics discussed “Buddhist motivation to support IHL and minimize harm during armed conflict” and “Conflict-related sexual violence and Buddhist principles”
- Conducted presentations and panel discussions at the Defence Services Command and Staff College of Sri Lanka and at the Institute of Peace Support Operations Training Sri Lanka (IPSOTSLS) in Kukuleganga, focusing on the ongoing project on the convergence of Buddhism and IHL
- Conducted a dissemination session for 32 army officers who are following the United Nations Staff Officer Course at IPSOTSLS
- Conducted a 2-day dissemination session for 330 cadets at Sri Lanka Military Academy in Diyatalawa

- Conducted a 2-day Military Internal Security Operations (MISO) workshop for 29 officers at Security Forces Headquarters (East) in Welikanda
- Conducted a 3-day seminar on IHL, conduct of hostilities, peacekeeping, law enforcement, ICRC thematics, IHL and new technologies, IHL in post-conflict settings; detention, those missing in conflict and the management of human remains for 148 army, navy and air force officers, including representatives from Saudi Arabia (4), Rwanda (1), Senegal (1), Maldives (1), India (1), USA (1), Pakistan (3), Bangladesh (3), Nepal (2), and Indonesia (1) at the Defence Services Command and Staff College
- Conducted a 5-day advanced IHL course for 20 IHL instructors from the tri-forces and the Special Task Force (STF) at IPSOTSL, Kukuleganga
- Conducted a peacekeeping briefing for 71 army personnel to be deployed to South Sudan for the United Nations Mission in South Sudan (UNMISS) and 121 air force personnel to be sent to Central African Republic for the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) at IPSOTSL in Kukuleganga
- Conducted a 2-day IHL programme for 31 personnel from the tri-forces at the Junior Command and Staff College, Sri Lanka Air Force Academy in China Bay



SUPPORT TO THE SRI LANKA RED CROSS SOCIETY

- Trained 32 volunteers in disaster response techniques
- Supported the review of first-aid syllabi by 23 first-aid coordinators at national headquarters and branches
- SLRCS delivered refresher training to 20 first-aid instructors
- SLRCS delivered 2 first-aid services at district-level events
- SLRCS delivered 9 sessions on Fundamental Principles and the International Red Cross and Red Crescent Movement
- Funded 2 facilitation sessions on camp management for the army military school
- Supported the installation of standardized name boards for 14 district branches
- Funded 6 laptops to strengthen internal and external communication

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