

INTERNATIONAL
TRUTH
AND JUSTICE
PROJECT

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W ITJPSL.COM
E ITJPSL@GMAIL.COM

PRESS RELEASE: President of the Convention on Cluster Munitions, Sri Lanka, Must Come Clean on Past Use.

EXECUTIVE DIRECTOR:
YASMIN SOOKA

Johannesburg: As the new President of the [Convention on Cluster Munitions](#), Sri Lanka must explain why de-miners have repeatedly found cluster remnants in the 2009 war zone, given the ongoing denial. All the evidence points to government forces using cluster munitions in 2009 against densely populated areas that they unilaterally declared safe for hundreds of thousands of Tamil civilians. The allegations that Sri Lankan forces used the banned weapons during the war have been so persistent that in 2016 the UN High Commissioner for Human Rights himself called for an independent and impartial investigation to be carried out, which has yet to happen¹.

“Fudging your own past use is simply not an option as President of the body championing the campaign to eliminate this banned weapon,” said the Executive Director of the International Truth and Justice Project, Yasmin Sooka, who first investigated the allegations in 2011 for the UN Secretary General’s Panel of Experts on Sri Lanka. *“Tamils who worked for the United Nations and de-mining groups tell us on several occasions they personally witnessed cluster munitions falling and examined the casings immediately afterwards. Doctors in the war zone operated to remove a cluster munition embedded in a woman’s leg. After the war, deminers described finding cluster remains in several locations, only to have the army cordone off the area and keep the findings secret from the local community,”* she added.

¹ *“In light of recent reports on new evidence that has emerged on the use of cluster munitions towards the end of the conflict, following similar allegations in the OHCHR investigation report, the High Commissioner calls for an independent and impartial investigation to be carried out”.*

June 2016, OHCHR, Promoting reconciliation, accountability and human rights in Sri Lanka.

Under the Convention, Sri Lanka is required to show transparency and report annually in a public document on use, stockpiling, clearance and destruction. These obligations include issuing an immediate and effective warning to civilians living in cluster munition contaminated areas (Article 7j); instead the Sri Lankan Army has to date tried to hide discoveries of cluster munitions and has not informed or consulted local communities as required by the Convention (Article 5f). Indeed on becoming President of the Convention on Cluster Munitions this month, Sri Lanka's Permanent Representative to the United Nations in Geneva, Ambassador A.L.A Azeez, again flatly denied the country had ever used cluster munitions without explaining how the remnants keep being discovered².

"This continual denial is an ever increasing affront to the victims who witnessed the death and injury of loved ones - or were themselves injured by cluster munitions," said Ms. Sooka. *"The Government of Sri Lanka has never explained how cluster munitions were dropped from the air onto civilians if it wasn't from their jets".*

Under the Convention on Cluster Munitions Sri Lanka has an obligation to persuade other states to join, which is difficult to do if the President lacks transparency over both its own alleged past use and its clearance operations post-war.

The Convention also requires Sri Lanka to assist victim communities and not to discriminate against or among victims (Article 5e). At the same time, identifying themselves in the current climate could put Tamil victims at risk from the security forces. Those who are former combatants and not yet detained would fear coming forward because they would risk detention in the government's "rehabilitation programme", which was recently declared "wrongful detention" by the UN Working Group on Arbitrary Detention³.

"In Sri Lanka's case they have driven many de-miners and UN staff out of the country and effectively silenced the witnesses. There are also many victims among recent refugees outside Sri Lanka in countries like Switzerland; their geographic dislocation should not diminish their rights as victims," said Ms. Sooka. *"The Convention requires Sri Lanka to undertake a victim survey which should include victims abroad subject to internationally recognised witness protection provisions."*

The ITJP has compiled a **briefing note** below summarising some of the evidence on cluster munition use in 2009 in Northern Sri Lanka. It acknowledges the extensive work of other groups and journalists on this issue but adds 24 excerpts of testimony from its unique archive of more than 300 witness statements held outside the country. Also included are some of the contemporaneous text messages sent out by UN staff that referred to the use of cluster munitions. However we are

² "As a country that has never used cluster munitions, Sri Lanka has always remained committed to the humanitarian imperatives of the Convention", MFA Sri Lanka, 4 September 2018, <https://www.mfa.gov.lk/sri-lanka-welcomed-as-state-party-to-the-cluster-munition-convention/> And reported in Tamil Guardian, 6 Sept 2018, [Sri Lanka denies cluster bomb use as it takes over presidency of Convention on Cluster Munitions](https://www.tamilguardian.com/content/sri-lanka-denies-cluster-bomb-use-as-it-takes-over-presidency-convention-cluster-munitions), <https://www.tamilguardian.com/content/sri-lanka-denies-cluster-bomb-use-it-takes-over-presidency-convention-cluster-munitions>

³ A/HRC/39/45/Add.2 23 July 2018.

also aware of many more eyewitnesses now abroad whose testimony has not been recorded.

I [REDACTED]
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Photo: from US State Department Human Rights Report, 2009, described as a characteristic cluster bomb smoke cloud from 7 May 2009⁴. Given the position of frontlines by 7 May 2009 this would by necessity have been a targeted and deliberate attack on more than a hundred and fifty thousand civilians still at that point trapped in makeshift bunkers in a tiny pocket of land comprising two small villages and entirely encircled by water and Sri Lankan troops.

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



⁴ 5-7 May 2009: Local sources in the NFZ reported that various sections of Mullivaikkal were subject to air attack, artillery fire and cluster bombs and provided pictures attesting to these reports. Nine civilians were reported dead in Mullivaikkal central. (See Appendix A, photos 8, and 10.)

Allegations of Cluster Munitions Use in 2009 War

A great deal of work has been done by the UN and NGOs regarding the alleged use of cluster munitions by government forces in Sri Lanka at the denouement of the civil war in 2009⁵. A summary prepared in 2016 by the Landmine and Cluster Monitor noted that the Sri Lankan air force possessed aircraft capable of delivering the type of cluster munitions that the Guardian had reported in 2016 were found by de-miners in the “No Fire Zones”⁶.

UNITED NATIONS

A 2015 OHCHR Investigation into Sri Lanka said given the persistent nature of the allegations of use of cluster munitions, further investigation needed to be carried out. The report cited many witnesses describing the detonation of cluster munitions near hospitals in the war zone in Sri Lanka in 2009 and the UN hub⁷.

A 2011 report by the UN Secretary General’s Panel of Experts cited allegations that the Sri Lankan Army used cluster munitions, especially around Puthukkudiyiruppu (PTK) town and in the second “No Fire Zone”. It also described witness accounts that referred to large explosions, followed by numerous smaller explosions consistent with the sound of a cluster bomb⁸.

In addition there are 11 contemporaneous and dated text messages sent out by UN staff from the “No Fire Zones” in March 2009 which reference cluster munitions attacks on civilians⁹. These give details of civilian

⁵ TAG Briefing Note October 2016.

⁶ Sri Lanka Cluster Munition Ban Policy,

<http://www.the-monitor.org/en-gb/reports/2016/sri-lanka/cluster-munition-ban-policy.aspx>

⁷ **OHCHR Investigation into Sri Lanka, 2015:**

Para 751 Many witnesses said that “cluster bombs” (referred to by some as “Koththu Kundu” by witnesses) were used, and described the objects exploding in mid-air and releasing many smaller objects in the air before impacting the ground. Cluster munitions release bomblets over a wide area above a target that explode on impact. However, indirect fire munitions may also be configured to explode into fragments overhead. OISL believes that given the persistent nature of the allegations of cluster munitions, further investigation needs to be carried out to determine whether or not they were used.

Para 807 Another witness told OISL that in early February 2009, the area close to Vallipunam hospital was attacked by “cluster bombs” that “exploded in mid-air, 20 to 25 metres above ground, which further divided into 40- 45 bomblets”.

Para 850 Witnesses alleged the use of cluster-type munitions by the Sri Lankan armed forces in their attacks on Putumattalan hospital and the United Nations hub. Medical staff reported that they amputated the leg of a woman who had suffered injuries allegedly as a result of a “cluster bomb”. As indicated earlier, an investigation needs to be carried out to confirm that cluster munitions were used.

⁸ Report of the SG’s Panel of Experts on Accountability in Sri Lanka, report, 2011. **Para 169**

⁹ **SMS from UN staff**

5 MARCH 2009

Status: Received

Sent Date: 3/5/2009 8:55:28 AM

Received Date: 3/5/2009 8:53:21 AM

Number: [REDACTED]

Message: ONE CLUSTER BOMB HIT IN SOUTH 200M WHERE WE MADE SENSUS AND GPS FROM HUB. HUGE CASUALTIES. W
U KNOW LATER.

I
T
J
P

5 MARCH 2009

Status: Received

Sent Date: 3/5/2009 10:47:09 AM

Received Date: **3/5/2009** 10:44:56 AM

Number: [REDACTED]

Message: BY CLUSTER SHEL, 160 INJURED CIVILIANS ADMITED TO THE HOSPI. SO FAR.

Status: Sent

5 MARCH 2009

Sent Date: 3/5/2009 10:54:45 AM

Received Date: 3/5/2009 10:54:45 AM

Number: [REDACTED]

Message: ITS LAUNCHED BY ARTI. IN THE PLACE THAT GPS WE SENT U YE.DAY. MANY INJURIES. ANOTHER CLUSTER BLAST IN OUT OF NFZ NOW.

5 MARCH 2009

Status: Received

Sent Date: 3/5/2009 7:00:50 PM

Received Date: 3/6/2009 12:31:57 AM

Number: [REDACTED]

Message: FYI: Past 2 days highest casualty figure in NFZ

134 DEAD AND 270+ INJURED, NO MEDICATION, AIRBURST ARTY TODAY AND

WHITE PHOSPHOR USED IN TWO DAYS Not sure why medicine not going in, Severe food shortages. FORCERECRUITMENT CONT TODAY

7 MARCH 2009

Status: Received

Sent Date: 3/7/2009 10:09:02 AM

Received Date: 3/7/2009 10:06:59 AM

Number: [REDACTED]

Message: HI A CLUSTER SHEL EXPLODED IN VALAIGNANMADAM AND MANY CASUALTIES. OVER 40 CIVILIAN INCLUDING INFANTS AND CHILDREN ADMITED IN THE HOS. MATHALAN. WIL UPDATE U LAT

9 MARCH 2009

Status: Received

Sent Date: 3/9/2009 5:15:35 AM

Received Date: 3/9/2009 5:13:34 AM

Number: [REDACTED]

Message: ON 7 MAR, 52 PEOPLE (17 CHIL.13 WM INC) KILED IN NFZ BY ARTI AND CLUSTER SHELS. 95 INJURED INCLU.38 CHIL.48 WM. ALL R ADMITED IN THE HOSPITAL.

10 MARCH 2009

Status: Received

Sent Date: 3/10/2009 11:36:15 AM

Received Date: 3/10/2009 11:34:07 AM

Number: [REDACTED]

Message: MORE THAN 40 DIED AND 250 INJURED. HEAVY ARTILLARY, MBRL, CLUSTER SHELLING IN SAFE ZONE STILL GOING ON. HEAVY RAIN TOO.

18 MARCH 2009

Status: Received

Sent Date: 3/18/2009 5:49:31 AM

Received Date: 3/18/2009 5:47:45 AM

Number: [REDACTED]

Message: STARTED CLUSTER SHELLING FROM M.THEEVU SIDE NOW.

19 MARCH 2009

Status: Received

casualties from the attacks. Attacks on 5 March 2009 involving cluster munitions were reported by UN staff in their SMS to have killed 134 people and injured at least 270. The US State Department figures were lower¹⁰. On 7 March 2009 in Valayanmadam, attacks involving cluster munitions were reported to have killed 52 people and injured 95. The same information was deemed credible by the US State Department Human Rights Report 2009, which cited it¹¹. The UN SMS report cluster shelling from the direction of Mullaitivu (under government control) on 18 March 2009, which is corroborated by the US State Department report¹². The SMS then report 53 injuries for a cluster attack on 19 March 2009. Similar figures are also cited by the US State Department 2009 report¹³. In early May 2009 the US State Department Human Rights Report records air, artillery and cluster bomb attacks on the "No Fire Zone" that killed 9 civilians.

ITJP TESTIMONY

The International Truth and Justice Project is one of many NGOs that have collected testimony from survivors of attacks involving cluster munitions.

The ITJP accounts straddle the period from January to May 2009 and include 24 people who say they were injured by cluster munitions. Of these, one extract is given from an independent medico legal report describing the resulting scars as "consistent with injuries caused by trauma due to multiple high velocity fragments".

Sent Date: 3/19/2009 5:10:14 PM

Received Date: 3/19/2009 5:08:19 PM

Number: [REDACTED]

Message: THERE ARE SHELING IN NFZ OF POKKANAI, VALAIGNANMADAM. SO FAR TWO CLUSTER HIT THERE. NO MORE INFO SO FAR.

19 MARCH 2009

THIS MORNING AT 5 AM IN VALAIGNANMADAM NFZ, TWO CLUSTER SHELS HIT AND MADE HUGE CASUALTIES. 53 INJURED (13 CHI, 22 FM INCL) AND ADMITED HOSP. 2 CHILD DIED HOSPI.

19/03/09

1:31 P

30 MARCH 2009

ON 30MAR2009 HEAVY SHELLING&CLUSTER ATTACKED IN VALAIGNARMADAM.

31/03/09

8:54 AM

¹⁰ 5 March 2009: "A source in Mattalan reported to HRW that 57 civilians were killed and 154 injured by cluster bombs in Valayanmadam and Mattalan. An organization's source in Valayanmadam reported that a shell hit a tarpaulin shed, completely burning it. Inside, eight people, including two children, were killed and 23 people were injured."

¹¹ 7 March 2009: "A source in Mattalan reported to HRW that a cluster shell exploded in Valayanmadam, located in the NFZ, and that two cluster shells exploded in another NFZ area, Putumattalan. Fifty-two people were killed and 95 injured. Another organization's source seemed to corroborate this account in its report that 51 civilians were killed by shelling in the same area."

¹² 18 March 2009: "The sources reported that more than 200 artillery cluster shells, mortar shells and multi-barrel rocket shells were fired by SLA forces into the civilian population in the safe zone."

¹³ 19 March 2009. "An HRW source near Mattalan reported shelling in Pokkanai. A witness interviewed by HRW reported that in the Pokkanai area about 60 people were injured by two cluster bombs."

Excerpts from the testimony are available in **Annexure 1** but summarised in this table.

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Jan 2009	2	Witnessed deaths & Injuries.
Feb 2009	1	Suffered Injuries corroborated by doctor.
Mar 2009	3	2 Witnessed attacks & resulting casualties; 1 injured himself in an attack.
April 2009	10	3 injured themselves 7 witnessed attacks/casualties.
May 2009	4	Witnessed casualties from attacks.
No specific date in 2009	4	Witnessed casualties from attacks.

In addition successive Sri Lankan commissions of inquiry have said the the use of cluster munitions is an area that requires further investigation. The Paranagama Commission¹⁴ said it could not “ignore evidence emanating from many quarters, albeit, some of it unsubstantiated, that civilians were hit by cluster munitions or had phosphorus burns”¹⁵.

Sri Lankan NGOs have also collected testimony from survivors of the war who say they saw cluster munitions used against civilians¹⁶. A UTHR(J)¹⁷ report said its sources reported that, “cluster shells, known locally as *kotthu kundu*, were regularly fired from 21st January. They were then noticed by the Oxfam staff at Thevipuram and subsequently by the OCHA, which had its office near Puthukkudiyiruppu Hospital.” The report cites witnesses describing the way the cluster munitions explode and send out bomblets and described this as a daily occurrence in the “No Fire Zone”. The report goes on to give a very detailed account from a witness called Gunam who in early February saw about 15 unexploded munitions near Puthukkudiyiruppu Hospital. It also references an occasion when a spinning outer rim of the bomblet, upon

¹⁴ REPORT On the Second Mandate Of the Presidential Commission of Inquiry Into Complaints of Abductions and Disappearances, Aug 2015.

¹⁵ “The Commission is of the view that this is an area requiring further investigation. The Commission believes that there should be a comprehensive medical review of recorded injuries to ascertain whether these weapons were being used, which should also collate the type of injuries caused so that a forensic analysis can be made.”

¹⁶ “Palmyra Fallen”: “Suhanthi was vivid in her descriptions of the missiles fired by the Army and falling around them. She testified to seeing cluster bombs (*kotthu kundu*) and burn bombs (*erikundu*) or white phosphorous. What she described as a *kotthu kundu* fell in the bunker next to theirs, killing the father, mother and four children.” P232.

¹⁷ UNIVERSITY TEACHERS FOR HUMAN RIGHTS (JAFFNA)* SRI LANKA. UTHR(J) Special Report No: 34 , 13th December 2009 Let Them Speak Part III At Sea in ‘Mattalan: Escape invites Death and Staying is Worse <http://www.uthr.org/SpecialReports/Special%20rep34/Uthr-sp.rp34part3.htm>

falling, embedded itself in the thigh of a woman lying down. She was taken to the hospital and her leg was amputated rather than risk the bomblet exploding while attempting its extraction. This is an incident also reported by other war survivors.

In 2009 Associated Press quoted the UN saying cluster munitions were used near PTK hospital¹⁸ but the UN later retracted the statement after the government denied having cluster munitions. However in 2012 Associated Press reported on confirmed accounts of unexploded sub-munitions found in Sri Lanka in the Puthukudiyiruppu (PTK) area. This was based on an email from a technical adviser for the UN Development Programme's mine action group in Sri Lanka. The Government again denied it had cluster munitions¹⁹. In 2016 the Guardian newspaper²⁰ reported on leaked images of cluster bombs uncovered by de-mining teams in Sri Lanka, along with testimony from former de-miners working for 3 different groups. Human Rights Watch identified the material "as the remnants of Russian-made cluster bombs and unexploded cluster sub-munitions".

ITJP Testimony in Detail

JAN 2009

W155 saw them used in Vishwamadu

"The artillery of the Security Forces would shoot the cluster munitions. However, there would not be a huge noise at this point. There would be a huge noise when the cluster bomb exploded. The main cluster munition would explode high in the air and then small bomblets would flower out from it. I personally witnessed this. When the bomblets started flowering out they would sound like heavy rain. The bomblets would all explode separately over a fairly large area. When the bomblets fell and exploded they would hurt and kill people. Some bomblets would fall to the ground, but not explode. The bomblets from the cluster munitions were bell-shaped and very attractively packaged. The bomblets had a red ribbon on them, which made children mistake the unexploded bomblets for a toy. Sometimes, children would see the bomblets and try to play with them. On one occasion in Vallipunam, I personally witnessed a little girl pick up a bomblet and get injured. The little girl died and two or three children nearby were injured."

W296

"In addition to artillery the army also used cluster bombs which are illegal. The Tamil people were displaced towards Tharmapuram and Visuvamadu. In December 2008 and January 2009 the army attacked PTK. In PTK I saw a lot of people killed by cluster bombs. By the latter part of January or early February 2009, people now moved towards

¹⁸ Last hospital in Sri Lanka war zone evacuated amid cluster bomb attacks AP, 4 Feb 2009, <https://www.cp24.com/last-hospital-in-sri-lanka-war-zone-evacuated-amid-cluster-bomb-attacks-1.366923>

¹⁹ Cluster bombs found in Sri Lanka, UN expert says, 26 April 2012, BBC, <https://www.bbc.co.uk/news/world-asia-17861187>

²⁰ Cluster bombs used in Sri Lanka's civil war, leaked photos suggest, The Guardian, 20 June 2016, <https://www.theguardian.com/world/2016/jun/20/cluster-bombs-used-sri-lanka-civil-war-leaked-photos-suggest>

Iranaipalai, Pokkanai, Puttumattalan and Mullivaikal. Fierce fighting was still going on.”

I
T
J
P

FEB 2009

W40

Extract from MLR: “ He said that in February 2009 he sustained injuries to his shoulder and eye following a cluster bomb attack and needed treatment in a hospital.”

Scars 3 - The appearance of the scars (colour, pattern), distribution of the scars and the similar pattern of the scars is highly consistent with injuries caused by trauma due to multiple high velocity fragments.”

MARCH 2009

W37

“In March 2008 the field hospital in Puthumathalan was bombed. This was a terrible incident - there was blood, a lot of blood, limbs and dead bodies everywhere. I saw it happen. They used cluster bombs. I could tell because the central explosion was surrounded by smaller explosions. We heard the bomb before it hit and we ran for cover and managed to get in a bunker. One of these smaller explosions went off approximately 10 metres from me. It was so loud. It was difficult to hear. It felt like my ears were going to explode. I couldn't think. I was stunned. People were frozen in fear and shock. I saw that people who were outside the bunker were being hit in front of my eyes. I could see everything. Some of them looked like they were unaware of what had happened to them. I could see that they had terrible injuries but they were unaware of the pain.”

Medico Legal Report (MLR) 65

“On March 5 2009, he suffered injuries from a cluster bomb. He was knocked unconscious and woke in a makeshift hospital to find wounds to his mouth and head. These were sutured under local anaesthetic.”

W112

“Cluster bombs were also used in Mattalan and Pokkani areas against civilians. I saw cluster bomb attacks on civilians near the Mattalan Hospital in March 2009. Another cluster bomb incident took place in April 2009 near the Krishnan Kovil on Mullivaikkal Road - there were a lot of displaced people around that area. This was the place where the TRO was providing kanji so a lot of people were injured. There were 2 occasions a few days apart in the beginning of April 2009 I witnessed where cluster bombs were used in Valayanmadam Pokkani, Mullivaikkal road - one was on a queue for getting milk powder - the other was a residential area close to Valayanmadam junction. Many people were killed and injured in these incidents but I don't know exactly how many.”

APRIL 2009

W101

“In April 2009 I witnessed an attack on young children waiting to get kanji - it was a cluster bomb shell attack. More than 20 children were

killed; it was in Rettavaikkal. After the capture of Puttumattalan. There was a drone that flew over beforehand and it was in the air almost all the time in those days.”

W98

“Saw cluster bomb attack - in Mulivaikkal in April when I came out of the bunker to cook”.

W247

“During this last period of the war, and especially at Pokkanai, I witnessed the Sri Lankan security forces using cluster bombs - explosive devices that had multiple explosions either before hitting the ground or after impact on the ground. I also witnessed the use of incendiary bomb whilst in Pokannai.”

MLR56

“He sustained injuries during the cluster bomb attack on his right thigh and right side of his head. He was treated in the hospital. On 15 April 2009 he deserted the LTTE.”

W55

“On 22-04-2009 at the Makeshift hospital at Vallignarmadam cluster bomb attack was carried out by planes. Dr. Sivamanoharan (who was looking after the mentally traumatised people in that region), ... died in this attack. Some others were injured. Many of us escaped miraculously.”

INTERVIEW WITH NURSE

“She witnessed a cluster bomb attack on expectant mums in a milk queue in Mullivaikkal on 23 April 2009. She’s quite positive about the date - “I can never forget that because so many children died”. She saw with her own eyes 4 small children and 3 mothers who died and more than 15 injured people. Others were injured but they ran into bunkers. She says they had to issue milk powder from the Mullivaikkal Hospital because people were so hungry but every day drones flew over. The LTTE had announced that mothers should collect milk. The announcements were very loud on the loudspeaker because they had to be heard over the sounds of shelling - that meant the army could hear the announcements on the other side of the Nandi Kaadal Lagoon. She says the drone had been overhead beforehand for 2 hours but not many people had noticed because of the noise of the shelling elsewhere but afterwards they understood it had been there.”

W9

“I was in the second and third 'no fire zones' which were then bombed and shelled by the security forces. They dropped cluster bombs on civilians from Kfir jets and shelled them with artillery, including multi-barreled-rocket launchers. I saw civilians and LTTE members burned by exploding bombs. I saw the Putumattalan Hospital shelled by artillery. On many occasions I saw my friends and relatives killed in front of me.”

W298

“On one occasion, in Mattalan, around Mullaivakal, mothers and children were queuing for milk. Cluster bombs were dropped that hit

the people in the queue. Hundreds of people died who were mostly the mothers and children. I helped injured people to the medical points. There were no hospitals. It was a big incident. Everyone talked about it. This was the only incident of its type that I saw where a queue was bombed but I was aware that there were a lot of incidents where food queues were bombed. I saw lots of other cluster bombs being dropped and people killed.”

W110

“In approximately the second week of April 2009, immediately prior to one of the bombings and shellings of Vellamullivaykkal makeshift hospital, I was bathing my baby when a chemical bomb or shell went off nearby within the hospital compound and its smoke or gases came over the both of us. About 100 civilians were killed and many wounded nearby in this attack as people were massed together in this narrow strip of land. The people around us died from the chemical bomb and cluster bombs which also landed. The smoke from the chemical bomb created abscesses that would bleed like picking a scab off a chicken pox. These burns were all over my baby's body as all her skin was exposed when the bomb struck when I was in the process of giving her a bath. On me, only my face and hands were exposed. The doctors told me that we suffered from the effects of a chemical bomb and they did not think that they could treat it but they would try. We developed blisters and abscesses and bleeding. I still have scars on my face and hands from some of the blisters.”

W45 20 April

“I believe that the weapon that caused my injuries was a cluster shell, though the shelling of the area was continuous during this period. The shells that fell were a mix of cluster shelling and normal shelling. The differences between these types of shells are in the launch and explosion sounds. Normal shells have only a launch noise and then you can hear the loud sound of the explosion. Cluster shelling has a launch noise, the sound of the explosion and then as many as forty or fifty smaller explosions which occur over a wide area. On the day that I was hit by shrapnel from cluster shells, I first heard the launch sound which was across the Nandikaadal Lagoon. I could not see the shell being launched. The next thing I heard was the first explosion which happened close to me, but this was at a time when there shelling all around. Almost simultaneously, I heard many smaller explosions which were about 100 metres from me.”

MAY 2009

W60

“While at Valayanmadam there were three separate occasions that I witnessed cluster bomb attacks. I know full well the difference between a cluster bomb explosion and other artillery and bomb shells. There would be one explosion followed by many smaller ones over a wide area. All three attacks were on densely populated civilian areas around me with no LTTE positions where they hit. I saw 5-10 of my neighbours killed on each occasion and many others wounded. While in Karaiyamullivaikal we had to go to queue for food. One day I was in line. A cluster came in and exploded amongst the civilians. I saw

at least 50 dead smashed and destroyed bodies - mainly elderly, pregnant ladies and children. On another occasion, I saw a queue of children line up for Kanchi and a cluster bomb exploded. I saw at least 10 children killed outright and many others were wounded. These incidents were at the end of April or early May.”

W63

“When we got to Mullivaikal, I saw all the shelling from the sea, bombing from the air and shooting from the ground soldiers. From the air I saw cluster bombs and chemicals. There was so much smoke everywhere. The people who were dead, their bodies were burnt. I remember seeing green and blue smoke after the bombing.”

W287

“In the final stage of the war, the army announced that they believed all us Tamil people in the were LTTE and therefore they are going to kill us. They attacked and killed civilians using many types of weapons including artillery, kifirs, helicopters, snipers, cluster bombs and poisonous gas which are internationally banned. These were not LTTE cadres who were being attacked, they were innocent civilians.”

W158

“We stayed in Vellamullivaykkal for about four or five days and due to the advancing army and shelling, we moved to the Wadduvakal bridge on 16 May 2009. On the way to the bridge I saw more than a thousand dead men, women and children dead on the road and beside it. Bodies and limbs and wounded were everywhere. There was a terrible stench. I could tell that they had been killed by shelling and cluster bombs.”

NO DATE

W280

“I daily saw cluster munitions. Normal artillery fire will explode when it hits the ground or its target - it explodes so that a 60 degrees angle from the point of impact is a 'safe zone' so that is why we told people to lie down. The cluster bombs exploded about 30 feet above the ground. When it explodes 12, 16 or 32 smaller bomblets hit the ground and then explode.”

W241

“I also personally witnessed attacks by the Sri Lankan military using cluster bombs and phosphorous bombs.”

W132

“I deserted the LTTE and joined my family. I did this because I witnessed the deaths of several people, civilians and my friends, due to cluster bomb attacks and phosphorous attacks and I was very frightened.”

W18

“While I was on the front line, the security forces used rifles to attack us. If our cadres stopped them they would retreat and then

shell our frontlines with cluster bombs and Multi Barrel Rocket Launchers. We would hide in the bunker”.

I [REDACTED]
T [REDACTED]
J [REDACTED]
P [REDACTED]

ends

████████████████████
INTERNATIONAL ██████████
██████ **TRUTH** ██████████
██████████████████ **AND JUSTICE**
██████████ **PROJECT** ██████████
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