THE BATTLE OF ANANTHAPURAM

OCTOBER 2026



INTERNATIONAL TRUTH AND JUSTICE PROJECT

'THE INJURED WERE ALIVE WHEN I LEFT. THEY HAD NO RIFLES OR EXPLOSIVES OR CYANIDE.'

WITNESS ONE, ANANTHAPURAM
SURVIVOR

THE BATTLE OF ANANTHAPURAM

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‘WE NEVER THOUGHT THEY WOULD KILL ALL OF THOSE PEOPLE … THEIR MURDER IS THE ONLY EXPLANATION.’

WITNESS FOUR, ANANTHAPURAM SURVIVOR

INTRODUCTION

The end of the Sri Lankan civil war in 2009 is widely recognised as the bloodiest period of a decades-long conflict between Government forces and the Liberation Tigers of Tamil Eelam, or LTTE. It is a period that has been the subject of years of investigation by the United Nations and prosecutors in multiple countries – except Sri Lanka itself, where there has been denial regarding the extent of the alleged war crimes. To date nobody knows how many tens of thousands perished in those last five months. And years later nobody has been prosecuted and convicted for their role in the atrocities perpetrated then.

In April 2009, the last major battle between the armed forces of both sides took place in Ananthapuram. As a subject of study, events at Ananthapuram have been ignored by everyone – including the ITJP – until now. The focus instead was on attacks on civilians, food queues and hospitals, rather than on battles between the armed groups. Additionally, it was thought very few LTTE cadres had survived the Ananthapuram battle to bear witness. However, over the last 17 years, survivors have slowly emerged abroad. There are also survivors in Sri Lanka, but the political atmosphere there makes it unlikely they would want to advertise their role as hardcore fighters. Even abroad, the former LTTE cadres interviewed for this report were reluctant to disclose their identity to others and spoke on condition of confidentiality.

After hearing incredible accounts of a battle that we initially believed nobody had survived, we felt these stories were an important part of the history of the Sri Lankan war and should be documented and made public. The report is in two sections:

Part One is a narrative weaving together the stories of survivors with other accounts.

Part Two is a legal analysis of the violations of international humanitarian law during the Ananthapuram battle.

PART ONE

THE CONTEXT

In September 2008 the Government of Sri Lanka ordered all the remaining international aid workers out of the Vanni area controlled by the LTTE. It was a sign that the war was escalating and outsiders were not to witness this. Over the following months the military shelled and bombed hundreds of thousands of civilians so that they were displaced again and again, until they were all crammed into a tiny land-spit – a small strip of sandy beachfront on the eastern coast. The LTTE was a retreating military force – unable to conduct effective offensives because it was short of ammunition, and left behind its heavy artillery every time it was forced to move.

The battle in early April 2009 in Ananthapuram represented the last major clash between the LTTE and the Sri Lankan Army. After that point the LTTE lost so many of its senior military leaders and battle-hardened cadres that it was finished as an effective military force, and arguably the war was won. Nevertheless, the bombing and shelling continued for another six weeks, for the most part targeting civilians, many of whom were the families of the LTTE fighters. The battle in Ananthapuram, which ended shortly before dawn on 5 April 2009, was the LTTE's last stand in the war against Sri Lankan Government forces.

For roughly a week, about 800 LTTE cadres, many already severely injured, had found themselves trapped in an area that rapidly dwindled to little more than a couple of square kilometres. There, boxed in by the Army, they were ultimately cut off from all resources, including ammunition, medical supplies, food and water. Those still able to fight found themselves attempting to resist overwhelming opposition firepower, aided by surveillance drones, and supported from the air by Kfir bombers.[1] In this markedly asymmetric contest, an estimated 80% of the LTTE cadres at Ananthapuram would die. A few launched desperate, last-ditch attempts to escape. Fewer still actually made it out, many of them gravely wounded in the process. And even fewer escaped with their lives a second time, when, six weeks later, the war drew to its violent and bitter close. Below is the testimony of seven primary witnesses from this small number of Ananthapuram survivors. Between them, they explain what they experienced in that decisive last battle, in accounts that, until now, have gone untold.

EARLY 2009: THE LTTE IS FORCED INTO RETREAT

After many years of civil war, on 2 January 2009, Kilinochchi, administrative capital of the Liberation Tigers of Tamil Eelam (LTTE), fell to the Sri Lanka Army (SLA). That same day, in a 'situation report' (sitrep), the Ministry of Defence crowed that, for its enemy, this was the start of a 'countdown to extinction'.[2] Some 20 km to the east, in the Visuvamadu area, lay the LTTE's fighting nerve centre. Here, in jungle around what was otherwise a civilian, residential area, were LTTE military bases, training camps, ammunition dumps and supply centres. The SLA kept advancing, and by the end of January, Visuvamadu too had fallen.

Witness One (W1),[3] who was involved in managing LTTE weapons stocks, notes that the speed of the LTTE's subsequent withdrawal from Visuvamadu, coupled with adverse conditions including muddy, torn-up roads and the presence of numerous civilians, made it necessary to abandon the artillery weapons kept there, which cadres hastily buried. This left the LTTE forces, now on the march, with 'very very few shells', and mostly just 'some rifles and rounds'. From here, the LTTE's centralised listings for its weapons stocks, previously 30 pages long, plummeted to a mere five pages: the mid-February account noted 100 shells and no explosives. The LTTE was also short of hardened fighters.

One of those still standing was Witness Two (W2).[4] He had taken part in the attempted defence of Visuvamadu, but had by now seen some 1,000 cadres from his regiment lost: either dead, or significantly disabled, some of them incapacitated by 'mental trauma'. He himself records the horror of the retreat from Visuvamadu under heavy shelling by Government forces, passing by numerous corpses on the road, with 'dogs eating the bodies'.

The LTTE now relocated its centre of operations 15 or so kilometres down the A35 highway to the Puthukkudiyiruppu (PTK) area, and more specifically to Ananthapuram, a small group of houses and other buildings amid palmyra groves and coconut plantations due east of PTK town. LTTE leader Veluppillai Prabhakaran made the decision that Ananthapuram should be 'the final point to win or lose the war',[5] not least because its dense tree canopy made it the one suitable place left in LTTE hands from which to attempt any sort of counter-offensive against Government forces.[6] Explicitly, 'The policy was to fight to the death', according to W1, who believed defeat to be inevitable. With the local civilian population emptying out towards a Government-mandated 'No Fire Zone', Ananthapuram would become the LTTE's primary hub for managing its last remaining areas of control, though this management was increasingly chaotic as cadres from administration found themselves redeployed to combat or defence.[7]

Safe Areas - Routings

RESTRICTED **DISTRICT : Mullaitivu**

District	Total # of IDP's as of 09th Feb 09
VAVUNIYA	21,323
JAFFNA	1,961
MANNAR	854
Total	24,138
With SLA in Vanni(Parantan to Killinochchi) and Omanthai check point	± 10,000 to 12,000 (according to GoSL)

Area Detail



Legend

- Village
- ICRC
- UN
- Location Coordinate (WGS 84)
- Hospital
- Aerial Bombardment & Shelling (20Jan 09 - 31Jan 09)
- Aerial Bombardment & Shelling (since 01 Feb 09))
- Flood
- Not Accessible
- Front Line as at 12 February 2009
- Route 1
- Route 2
- Route 3
- Foot Path
- Track Road
- Railroad
- Secondary Road
- Minor Road
- Main Road
- District Boundary
- Safe Area declared by the Government of Sri Lanka as at 12 Feb 2009
- Safe Area declared by the Government of Sri Lanka as at 21Jan 2009
- SLA controlled area as at 12Feb 2009 (since January 2008)
- Populated Place as at 5 Feb 09
- Populated Place as at 12 Feb 09

Data sources :
SF HQ, Govt of Sri Lanka, UNDSS

Updated as at:	**12-Feb-2009**
Produced on:	12-Feb-2009
Projection / Datum	Transverse Mercator Kandawala
Admin boundaries provided by:	Survey Department, Government of Sri Lanka

MapNumber:OCHA/LK/COL_/Govt/NoWarZone/08Feb2009/ V19

This map is designed for printing on A3 size

The boundaries, names and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

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Produced through the generous support of:

Chalai
Indian Ocean
Suthanthirapuram Colony
Palamattalan
9°22'35.60"N 80°42'53.80"E
9°22'43.82"N 80°40'18.9"E
Thivipuram Colony
2112009
Suthanthirapuram Common Hall
9°22'27.91"N 80°39'49.03"E
Suthanthirapuram GTMS
9°22'26.22"N 80°40'13.34"E
9°22'17.70"N 80°42'35.60"E
# of IDP: 20,000 - 30,000
Area : 35.5 Sq Km
722009
Udayaarkaddu Mahavidyalayam
9°21'20.75"N 80°38'32.80"E
UN Staff & Dependents
Puttumattalan
9°21'32.06"N 80°43'29.26"E
Suthanthirapuram Junction
Ampalavanpokkanai
3 Km
2.5 Km
9°20'26.86"N 80°44'59.44"E
Kuravil Kulam
Vallipunam
Thevipuram GTMS
Thevipuram Common Hall
Thevipuram
ICRC
922009
Iranaipalai RC School
Kombavil
1.4 Km
Iranaipalai Common Hall
622009
Valayanmadam
Kaiveli Common Hall
800 m
700 m
1.3 Km
2 Km
2.4 Km
Kaiveli kanesha vidyalayam
Manjal Palam (Yellow Bridge)
Kaiveli
Ananthapuram GTMS
Area : 14 Sq Km
Mullaitivu
Kombavil Vigneswara Vidyalayam
Sivanagar Tamil Vidyalayam
A35
Karaiyamullivaikal
222009
Sri Subramaniya Vidyalayam
122009
1022009
# of IDP: 50,000
Vernavil Sri Murunagnada Vidyalayam
PTK West Common Hall
Manthuvil Common Hall
Puthukkudiyiruppu
322009
PTK Central College
Puthukkudiyiruppu Kokkulai GTMS
9°18'06.08"N 80°48'08.30"E
Vellamullivaykkal
PTK Central College Golden Jublie Hall
9°1726.60"N 80°47'10.60"E
Wadduvakal
Keppapulavu
A34
N
Kilometers
0 2 4

ANANTHAPURAM

Sea

Land-spit
'No Fire Zone'

Shallow marshy lagoon

IRANAIPPALAI

LAGOON ESCAPES:
W1, W3

COMMAND CENTER

MARKET PLACE

ESCAPE ROUTE:
W4, W6, W7

COMPUTER CENTER

PACHCHAI PULMODDAI JUNCTION

MEDICAL FACILITIES

CHURCH

SLA 58th Div. 'pincer'

HOME OF PRABHAKARAN
(rough location only)

SLA 53rd Div. + TAsk Force 8 'pincer'

ANANTHAPURAM

A35

A35

PUTHUKKUDIYIRUPPU (PTK)

1. 1/4

Nanthi Kadal Lagoon

200m

N

THE LTTE CONSTRUCTS THE ANANTHAPURAM BOX

LTTE commanders took all steps possible to convert Ananthapuram into a military stronghold, or what was termed a defensive 'box'. As well as building trenches to strengthen current Forward Defence Lines (FDLs), cadres prepared a set of secret facilities, using mechanical excavators to bury shipping containers in deep bunkers that were then fortified against aerial attack with coconut logs, sandbags and sand-filled oil drums.[8] Generators supplied electricity: inside the containers it could be immensely hot. Twelve of them, buried in zig-zag formation, became a new command centre towards the western, PTK side of Ananthapuram. Other containers nearby were reserved for overspill medical cases and for use as transit points for medical evacuations during lulls in the fighting. Meanwhile a building previously used for the manufacture of LTTE uniforms was refitted to be Ananthapuram's primary medical facility, with its own rudimentary operating theatre. To keep him safe, Prabhakaran was surrounded by five concentric circles of security.[9]

The rapidly-established Ananthapuram 'Box', its boundaries destined to shrink fast under assault, had land approaches on three sides, while its fourth side, to the east, was bounded by the flood waters of a seasonal lagoon, shallow enough to cross by wading. As March drew on, the heaviest attacks by the SLA came on the southern and western flanks of the Box, so this was where the LTTE placed most of what remained of its heavy machine guns. The western flank was defended by units under Colonel[10] Theepan, while the southern flank was defended by Colonel Athavan, alias Gadaffi.

It was on the southern flank, initially in the Keppapulavu area just south of Ananthapuram, that Witness Three (W3),[11] another longstanding frontline fighter, was deployed. To lessen the risk of mass casualties, he and those with him were posted in teams of just three every 50–100 m along a 2–3 km line, with reinforcements located roughly 100 m behind them. They were armed with rifles (AK-47s), light machine guns and hand grenades, and a few additional cadres were positioned to deliver sniper fire. But they had had no time to plant landmines to slow the oncoming SLA advance. They faced overwhelming opposition forces, and in late March, despite all precautions, W3 would be evacuated from the southern front line with a shrapnel wound to his thigh.

This was to be a drastically asymmetric fight. As SLA commanders attempted to draw a net all the way around the LTTE in the Ananthapuram Box, they were constrained in their use of artillery fire by the danger of collateral injury to their own forces. But they had no qualms about deploying barrages of overwhelming fire from heavy machine guns, cannon and rocket-propelled grenades (RPGs). At the same time, overhead, Sri Lanka Air Force (SLAF) fighter jets, such as the Israeli-made Kfir jets, guided by surveillance drones and Beechcraft spy planes, conducted multiple attacks on the Box per day, dropping loads that included cluster bombs and white phosphorus. By contrast, LTTE personnel were reduced to gathering up unexploded enemy ordnance with the extremely dangerous aim of repurposing it into improvised explosive devices (IEDs).[12] In these increasingly desperate circumstances, W2, the hardened fighter who had had to pass by dogs eating corpses on his way to get there, describes how he and his surviving comrades were ever more calculating and restrained with their limited munitions. Further, 'we were always told that lives were lost to bring in ammunition, so we were held accountable'. In the circumstances, the LTTE's superior knowledge of the terrain where they were lodged was only the slimmest sort of advantage.

As the SLA approached PTK junction, the LTTE attempted a counter-offensive that included the use of its suicide operatives, the Black Tigers.[13] But on 1 March, the State-run newspaper, Daily News, reported that the Army was now on the outskirts of PTK itself, which it described as a 'garrison town' of the LTTE sprawling over an area of 16 square kilometres. Soon enough, a Ministry of Defence sitrep reported that 'The LTTE terrorists lost the last town under their clutches as Puthukkudiyiruppu fell to the Sri Lankan soldiers yesterday (Mar. 3)', with an update two days later stating that the Army had now also taken PTK junction.[14] This vital spot was 3.5 km from the LTTE command centre in Ananthapuram, and SLA soldiers now began an attritional fight through the eastern sprawl of PTK, slowly breaching rings of the LTTE's defence lines, and forcing cadres backwards through deserted clusters of buildings, which SLA soldiers would destroy as they advanced. LTTE support teams, as they withdrew behind their fighters, dug new bunkers in attempts to hold the line. But as the days went by, the defensive margin around Ananthapuram kept shrinking. On 17 March, the MOD was also able to declare that, the day before, its forces had taken Iranaippalai Junction, barely a kilometre to the north of Ananthapuram, while a sitrep of 20 March boasted that despite 'intense resistance', Government forces 'continued piercing terror defences'. Inside the Ananthapuram stronghold, Prabhakaran instructed W1 and his unit, charged with managing LTTE weaponry, to relocate their remaining weapons stores as far from these attacks as possible, across to the Pachchai Pulmoddai area in the eastern corner of the Box.

MEDICAL EVACUATIONS FROM THE ANANTHAPURAM BOX

With a relentless and radically unequal fight in progress, medical evacuations were vital. As well as its loss of territory, the LTTE lost control of major roads, and with this Witness Four (W4)[15] found himself redeployed from clearing road mines to the job of evacuating the most severely wounded cadres from the wider PTK area to the nearest medical facilities. His area of operations included driving the injured from the containers in Ananthapuram either to a temporary surgical unit at Rettavaikkal, or to one of various sub-facilities in the surrounding area. Evacuation teams operated only at night, when drone surveillance ceased. Nevertheless, with the SLA advancing closer and closer, and under indiscriminate fire, the work became increasingly dangerous.

Although by now there were supposed to be no civilians in Ananthapuram, not all those whom W4 and other teams rescued from there turned out to be cadres. Most of the paddy fields in the wider area had been lost, yielding no fresh crops in the traditional January–February harvest,[16] and civilians in the 'No Fire Zone' beyond were slowly starving. Some were ready to risk their lives to filter back into Ananthapuram in a desperate search for coconuts, while various residents took the same risk in order to retrieve essential property from their houses.

At the start of March, Witness Five (W5),[17] previously engaged in logistics, also began conducting nighttime medical evacuations from Ananthapuram, using a civilian 4x4 reinforced with metal plates and with its windows removed. With these evacuation runs subject to increasingly well-targeted shelling, RPG attacks and tank fire, rescue vehicles were now limited to carrying two-man teams only, with no paramedic. In his account, W5 calculates that about a third of the injuries he saw looked like wounds associated with white phosphorus. Victims experienced sensations of 'severe burning' and their skin turned dark. He describes how 'it kind of makes the flesh look like rotten meat'.

Early one morning towards the end of March, W5 was approaching a medical container in the Ananthapuram Box when he was hit by shrapnel that punctured his intestines and stomach. Now he himself required evacuating. But because of aerial surveillance and continuous shelling, this had to wait until 7pm, when he was taken to a makeshift civilian hospital in what had once been a nursery school in Pokkanai. There he received treatment on a tarpaulin sheet on the ground amid some 500 other patients, both civilian and LTTE. Though he survived this, he could only watch as, for lack of equipment, let alone anaesthetics, many others around him needlessly died. Another cadre to be evacuated from the Box at this time, with serious injuries to his head and thigh, was the hardened fighter W2, who had earlier taken part in the attempted defence of Visuvamadu.

The SLA and SLAF were shelling and bombing medical facilities of all kinds, including civilian hospitals in the 'No Fire Zones'. This generated mass casualties while simultaneously destroying the means to treat them, compounding the breakdown of medical services to the civilian population. Witness Six (W6),[18] originally in the LTTE legal unit, but by now pressed into combat, tells of how, at the start of February, he had taken his pregnant wife to give birth in the hospital at PTK, only to find that, after repeated Army attacks, it had just been abandoned.[19] She delivered her child on a mattress hauled out from the damaged building, after which they very quickly hurried away. A cadre directly involved in medical logistics for the LTTE[20] explains that because civilian medicine was under this level of duress, the LTTE began to organise splitting its resources, including sharing its last stocks of anaesthetics and reassigning some of its doctors to civilian facilities. From a purely combat perspective, the Government's withdrawal of medical support to the civilian population in the Vanni had the effect of draining the LTTE's capacity to patch up its own less injured fighters and return them swiftly to the field. [(see optional side box below).

WITH THE BREAKDOWN OF CIVILIAN MEDICAL SERVICES, THE LTTE STEPS IN

On 15 February 2009, the Medical Officer based at Puthumattalan Hospital sent a situation report to the Secretary of the Ministry of Health in Colombo, noting his 'deep despair' as he and colleagues attempted to serve the civilian population in the Vanni area still under LTTE control, including what he calculated to be some 200,000 Internally Displaced Persons (IDPs). Water and sanitation were in crisis, he wrote. Chronic malnutrition loomed. Medical supplies were nearly exhausted. His team at Puthumattalan had nothing but a converted school for a surgical unit, where they lacked not only antibiotics, but also antiseptic cleaning materials. In an attempt to ward off fatal sepsis in his patients, he and his colleagues were having to re-amputate infected stumps. With other nearby field hospitals being abandoned one after another, he wrote: 'Our health care system is on the verge of complete collapse.'[21]

The LTTE ran its own medical units for treating combatants, often simply tents under trees. Blockades of its supply lines, coupled with a rapid increase in casualty numbers, meant that the LTTE, too, now faced severe shortages of medical necessities, including anaesthetics.[22] Nevertheless, when Government authorities chose to close down medical aid for civilians, including supplies of anaesthetics, on the supposed grounds that no one in the war zone was qualified to administer them,[23] the LTTE began to coordinate the distribution of its own dwindling supplies across combat and civilian facilities, until it became 'increasingly difficult to keep civilian and LTTE military supply lines distinct'. Because the civilian doctors were completely overwhelmed with casualties, some LTTE-trained doctors were also deployed to civilian facilities.[24] W6, from the LTTE's Judiciary Unit, states that there was 'no armed presence of the LTTE in any of the hospitals', and adds that civilian medics 'were very strict about no LTTE members in uniform or with arms coming into the civilian hospitals'. But this did not prevent a dramatic increase in Government shelling of civilian hospitals.[25]

THE END GAME BEGINS

Across the month of March, as circumstances worsened inside the designated Ananthapuram 'Box', LTTE commanders operating outside Ananthapuram planned a major counter-offensive against the Army position to the north of Ananthapuram's northern flank. This attack force was intended to number some 400–500 cadres, among them W1, who had oversight of LTTE weapons stocks, along with around 40 others from his unit. Other designated cadres included members of the administration, as well as forced recruits who were currently being trained in Mullivaikkal specifically for this attack. W1 was sent out of the Box and put in charge of 100 newly recruited female cadres. He records that the plan was for 'a sideways attack on SLA', to be launched from Iranaippalai. A later newspaper report in The Nation would explain that 'It was the intention of the Tigers to try and make the SF [Security Forces] retreat about 5 km, by hitting them hard with horizontally targeted artillery.'[26] According to another cadre,[27] crucial LTTE forces were being trained for this push under Colonel Gobith of the Charles Anthony Brigade, but during a high-level planning meeting, he and others were killed by SLA shelling, fatally undermining the intended campaign. As the SLA intensified its assaults, tightening its fronts around Ananthapuram, the planned LTTE counter-offensive was abandoned.

Despite LTTE leader Prabhakaran's previous determination to make Ananthapuram his base for a last push-back, or for a final stand, his highest-ranking officers now persuaded him he must leave the Box. W1, along with his 100 newly recruited female cadres, was among those who were now required to fight their way through heavy SLA resistance to make it back inside. Though this helped to secure a route by which select troops were able to exfiltrate Prabhakaran on 26 March, most of the LTTE's top commanders stayed put inside the Box. In charge was Senior Commander Banu, with Col. Theepan as his second.[28] Other commanders still operating inside the Box included Cols. Keerththi, Gadaffi, Manivannan, Vithusha and Thurga. The majority of the LTTE's remaining special forces and battle-hardened cadres also stayed.[29]

W1 was also asked to remain. He received instructions from Banu to set up a defence line with his female fighters at Ananthapuram Market near the command centre. Estimates vary, but W1 states that there were now around 800 LTTE cadres inside the Box, of whom about half were already fairly seriously or very seriously injured.

Accounts agree that by the next day, 27 March, the SLA had re-established its existing front lines. In tandem with the SLAF, it now defaulted to barraging the Box, an area reduced to roughly 2 square kilometres, with bombing and shelling. This tactic was designed to break LTTE resistance: there was no immediate attempt by the Army to advance inside. W1 soon joined the wounded. He took a sniper shot to the collarbone, after which he could no longer easily move his head. With no proper supplies to treat his injury, other than a bandage to stop the bleeding, he became one of the walking wounded, and shifted to the western side of the Box where medical services were still focussed.

Another wounded cadre in the Box was W3, who had previously been evacuated from forward defence on the southern flank with a shrapnel wound to his thigh. Three days after his injury, and far from fully recovered, he had been summoned back by his commander, Col. Gadaffi, just in time to get trapped. Before this point, as he records, cadres had been regularly resupplied with amounts of ammunition, as well as being given adequate dried and tinned foodstuffs. But no longer. With supply lines at a standstill, he and his fellows found themselves slowly beginning to starve. W3 also now faced his first direct experience of being attacked with cluster bombs and white phosphorus, even if these munitions were no novelty in the arsenal of the SLA.

W4, redeployed since February from clearing road mines to medical evacuations, also found himself trapped in the Box, along with his medical unit of ten cadres. He and three of his team were placed by Col. Keerththi in a bunker on the current front line facing PTK, where they served alongside others whom W4 describes as 'recently joined', or as co-opted members of support teams: by no means everyone facing this battle was a hardened fighter.

Witness Seven (W7)[30] was a trained field medic who had been sent to Ananthapuram as part of an eight-person unit, all of whom ended up caught inside the Box. He also describes the experience, with the Box functionally locked down, of Government forces unleashing a monumental attack. W7 records cluster munitions being rained down via shells, and dropped from planes, but also types of bombs that were unknown to him, not phosphorus, that had unusual and terrifying effects on those he treated.[31] One type 'caused breathing difficulties and the area went dark and people couldn't see and some people collapsed. It interfered with their vision'. He experienced this peripherally himself and had 'the same reaction'. Another bomb type that he did not recognise delivered smoke, via shells, that burned its victims in a way that was 'different from the burns from usual shelling'.[32] W7 notes that as well as LTTE cadres, he was personally aware of at least 20 civilians who found themselves trapped in the Box, having come there in search of coconuts. As they too started to get injured, he treated several of these non-combatants.[33]

W6, who had been reassigned from the judiciary to combat, and who a few weeks earlier had taken his wife to have her baby at the abandoned PTK hospital, had also found himself deployed to the Box. Like W7, he records the Army's use of unrecognised chemical weapons in the battle for Ananthapuram. He describes a type that was 'something like a smoke bomb'. Once it mixed with the air, it caused skin blisters that swelled over several hours into huge, water-filled balloons and then burst, leaving cadres too injured to fight. Also like W7, W6 describes a second, distinct type of explosive that sucked up all the oxygen in a roughly 50 m radius: 'After the blast we had many LTTE cadres die suddenly in small groups without any of the bodies having any wounds.'[34] W5, who had been evacuated out of Ananthapuram in late March with punctured intestines and stomach, confirms this. He found himself lying on a tarpaulin sheet in an overflowing field hospital listening helplessly over the radio to accounts from inside the Box of smoke devices causing 'burning sensations in the throat' and 'suffocation'.

MONDAY, 30 MARCH: SLA FORCES LAUNCH A PINCER MOVEMENT TO CUT OFF THE ANANTHAPURAM BOX COMPLETELY

On Monday, 30 March, separate groups of SLA forces set out from PTK, heading both south and north of Ananthapuram, and progressing inside the defence lines of the LTTE's Charles Anthony Brigade, in what was designed to be a giant pincer movement. The troops included both a brigade from Brigadier Shavendra Silva's 58th Division, on the north side, and a brigade of General Kamal Gunaratne's 53rd Division working with members of Task Force 8 under Colonel GV Ravipriya, on the south. If successful, this would leave the Box tightly encircled and completely cut off. Amid fierce fighting, some thousand LTTE cadres battled multiple times that number of Government troops as the two SLA prongs slowly advanced, hoping eventually to curl round on the far side of the Box, and to meet each other at a point somewhere between Ananthapuram and the 'No Fire Zone' on the coastal land-spit beyond.[35]

TUESDAY, 31 MARCH: A BREAKOUT ATTEMPT, COORDINATED WITH COLONEL LAWRENCE, FAILS

The next day, Tuesday, W3, back on the southern front under Col. Gadaffi despite an unhealed thigh wound, took part in an attempt by cadres to break out of the Box, in hopes of reaching Puthumattalan. He and his fellow fighters coordinated with a corresponding attempt, under Col. Lawrence, to break in through SLA lines from the outside. Col. Lawrence had heavy weapons support from a team under Colonel Velavan, who now commanded the Imran Pandian Regiment. However, the multi-barrel rocket launcher used by Col. Velavan's forces jammed. And according to analyst D.B.S. Jeyaraj, writing ten days later, Col. Lawrence's force of 120 cadres, moving in five vehicles, came under heavy enemy fire, with three vehicles 'scorched and destroyed', killing most of those on board.[36] Certainly the attempt failed, and Col. Lawrence himself was left injured.[37] An MOD sitrep that day described 'heavy fighting', and announced that in the Iranaippalai area, 'Troops soften LTTE defences', giving perhaps a low estimate when it stated: 'at least 20 terrorists were killed and 11 injured'.

WEDNESDAY, 1 APRIL: A SECOND BREAKOUT ATTEMPT FAILS, WITH VERY HEAVY LOSSES

On Wednesday, 1 April, with rapidly dwindling ammunition, cadres regrouped at Ananthapuram school on the south-east flank of the Box to launch a second escape attempt. Once more, W3 was among their number. But this new attempt was destined to be a disaster. The SLA's pincer movement, launched two days earlier, had just successfully snapped shut at the very location of the planned new breakout.[38] An MOD sitrep for 1 April states that after 'fierce fighting', its two encircling sets of troops had finally met at Pachchai Pulmoddai on the eastern side of Ananthapuram, capturing Pachchai Pulmoddai junction in the afternoon. With this, the SLA cut the LTTE's last route in and out of the Box, perilous as it had been, ending any final hope of critical resupplies or reinforcements. Those LTTE cadres launching their ill-fated escape attempt ran into SLA soldiers at a distance of no more than 20 metres. And these Government troops, in overpowering numbers, compounded their own weapons fire by launching an attack with what W3 took to be tear gas, which 'caused choking, and burning of the eyes'.

Not only did the breakout fail, but it also saw the loss of several top LTTE commanders. Colonels Thurga and Vithusha, the LTTE's two most senior female commanders, were so badly wounded that they swallowed cyanide, while two further commanders suffered injuries that led to their deaths the following day.

In Tamil, on loud hailers, the SLA instructed survivors to lay down their arms and surrender. As W3 recalls, the implausible message delivered to them was 'that we would be given amnesty and would be allowed to reintegrate without punishment'. He saw no evidence that anyone took up this call, and instead he and his comrades fell back to defensive positions. W3 felt such despair at the grave losses among his fellow fighters that he determined to swallow cyanide himself, but he was talked out of it by one of his leaders.[39]

That same day, over on the opposite side of the Box, where the command centre lay, as other SLA forces approached ever closer, trust at the top of the LTTE had begun to fray. According to W4, who had been shifted from clearing road mines to medical evacuations, then latterly deployed to a nearby defensive bunker, junior commanders were questioning Senior Commander Banu's lack of push-back against opposing forces. There was also particular tension between Cmdr. Banu and his second-in-command, Col. Theepan, over strategy and tactics. W4 describes how, when Col. Theepan was brought to the command centre seriously injured, Cmdr. Banu showed little concern, as he now promoted Col. Gadaffi to the position of his new second. At some point during that day or the next, W4 himself was also injured. Col. Keerththi had added him to the cadre reinforcements on the western front line, and there, in close-quarters fighting, he took shrapnel from a lobbed grenade.

A subsequent account by The Nation newspaper summed up how 'crucial, round-the-clock air surveillance' by drones and Beechcraft spy planes was 'immensely helpful' to Government ground troops now targeting the LTTE inside the Box. At the same time, 'Special Forces, deployed their famed eight-man teams to cover the entire region, so that, there was no chance of either the Tigers breaking out or into the encircled region.'[40]

THURSDAY EVENING, 2 APRIL: CADRES MOVE THE HEAVILY INJURED TO THE COMPUTER CENTRE

An MOD sitrep for Thursday, 2 April, records yet more 'fierce fighting' in continuing offensive action by SLA troops. That evening, with Government soldiers moving inexorably closer, surviving LTTE command took the decision to move the roughly 350 cadres with 'severe and massive' injuries from the medical facilities on the western side of the Box across to the eastern corner. Col. Keerththi now reassigned W4 yet again, instructing him to help with this task along with 10–15 others. The injured were to be relocated to the compound that housed the LTTE's computer centre, which sat opposite a church and near what commanders now planned to be a mass evacuation point. The main building of the computer centre, previously a classroom of sorts, had a concrete roof, and here the severely injured were packed in, while others who were less injured were distributed among smaller adjacent buildings and bunkers.

The compound was somewhat shielded by mango trees, as well as being set behind a wall of tin sheeting, which offered it some protection from shelling and snipers.

Starting not long before nightfall, back and forth over several hours, W4 had already helped to move about 60 of the worst-injured cadres when he came under direct fire and was hit with shrapnel to the head that embedded itself close to one of his optic nerves. He made it across to the eastern side, and there he stayed. Rumours were flying that the Black Tigers were going to punch a new route through for their escape.[41]

OVERNIGHT THURSDAY–FRIDAY, 2–3 APRIL: THE COMMAND CENTRE IS EVACUATED

Also on the western flank that Thursday evening was W1, previously concerned with managing LTTE weaponry, who had infiltrated back into the Box with 100 female recruits, and had since taken a sniper's bullet to his collarbone. A message came in from the LTTE leader Prabhakaran that all cadres were to retreat to the base

by the computer section, abandoning the command centre and the nearby medical facilities. The remaining walking wounded were told to assemble at a bunker close by the computer compound, and some possibly took refuge in the church.[42]

It was a terrifying manoeuvre. In the small hours of Friday, 3 April, W1 coordinated with other members of his original unit, as well as the newly recruited female cadres, to withdraw along with Cmdr. Banu himself, and the badly injured Col. Theepan, who was nevertheless still mobile, and also Cols. Gadaffi and Manivannan, the head of the LTTE artillery regiment. But as they began to move out, the sky abruptly filled with paralights: high intensity, slow-falling flares suspended from parachutes. And with this, they were subject to intensive shelling. Many cadres were injured, some very severely. Others were instantly killed. Those who were able to do so dashed wildly for cover in all directions.

W1 lost sight of Cmdr. Banu, but found himself sheltering with Cols. Theepan, Gadaffi, Manivannan and 30 other cadres. In a hiatus in the firing, Col. Gadaffi took the lead, saying he knew the immediate surroundings well, and could get them forward. As their group set out again, W1 and his fellows bent down to retrieve any weapons and last rounds from the scattered dead, and for about 100 m they progressed freely, in silence.

Suddenly the SLA launched a new, extreme, close attack. Accounts differ in their specifics, but all agree that Col. Gadaffi took severe injuries including a fracture to one leg. Meanwhile Col. Manivannan was killed on the spot. W1, Col. Theepan and others sought cover, and fought back, until at last the SLA troops withdrew, when Col. Theepan ordered cadres to retrieve the wounded Col. Gadaffi, who was now carried by his bodyguards on a stretcher as the surviving group continued to head for the eastern corner. Accounts suggest that, as they progressed, under renewed fire, Col. Gadaffi's bodyguards were hit and none of them survived.

BEFORE DAWN, FRIDAY, 3 APRIL: COLONEL LAWRENCE AGAIN ATTEMPTS AND FAILS TO BREAK INTO THE BOX

W4, seriously injured with wounds to his head and optic nerve, had remained on the eastern side overnight during the remaining, wholesale LTTE withdrawal from the western side of the Box. As well as rumours that the Black Tigers were coming, he and others were waiting for Col. Lawrence, who was said to be planning a second attempt on the SLA lines. W4 had heard that he would come from the north-east. If Col. Lawrence managed to break through, cadres were to fight from inside the Box to meet him. The idea was to create an exit route suitable for vehicles to drive through, making it possible to evacuate the wounded.

At some point in the small hours on Friday, W1 and his reduced group, now under Col. Theepan's leadership, finally made it to the rallying point by the computer centre, inside which, among the heavily injured, they now placed the severely wounded Col. Gadaffi. Despite W1's collarbone injury, Col. Theepan asked him to re-establish a defence line at Ananthapuram Market, and to keep watch for advancing SLA soldiers. Col. Theepan sent Col. Anton with him and other cadres. W1's understanding was that LTTE Intelligence Chief Pottu Amman was ultimately coordinating the attempt from outside to breach the SLA defence lines. Moreover, W1 heard that the Black Tigers did manage to break through very briefly. But if so, an SLA counter-attack quickly closed down the breach, and Col. Lawrence's efforts were also once more defeated. By 5am on the Friday, all surviving LTTE forces in the Box had fallen back to what would be their final defensive positions, trapped in territory that in W4's estimation had now shrunk to the size of little more than two football pitches.

With Col. Gadaffi critically injured, Col. Keerththi had effectively become the new second-in-command of the remaining fighting forces inside the Box. But at some point that night, Pottu Amman contacted Col. Keerththi and instructed him to assume overall command. W4 states that he witnessed this transaction, and that Cmdr. Banu accepted being replaced.

FRIDAY, 3 APRIL DAYTIME: MASSIVE ASSAULTS BY GOVERNMENT FORCES

Later reporting stated that with heavy rainfall from early morning on Friday, 3 April, the Army briefly considered slowing its attacks.[43] But with the coming of daybreak at around 6am, its forces unleashed a ferocious assault on the Box, overrunning the abandoned LTTE command centre, and closing in on the eastern side. SLA troops also took a school just to the east of the computer centre. Soon the last remaining LTTE positions were in a stranglehold, with soldiers at a distance of only about 300 m.

Because SLA troops now so closely ringed their enemy, they were forced to take account of the danger of missing their targets, firing past them, and hitting their own comrades on the other side. Tin sheeting round the computer compound also masked their sight lines. But according to W4, with SLA snipers loosing off fire at anything that moved, LTTE cadres were kept pinned in place. Under enemy fire, and with drone surveillance above, LTTE forces had little choice during daylight hours that Friday other than to defend their positions as best possible, waiting it out till nightfall, whoever then remained alive. An MOD sitrep for that day records that 'The soldiers of 58 Division marched into the pocket held by the terrorists at Anandapuram, early this morning and wiped out the terrorists in a close quarter fighting that lasted till the evening.' However, this asserted 'wiping out' was not yet true, and in the evening, according to a second sitrep report, Government troops launched 'intensive artillery shelling as well as aerial bombardments by the Sri Lanka Air Force'.

OVERNIGHT FRIDAY–SATURDAY, 3–4 APRIL: LAST ATTEMPTS TO ESCAPE

At around 10pm that Friday night, as W4 describes it, Col. Keerththi called a meeting, which some 20 people attended, to tell them that they were collectively out of options. The only choice left was for those who were fit enough to form into groups and try to fight their way out of the Box on their own. They should start in roughly an hour and a half. Those who were severely injured would be left behind, including Cols. Gadaffi and Theepan, whose medical condition had deteriorated.[44]

Col. Keerththi entered the main computer building to inform the worst injured cadres of his decision. According to W4, who went with him, most of those packed in there begged to be shot and killed, or asked for cyanide capsules. Though these were a standard part of LTTE kit, they were issued for security purposes, in case a cadre was taken by the enemy alive:[45] strictly, they were not intended to ease pain, and it was therefore routine for capsules to be removed from those who were seriously injured.[46] Col. Keerththi told those pleading with him that anyone capable would now try to break out, and then return to save them. W4 estimated the number of the injured men and women before him at 350–400.

ESCAPES TO THE NORTH-EAST VIA PACHCHAI PULMODDAI

Though W4 had received his own serious head injury moving the very cadres they were now about to leave behind, he nevertheless qualified as one of the more able wounded. He notes that as he contemplated the potentially deadly challenge ahead, he was one of only two cadres still surviving from his original mine clearance unit of 150. He was now included in an attacking escape group of about 30 who were going to try to break out along what had previously been Ananthapuram's main supply route on the north-eastern side. The group hoped that some of them at least might open up a way for others to follow. Though coordinating fire from the north by the Charles Anthony Brigade helpfully took out one of the SLA's 50 mm cannon positions, there were five or six SLA defence lines to breach, and the Army's paralights meant the area was brilliantly illuminated.

W4 records that the first two defence lines were extremely hard going: the group splintered as it progressed, making uncertain and irregular progress, some cadres forced backwards by opposing fire. The commander leading them lost one leg below the knee and was badly injured in the other. W4 himself, adding to the shrapnel by his optic nerve, was also now shot in the leg, and many others in their group were similarly injured. An unknown number had to be left behind in the field. But by the time the remaining members reached the third SLA defence line, the Army troops seemed confused about what exactly was happening. With fighters from both sides in among each other, SLA soldiers hung fire for fear of killing their own men. W4 and the others still with him seized this chance and were able to press on through to the other side, making it out at around 2 in the morning of Saturday, 4 April. Back in territory under the control of the LTTE, he found himself picked up by motorbike and spirited away to Rettavaikkal.

W5, listening to radio updates as he lay with his intestinal wounds on a tarpaulin sheet outside the field hospital in Pokkanai, finally heard what all cadres had been desperate to hear. At last, in parallel with fighting from inside the Ananthapuram Box, Col. Lawrence broke through the SLA's defence lines from the outside, temporarily making this escape route safer.

Among those who now also managed to flee this way was W6, once in the LTTE Judiciary Unit, and now a recent father to a baby born beside the deserted PTK hospital. He had taken a bullet to his leg near the command centre, but remained among the walking wounded, and managed to escape through the Pachchai Pulmoddai area under the leadership of Cmdr. Banu. In W6's estimation, the group he was with numbered about 75 injured cadres, though Cmdr. Banu himself was not injured. W6 states that before he left the Box, he saw the dead bodies of Cols. Theepan and Gadaffi;[47] however, with no direct account to confirm this, it is not universally accepted that Col. Gadaffi had died at this point.[48]

W7, LTTE field medic, with his eight-person unit had been treating cadres inside the Box as best possible, including those with chemical burns. He had by this point himself taken a severe injury to the shoulder. Two others of his unit were dead, and one other, he notes, was destined to be 'captured alive'. But evidently W7 himself was also a member of the cohort of the walking wounded under Cmdr. Banu, as he too reports escaping the Box via the Pachchai Pulmoddai route. According to other accounts, this group made it out at about 4:30am, along with Col. Keerththi.[49] W7 was picked up and taken to a field hospital at Valayanmadam; his battle wounds would never properly recover.

ESCAPES VIA THE LAGOON

Late that same Friday night and into the small hours of Saturday, other cadres tried to escape by wading across the lagoon, whose boggy margins had been extended by the heavy rains.[50] W3, from Col. Gadaffi's regiment, who had already been a part of two failed attempts to break out of the Box, and who had been dissuaded from swallowing cyanide three days earlier, was one of those who attempted to punch through SLA lines towards the water, intending to cross over and head north. An unknown number of cadres were injured or killed on this route. W3 himself took multiple close-quarters injuries, including a bullet to the left leg, and shrapnel from a hand grenade that penetrated his chest and stomach. When he and fellow cadres fought through the first SLA lines, troops there turned and pursued them from behind.

At least when they reached the lagoon some of the fleeing cadres found they had LTTE support coming towards them from outside. But crossing the water was colossally dangerous. W2, a hardened fighter, who had been evacuated, injured, from the Box just before it got cut off, had afterwards been put in a team that attempted repeatedly to break back in and rescue their comrades. This was now their third attempt, and they also crossed the lagoon. W2 describes how, as they broached the water, the air above them filled with bursts of white phosphorus, and he and his comrades were subjected to cluster bomb attacks, releasing an unidentified chemical smoke. At a short distance, he saw two girls crying out and running, on fire, 'burning a red colour'. As his own eyes began to burn, W2 told everyone around him to sink themselves under water. Somehow both he and W3, coming from the other side, survived this lagoon assault, and got away, though W2 was left with serious and lasting chemical injuries.

Back at Ananthapuram Market, W1 was still manning a defence line deep into the hours of darkness. When the sounds of heavy fighting suddenly stopped, and all around was strikingly quiet, he and those with him became suspicious. Col. Anton, deployed with him, slipped away with the second fighter to check in at the computer centre. On his return, as he began to report to W1 that, apart from the worst injured cadres, everyone else was gone, Col. Anton was hit by an RPG that killed him on the spot, also taking an arm off the cadre beside him. W1 records that, surrounded by hostile troops, and finding he had been abandoned, he hardly knew what to do. He tried all the walkie-talkie numbers he had on him, including secret numbers, until at last someone answered and told him he should try to leave.

W1 could think of nothing for it but to try to fight his way out. He himself now went to the computer centre, where he announced that anyone who believed themselves to be sufficiently mobile, and who was prepared to fight, was welcome to join him. Previously W4, accompanying Col. Keerththi, had estimated their number at 350–400. Those involved in medical logistics outside the Box had also received reports from doctors in the computer centre that the number was 'about 350'.[51] W1, as he stood there, estimated that he was addressing something over 300 people, and of these, 20 asked to go with him. They were unable to walk unaided, and W1 had been able to muster only ten rifles. But some were men from his own unit. He had been with them for more than 10 years. No matter the cost, he was not prepared to leave them behind. He gathered sticks for them to use as crutches: they were coming too.

As they were about to depart, some of those 100 female raw recruits among the injured who had recently been under his command began to cry and begged him not to leave them. W1 told them that, if he found a path out, he would come back for them. He remarks bleakly: 'I didn't have any other words.'

W1 and his band set out hobbling towards the lagoon. As they hit the first of the SLA's defence lines, the encounter devolved into desperate fighting, and when they regrouped the other side, there were only five of them left still alive. One of these was a female cadre from the intelligence wing. It was clear to W1 that if they continued like this through three or more SLA lines, he and his few surviving companions would all end up dead. They had to change tactics. He told them from here on they needed to use all their experience to bypass the SLA, and crawl through their lines in secret.

By the time they had passed through the next two lines, W1 was the only one left who still had a weapon. Even with his broken collarbone, which prevented him moving his head, he was also the least injured. He told his companions that he would create a diversion by firing on the SLA troops at a distance. As soon as he did so, they must cross the final line, head for the lagoon and try to make it over. Remarkably, not only did this manoeuvre save all four, but W1 managed to rescue himself as well, evading return fire and successfully following after his small remaining group.
That night, W5, listening to radio updates on his tarpaulin sheet in Pokkanai, heard messages still being broadcast from the Box: 'desperate calls to evacuate the injured, and asking for reinforcements'.

SATURDAY, 4 APRIL DAYTIME: FINAL PUSH BY GOVERNMENT TROOPS

Explanations of what happened next in the Ananthapuram Box, after these overnight escapes, are not provided by any LTTE survivor. In an article a week later, the newspaper The Nation would state with seeming confidence that in the small hours of Saturday, 4 April, at 3am, with the battle 'still raging', the 'surviving Tigers, knowing the inevitable, blew themselves up'.[52] However, the MOD's own sitreps reveal that with the coming of dawn, there was no immediate let-up in LTTE resistance inside the Box. Fighting would instead continue until just before dawn on the Sunday.

Given that before he decided to make his own terrifying exit, W1 had found himself stranded on a defence line at Ananthapuram Market, it seems fair to assume that other fighting cadres had been similarly left in various defensive positions to hold the line. It is also possible that some of those who had attempted to escape, but failed, were nevertheless fit enough to keep on fighting with whatever small munitions they had left, though everything points to there being very, very little ordnance remaining.

One military source for what unfolded next records that overwhelming numbers of Government forces continued to 'engage' the LTTE inside the Box, bombarding them with an estimated 30,000 shells.[53] The Nation, contradicting its own assertion of wholesale suicide, represented the LTTE as the aggressors in this transaction: 'Although the troops came under fierce pounding, the enemy was unable to break the defence lines, as the soldiers somehow held on.'[54] An MOD sitrep gave the more specific update: 'Army storms in to LTTE defence', and successfully 'captured a 130 mm Arty [artillery] gun from the LTTE terrorists this morning (Apr 04)'. But even that did not constitute the end.

SUNDAY, 5 APRIL AND AFTER: SLA TROOPS OVERRUN THE BOX

The last cadres still standing were 'completely overrun', finally, 'by 4.30 a.m., April 5'.[55] First estimates given by the MOD later that day stated that since Wednesday, 1 April, 'over 400 terrorists' were 'believed killed' at Ananthapuram.[56] Unsurprisingly, an MOD sitrep the next day concerning 'mop-up operations' revised this figure upwards to 'over 500 LTTE terrorists' killed. A day later, the figure had reportedly risen yet further, to 625.[57]

W1, whose rank suggests he would have been well informed, reported that when the SLA encirclement took place, this left in the order of 800 cadres trapped inside the Box, among whom were his team of 100 newly recruited female fighters. W4, meanwhile, who was close to Col. Keerththi at the end, states that by dawn of Saturday, 4 April, a total of about 150 cadres had managed to escape. There are no exact numbers, but this would give a rough balance of 650 cadres to be accounted for, left behind in the Box. And this accords closely with the SLA figure for recovered bodies, reported on 7 April, of 625 LTTE dead.[58] Given that the two sides show this much agreement, and assuming their counts are adequately correct, how did those 600-

plus cadres actually lose their lives?

As the testimony given in this account makes clear, many LTTE fighters had already died in the days before the final defeat: under Army shelling, during Air Force bombing raids, in close combat on the Forward Defence Lines, or during failed escape attempts. In addition, some remaining cadres must have been killed in the final 24 hours of fighting. An MOD sitrep for Sunday, 5 April, noted that the Army's 58th Division, shortly after conquest, had already located 'over 140 LTTE bodies scattered ahead of the battlefront East of Puthukkudiyirippu', while on another flank: 'battlefield reports citing 53 Division infantrymen confirmed observing over 120 terrorist bodies scattered at the battle zone'.

The immediate discovery of 260-plus scattered dead still leaves a high balance to account for, from a starting figure of 625–650. Where were they? The answer to this has to be that a huge proportion of that 600-plus number was made up of the severely injured cadres left behind at the computer centre.

W4 reports that when Col. Keerththi made his departing speech to them, these wounded cadres pleaded to be given a means to kill themselves. W4 himself was begged to hand over his cyanide capsule. But the pleas were in vain. W1, meanwhile, who saw the same injured cadres some hours later when he pulled together his last-ditch escape team of 20 who could barely walk, records of those who remained that: 'The injured were alive when I left. They had no rifles or explosives or cyanide.' Again, the implication here is that if these men and women had had any weapons, they would have used them on themselves. Not only, therefore, were they 'massively' injured and immobile, but they were also completely defenceless. And alive.

Available MOD sitreps and reports make no mention of Government troops entering the last square kilometre of Ananthapuram around dawn on 5 April to discover, crammed together in one place, over 300 severely wounded LTTE cadres. So how did the Army's 'mop-up operations' turn up something in excess of 600 bodies: the same number of people LTTE witnesses agree had been left behind? The only possible way these numbers add up is if the Army walked in as victors, then subjected roughly half the fighters they would claim to have vanquished to an immediate, wholesale massacre.[59]

This was certainly what members of the LTTE understood to have happened. W4 records that he knew personally more than 30 of the 300-plus people left in the main computer building. He had trained with them, and knew their families, and, he says, 'I know that they have never returned'. He adds: 'We never thought they would kill all of those people', but 'their murder is the only explanation'. W1, on the same subject, states: 'I never heard anyone managed to survive', while a medical coordinator who was in contact with those inside Ananthapuram states the same: 'None of the injured who were alive when they were left by those able to escape were seen again, and it was assumed they were killed.'[60] W4 states additionally: 'We found out later that the remaining injured we had left behind were burned alive.'

Film footage from Sunday, 5 April 2009, broadcast in a primetime news bulletin by the Sri Lanka Rūpavāhini Corporation, shows the blackened main building of the computer centre still smoking in the aftermath of a comprehensive fire.[61] Though this does not in itself confirm the fate of those left behind inside it, the reporter speaking over the footage states: 'This is the place where the greatest number of LTTE terrorists got killed during the final battle for PTK. The terrorists could not escape as the attacks were carried out trapping them to a point near this building, which has a concrete roof. The army was able to pursue and destroy the terrorists.' Five days later, analyst D.B.S. Jeyaraj further relayed the unsourced information that, among the dead, the Army had found '40' bodies 'in charred condition inside two small buildings where the cadres had sought cover'. Both explanations point towards what would seem to have been a very much darker truth. These were not active combat troops seeking cover, nor were there just 40 of them. Jeyaraj also noted that photographs released afterwards by the MOD displaying long rows of corpses showed many of them to have been in an 'abysmal condition',[62] and added that subsequent 'hasty' cremations gave rise to a suspicion that the Army had wished to conceal evidence of chemical attacks on those bodies, even if the defence establishment 'flatly denied these charges'.

One name gets repeated in the final LTTE accounts of events at the computer centre. W6, who escaped as one of the walking wounded with commanders Banu and Keerththi, records that the injured cadres were left behind under the care of a doctor called Sathiya, who 'refused to leave his patients'. And when W7, field medic, stated that, of his eight-person unit, two were killed and one was captured alive, he too was referring to Dr. Sathiya. W7 notes that it came to be known that the SLA had caught Dr. Sathiya, and that although he afterwards 'disappeared', the Army first used him to identify various LTTE corpses. The cadre involved in medical logistics[63] who until 3 April had radio communication with medics inside the Box, also states that 'Dr. Sathiya, an LTTE trained doctor was killed in the battle'. Whether or not he was used to identify LTTE commanders first, an MOD sitrep for 6 April notes that among the 600-plus corpses were several 'senior LTTE rankers', listing them with their own spellings as 'Theepan, Ruben, Nagesh, Gadaphi, Vidusha, Durga and Kamalini'. Some of these names are directly confirmed in LTTE witness testimony. Other senior LTTE figures noted by the seven witnesses in this account include Cols. Manivannan, Anton, Amutha[64] and Seralathan, who was from the Media Unit.

On all sides it was recognised that the battle at Ananthapuram was what W4 calls the LTTE's 'defining setback' at the end of the war. The Nation newspaper gloated: 'Last week saw the worst defeat of the LTTE, with the Security Forces (SF) killing the most number of its leaders in a single battle.' On the LTTE side, hardened fighter W2 states much the same, saying that after the Ananthapuram battle, the LTTE essentially disintegrated as a fighting force because so many commanders were now dead. W5, injured and evacuated out of the Box before it was shut down, reports that it was 'the talk' among LTTE cadres after this battle that their stock of artillery shells was exhausted: no call for resupply would ever be answered, and he estimates that the LTTE either lost or abandoned 'around 90%' of its last stocks of weaponry and ammunition in the Box. Another witness comments: 'I have been asked if the LTTE was a spent force after that battle and I can say the LTTE lost most of our experienced commanders and firepower and manpower after the Ananthapuram battle'.[66] Chaos and dysfunction now began to set in among remaining cadres, with difficulties ranging from sheer starvation to continuing Government bombardment, via such mundane but critical problems as running out of supplies of the batteries that would have allowed them to communicate via their walkie-talkies.

THE END OF THE CIVIL WAR

Although losing the battle of Ananthapuram on 5 April clearly signalled the defeat of the LTTE, the civil war did not end immediately. As has been widely documented elsewhere, for the following six weeks Government forces continued to inflict land and air attacks on the land-spit where tens of thousands of civilians were corralled, and indeed on the 'No Fire Zones' and scattered medical facilities within that land-spit, causing widespread injury and multiple deaths among those who were trapped there, civilian or otherwise. LTTE leader Veluppillai Prabhakaran continued to push for resistance, but he was generally accepted to have been killed on 18 May. With this, the Government at last formally declared that the civil war was over.

In the days after the Ananthapuram battle, again as has been extensively documented, the SLA launched multiple assaults and random killings on the battered and starving populace who now attempted to depart the land-spit through organised choke points and channels of barbed wire. Surviving LTTE cadres stripped off their uniforms and military tags and markers, and endeavoured to melt in among the rest, not that passing for a civilian was in any way a guarantee of safety.

For the direct survivors of the fighting at Ananthapuram whose accounts are given above, that last battle, and the SLA's continuing bombardment over the next six weeks, would not be the terminal trauma of the civil war. Many LTTE cadres, or people assumed to be LTTE, were now pulled out of the enormous civilian lines, and were disappeared at point of capture or surrender. Others were arbitrarily detained, suffered protracted torture and sexual violence, and were held without trial in rudimentary prison camps often for years, before their escape or eventual release.

PART ONE ENDNOTES

1. MOD situation reports for 5 and 6 Feb 2009 also refer to the use here or nearby of F-7 and MiG-27 jets. See p27, footnote 76: https://itjpsl.com/assets/shavendra-Silva_-final-dossier.pdf
2. For multiple MOD situation reports, 2009, see Annexure 2, p115 and ff: https://itjpsl.com/assets/shavendra-Silva_-final-dossier.pdf; see also 'Blacklight Arrow': blog, 2009.
3. Witness One (W1) is ITJP witness W381.
4. Witness Two (W2) is ITJP witness W382.
5. W1
6. W3
7. W1
8. W3/W4
9. W1
10. NB LTTE commanders Theepan, Gadaffi, Manivannan, Thurga and Vithusha, who bore the rank of colonel while they fought at Ananthapuram, were posthumously promoted to the rank of brigadier.
11. Witness Three (W3) is ITJP witness W85.
12. W1
13. See the account of ITJP witness W200.
14. For these and following MOD updates and situation reports, see Annexure 2, p115 and ff: https://itjpsl.com/assets/shavendra-Silva_-final-dossier.pdf
15. Witness Four (W4) is ITJP witness W200.
16. W5
17. Witness Five (W5) is ITJP witness W397.
18. Witness Six (W6) is ITJP witness W112.
19. For assaults on PTK hospital, see p18 and ff: https://itjpsl.com/assets/shavendra-Silva_-final-dossier.pdf
20. ITJP witness W310.
21. Regional Director of Health Services (RDHS), Mullaitivu District, to the Ministry of Health, 15 February 2009, see: https://www.tamilguardian.com/content/lack-antibiotics-force-doctors-re-amputate-patients-vanni
22. For more see ITJP witness W310.
23. See also p46: https://itjpsl.com/assets/shavendra-Silva_-final-dossier.pdf

24. W5
25. For extensive accounts of multiple attacks by Government forces on hospitals at the end of the war, see: https://itjpsl.com/assets/shavendra-Silva_-final-dossier.pdf
26. The Nation, Sunday 12 April 2009.
27. See ITJP witness W375.
28. W3
29. W4
30. Witness Seven (W7) is ITJP witness W371.
31. Although, here and elsewhere in this report, witnesses are not always able to identify all the weapons that were used against them, some of the effects they describe could only be achieved by unlawful means, using weapons prohibited under international humanitarian law.
32. Note that heavy bombardments of cluster munitions containing white phosphorus can generate a highly toxic, lingering smoke cloud of phosphorus pentoxide, which on contact with water, in the eyes, on skin and so on, then turns into a powerful acid.
33. W4 also notes in his testimony that he encountered two heavily injured civilians inside the Box, and was ultimately forced to abandon them, left hidden under an upturned boat.
34. These seem likely to have been thermobaric warheads, probably launched from Russian RPO-A rockets, whose blast effect delivers a shockwave that can destroy a victim's organs. For the alleged use of thermobaric bombs by Government forces in Sri Lanka, see e.g.: https://www.tamilguardian.com/content/what-are-thermobaric-and-cluster-bombs-look-their-use-sri-lankan-army, and https://www.wired.com/2009/05/thermobaric-slaughter-in-sri-lanka/
35. As above: for MOD situation reports, 2009, see Annexure 2, p115 and ff: https://itjpsl.com/assets/shavendra-Silva_-final-dossier.pdf; see also 'Blacklight Arrow': blog, 2009.
36. Blog of D.B.S. Jeyaraj, 10 April 2009, 'Anatomy of the LTTE military debacle at Aanandapuram': https://web.archive.org/web/20090414105720/http://dbsjeyaraj.com/dbsj/archives/315
37. W5
38. A subsequent report in The Nation notes that 'The decision to cut off the final Tiger supply route to Pachchai Pulmoddai, from the NFZ, at an unexpected moment, resulted in the Tigers suffering the crushing defeat there.' See: The Nation, Sunday 12 April 2009.
39. Mathyvanan Master.
40. The Nation, Sunday 12 April 2009.
41. W3 too states that he heard the Black Tigers were coming.
42. W4
43. The Nation, Sunday 12 April 2009.
44. W3
45. W3
46. W1
47. W6 also records that Col. Seralathan, head of the LTTE's Media Unit, took fatal injuries to his stomach and was unable to walk, and that he stated to W6 that he intended to kill himself: 'I saw him alive but there is no chance he would have survived.'
48. In a break with the conventions and laws of war, when the fighting ended at Ananthapuram, the SLA made no handover of prisoners, or of bodies. This has given survivors and families room to hope that some of those who fought there might have disappeared into secret detention.
49. W4
50. The Nation, Sunday 12 April 2009.
51. See ITJP witness W310.
52. The Nation, Sunday 12 April 2009. However, LTTE witnesses report that surviving cadres were without explosives.
53. 'Blacklight Arrow': blog, 2009.
54. The Nation, Sunday 12 April 2009.
55. Ibid.
56. See https://web.archive.org/web/20110510103343/http%3A//defence.lk/new.asp?fname=20090405_04
57. See blog of analyst D.B.S. Jeyaraj, 10 April 2009, 'Anatomy of the LTTE military debacle at Aanandapuram': https://web.archive.org/web/20090414105720/http://dbsjeyaraj.com/dbsj/archives/315
58. A summary in The Nation on 12 April 2009 put this same figure at 613. It is impossible to give definite numbers. For instance, while some estimates put the number of cadres trapped in the Box at closer to 1,000 than 800, this figure comes back down again if analyst D.B.S. Jeyaraj was correct in his unsourced report of 116 cadres supposed to have surrendered to the Army 'in small groups at various times' during the siege. Even with variation in the estimates, that is to say, broad agreement remains. (He also presents a claim that several 'top rung tigers' were captured alive, but gives no source to support this either.)
59. NB Shavendra Silva, commander of the 58th Division, faced other suggestions in 2009 that he had executed LTTE captives, though he denied this: See p49: https://itjpsl.com/assets/shavendra-Silva_-final-dossier.pdf
60. ITJP witness W310.
61. See at 1:50: https://www.youtube.com/watch?v=ROCSFSpUAAg
62. See: https://web.archive.org/web/20110510103343/http%3A//defence.lk/new.asp?fname=20090405_04
63. ITJP witness W310.
64. Amutha is mentioned by W3.
65. The Nation, Sunday 12 April 2009.
66. See ITJP witness W375.

PART TWO

APPLICABLE LEGAL FRAMEWORK

Part 1 of this report documents allegations that during and immediately following the Battle of Ananthapuram in April 2009, members of the Sri Lanka Army (SLA), supported by units within the Sri Lanka Air Force (SLAF), engaged in conduct which, if established, may constitute serious violations of international humanitarian law (IHL), international human rights law (IHRL), and international criminal law (ICL).[1]

The report documents allegations concerning the conduct of hostilities, including the alleged use of indiscriminate or otherwise unlawful means and methods of warfare, attacks affecting civilians and other protected persons and objects, the denial of humanitarian relief, and the alleged killing of wounded and 'hors de combat' persons. Taken together, these allegations provide a factual basis for assessing whether war crimes and crimes against humanity may have been committed. These allegations are consistent with concerns previously identified by United Nations mechanisms and other independent investigations into the final stages of the armed conflict.[2]

This analysis does not purport to determine individual criminal responsibility. Rather, it assesses whether the factual material contained in Part 1, considered together with contemporaneous military reporting, United Nations documentation and other relevant sources, provides reasonable grounds to believe that serious violations of international humanitarian law and international criminal law may have occurred. The analysis examines the alleged conduct against the applicable rules of international humanitarian law, customary international law and the relevant provisions of the Rome Statute. References to identified military formations or commanders are made solely for the purpose of assessing potential command responsibility and do not constitute findings of criminal liability.

The analysis proceeds by examining the conduct of hostilities, the alleged means and methods of warfare employed, the treatment of persons 'hors de combat', and the potential responsibility of those exercising effective command and control over the operation.

CONDUCT OF HOSTILITIES, DISTINCTION, PROPORTIONALITY AND PRECAUTIONS IN ATTACK

The conduct of hostilities during the Battle of Ananthapuram is assessed against the customary principles of distinction, proportionality and precautions in attack, together with the prohibition on indiscriminate attacks.[3] These principles required Government forces to distinguish at all times between military objectives and civilians, to refrain from attacks expected to cause excessive incidental civilian harm in relation to the anticipated military advantage, and to take all feasible precautions to minimise such harm.

Part 1 alleges that, notwithstanding these obligations, Government forces employed heavy artillery, multi-barrel rocket launchers (MBRLs) and sustained aerial bombardment in an increasingly confined area within and around the Ananthapuram Box, known to contain large numbers of civilians, wounded persons, and the remaining LTTE forces.

The report further describes an integrated military operation involving coordinated ground assaults, artillery support, repeated air strikes and persistent aerial surveillance, including the reported use of Kfir fighter aircraft, Beechcraft reconnaissance aircraft and unmanned aerial vehicles (UAVs). Should these allegations be substantiated, this operational integration is legally significant because it indicates that those directing the operation may reasonably be inferred to have possessed substantial real-time information concerning battlefield conditions, including the location of civilians, medical facilities and concentrations of wounded persons.

The report further indicates that, by late March 2009, Government forces had achieved overwhelming operational superiority, while the LTTE's remaining forces were confined to an increasingly restricted area, faced acute shortages of ammunition, food and medical supplies, and included large numbers of wounded or otherwise incapacitated fighters. Against that operational background, the continued use of heavy artillery, MBRLs and aerial bombardment against a confined battlespace requires assessment under the principles of distinction, proportionality and precautions in attack. In particular, the reported availability of persistent aerial surveillance may bear directly upon whether those directing attacks took all feasible precautions to verify military objectives and minimise incidental civilian harm, as is required under customary international humanitarian law.

The manner in which the battle was conducted also raises questions concerning the customary prohibition against denying quarter. International humanitarian law prohibits not only express orders that 'there shall be no survivors', but also the conduct of military operations on that basis. This rule reflects the fundamental principle that an adversary must retain a genuine opportunity to surrender and that persons who are 'hors de combat' may not be attacked.

Several features of the final phase of the battle may be relevant in this regard. Contemporary evidence suggests that the LTTE forces had become progressively encircled, their capacity to manoeuvre had been severely degraded, they faced acute shortages of food, ammunition and medical supplies, and escape routes had effectively been closed. At the same time, there is little evidence that opportunities to surrender were communicated or facilitated, despite the military situation indicating that organised resistance had substantially diminished. Instead, available evidence suggests that sustained artillery, aerial bombardment and ground assaults continued until the enclave had been completely overrun. While these facts do not, without more information, establish that an unlawful 'no quarter' policy existed, they are capable of supporting an inference that the operation may have been conducted in a manner inconsistent with the customary obligation to preserve the possibility of surrender and to protect persons who were or had become 'hors de combat'.

Part 1 of this report further documents repeated attacks affecting temporary medical facilities and other locations where civilians and wounded persons had gathered, including makeshift medical points in and around Puthukkudiyiruppu (PTK) and Ananthapuram. Medical units and hospitals enjoy special protection under international humanitarian law and may not be made the object of attack unless and only for such time as they are used outside their humanitarian function to commit acts harmful to the enemy.[4] Part 1 identifies no evidence that these medical facilities were used outside their humanitarian function. Repeated attacks affecting those facilities may therefore constitute serious violations of international humanitarian law and, where the requisite elements are satisfied, war crimes under the Rome Statute.

The assessment of these principles is informed not only by the choice of targets but also by the means and methods of warfare employed. The allegations concerning cluster munitions and other weapons are therefore considered separately below.

PROTECTION OF PERSONS 'HORS DE COMBAT'

Part 1 of this report documents allegations concerning the treatment of wounded and incapacitated LTTE cadres during the final collapse of the Ananthapuram pocket. These allegations include the reported killings of persons who were seriously wounded, incapacitated, or otherwise incapable of continuing to participate in hostilities, including individuals who had reportedly indicated an intention to surrender. If established, these allegations engage one of the most fundamental protections afforded under international humanitarian law: the obligation to respect and protect persons placed 'hors de combat' and the prohibition on killing or otherwise mistreating them.[5]

Common Article 3 to the Geneva Conventions requires that persons taking no active part in hostilities, including those placed 'hors de combat' by reason of wounds, sickness or detention or other incapacity, must in all circumstances be treated humanely.[6] This protection is reflected in customary international humanitarian law and constitutes one of the minimum guarantees applicable in both international and non-international armed conflicts.

Protection under Common Article 3 does not depend upon formal surrender. Persons rendered incapable of continuing to participate in hostilities by reason of wounds, sickness or other incapacitation are protected as 'hors de combat' irrespective of whether they have formally laid down their arms. The decisive legal consideration is their objective inability to continue participating in hostilities.

The allegations concerning the computer centre must therefore be assessed against this legal framework. As described in Part 1 of this report, the computer centre was not simply another location in which casualties occurred during active combat. Rather, it is alleged to have contained a large concentration of severely wounded and incapacitated persons who were no longer capable of participating in hostilities.[7]

The central legal question is therefore whether those who had become 'hors de combat' were afforded the protections guaranteed by Common Article 3 and customary international humanitarian law. If established, the reported absence of any known survivors from this clearly identifiable group of wounded and incapacitated persons raises legal issues distinct from those governing the conduct of active hostilities. Once a person is rendered 'hors de combat' by reason of wounds or incapacity, the prohibition on killing that person admits of no military necessity exception.[8]

MEANS AND METHODS OF WARFARE

Part 1 of this report documents allegations concerning the means and methods of warfare employed during the final stages of the Battle of Ananthapuram. Multiple witnesses independently describe munitions producing effects consistent with the use of cluster munitions, white phosphorus and other unidentified weapons causing extensive burns, respiratory distress, widespread fragmentation and blast effects. Several witnesses also describe aerially delivered and artillery-dispersed submunitions affecting a confined area occupied by wounded LTTE cadres, civilians and makeshift medical facilities. While witness testimony alone does not permit definitive identification of the weapons systems employed, the consistency of these accounts across multiple independent witnesses warrants careful legal assessment and, where appropriate, further forensic investigation.

If established, these allegations may engage the customary prohibition on indiscriminate attacks, the prohibition on employing means and methods of warfare incapable of distinguishing between military objectives and civilians, and the prohibition on weapons causing superfluous injury or unnecessary suffering.

The legal significance of the allegations concerning cluster munitions does not depend solely upon treaty obligations under the Convention on Cluster Munitions.[9] Even where a State is not party to that Convention, the alleged use of weapons with inherently wide-area effects against an increasingly confined area containing civilians, wounded persons and makeshift medical facilities may violate the customary principles of distinction, proportionality and precautions in attack.

Accordingly, the central legal issue is not simply whether particular munitions were employed, but whether the reported means and methods of warfare were capable of distinguishing military objectives from civilians and other protected persons under the circumstances prevailing at the time.

These allegations must also be assessed in light of the broader operational context described in Part 1. The reported use of persistent aerial surveillance, repeated aerial bombardment and coordinated ground operations substantially reduces the likelihood that repeated attacks affecting civilians, wounded persons and medical facilities resulted solely from imperfect situational awareness. If established, the allegations therefore raise questions not only concerning the nature of the weapons employed but also the manner in which they were selected and used during the operation.

UNLAWFUL KILLING OF WOUNDED AND 'HORS DE COMBAT' FIGHTERS

Perhaps the gravest allegations contained in Part 1 of this report concern the fate of the several hundred severely wounded LTTE cadres who remained behind in the computer centre during the final collapse of the Ananthapuram Box. The report records that, after those still capable of movement attempted to escape during the night of 3–4 April 2009, several hundred wounded and incapacitated persons remained behind. Multiple witnesses consistently state that these individuals were alive, seriously wounded, unarmed and incapable of resistance when the SLA forces overran the area. The report further records that no members of this group were subsequently known to have survived.

If established, these allegations may constitute the war crimes of murder and cruel treatment of persons 'hors de combat' in violation of Common Article 3 of the Geneva Conventions. Depending on the evidence regarding the conduct of Government forces after overrunning the computer centre, they may

also engage the customary prohibition on denial of quarter.

Part 1 further refers to contemporaneous Sri Lanka Rūpavāhini Corporation footage broadcast on 5 April 2009 showing the computer centre burned and still smoking after the battle, together with statements that Government forces had ‘pursued and destroyed the terrorists’ trapped near the building. The report contrasts this account with consistent witness testimony that the overwhelming majority of those remaining were severely wounded, immobile and incapable of further participation in hostilities.

The report also raises concerns regarding the treatment of medical personnel who remained with the wounded. Witnesses refer specifically to an LTTE-trained medic, Dr Sathiya, who reportedly remained behind to care for the wounded and was allegedly captured alive after the battle and subsequently disappeared. If established, these allegations raise additional issues concerning protection under international humanitarian law, as well as enforced disappearance and extrajudicial execution.

The allegations described in Part 1 are not confined to isolated acts by individual soldiers, but extend to the conduct of a coordinated military operation involving advancing Army formations, sustained artillery support, repeated aerial bombardment and persistent aerial surveillance conducted over several days. If established, such operations would necessarily have required planning, coordination and command across multiple levels of the military hierarchy and therefore raise questions extending beyond the responsibility of direct perpetrators.

Article 28 of the Rome Statute recognises the criminal responsibility of military commanders and other superiors for crimes committed by forces under their effective command and control where they knew or, owing to the circumstances at the time, should have known that such crimes were being committed or were about to be committed and failed to take all necessary and reasonable measures within their power to prevent or repress their commission or to submit the matter for investigation and prosecution. Similar principles form part of customary international law.[10]

In the circumstances alleged, the issue is not confined to whether commanders failed to punish crimes already committed by their subordinates. It also concerns whether they exercised effective control over the planning and execution of operations as battlefield conditions evolved. The progressive collapse of organised resistance, the increasing presence of wounded and incapacitated fighters and the reported absence of meaningful opportunities for surrender may have required corresponding adjustments to operational orders, command instructions and rules of engagement. Whether such measures were taken is directly relevant to assessing the exercise of effective command and control under Article 28.

Part 1 of this report identifies a number of military formations involved in the conduct of the operation, including the SLA’s 58th Division and 53rd Division, supported by SLAF assets. This legal analysis does not determine the criminal responsibility of any individual commander. It does, however, conclude that the available material provides a sufficient evidentiary basis to examine whether those exercising effective command and control over the planning and execution of these operations may incur responsibility under Article 28 of the Rome Statute and customary international law.

The allegations should not be viewed in isolation. Considered cumulatively, they raise interconnected questions concerning the conduct of hostilities, the treatment of protected persons, the planning and execution of military operations and the potential responsibility of those exercising effective command and control.

Taken as a whole, Part 1 provides a coherent evidentiary basis warranting further investigation into allegations of serious violations of international humanitarian law and international criminal law arising from the Battle of Ananthapuram. These include allegations of indiscriminate attacks, attacks affecting protected medical facilities, unlawful means and methods of warfare, and the killing of persons ‘hors de combat’. Of particular legal significance are the allegations concerning the computer centre, which, if established, describe the reported killing of a large and identifiable group of wounded and incapacitated persons who had survived the battle and were no longer participating in hostilities and were entitled to the full protection of Common Article 3.

While the determination of individual criminal liability remains the function of a competent judicial body, the available material, considered cumulatively, discloses reasonable grounds to investigate whether the planning, coordination and execution of the Battle of Ananthapuram involved serious violations of international humanitarian law and international criminal law, including war crimes and, depending on the broader contextual evidence, crimes against humanity. The analysis further identifies a sufficient evidentiary basis to examine the potential responsibility of those exercising effective command and control over the operation under the principles of command responsibility.

PART TWO ENDNOTES

1. International Committee of the Red Cross (ICRC), Geneva Convention Relative to the Treatment of Prisoners of War (Third Geneva Convention), 75 UNTS 135, 12 August 1949, https://www.refworld.org/legal/agreements/icrc/1949/35606 [accessed 07 July 2026]; UN General Assembly, Rome Statute of the International Criminal Court (last amended 2010), ISBN No. 92-9227-227-6, UN General Assembly, 17 July 1998, https://www.refworld.org/legal/constinstr/unga/1998/64553 [accessed 07 July 2026]; Jean-Marie Henckaerts & Louise Doswald-Beck, Customary International Humanitarian Law, Volume I: Rules, International Committee of the Red Cross (ICRC), 2005, https://www.refworld.org/reference/research/icrc/2005/98261 [accessed 07 July 2026].

2. UN Secretary-General (UNSG), Report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka, 31 March 2011, https://www.refworld.org/reference/countryrep/unsecgen/2011/78961 [accessed 07 July 2026]; UN Human Rights Council, Report of the OHCHR Investigation on Sri Lanka (OISL), A/HRC/30/CRP.2, 16 September 2015, https://www.refworld.org/reference/countryrep/unhrc/2015/107236 [accessed 07 July 2026]; see generally UN Human Rights Council, Situation of human rights in Sri Lanka: Comprehensive report of the United Nations High Commissioner for Human Rights, 22 August 2024, A/HRC/57/19.

3. Jean-Marie Henckaerts & Louise Doswald-Beck, Customary International Humanitarian Law, Volume I: Rules, International Committee of the Red Cross (ICRC), 2005, https://www.refworld.org/reference/research/icrc/2005/98261 [accessed 07 July 2026].

4. Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, arts. 19, 24, 12 August 1949, 75 UNTS 31, available at Refworld (accessed 07 July 2026) [hereinafter Geneva Convention I]. ICRC Customary IHL Study, supra note 3, Rule 25.

5. Ibid

6. International Committee of the Red Cross (ICRC), Geneva Convention Relative to the Treatment of Prisoners of War (Third Geneva Convention), 75 UNTS 135, 12 August 1949, https://www.refworld.org/legal/agreements/icrc/1949/35606 [accessed 07 July 2026].

7. Prosecutor v. Zdravko Mucic aka "Pavo", Hazim Delic, Esad Landzo aka "Zenga", Zejnil Delalic (Trial Judgement), IT-96-21-T, International Criminal Tribunal for the former Yugoslavia (ICTY), 16 November 1998, https://www.refworld.org/jurisprudence/caselaw/icty/1998/91857 [accessed 07 July 2026].

8. ICRC, Commentary on the Third Geneva Convention: Convention (III) relative to the Treatment of Prisoners of War, 2020.

9. United Nations, Convention on Cluster Munitions, Dublin, 30 May 2008, United Nations Treaty Collection.

10. Rome Statute of the International Criminal Court, art. 28, 17 July 1998, 2187 UNTS 3.

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