

**APPLICATION OF INTERNATIONAL HUMANITARIAN LAW  
FOR PROTECTION OF CIVILIANS IN WAR ZONE DURING  
THE FINAL STAGE OF THE CIVIL WAR OF SRI LANKA:  
A COMPARATIVE ANALYSIS WITH THE SECOND CIVIL  
WAR OF LIBYA**



**A Dissertation by**

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**Submitted in partial fulfilment of the requirements for the award of**

**Master of Laws**

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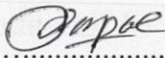
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**PERMANENT REFERENCE**

# DECLARATION

This dissertation contains no material which has been accepted for the award of any other degree or diploma in any University or equivalent institution, and that to the best of my knowledge and belief, contains no material previously submitted or written by any other person, except where due references is made in the text of this Research paper.

I carried out the work described in this dissertation under the supervision of Mrs. Hasini Rathnamalala

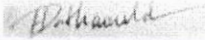
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## ABSTRACT

The civil war which was prevailed in Sri Lanka for more than 30 years ended in May of 2009 after the LTTE was defeated in the ensuing warfare. The final stages of the war which ended many years of troubles and destructions also caused severe criticism which was levelled at both the parties to the hostilities for failing to adequately protect the interests of the civilians, where it was claimed that both the parties failed to protect their rights under International Humanitarian Law and Customary Principles of International Law. This research is conducted to evaluate the compatibility of the actions taken by the Sri Lankan army during the last stages of the war with respect to protecting the civilians who were trapped in between the hostilities concerning the international standards set out under International Humanitarian Law and Customary Principles of International Law that are applicable in a non-international armed conflict. Using the doctrinal approach with a comparative study with the Libyan crisis of 2011, the research has found that while the actions of the Sri Lankan army were compatible with the obligations deriving under the Common Article 3 of the Geneva Conventions and the Second Additional Protocol to the said Convention, much of what has happened during these last stages of the war were unprecedented as the world has never witnessed such whittling down of a terrorism organization through warfare. The conduct of the LTTE made the rescue efforts of the Sri Lankan Army more difficult as they used civilians as shields to launch their last attacks on the Army personnel. In comparison to what has happened in Libya, the Sri Lankan Army and its officials can be appreciated for keeping the human casualties to a bare minimum while been able to end a three-decade long war. In further preventing the adverse effects of war upon those who do not take direct part in hostilities during a non-international armed conflict, it is strongly recommended to provide more extensive training and capacity building of the armed forces and to strengthen the legal system to both recognize and punish heinous crimes such as war crimes and crimes against humanity as distinct punishable offences under the Sri Lankan domestic law.

Key Words: International Humanitarian Law, Non-International Armed Conflicts, Non-Combatants, Protection of Civilians