# Sri Lankan government manipulates inquiry into massacre of aid workers

**Nanda Wickramasinghe**
**29 September 2006**

The twists and turns of the official inquiry into the killing of 17 aid workers attached to the French-based Action Contre la Faim (ACF) last month point to a cover-up by the Sri Lankan government. The security forces are directly implicated in the murders.

The workers were murdered at the ACF office in the eastern town of Muttur on August 4 and found the following day. Fifteen of them, lined up in a row, had been shot execution-style in the head. Two others had been killed while trying to flee. Most were young and all were Tamils, with the exception of one Muslim.

The killings took place following fierce fighting for control of Muttur between the military and the Liberation Tigers of Tamil Eelam (LTTE). The LTTE took over parts of the town on August 1 in response to a major government offensive to seize the Mavilaru irrigation sluice gate further south. An estimated 40,000 residents, mostly Muslims, fled after the military began shelling the town. The LTTE later withdrew.

From the outset, the government denied the military was involved. Defence spokesman Keheliya Rambukwella declared on August 7 that the government had evidence to prove that the LTTE was responsible, but has never substantiated the claim.

The murders provoked considerable outrage and calls from ACF and other bodies for an international inquiry. President Mahinda Rajapakse agreed to an independent international commission into "disappearances" and extra-judicial killings, but no steps have been taken to establish such a body. Instead, the ACF murders were left in the hands of a judicial inquiry headed by a magistrate.

The Sri Lankan Monitoring Mission (SLMM), which oversees the 2002 ceasefire, conducted its own inquiries. On August 30, SLMM head Ulf Henricsson issued a statement formally finding that the military was responsible for the killings. SLMM personnel interviewed hospital staff, police and the families of the victims, as well as other witnesses. "There cannot be any other armed groups than the security forces who could actually have been behind the act," the statement concluded.

The government immediately denounced the SLMM. Spokesman Rambukwella declared the statement to be "totally baseless", "pathetic" and "biased". But the only refutation that he offered was the inconclusive results of the official autopsy suggesting that the aid workers might have been killed as early as August 3—that is, when the LTTE was still in Muttur. In breach of normal procedure, the autopsy was carried out by a junior medical officer (JMO) from Anuradhapura, rather than staff at the Trincomalee Hospital where the bodies were taken.

The government called in Australian forensic experts to carry out a further autopsy. Only two of the bodies have been exhumed. Red tape and bureaucratic haggling over the "modalities" of the investigation meant the Australians were unable to examine these bodies. They left last week without carrying out any forensic work.

On September 5, the preliminary judicial inquiry was shifted from the courts in Kantalai, near Muttur, to Anuradhapura, more than 100 kilometres away. Justice Ministry Secretary Suhada Gamlath ordered the transfer in breach of basic legal procedure. According to Sri Lankan law, any initial inquiry has to be conducted in the same judicial area where the crime took place. Kantalai was originally chosen because the fighting had devastated Muttur.

K. Ratnavale, the lawyer appearing for the victims' families, told the *World Socialist Web Site* (WSWS) the decision amounted to blatant political interference with

© World Socialist Web Site

the independent functioning of the judiciary. He said the ministry secretary had no authority to transfer the case, which was a matter for the Judicial Services Commission.

The decision was not simply a bureaucratic or legal issue. Anuradhapura is Sinhala majority town that has long been used as a staging area for the military in the war against the LTTE. The aim of the transfer is to intimidate Tamil witnesses, including relatives of the victims, from attending the proceedings. Those who do attend could be subject to protests and threats by the military and their supporters among the Sinhala extremist groups.

Legal commentator Kishali Pinto Jayawardena wrote in the *Sunday Times* on September 10: "The fact that the transfer was by political order (i.e., Justice Secretary) shows the manner in which the court proceedings are sought to be subverted and very blatantly at that. Anuradhapura is situated in the North Central Province (a predominantly Sinhala area) where the perception as well as the reality being that, given the extraordinary sensitivity of this case, witnesses will be reluctant to attend as opposed to the matter being continued in Trincomalee [district]."

The case resumed on September 20 at the Anuradhapura court under magistrate W. Jinadasa, who is an ethnic Sinhalese. None of the witnesses and relatives turned up at the court. The magistrate announced that the case was being transferred once again—back to Kantalai, but under his jurisdiction. The only matter to be decided was the exhumation of the bodies. The police insisted that the relatives of only two of victims had given their consent. Attorney Ratnavale, however, told the court that all the relatives had given their consent, compelling the judge to order the exhumation of all remaining bodies.

The army, police and Sinhala chauvinist parties such as the Janatha Vimukthi Peramuna (JVP) have a long history of hostility to international aid organisations such as the ACF operating in the war zones of the North and East of the island. The officials and local workers employed by these organisations are routinely branded as "LTTE stooges" and subject to abuse and threats.

In May, hand grenades were lobbed near the offices of three international aid agencies in Muttur, injuring one foreign worker and several civilians. The agencies had been assisting the victims of the devastating tsunami that destroyed towns and villages along Sri Lanka's eastern and southern coasts in December 2004. The government promised an inquiry but none took place. The three agencies have since left the country.

The brutal killing of the ACF workers is just one of the crimes in which the Sri Lankan military is implicated. Since President Rajapakse came to power last November, the military and its allied Tamil paramilitaries have been accused of a series of murders and "disappearances," none of which have been seriously investigated. Amnesty International and other human rights organisations have referred to a culture of impunity, in which the security forces get away with one crime after another.

On August 7, Socialist Equality Party (SEP) supporter Sivapragasam Mariyadas was shot and killed by unknown gunmen at his home in Mullipothana, about 30 kilometres from Muttur. Circumstantial evidence points to the involvement of the military. At the time, the town was under tight security, making it difficult for anyone other than the security forces or their close allies to move about. No serious police inquiry has been carried out. The SEP and the WSWS are conducting an international campaign to demand a full investigation of the crime and the prosecution of Mariyadas's killers. (See: "Sri Lankan SEP demands full investigation into murder of Sivapragasam Mariyadas")

To contact the WSWS and the Socialist Equality Party visit:

**wsws.org/contact**


© World Socialist Web Site