

Sri Lankan Human Rights Commission hearing into disappearance of SEP member

Our correspondents
4 July 2007

After repeated requests by the Socialist Equality Party (Sri Lanka) and an international campaign for an urgent inquiry, the Sri Lanka Human Rights Commission (HRC) held its first hearing on June 14 into the disappearance of SEP member Nadarajah Wimalaswaran and his friend Sivanathan Mathivathanan.

Three months have elapsed since the pair disappeared on March 22 while travelling back to Kayts Island where they both reside. Kayts is one of a number of islands near the northern Jaffna peninsula and is under the tight control of the navy. Sri Lanka's northern and eastern regions are the focus of the government's escalating war against the Liberation Tigers of Tamil Eelam (LTTE).

Wimalaswaran travelled with Mathivathanan on his motorbike from Velanai on Kayts Island to neighbouring Punguduthivu Island to collect clothes from a friend's house to attend a wedding that night. Eyewitnesses saw the two men being body-searched by navy personnel and questioned by two plainclothes intelligence officers at about 5 p.m. at the Velanai entry point to the long causeway to Punguduthivu. Wimalaswaran and Mathivathanan collected the clothes and were last seen by eyewitnesses at the Punguduthivu navy checkpoint at about 6.30 p.m., restarting the motorbike to return to Velanai.

Over the past 18 months, as President Mahinda Rajapakse has plunged the country back to war, hundreds of people, mainly Tamils, have "disappeared" in circumstances pointing to the involvement of the security forces and allied Tamil paramilitaries. The failure of the police, the Human Rights Commission and other Sri Lankan authorities to investigate such cases makes them complicit in these abductions and murders.

Of the respondents in the SEP's complaint to the HRC, only the navy commander and the Inspector General of Police (IGP) were represented at the hearing—by a navy legal officer Asanka Karunaratna and a sub-inspector Sarath respectively. The naval commanders at the Punguduthivu and Velanai camps failed to attend or send a representative.

SEP general secretary Wije Dias, the complainant, outlined what happened on March 22. He explained that, after hearing of the disappearances, the SEP had lodged formal complaints at the Punguduthivu and Velanai camps and spoken to both naval commanders—Hemantha Peiris and Silva respectively.

"On March 24, Hemantha Peiris sent a message through Arul, a relative of Wimalaswaran, to Wimalaswaran's wife asking her to meet him at the Gotaimbara camp [on Punguduthivu]. A navy soldier guarding the camp accused Mathivathanan of having connections with the LTTE. The commanding officer said he did not arrest Wimalaswaran and Mathivathanan, but he failed to explain why he

had asked Wimalaswaran's wife to come there," Dias said.

"The same day, when the SEP called Hemantha Peiris, he said that according to the records at the naval checkpoint at the Punguduthivu end of the causeway between Punguduthivu and Kayts, Wimalaswaran and Mathivathanan entered the island at 5.30 p.m. and left at 6.30 p.m. If his statement is true, they did not reach Velanai. The commanding officer at the Velanai navy camp, Silva, at one point even denied the existence of a checkpoint at the Velanai end of the causeway. He said his personnel did not arrest people and he knew nothing about the pair."

As Dias explained: "If the two men entered the 3.8-kilometre causeway, there was nowhere else for them to go if they were not arrested. They were riding a motor bike and one can't ride motorbikes in the sea". He said the SEP strongly suspected the navy was responsible for the disappearance of Wimalaswaran and Mathivathanan. They could not have disappeared without the knowledge of the navy, he insisted.

The response of both the police and navy at the hearing again highlighted their failure to conduct any adequate investigation. The IGP's representative simply declared: "Police investigations are still going on". He did not present any record of the police actions over the previous three months and was not challenged by the HRC inquiry officer.

Speaking for the navy, Asanka Karunaratna acknowledged receiving the SEP's complaint and that the Punguduthivu navy camp had logged the motor bike NP MR 2098 entering the island at 5.36 p.m. and leaving at 6.48 p.m. But he denied any knowledge of the riders, saying: "We keep records on vehicles, not the names of people. We can't say how many people entered and left the island".

Under questioning, Karunaratna admitted that it was possible to see the other end of the causeway from the Punguduthivu end. He was at a loss to explain why the checkpoint at one end kept records while at the other end there were apparently none. The IGP representative tried to avoid explaining why the police had none of this detail by saying the complaint was about the disappearance, not the navy.

Dias insisted: "There are navy checkpoints at both ends of the causeway connecting Punguduthivu and Kayts islands. There are eyewitnesses who have seen Wimalaswaran and Mathivathanan being body searched at the checkpoint at Velanai end of the causeway. There were navy intelligence officers in plain clothes at that checkpoint who questioned both men. The police must find out who the officers were manning the naval checkpoint at the Velanai end that day and also who were the plainclothes officers there at that time."

The HRC inquiry officer announced only that he was calling the headquarters inspector of the Kayts police at the next session, which

was fixed for July 6.

On June 15, the Kayts magistrate courts resumed hearing a formal complaint by the wives of Wimalaswaran and Mathivathanan over the disappearances. The police again reported that their investigation could not be completed. The commanding officers of Velanai and Punguduthivu navy camps did not attend, even though they had been instructed to do so.

The police had recorded statements from Chitrakumar and Arul—two eyewitnesses uncovered by the SEP's investigation. Chitrakumar witnessed Wimalaswaran and Mathivathanan being questioned and body-searched at the Velanai checkpoint. Arul saw the two restarting the motorbike at the Punguduthivu checkpoint to return to Velanai.

The police had not taken statements from navy officers on duty on the day of the disappearances. When asked why, the police claimed they were told that the navy officers were unable to find the time to do so. The next hearing has been fixed for July 20.

The HRC has wide powers to summon and question government officials, security forces personnel and other witnesses. Its failure to do so is no accident. As the Brussels-based International Crisis Group bluntly stated in a comprehensive report last month entitled "Sri Lanka's Human Rights Crisis": "The national Human Rights Commission is deeply flawed and has lost all credibility after being stocked by political appointees." Its function is not to uncover and prosecute the crimes of the government and the security forces, but to obscure them.

We again urge SEP supporters and *World Socialist Web Site* readers to demand that the Sri Lankan authorities immediately conduct a full inquiry into the disappearance of Wimalaswaran and Mathivathanan and secure their safe release. This is a part of the broader campaign to defend democratic rights, which the government is flagrantly trampling on as it intensifies its communal war.

Protest letters can be sent to the following addresses:

Gotabhaya Rajapakse,
Secretary of Ministry of Defence,
15/5 Baladaksha Mawatha,
Colombo 3, Sri Lanka
Fax: 009411 2541529
Email: secretary@defence.lk

N. G. Punchihewa Director of Complaints and Inquiries,
Sri Lanka Human Rights Commission,
No. 36, Kinsey Road, Colombo 8, Sri Lanka
Fax: 009411 2694924

Copies should be sent to the Socialist Equality Party (Sri Lanka) and the *World Socialist Web Site*.

Socialist Equality Party,
P.O. Box 1270,
Colombo, Sri Lanka.
Email: wswscmb@sltnet.lk

To send letters to the WSWs editorial board please use this online form.

We publish below a selection of letters received recently.
Dear Sir,

Request for a Prompt Inquiry into the Disappearance of a Party Member

The SEP (Socialist Equality Party) has, through a statement issued on March 26, 2007 and its website, the WWW.WSWS.org, declared that the SEP member Nadarajah Wimalaswaran and a friend of his Sivanathan Mathivathanan have disappeared in an area near Kayts Island and that the Navy which is in control of the Northern Area is

responsible for this.

The government is responsible for the defense of the civil rights of the people in an area where a prolonged civil war prevails. Whoever is responsible for disappearances, abductions and assassinations of people, it is the responsibility of the state and civil organisations to prevent such deadly anarchist happenings and see that the civil population is protected.

As a civil citizen who is devoted to peace, I request that a just investigation be carried out into the case of the above two who have been abducted and disappeared and see that they are handed over safely to their custodians and that all necessary steps towards that end be carried out.

Yours sincerely,
YLC

Dear Sirs,

From the Internet, I have received information that two members of the Socialist Equality Party (Sri Lanka), Mr. Nadarajah Wimalaswaran and his friend Sivanathan Mathivathanan have been missing since March 22, 2007. The two men were last seen at the navy checkpoint on Punguduthivu Island heading onto a long causeway connected to Kayts Island where they both live.

The naval commander on Punguduthivu confirmed from the logs at the checkpoint that Wimalaswaran and Mathivathanan passed through at 6.30 p.m. Locals saw Wimalaswaran and Mathivathanan being questioned and body searched by two plain clothes officers connected to the navy at the Kayts checkpoint at the end of the causeway at about 5.30 p.m. as they headed towards Punguduthivu. There is strong evidence that the security forces under your command are involved in their disappearance. Please take note that this issue will not go away.

It has been published on the Internet and there is growing support among working people worldwide demanding clarification about what your security personnel has done to them. I have to state that the continued silence and hide-and-seek game exercised by the security-forces under your command is ample evidence of either incapacity or criminal involvement.

This is not an isolated incident, but hundreds of civilians have been abducted or killed by the military and associated paramilitaries since President Mahinda Rajapakse won the November 2005 election. According to the International Committee of the Red Cross (ICRC), 58 people have been abducted throughout the country since March 22.

I insist that you take immediate action and release the information about the whereabouts of Mr. Nadarajah Wimalaswaran and his friend Sivanathan Mathivathanan.

PH, Singapore



To contact the WSWs and the
Socialist Equality Party visit:

wsws.org/contact