

# **Key naval witness in disappearance of Sri Lankan SEP member fails to appear in court**

**Our correspondent**  
**6 September 2007**

A Sri Lankan naval officer whose evidence is crucial to the disappearance of Socialist Equality Party (SEP) member Nadarajah Wimalaswaran and his friend Sivanathan Mathivathanan, has failed to appear before the Kayts magistrate court on August 24 despite being summoned to do so.

Wimalaswaran and Mathivathanan, who are both residents of the northern island of Kayts, disappeared on the evening of March 22. They were last seen entering a long causeway from the neighbouring island of Pungudithivu at about 6.30 p.m. to return home. The navy, which has a heavy presence throughout these northern islands, maintains checkpoints at either end of the causeway. The two men were picking up clothes to attend a wedding that night.

The commander in charge of the Gotaimabara naval camp on Pungudithivu has confirmed that the two men, riding a motorbike, passed through the checkpoint under his control. However, the commander of the Velanai Kanchadeva camp on Kayts, Silva, has denied any knowledge of Wimalaswaran and Mathivathanan and told the SEP earlier this year that his personnel did not arrest people.

At a previous hearing on August 3, a police witness informed the court that his superior had been told by the Kanchadeva camp commander that no roadblock was maintained at the Kayts end of the causeway. The statement is contradicted by an eyewitness who saw Wimalaswaran and Mathivathanan being stopped by naval personnel and questioned by intelligence officials at the roadblock at around 5 p.m. as they headed toward Pungudithivu. The claim that there was no roadblock is a crude ruse aimed at withholding the names of those personnel who were present.

The magistrate refused to accept the explanation and requested the commander's presence on August 24. His

failure to attend only strengthens the conclusion that he and his personnel were involved in the disappearance and are now trying to cover their tracks. At the latest hearing, the magistrate noted that police or service personnel are obliged to answer a court summons like ordinary citizens and warned that he would issue a warrant if the officer did not appear.

The Public Relations Officer for the Gotaimabara camp on Pungudithivu appeared at the court hearing on August 24 and confirmed that a motorbike bearing number NPMR 2098 (belonging to Mathivathanan) had passed through its checkpoint at 6.45 p.m. "Normally we register numbers passing through the checkpoint but names of persons are not recorded. But we check their identity cards. If suspicious person is found, we inform our camp and thereafter hand over him to police who are at duty at our camp."

S. E. Ehanathan, the lawyer for the wives of Wimalaswaran and Mathivathanan, asked where the two men were heading. "They went across the causeway towards Velanai," the officer answered. The obvious question that is yet to be answered is what happened at the naval roadblock at Velanai on Kayts Island. For months, the police and naval officers have stalled providing any information, including the names of those manning the roadblock, in order to prevent their cross-examination.

The magistrate fixed the next court hearing for September 14 and directed the Public Relations Officer of the Velanai navy camp to appear on that day.

Wimalaswaran and Mathivathanan are among hundreds of people who have disappeared or been murdered over the past year and a half as the Sri Lankan government and military have plunged the island back to civil war. In many cases, strong circumstantial evidence points to the operation of death

squads controlled by the military or under their supervision. Despite protests in Sri Lanka and internationally, no serious investigations into these cases have been carried out.

Two other well-known cases on Kayts Island are:

\* In the evening of May 13 last year, 13 persons were killed in three separate attacks at Allaipiddy, Velanai and Puliyanakudal in Kayts Island. Eyewitnesses accused the navy of the murders and noted in their statements they could identify some of the attackers. The navy and police have repeatedly placed obstacles in the way of an identification parade of naval personnel.

After months of delay, the police informed the Kayts court in April that they had sought the permission of the attorney general to hold the identification parade on another part of the island—in Trincomalee or Ampara in the East—on security grounds. The proposal breaches normal police procedure. Many witnesses would have difficulty in making the trip. The case was handed to a new magistrate in August and a final determination on the identification parade is yet to be made.

\* On August 20 last year, Catholic priest Thiruchchelvan Nihal Jim Brown and his assistant Wenceslaus Vincens Vimalathas from the St Philip Neri Church at Allaipiddy disappeared. Amnesty International reported that the priest had previously received death threats from the navy. An eyewitness saw the two men travelling on a motorbike in Allaipiddy village. The pair was followed by men wearing bulletproof vests on two motorbikes after passing through a navy checkpoint.

Northern region navy commander Rear Admiral Upali Ranaweera denied that the navy had arrested the two men. Navy personnel claimed that the priest and his assistant passed through the Allaipiddy checkpoint, returned soon after and headed toward Jaffna. But the navy has refused to allow the Kayts police to check the logbooks kept at the checkpoint.

We again urge SEP supporters and readers of the *World Socialist Web Site* (WSWS) to write letters of protest to demand a full inquiry to locate and free Wimalaswaran and Mathivathanan.

Letters can be sent to:

Gotabhaya Rajapakse, Secretary of Ministry of Defence,  
15/5 Baladaksha Mawatha,

Colombo 3, Sri Lanka

Fax: 009411 2541529

Email: [secretary@defence.lk](mailto: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](mailto:wswscmb@sltnet.lk)

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



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