

# Sri Lanka: Two years since the disappearance of SEP member Nadarajah Wimalaswaran

K. Ratnayake  
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Last Sunday marked two years since the disappearance of Socialist Equality Party (SEP) member Nadarajah Wimalaswaran and his friend Sivanathan Mathivathanan, who were both residents of Kayts Island in northern Sri Lanka.

Wimalaswaran and Mathivathanan vanished on March 22, 2007 while returning from neighbouring Punguduthivu Island, which is connected by a long causeway to the Velanai area of Kayts. The two men were last seen by friends and family passing through a naval checkpoint at the Punguduthivu end of the causeway.

The SEP immediately demanded that Sri Lankan authorities carry out a full inquiry to find and release the two men. Hundreds of people, mostly Tamils, have disappeared or been murdered by the military and allied paramilitaries since President Mahinda Rajapakse took office and plunged the island back to war in mid-2006. SEP supporters and *World Socialist Web Site* readers sent dozens of letters and petitions supporting the demand for an investigation.

While officials stonewalled, the SEP gathered evidence that pointed to the fact that the two men had been illegally seized at the naval checkpoint at the Velanai end of the causeway. Kayts and Punguduthivu are part of a group of islands near the Jaffna peninsula on which the navy maintains a heavy security presence—with patrols, checkpoints, curfews and restrictions on fishing.

Hemantha Peiris, the commander of the Punguduthivu Gotaimabara Navy Camp, confirmed that Wimalaswaran and Mathivathanan had been logged onto Punguduthivu Island at 5.30 p.m. and logged off at 6.30 p.m. They had come on Mathivathanan's motor bike to pick up clothes for a wedding party that night. An eyewitness saw them leaving—passing through the Punguduthivu checkpoint and entering the causeway.

All attempts to find out what happened at the Velanai end of the causeway have been met with a wall of silence. Silva, the commander of Velanai navy camp, falsely declared that the navy did not maintain a road block at the Velanai end of the causeway and therefore there were no records. Eyewitnesses verified that Wimalaswaran and Mathivathanan had been stopped on their way to Punguduthivu Island at the navy checkpoint and questioned by two plain clothes intelligence officers. No independent witness saw what happened on their return.

The SEP lodged a formal complaint with the Sri Lankan Human Rights Commission (HRC), and the wives of the two men also began proceedings in the Kayts magistrates' court. In neither case was any serious effort made by authorities to locate Wimalaswaran and Mathivathanan nor find out what happened to them. Police investigators and HRC officers refused to press the navy for even basic information about the events of March 22, 2007.

The HRC inquiry was convened on the basis of a complaint lodged by SEP general secretary Wije Dias. The respondents included the Sri Lanka Navy Commander, the Inspector General of Police (IGP), the area naval commanders at Velanai and Punguduthivu, and the headquarters inspector of the Kayts police.

The HRC held only two hearings, on June 14, 2007 and July 6, 2007. The IGP and the Navy Commander sent representatives, but the naval commanders and police inspector failed to attend or send a representative. At the first hearing, the HRC official summoned the Kayts police inspector but he again failed to appear. The HRC official in charge of the case failed to attend the second hearing, which was only held by another official after the SEP protested.

In September 2007, the SEP provided the sworn affidavits of eyewitnesses to the HRC. Five months later, the HRC abruptly shut down the case without informing the complainant and issued its observations on December 4, 2007. It is clear from

the document that the HRC took no steps to independently investigate the disappearances or to use its wide powers to insist that police officials and naval personnel account for their actions.

The HRC formally acknowledged that "the government is bound with greater responsibility concerning the disappearance of persons living in areas under state control where the security is provided by Sri Lankan military and the police". It advised the naval and police respondents to "take steps to avoid such situations through proper immediate and practical measures".

The HRC recommended the IGP appoint "a special skilled group" in addition to the Kayts police to investigate the disappearance of Wimalaswaran and Mathivathanan and called for compensation to be paid to the families of the victims. This last recommendation was particularly ominous: it amounted to an acknowledgement that the government was responsible for the disappearance of the two men and that they might be dead.

No action has been taken on these recommendations. A HRC official told the SEP that a second reminder had been sent to the relevant authorities on June 27, 2008 but no response had been received. The next step was to send the file to the Sri Lankan president for action. The official acknowledged, however, that around 200 files had been sent to the presidential secretariat but that the HRC had received no answer on any of them.

Proceedings in the local magistrates' court in Kayts dragged out for nine months from May 2007. On every occasion, the police appeared, declared that investigations were ongoing and announced that no clues had been found. It is clear, however, that no serious inquiry was ever begun. The police failed to identify, let alone question and take statements from the naval personnel and intelligence officers who were present at the Velanai checkpoint on March 22, 2007.

On March 26, 2008 the magistrate abruptly closed the case, declaring that the police should continue their "investigation". Nothing has been heard from the police since then.

The disappearance of Wimalaswaran and Mathivathanan is just one of the crimes for which the Rajapakse government and the Sri Lankan security forces are responsible. Throughout the North and East of the island, the military acts as a law unto itself. All Tamils are treated as "terrorist" suspects—that is, members or supporters of the separatist Liberation Tigers of Tamil Eelam (LTTE)—and routinely harassed, intimidated, arbitrarily detained, "disappeared" and in some cases murdered.

The US-based Human Rights Watch (HRW) issued a 241-page report in early 2008 on human rights violations in Sri

Lanka. Based on its investigations and sources, it found that at least 1,500 disappearances had taken place between December 2005, when Rajapakse came to power, and December 2007. In presenting the report, HRW assistant director Elaine Pearson declared: "President Mahinda Rajapakse ... has now led his government to become one of the world's worst perpetrators of enforced disappearances."

The 2009 HRW report noted that the disappearances had continued in 2008. "Human Rights Watch is unaware of any serious action by the government to address the hundreds of new 'disappearances' of the past few years, the great majority of which remain unresolved. Most cases of enforced disappearances implicate government security forces," it stated.

The targeting of SEP member Wimalaswaran is a political crime. The SEP is well known as the only party in Sri Lanka that demands an immediate end to the government's communal war through the unconditional withdrawal of all security forces from the North and East. In fighting to unite the working class on the basis of a socialist perspective, the SEP opposes all forms of nationalism and communalism—the Tamil separatism of the LTTE as well as the Sinhala supremacism of the government.

The SEP holds President Rajapakse and his government directly responsible for the disappearance of Wimalaswaran and his friend. We continue to demand that the government provide an accounting of their disappearance and punish those responsible. We warn that the police-state measures employed by the government against the Tamil minority and opponents of its criminal war will be turned against the working class as a whole as the economic crisis intensifies.

The anti-democratic methods of successive governments in Colombo are, in the final analysis, a product of the organic inability of the Sri Lankan bourgeoisie to meet the aspirations of ordinary working people for basic democratic rights and decent living standards. The only solution for the working class is to mobilise the urban and rural poor in the struggle to abolish capitalism and establish a workers and farmers government as part of the broader campaign for socialism throughout the region and internationally.



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