

# Sri Lankan police interrogate doctors who witnessed war crimes

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The Sri Lankan government is continuing to detain and interrogate three doctors—Dr Thurairajah Varatharajah, Dr Thangamuttu Sathyamurthi and Dr V. Shanmugarajah—who risked their lives to provide medical care to thousands of Tamil civilians caught in fighting between the army and the separatist Liberation Tigers of Tamil Eelam (LTTE).

With journalists and most aid workers barred from the war zone, the government-appointed medical officers provided a glimpse into the horrific conditions facing over a quarter of a million civilians in the small LTTE-held enclave. Their testimony provided first-hand evidence of the war crimes being carried out by the Sri Lankan military in shelling civilian areas. Their makeshift clinic was hit several times in the last weeks of fighting.

The three doctors fled along with thousands of civilians just days before the army overran the last LTTE territory. They were detained by soldiers and handed over to police. To deflect attention from its own crimes, the government accused the doctors of aiding the LTTE and denounced their accounts as propaganda. Only the International Committee of the Red Cross (ICRC) has had access to the men.

Human Rights Minister Mahinda Samarasinghe told the BBC last week that the doctors were being held “on the reasonable suspicion of collaboration with the LTTE”. He added: “I don’t know what the investigations may reveal, but maybe they were even part of that whole conspiracy to put forward the notion that government forces were shelling and targeting hospitals and indiscriminately targeting civilians as a

result of the shelling.”

What Samarasinghe refers to as “a conspiracy” is the mounting evidence of the atrocities for which the Sri Lankan government and military are responsible. The Colombo government backed by China, Russia and India blocked a motion in the UN Human Rights Council this month calling for an independent inquiry into war crimes by both the army and LTTE.

Leaked UN reports estimate that at least 7,000 civilians were killed since late January in the army’s final offensive on the LTTE. While President Mahinda Rajapakse and his ministers blame all civilian deaths on the LTTE, satellite imagery and the comments of survivors have exposed the government lie that the military did not use heavy weapons on an area packed with civilians. Other estimates based on UN sources and aerial photos put the death toll at more than 20,000.

Comments to the media by the three doctors gave a graphic account of the desperate plight of hundreds of thousands of Tamil civilians inside the LTTE enclave—much of which the military had cynically proclaimed to be a “no-fire zone”. Food and water were extremely limited. The doctors struggled to cope each day with hundreds of injured in appalling conditions and without adequate medical supplies.

On May 13, Agence France Presse reported Dr Varatharajah had told them that the makeshift hospital had been hit for the second time in two days. At least 50 people had been killed, including a health aide, and another 60 injured. Dr V. Shanmugarajah told Associated Press by telephone that the strike was the third in the month.

Ultimately, the doctors were forced to leave. Associated Press reported on May 14 that the hospital had been abandoned because it was too dangerous to work there. About 400 badly injured patients remained inside, in desperate need of medical attention. A medical staff member said: “Looking at the hospice and hearing the civilians cry, you feel only disaster.” The military overran the last LTTE positions on May 18.

Amnesty International reported seeing the doctors on May 15 at a screening point for the internally displaced people (IDPs) near Omathai. To quash mounting questions about their fate, the army commander denied any knowledge of their whereabouts. On May 20, however, an ICRC team had spotted them at the same site. The military later handed the men over to the police and placed in the custody of the Terrorist Investigation Division (TID).

ICRC spokeswoman Sarasi Wijeratne told the WWS on June 3 that lawyers, journalists and relatives had all been barred from seeing the three doctors. Asked about their health and their whereabouts, she said that the ICRC was constrained to maintain silence as per an agreement with the Sri Lankan authorities.

In comments to the British-based *Independent*, Satish Kumar, the brother-in-law of Dr Shanmugarajah, said he had been told by ICRC officials that they had been able to leave the doctor some clothes and that “he had not been tortured”. The concern about torture is very real as the TID is notorious for using physical coercion against “terrorist suspects” to obtain confessions that are then used in court. In the case of the three doctors, much more is at stake for the government in getting them to recant their previous comments.

Kumar told the newspaper: “If the government charges them, then we can approach a lawyer. Everybody knows they’ve not done anything other than help civilians and try to save lives. They may have given some casualty figures, but is that an offence? It’s obvious how many people were injured—they are now all in the camps.”

Human Rights Minister Samarasinghe, however, said

that the investigation into the doctors could last for a year or more before charges are finally laid. Under the country’s draconian emergency powers and Prevention of Terrorism Act (PTA), suspects can be held virtually indefinitely without charge.

Samarasinghe declared that the comments of the doctors to the international media had been made with the LTTE holding “pistols at their heads”. He continued: “There was a lot of publicity that we launched an attack on a hospital. That publicity was given due to the three doctors. Now they are in the custody of the TID, under detention orders. Soon they will be produced in court. You will hear what really happened.”

Samarasinghe’s comments only begs the question: if their previous comments were coerced, why detain the doctors and prevent the journalists, lawyers and relatives from speaking to them? The very fact that the three men could be held incommunicado for a year or more signifies that the government has a great deal to hide.

The BBC reported yesterday that Dr Sathiyamurthi had been produced in a magistrate’s court in Colombo as formally required under the PTA. He said nothing during his brief appearance and was returned to police custody.



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