

EXTERNAL

AI Index: ASA 37/04/96

This is a limited action. Please restrict appeals to 20 per Section.

UA 35/96 Extrajudicial executions / Fear of further killings

13 February 1996

SRI LANKA
Stephen Padhini (f)
Sundaralingam Lakshmi (f)
Sivapackiam Prasanthini (f)
Thangavel Kaladevi (f)
Arunasalam Kamaladevi (f)
Ananthan Annama (f)
Sundaralingam Sabashini (f)
Amirthalingam Rajinikanthi (f)
Packiyarajah Vasanthini (f)
Subramaniam Packiyam (f)
Alaguthurai Parames (f)
Valipillai Devi (f)
Arumaithurai Thanalakshmi (f), aged 17
Tellathurai Packiyarajah
Vinayagamoorthy Sutha
Vadivel Nadarajah
Suppiah Sedurajah
Kanagarajah Suvathirajah
Sundaralingam Prabhakaran
Kovindan
Thurairajah Karunakaran
Sivakolunthu Thinathurai
Ramajeyam Kamaleswaran
Shanmuganathan Ithakaran

In the largest incident of its kind since fighting between the Sri Lankan army and the Liberation Tigers of Tamil Eelam (LTTE) resumed in April 1995, at least 24 civilians are reported to have been extrajudicially executed by members of the army on 11 February 1996. The killings are said to be in reprisal for the killing of two soldiers by members of the LTTE. It is feared that further reprisal killings of civilians may take place as the conflict continues, unless the government takes measures, as a matter of urgency, to investigate the incident and bring to justice those responsible. Such decisive action would serve as a clear signal to members of the security forces that human rights violations will not be condoned.

According to survivors, a group of soldiers from 58th Mile Post army camp, possibly accompanied by others from Dehiwatte and Kiliveddy as well as home guards from Dehiwatte, killed 24 villagers at Kumarapuram, Kiliveddy, Trincomalee district, between 5.30pm and 8pm. Two soldiers had been killed by the LTTE when their patrol had been ambushed at around 4pm about one mile north of Kiliveddy.

Several of the 25 people wounded in the same incident, who are currently receiving treatment at Trincomalee Base Hospital told human rights workers how soldiers broke open doors and windows of houses and fired at those inside. One of the women, Arumathurai Thanalakshmi was reportedly dragged from a boutique in the village and taken to the milk collection centre where she was raped before being shot. One of the other women killed was pregnant.

On 13 February, members of the military police were reportedly taking statements from the injured receiving treatment at Trincomalee Base Hospital. A magisterial inquiry has been held and the bodies were handed over to the relatives later in the day. They are reportedly due to be buried in a mass grave on 14 February.

Soldiers from the 58th Mile Post army camp have reportedly been transferred out of the area. To Amnesty International's knowledge, none of them have been arrested. Survivors claim they could identify some of the attackers. They say that five or six soldiers in particular went around killing people. Others stood guard.

Amnesty International is urging that a full impartial investigation by a civilian authority be immediately established to avoid crucial evidence being lost.

BACKGROUND INFORMATION

Since the resumption in April 1995 of armed conflict between members of the security forces and the LTTE in the northeast of the country, there have been continuing reports of extrajudicial executions, "disappearances", torture and arbitrary arrests, although the number of such violations have to date been on a more limited scale than in previous years. Throughout 1995, Amnesty International recorded 55 cases of "disappearance" and approximately 40 extrajudicial executions.

Earlier, Amnesty International appealed to President Chandrika Bandaranaike Kumaratunga for a full and impartial investigation into a number of incidents of alleged extrajudicial executions reported from the northeast during May 1995, including from Trincomalee. In a response received in June 1995, it was stated that the President had initiated inquiries into the reported incidents and was awaiting preliminary reports from the army and police. The letter stressed the government's commitment to "fulfilling its obligations to promote and protect fundamental human rights in terms of both national and international law". The letter also specified that once a national human rights commission would be established, all complaints of human rights violations would be investigated by it.

In mid-January 1996, Amnesty International wrote to the President and to the Minister of Justice and Constitutional Affairs asking to be informed of the outcome of the investigations and any action subsequently taken to bring to justice those allegedly responsible. To date, no responses have been received.

On 31 January 1996, after more than 80 civilians were deliberately and arbitrarily killed in a bomb explosion in Colombo, Amnesty International also sent an appeal to the President for all necessary measures to be taken to prevent any reprisal killings of Tamil civilians in either Colombo or other areas of the country. Observers attributed the bomb explosion to members of an LTTE suicide squad. In the letter to the President, Amnesty International said: "We urge that members of the security forces will be issued with clear directives to adhere to international human rights and humanitarian standards at all times and be reminded that killings by members of the armed opposition, however heinous, can never provide justification for government forces to deliberately kill defenceless people nor be any justification for "disappearances" or torture of prisoners in their custody."

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:

- expressing deep concern at reports that 24 villagers were extrajudicially executed by members of the security forces at Kumarapuram, Trincomalee district on 11 February;
- urging that a speedy, independent and impartial investigation under a civilian authority be set up immediately to investigate these reports and identify those responsible;
- urging that those responsible will be brought to justice and that the relatives of the victims will be granted adequate compensation;
- urging that members of the security forces be issued with clear directives to adhere to international human rights and humanitarian standards at all times and be reminded that killings by members of the armed opposition, however heinous, can never provide justification for government forces to deliberately kill defenceless people.

APPEALS TO:

Her Excellency President Chandrika Bandaranaike Kumaratunga
 Presidential Residence
 "Temple Trees"
 Colombo 3, Sri Lanka
Faxes: + 94 1 33 37 03
Telegrams: President Kumaratunga, Colombo, Sri Lanka
Salutation: Your Excellency

The Hon (General) Anuruddha Ratwatte
 Deputy Minister of Defence
 Ministry of Defence
 15/5 Baladaksha Mawatha
 Colombo 3, Sri Lanka
Faxes: + 94 1 54 15 29 or 68 77 68
Telegrams: Deputy Defence Minister, Colombo, Sri Lanka
Salutation: Dear Minister

lt-General Gerry de Silva
 Army Commander
 Army Headquarters
 Flagstaff Street
 Colombo 1, Sri Lanka
Telegrams: Army Commander, Colombo, Sri Lanka
Salutation: Dear Army Commander

COPIES TO: diplomatic representatives of Sri Lanka accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 5 April 1996.