



வடகிழக்கு மனித உரிமைகள் செயலகம்

North East Secretariat on Human Rights - NESOHR

கரடிப்போக்கு சந்தி
கிலினொச்சி
தொ.பே.இல 021 2285986

KARADIPPOKU JUNCTION
KILINOCCHI
nesohrsrilanka@gmail.com , www.nesohr.org

Extrajudicial executions since 2002 and the justice system in the island –

released 9 Dec 2008

This report is a moderate attempt to throw some light on the phenomenon of extrajudicial executions that have been taking place in this island over the last two and a half years. Exposing the culprits behind these extrajudicial executions has remained a hard problem to crack. The key reason for this state of affairs is the fear of the eyewitnesses that they too will be executed extra judicially. It is, indeed, intriguing that this is can take place while a police and judicial system is also operating.

Statistics is one way to understand the enormity of this problem. Based on the list published in August 2008 by NESoHR on civilian casualties, there are 1585 cases of such extrajudicial killings since 2002. There is a further 1147 cases of disappearances and it is fair to suggest that at least half of these cases too would have been executed extra judicially. That makes the number of extrajudicial killings to more than 2200. Based on this same list, the number of deaths caused by other means due to the conflict is about 1100. This suggests that since 2002, two thirds of the conflict related civilian deaths are due to extrajudicial killings and only one third is due to other type of incidents such as bombings and claymore attacks. This is an important point that is often missed because these extrajudicial killings, carried out one at a time, do not catch the attention of the Sri Lanka watchers.

NESoHR made several efforts to contact some of the eyewitnesses to these extrajudicial killings and make them speak out while maintaining anonymity. These efforts were met with silence due to the prevailing justifiable fear psychosis. The next best step that was available to NESoHR was to collect the records of the court hearings of some of these cases and study them. This report is primarily written using the court records on eight extrajudicial executions that took place in the second half of 2007. Referring back to NESoHR list published in August 2008, there are 217 cases of known extrajudicial killings for this six month period. Thus the sample selected for this report represents about 3% percent of the known cases for this period.

One glaring fact that comes out of these eight court hearings is the absence of facts. Witness after witness has given evidence on how the victim was dragged out, shot dead, and found bleeding while the victim was going about his routine for the day either at home or on the road or at his shop. Nothing more than the phrase “unidentified gunmen” is used to describe the identities of the culprits. Yet, the areas where such extrajudicial executions have become common are brimming with stories about the people behind these shooting. No one dares to speak out. It is tragic that even the judges are forced to play along in this game of “court hearing” that ends with the obvious conclusion of “murder” and nothing more. A brief summary of the court hearings for the selected eight cases are provided below.

Summary of court records on eight cases of extrajudicial executions in chronological order



Case-1: Vijayakumar Satheeskumar is a male aged 22 of Chavakachcheri, Jaffna and he was *extra judicially executed on 7 July 2007*. The case was handled by Justice Premachandran of Chavakachcheri courts.

Victim worked in a tea shop and was found shot dead on the road. In the record of the court proceedings of the case, victim's father had said that the victim had been signing at the Kodikamam military camp for six months just prior to the incident. He also said that the hands of the victim's body were tied behind the back with wire.



Case-2: Balasingam Balachanthiran is a male aged 31 of Navalar Road, Jaffna and he was *extra judicially executed on 15 July 2007*. The case was handled by Justice Vingaraja of Jaffna courts.

On the day of the incident, the victim was busy transporting his wife and son to the church and his mother to a function. While he was on his way to pick up his mother, he was shot and killed and was left on the road. The mother arrived at the spot after hearing the incident to find her body of her dead son. Victim was with the LTTE, left it, and was married with a baby. He also worked in Aero-Lanka airlines.



Case-3: Pethurupillai Jesuthasan is a male aged 40 from Navanthurai in Jaffna and he was *extra judicially executed on 12 August 2007*. The case was handled by Justice Vignaraja of Jaffna courts.

Victim was a respected community leader among fishermen in his area and there were many felicitations from friends and colleagues at his funeral.



Case-4: Kumarakulasingam Pakialadchumi is a female aged 46, of Anpuvalipuram, Trincomalee and she was *extra judicially executed on 27 September 2007*. The case was handled by Justice V Ramakamalan of Trincomalee courts.

According to evidence given by husband at the courts hearing, he and the victim tried to prevent abductors taking their son. During the tussle the three got dragged outside the home. The abductors failing to abduct the son shot him and the parents. Mother died on the spot. The father and son were injured. Son is permanently disabled as a result.



Case-5: Balasubramaniam Sanathan is a male aged 25, of Inuvil in Jaffna and he was *extra judicially executed on 29 September 2007*. The case was handled by Justice Sarojini Ilankaovan of Mallakam courts.

Victim's father in his statement at the courts hearing said that the victim was a student. At 6.00pm they heard that their son was abducted from a tea shop where he was drinking tea. When the family went to the HR commission to complain they told them to come back the next day. When they went to the police, they too said the same thing. Next day the victim's body was discovered.



Case-6: Kannayutham Peethamparam is a male aged 58 of Vantharumolai in Batticaloa he was *extra judicially executed on 20 October 2007*. The case was handled by Justice M Y M Irshadeen of Batticaloa courts.

The gunmen broke open the door to the victim's home and shot him dead. According to a statement made by Rev Fr Chandra, the parish priest of Vantharumolai St Peter and Paul church, on 19 November, the victim's son Muhunthan was threatened by paramilitary group for few months prior to the incident and was therefore in hiding. The implication of this statement is that the father was shot dead as a punishment for protecting the son from the death squad. After the shooting, victim's wife recognized the members of the Karuna group, who came that way and who offered to bring an auto to take the injured victim. However, they never returned as promised. In the end, before the victim could be taken in a tractor to the hospital he died.



Case-7: Veeraih Jeyaruban is a male aged 28, of Nallur in Jaffna and he was *extra judicially executed on 12 November 2007*. The case was handled by Acting Judge, K Kesavan of Jaffna courts.

Being a demining worker and fearful for his life because many other demining workers have been killed, the victim and his wife were spending nights at different places. As a result he not could hold onto to his employment as a demining worker. He started making a living supplying stock to shops. He was shot during daylight while he was doing this.



Case-8: Ratnasingam Kuruparan is a male aged 26, of Pointpedro in Jaffna and he was *extra judicially executed on 14 November 2007*. The case was handled by Justice Kandaih Ariyanayagam of Jaffna courts.

His ID card was taken away by the military and he was ordered to sign at the military camp regularly. He was due to sign on the day of the incident and he was going with his aunt to the Nelliadi military camp. He was shot in front of the courts complex.