

VALVETTITHURAI:
TESTIMONIES OF A
MASSACRE

MARCH 2025



INTERNATIONAL
TRUTH
AND JUSTICE
PROJECT

EXECUTIVE SUMMARY

This report uses the voices of those who were there to tell the story of the Valvettithurai massacre in 1989, one of the worst atrocities committed by the Indian Peace Keeping Force (IPKF) in Sri Lanka. From 1987-1990, India deployed an estimated 70,000 thousand soldiers to Sri Lanka on a mission to disarm rival Tamil militias as part of an accord signed with the Government of Sri Lanka. However, almost as soon as the IPKF forces landed they themselves became embroiled in brutal conflict.

Valvettithurai, or VVT, is a small coastal town in northern Sri Lanka. Over three traumatic days in August 1989, IPKF soldiers from nearby military camps killed more than 60 people in the town, including five children under the age of 16 and one baby. People watched their loved ones and friends executed in front of them, forced to play dead in pools of blood in order to survive. Houses, shops, cinemas, vehicles, food stocks and fishing nets were set on fire in a wanton

rampage of destruction and collective punishment. The international community initially denied the massacre, citing the usual evasive arguments: civilians had been accidentally killed in crossfire; the incident couldn't be corroborated. A few journalists visited the town in the aftermath – reporting that it was eerily empty and that weeks later it still smelled of charred remains, with patches of scorched earth visible where decomposed bodies had been cremated because it had been impossible to move them. But it was the meticulous work of one man in Valvettithurai that made this report possible 35 years later. Detained and tortured, he was fortunate to remain alive. After cremating the dead, Nadarajah Anantharaj, a school principal and science teacher, set out to record what had happened in his town. He collected up to 200 sworn affidavits from survivors of the massacre which, when pieced together with other information, present a compelling case for criminal accountability,

and reparations which should include the exhumation of a mass grave. At the very least, any future truth commission regarding the conflict in Sri Lanka must include the IPKF period.

It is hard to fathom how much violence the people of Valvettithurai have been exposed to – not just during the IPKF period, but also before and after at the hands of the Sri Lankan security forces. It is unsurprising that at least a third of the population fled abroad, with the upshot that people who once lived in neighbouring lanes now live in adjacent boroughs in South London. Here, for the last 35 years, survivors of the massacre still gather every August to commemorate the dead, honouring them, and passing on memories of what took place to the coming generations.





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1. BACKGROUND

THE GEOGRAPHY

Valvettithurai in Sri Lanka sits on the northern tip of the Jaffna Peninsula. In 1989 it was a town of approximately 15,000 citizens. VVT, as it is known, is made up of a maze of streets and lanes, scattered Hindu temples, churches, ornate houses, low buildings and lush vegetation, with stray dogs lolling along its sandy roads. Historically it was a centre of ship building, but in the twentieth century it evolved into a busy hub for fishing and maritime trade, as well as for smugglers, who kept their vessels beneath their houses in hidden boat bunkers.¹ It was also the birthplace of Velupillai Prabhakaran, leader of the Liberation Tigers of Tamil Eelam (LTTE). As the LTTE was foremost among some 24 insurgent Tamil militias in this period, VVT was also referred to as a 'guerrilla power base'.²

In Sri Lanka's north and northeast, Tamils form the majority, but in Sri Lanka

as a whole the population is majority Sinhala. This imbalance above all underpins a long history of extreme ethnic violence, and in 1983 it triggered the start of civil war. Though the Tamil militias were splintered and rivalled each other, they had a common cause: political self-determination for the Tamil people, ideally in the form of an independent state. When the militancy began in Sri Lanka, some Tamils looked across the water to India for support, some even seeing India as the 'motherland'.³ India, in turn, provided covert weapons support and training to the LTTE and other Tamil militants, partly to ward off the crisis of an unsustainable influx of Tamil refugees. The strait between VVT and the southern Indian state of Tamil Nadu could be sailed, illicitly or otherwise, in under an hour.

THE INDIAN PEACE KEEPING FORCE, OR IPKF

Early summer of 1987 saw the Vadamarachchi Operation, a concerted offensive by Sri Lankan forces designed to disarm Tamil separatists, especially the LTTE, and retake territorial control. For complex geopolitical reasons, this spurred the Indian government to direct intervention, not least the airdropping of food parcels over a blockaded Jaffna in Operation Poomalai. At the same time, the Sri Lankan government was concentrating its forces on countering a separate insurgency in the south after failed peace talks in 1986. In July 1987, Sri Lankan President J R Jayewardene and Indian Prime Minister Rajiv Gandhi signed the Indo-Sri Lanka Peace Accord. Under its terms the Indian government agreed to send a military force to the north and east of Sri Lanka to maintain the peace and endeavour to bring Tamil struggle to an end, in particular demobilising the LTTE. Sri Lankan soldiers, meanwhile, would either depart the region, or would be confined to barracks. The

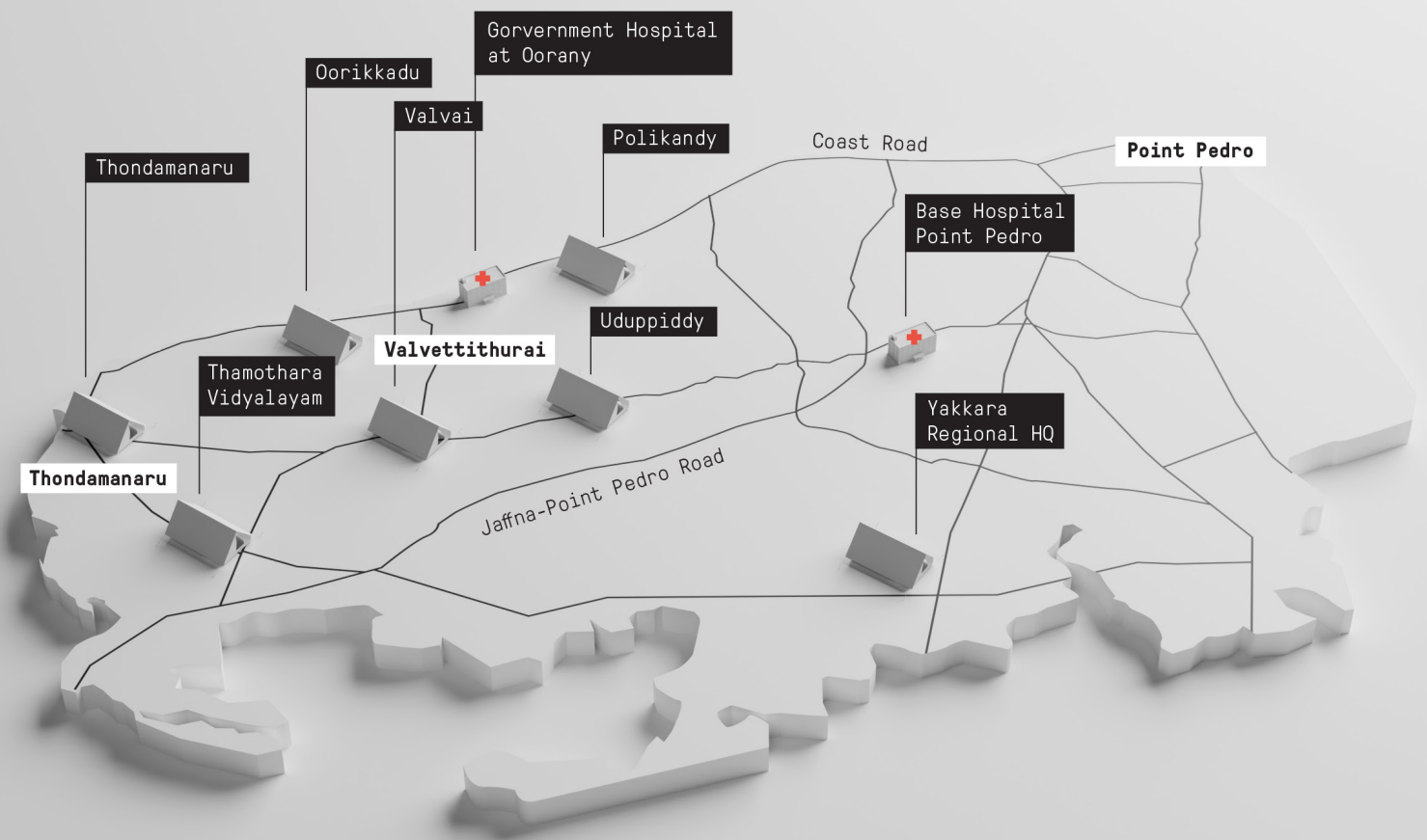
Accord's provisions led to considerable protest from both Tamils and Sinhalese, given longstanding fears around Indian Imperialism. Crucially too the LTTE was not a signatory to this agreement.

After three months, on 9 November 1987, Rajiv Gandhi praised the Indian Peace Keeping Force, or IPKF, for their 'outstanding discipline and courage'.⁴ But faced with LTTE resistance and often unable to distinguish civilians⁵ from militants, IPKF soldiers had already begun to make violent interventions that included the killing of civilians, so that among the Tamil populace they were dubbed the 'Innocent People Killing Force'.⁶ In September 1987 and in April 1988, prominent LTTE political leader Thileepan and Tamil mother Annai Poopathy died as a result of hunger strikes undertaken largely in protest at IPKF oppression and violence. The IPKF operation in Sri Lanka lasted 32 months, a period of armed conflict that gave rise to the deaths of what Amnesty International estimated to be 10,000 civilians.⁷ Decades

later, no precise death count has been undertaken.

Apologists for the IPKF later argued that there were several reasons its soldiers performed badly: their mission was essentially political and therefore 'not precise enough';⁸ language barriers precluded rapport with Tamil civilians (excepting the Madras regiments); the IPKF was 'hamstrung by the strict orders issued to it to avoid heavy civilian casualties and not to damage their properties'; and the IPKF had inferior weaponry, whereas the LTTE, for example, had AK-47s. One Indian academic noted that, under duress, IPKF soldiers unquestionably began to commit human rights abuses; but this was why, he explained, right from the start, they also 'constituted local citizens' committees and encouraged them to bring to their notice any instances of excess on the part of soldiers'.⁹

MAP 1: IPKF ARMY CAMPS



2 . CONTEXT

THIS REPORT TELLS THE STORY OF ONE MASSACRE IN AUGUST 1989. BUT THE VIOLENCE SUFFERED WAS PART OF A CONTINUUM OF THREAT AND TRAUMA THAT HAD BECOME NORMALISED FOR CITIZENS IN TAMIL DOMINATED NORTH AND EASTERN PROVINCES.

Seven Indian army camps 'ringed VVT effectively like a noose',¹⁰ as one citizen put it, which meant that the IPKF could choke off the town at great speed using checkpoints and curfews. As another recalls, the many years of ethnic and internecine violence had also led to citizen flight, resulting in empty houses dotted all around the lanes of VVT, which the LTTE apparently tended to co-opt, using the roof spaces as hide-outs.¹¹ Acting on tipoffs, and trying to flush out or simply kill LTTE members, the IPKF would typically launch attacks on suspect houses with mortars from above. Soldiers would then also habitually inflict arbitrary vengeance on what might be fifteen or so neighbouring dwellings along a targeted lane, ransacking

houses, conducting aggressive roundups of males, and subjecting them to arbitrary detention in their army camps. All of this came to be viewed by local citizens as in a way just normal', but it kept the population in a state of permanent vulnerability.¹²

TWO INCIDENTS IN THE LEAD-UP TO THE AUGUST MASSACRE ARE SIGNIFICANT.

FIRST PRECURSOR INCIDENT

On 19 January 1989, there was a dramatic breakdown in relations between the IPKF and the local population at VVT. The organisation University Teachers for Human Rights (UTHR) summarised that 'Indian troops went berserk after the killing of two soldiers, resulting in large scale beating with around 150 people hospitalised.'¹³

On 26 January, a week after this attack, the Citizen Committee of VVT, under its president, Sabaratnam Selvendra, a chartered accountant, and its Secretary, Nadarajah

Anantharaj, a school principal in Point Pedro, wrote to the Deputy Commander of the IPKF in the local northern region putting on record their account of what had happened,¹⁴ which the IPKF authorities did not deny. According to the VVT Citizen Committee, at 10am two soldiers on foot patrol from the IPKF army camp at Polikandy were injured by an explosive device. A captain from the camp 'rushed to the spot' with reinforcements. Over the next three hours, across an area of over a square mile, he and the men under his command burnt down houses and beat up residents using 'big sticks, cycle chains' and 'even rice pounders'. Troops forced injured males to march towards VVT Junction 'for special treatment'. Meanwhile the Polikandy camp captain, who according to the account 'appeared to have gone completely off his senses', entered the government hospital in Oorany, where along with his 'frenzied soldiers' he was said to have 'unleashed a scene of terror assaulting

the people there' in what the VVT Citizen Committee further described as being a 'sadistic beating spree'. Outside, contemporaneous statements say hundreds more were caught up in assaults in the surrounding lanes and streets. In the aftermath, some 150 people reportedly required medical treatment, with over 100 admitted to hospital suffering 'fractures, multiple contusions, lacerated wounds'. The injured included women described as having 'bite marks on the breasts and cheeks', telltale signs of sexual assault. Under this deluge, the hospital was said to be 'immobilised'; many hospital staff 'themselves became patients' according to witnesses, while other medical staff were removed by the Polikandy captain to his camp, where he allegedly inflicted further punishment on them.

This 'rampage', the VVT Citizen Committee noted in its protest letter, was at last ended by the commander of the Yakkara camp. He 'kindly' sent his deputy to the hospital to take a look. This led, at around 6pm and after repeated telephone calls, to the release of the detained hospital staff, some of them now unable to walk.

In a personal statement, one victim explained that 'On the 19th day of January, when the IPKF rounded up Polikandy, I was also arrested by them and was badly assaulted.'¹⁵

In particular this man's hand was damaged. A week later, he was again targeted by soldiers with his hand damaged further, and though no detail is given in his account, months later he was 'still unable to do my own profession or to earn my living'. The Indian journal *The Statesman*, relatively sympathetic to an Indian army under strain, noted that it was distressing that this particular example of a 'wartime excess'¹⁶ was one where, reports agreed, 'senior IPKF officers led the counter-violence'.

In their quest for accountability, Sabaratnam Selvendra and Nadarajah Anantharaj visited the IPKF brigadier and commander of the Yakkara Regional HQ. He summoned the same captain from the Polikandy camp who had reportedly gone 'off his senses', and gave orders that he should apologise¹⁷ for what the Citizen Committee called a 'wanton mass attack'.¹⁸ Here Mr Anantharaj intervened and said, 'that an apology was unnecessary and that efforts should be focused on ensuring no future attacks on civilians'. An apology was not forthcoming. If anything, local people speculated, the captain in question harboured a resentment against them. This would surface with tragic consequences in August.

SECOND PRECURSOR INCIDENT

A month later on 15 Feb

1989, a Christian priest aged 47 was at the home of his parents in Uduppiddy with multiple members of his family; they lived next to the army camp there and were well known to the soldiers. That day a patrolling soldier accidentally let off a bullet next to the house. The 20 or so other members of his patrol were spooked by this and circled back, firing their rifles and accusing the family of harbouring a member of the LTTE. The priest was restrained by soldiers. His two sisters protested their innocence. The troops began to leave, but two turned back and in a burst of firing shot and killed both women, Elizabeth Jeyaraneer Vjjayathanan, and Joyce Athisayaraneer Thavaraja. Joyce was pregnant with a baby that that was almost due, but they 'put a bullet through the head of the child'.¹⁹ Her three-year-old son was also hit in the leg. As the priest carried the boy to seek medical assistance, he encountered the captain of the Polikandy army camp who had masterminded the beatings a month before; the captain stopped his jeep to ask what had happened then drove away again. Shortly after, the priest said, in a sworn account, he was instructed by an IPKF officer to sign a letter blaming the deaths on the LTTE, with money offered to him if he did so. He refused and according to his testimony 'left the place in disgust'.²⁰ He blamed the killing of his

sisters in part on a 'general nervousness' of the IPKF troops. The church hierarchy soon afterwards transferred him to another parish.

These were extreme incidents but by no means isolated conduct on the part of the IPKF. As secretary of VVT's Citizen Committee, but also as a school principal, Nadarajah Anantharaj would often find himself going to one of the many army camps to plead for the release of arbitrarily detained boys and young men, 'vouching for them as my students'.²¹

THE CITIZEN COMMITTEE NEGOTIATES AN UNWRITTEN AGREEMENT

Not long after these events, the VVT Citizen Committee managed to negotiate an informal truce in their town between the IPKF and the LTTE. By relaying their messages back and forth, the Committee enabled the two sides to arrive at a 'gentleman's agreement'.²² IPKF soldiers could patrol the main roads of VVT without fear of attack, but should avoid the town's inner lanes. In effect, this created two separate circulation systems for the forces, and radically cut down the number of violent confrontations.

However, the agreement left some in the Indian military highly uneasy, not least from the fear that the LTTE might now regroup and entrench themselves in

comparative safety, launching more concerted attacks on the IPKF elsewhere.²³ There was relative peace in VVT for several months, however multiple small-scale LTTE attacks, including rocket attacks on surrounding army camps, kept the IPKF 'officers and men with nerves on edge'.²⁴ Many on both sides felt it was a question of when and not if the 'gentleman's agreement' would break down.

MAP 2: KEY LOCATIONS DURING THE THREE-DAY MASSACRE



3. THE INCIDENT

DAY ONE. VVT. 2 AUGUST 1989:

Wednesday 2 August 1989 was a busy market day in VVT. It was also school break, so there was a holiday mood among the town's youngsters. As a reward for doing well in her exams, a small girl called Kalyani was allowed to borrow her big sister's too-large bicycle and wobble off to the Junction to buy sweets. Nearby, about 30 of the town's schoolboys split into teams to play cricket. Meanwhile a group of young fishermen from Polikandy who had been walking in together along the coast road to go to work were detained by a group of IPKF soldiers near Nullan Vairavar Temple.



MID-MORNING, THE 'GENTLEMAN'S AGREEMENT' BETWEEN THE IPKF AND THE LTTE BROKE DOWN. BUT WHO WAS RESPONSIBLE FOR THIS?

Contemporary newspaper accounts described what happened next as an LTTE 'ambush' of IPKF troops. David Housego in the Financial Times reported that two IPKF patrols, of about 30 men, approaching VVT

in parallel columns, were 'ambushed' and shot at from the roof tops, resulting in the deaths of six soldiers, with more injured, including an officer. 'Even by Tiger standards of brutality, these were heavy casualties to inflict,' he remarked, before stating that, because 'the Tigers broke what was seen as their side of the bargain, the Indians took revenge'.²⁵

This was not how VVT's citizens understood the encounter. An investigation by the University Teachers for Human Rights (UTHR) from Jaffna later recorded that IPKF troops, in a pincer movement, entered the embargoed lanes west of the main Uduppiddy-VVT Road, just short of the Junction, apparently intending to attack a suspected LTTE hideout in Sivapura Lane. One patrol was from Oorikkadu. The other was led by the same Polikandy captain who had presided over the shocking and brutal attack on 19 January. By local accounts, it was the IPKF who broke the supposed 'bargain', an 'intrusion', wrote UTHR, that

ended 'more than six months of peace'.²⁶

Whatever the truth about who broke the agreement, there was also a strong suspicion on the Tamil side that the LTTE had tapped the IPKF telephone wires, knew they were coming, and were lying in wait.²⁷ Certainly the Tigers managed to execute a surprise attack, aiming lethal bursts of automatic fire at the IPKF, before themselves melting away unharmed. Nor can they have doubted this would lead to extreme reprisals. The Guardian later speculated that 'Analysts here say the rebels, who have been campaigning for an Indian withdrawal, may have staged the ambush deliberately to provoke the violent reaction, knowing it would increase pressure on Indian peacekeeping troops to leave.'²⁸ No doubt each side, the IPKF and the LTTE, felt 'provoked' by the other. This may even have been what both sides wanted.

IPKF REPRISALS

Under fire from the LTTE, the two IPKF patrols fell back to defensive positions around the Junction and the market, while the LTTE fighters themselves swiftly disappeared. However as soon as the IPKF received reinforcements, they went on the attack. Over the following half hour, up to a thousand armed soldiers from the surrounding IPKF army camps poured into VVT, closing it down with road blocks. The inhabitants of the town were now trapped. They had experienced violent retaliation before, but had no idea what was coming their way this time. What ensued in VVT in August 1989 was later described by the Financial Times correspondent as 'by far the worst atrocity alleged against Indian troops in the two years they have been in Sri Lanka'.

Kalyani, who had come on her sister's bicycle to buy celebratory sweets, found herself lifted over the shop's backyard wall by its young owner and handed on to neighbours, who passed her over more fences and through gates to get her speedily home. One of the boys playing cricket not far away was Mohan,²⁹ aged 13. As they fled, he and his brother joined a larger group forced to hide for hours behind Uduppiddy Boys School. As adolescent males, they



knew they would be especially vulnerable to the violence of the IPKF. Against a backdrop of gunfire, shop owners near the Junction tried to lock up their premises. Rajaguru Pushparani closed her banana stall and hid inside, along with her two sons, Jeganrai,³⁰ aged 14, and his 11-year-old brother



Yavanaraj. A shopkeeper³¹ nearby later explained: 'Usually when there is trouble, we close the shop and go out through the back door.' But soldiers got inside, assaulted him and two women customers, looted the till, and sent all three to sit with others being rounded up in the middle of the Junction. Nallathamby Senthivel,³² the owner of a photography studio, had taken cover on the floor of his shop. When he heard injured people moaning outside, he tried to intervene. But the soldiers instead forced him, too, to go and sit 'in the hot sun'. Kunalingham Karunantharajah,³³ a municipal council chief, hid under the till in a newspaper shop alongside a shop assistant, the owner's brother-in-law, and a small boy. They survived one group of soldiers looting the cash box, but were spotted by a second group who came in and stole toffees. These soldiers dragged them out, sent the little boy away, then violently assaulted the men, firing on two of them. Mr Karunantharajah was hit by a bullet that went clean through the right side of his

chest and out at the back. He fell bleeding to the ground and pretended to be dead, with Rasaiah Rajaratnam, the relative of the shop owner, bleeding profusely beside him. A third shopkeeper³⁴ working at the Junction tried desperately with his son to close his shop, even as the public 'was running with fear'. The two of them 'were unable' to do so and as he scrambled out of the back, soldiers hauled his son to the front and shot him dead.

VIOLENCE SWIFTLY BROKE OUT TO THE EAST OF THE JUNCTION

At the sound of mayhem at the Junction, the young fishermen detained by the IPKF an hour earlier near Nullan Vairavar Temple now ran for their lives, chased by soldiers loosing off their guns. One of those hit was Rameshkumar Sothilingam, aged 18. His father³⁵ recorded that the family depended on Rameshkumar to act as a breadwinner and had already suffered economically after losing fishing equipment during previous bouts of violence. Though people managed to get Rameshkumar to the nearby VVT Government Hospital in Oorany, he died once there. Another of the friends caught in this chase was 20-year-old Vijayaratnam Muralitharan, the sole breadwinner for his large family, because his father was 'a sickly and bedridden person'. Hearing that he had been shot, his mother³⁶ rushed to the scene and got him to the hospital, where he too

died. 'Now we are helpless,' she said afterwards, 'and none to help us.' Another killed in this group of friends was Ponnuththurai Rasenthiram aged 23.

They were not the only ones to be shot at on the eastern side of town. An elderly fisherman³⁷ later described how when firing broke out in their Oorany neighbourhood, his daughter Selvaratnam Sivamathy, who lived next door, sent her two little boys running to his house. They told him she would follow, but soldiers were firing at people who ran. When she came in, she 'fell at my feet'. Blood was pouring from her chest, and soon she died. She herself had been widowed about three years before, her husband 'presumed killed in ethnic riots' in 1986, and now her father found himself utterly 'helpless'. Not only had she assisted him in selling his catches, but her death left him the sole carer of his little grandsons.



Rameshkumar Sothilingam

**AT THE SAME TIME,
CONSIDERABLE IPKF VIOLENCE
WAS FOCUSED IN THE LANES
IMMEDIATELY AROUND THE
'AMBUSH' SPOT IN SIVAPURA
LANE:**

At the outbreak of the violence, Ponnuththurai Shanmugalingam, a fisherman, along with his wife³⁸ and children, also ran from their house in Theeruvil Lane. He ran towards a nearby temple, while his wife and children headed for her brother's home. At a distance, she saw him being shot by IPKF soldiers and falling to the ground. There was no question of stopping or turning back: she and the children kept running. In Theniyambai Street, a woman³⁹ was cooking at home alone when she 'heard shots being fired all around'. She hid but could do nothing as soldiers 'wearing black scarf on their heads' entered her house and set it on fire causing smoke and explosions. It was badly damaged and all her household necessities including 'vital documents etc' were 'burnt to ashes'. A neighbour,⁴⁰ at home with her children, had soldiers enter her house 'shouting and laughing' before setting it on fire. She could do nothing. Her household goods were 'burnt to ashes' and the front of the house was left 'in a state of collapse'. Mr Anantharaj, school principal, and the Secretary of the VVT Citizen Committee, was also at home in Theniyambai Street. It was Mr Anantharaj's daughter, Kalyani,⁴¹



aged nine, who had taken her sister's bicycle to go and buy sweets that morning. Mercifully, she made it home again along the by-lanes. The family locked themselves in and could do nothing but wait as the air filled with the sounds of shelling, and people shouting and crying as they ran for their lives, and with the smoke of burning buildings. They could also hear the rumble of incoming army vehicles.

**THE IPKF CONTINUED ITS
ROUNDUPS, TARGETING THE
ELDERLY AND WOMEN**

The IPKF came to another nearby lane, and removed 23-year-old fisherman Senthivel Sakthivel from his home 'for inquiry'. His father⁴² told the soldiers his son had 'never identified himself in any activities against the state or any other organizations', and begged them to let him go. He was left to wait helplessly as they took his son away, and had no knowledge of his fate until two days later. Elsewhere, at the house of the Aathiarunachchalam family, IPKF soldiers hauled away three young brothers. When the family women tried to cling to the boys, one had part of her finger shot off.⁴³ In the next few hours, the older two boys, Parasar and Paramsothi, 18 and 19, were separated from their little brother, Sunthareswaran, aged about 12. None would return. Kanthasamy Thangarasa,

1.00

1.00

Qv: 14153

AFFIDAVIT

I, Mr Sellathurai Senthival, aged 62 years, being a hindu, Srilankan Tamil, residing at Kallikovil lane, Valvettiturai, do hereby solomenly sincerely and truely declare and affirm as follows:-

1. I am the affirmant herein, holding National Identity Card No 272090246 V.
2. On 2nd of August 1989, Indian Army entered into my house and arrested my son Mr Senthival Sakthivel for inquiry. I have begged them to release my son as he has never identified himself in any activities against the state or other organizations. But they have not released him and taken into custody. As the curfew was imposed by the Indian Army I was not allowed to go outside. by the Indian Army. After the curfew was relaxed I heard my son's dead body was in the junction. When I went and see my son was shot and dead. As the body was unable to remove I have burnt his body in the junction.

Declared and affirmed at Valvettiturai this 31st day of August 1989.

செல்வநாதன்

Declarant



Before me.

S. Thandabani Katesigar

J.P.

THANDABANIKATHESIGAR J.
CHIEF PRIEST
MUTHUMARI AMEAL DEVASTHANA
VALVETTITHURAI.

meanwhile, was visiting his sister Mrs Siththivinayagam⁴⁴, an elderly woman of 76, near the centre of VVT, when soldiers ordered them to leave. They pleaded to be excused, being 'very old', they said, but were made to hobble to the Junction to sit with the rest - 'people of all ages including women and children'. As their numbers grew, Nallathamby Senthivel, of the photography shop, recognised one youth who had been forced to join them as Mathivarnan Appaththurai, whose father owned a bookshop. He was being badly beaten as he walked along. People inside the Junction's Diana Mini Cinema, who were either watching a movie or who had run there for cover, were also dragged out, until eventually up to 75 citizens were corralled together in the sun.

THE IPKF TARGETED COMMERCIAL PREMISES FOR DESTRUCTION, INCLUDING FOOD SHOPS:

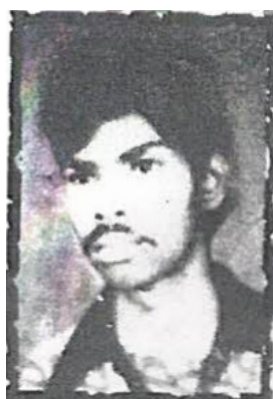
As the soldiers attempted to set various shops ablaze, many soon burned 'furiously', including Mr Senthivel's own shop. Another to burn down was a supermarket, whose owner⁴⁵ watched as fire in the shops either side caused the glass in his own to shatter, products to melt, the electrical system to burn out and the concrete roof to crack. In this destruction, the town's food supplies were virtually eliminated. Mr Karunantharajah, who had been shot through the chest, was still pretending to be dead.

When soldiers came to set fire to the newspaper shop where he lay, he faced a horrible dilemma. Rasaiah Rajaratnam, aged 33, who had been shot alongside him, was no longer alive. Should he risk being burnt to death or give himself away? 'With great difficulty,' he later said, he 'struggled and got up,' whereupon, disregarding his injuries, the soldiers forced him to join the others in the Junction roundup.



Rasaiah Rajaratnam

IN THE MIDDLE OF THE DAY THERE WAS A LULL IN THE FIRING. SOME PEOPLE DARED TO RUN IN SEARCH FOR GREATER SAFETY, NOT LEAST THOSE LIVING IN THE MAZE OF LANES IN THE THEERUVIL AREA, INCLUDING THOSE IN HOMES ALONG SIVAPURA LANE WHERE THE TROUBLE FIRST BEGAN. BUT NOT EVERYONE DARED TO LEAVE THEIR HOMES:



Ponnaiya Kalithas

Sivapura Lane, site of the initial LTTE 'ambush', would suffer more destruction than any other single lane in VVT, with possessions wrecked and 23 houses burned down. Ananthasamy Subathirai Amma⁴⁶ was sheltering in her home with her daughter, as well as with a mother and two children from next door, when IPKF soldiers burst in. Some trained their guns on the women while others set the household goods on fire, a drastic loss that was over in half an hour. Burnings continued nearby as well. Kanagasabai Thangarasa,⁴⁷ an older man, was helpless that afternoon when IPKF soldiers came to his house, dragged out his son-in-law, Ponnaiya Kalithas, a 25-year-old blacksmith, pushed him against an outside wall, and shot him, before threatening to shoot Kanagasabai Thangarasa's daughter and children too. Next the soldiers took kerosene from the kitchen, doused the walls and burnt the house down 'completely'. Only afterwards was the family able to go to Ponnaiya and confirm he was now dead.

Rasamanikkam Sivalingam,⁴⁸ the sixty-year-old owner of a tea boutique at VVT Junction, had left for work that morning and not come back. His daughter's family lived opposite. They had been joined the week before by family members fleeing tensions in Point Pedro: his brother, Rasamanickkam Nadarajah, a retired post

master, had 'on numerous occasions' been taken from his home and 'assaulted and humiliated' by the IPKF. He had therefore come to VVT with his wife,⁴⁹ a retired teacher. Also with them was the widowed sister⁵⁰ of the brothers and her son, Vinayagamoorthy Arulsothy, a twenty-five-year-old employee of the Sri Lanka Cement Corporation. When the trouble began, Rasamanikkam Sivalingam's daughter⁵¹ rushed across the lane with her children. All morning the family had waited. Then at around 2pm, soldiers came up their lane 'in a rampage', gutted her home as she looked on and set about a 'burning spree', until at last her roof was 'falling apiece into tatters'. The family urged the two men among them to run, but as 'honourable citizens' they believed they were secure. Then soldiers came through the door and shot both men dead.



Kanthasamy Mahenthirarajah

mother. As six IPKF soldiers came into the compound and set fire to their car, they hid in the kitchen. But when soldiers entered the house and started burning goods inside, Kanthasamy Mahenthirarajah was fearful that if caught they would be shot. He shouted that he was not LTTE, but the soldiers hauled the whole family outside, shooting him and his brother Kanthasamy Velumyylum. When the women clung to them, the soldiers shot at them too. They left the women injured and both men dead. For now, the bodies lay where they had fallen, proper burial rituals being impossible. Along the same lane, another housewife⁵³ faced down soldiers who entered her home 'firing continuously'. One of their bullets hit her four-year-old daughter. Though, by 'God's grace', she survived this, it was out of the question to try to reach the hospital. Moreover, there was no way of knowing when they would be able to seek proper medical help.



Kandasamy Velumyylum

SOME WHO DID FLEE THEIR HOMES HEADED FOR THE GREATER SAFETY OF MORE SUBSTANTIALLY BUILT HOUSES THAN THEIR OWN. A CONCRETE ROOF PROVIDED THE BEST DEFENCE AGAINST IPKF MORTAR SHELLS. LESS ROBUST HOUSES, WITH THINNER WALLS, AND WITH ROOFS OF TILE OR ASBESTOS, PROVIDED LITTLE DEFENCE AGAINST SHELLING.

AT THE HOUSE OF MR SIVAGANESHAN:

A larger house where many people gathered belonged to Mr Sivaganeshan, who lived abroad. A 34-year-old owner of a hardware store,⁵⁴ described running with his eldest child 'to the place where I usually run at such times': the house of Mr Sivaganeshan. There he found nearly seventy refugees', mostly women and children, though another man was Ramasamy Sivaguru,⁵⁵ a retired postmaster, who had come with his daughter and her children. 'Off and on' they heard gunfire at the Junction. Then mid-afternoon, 'we heard shooting and crying very close to us' and could 'feel' the soldiers closing in. A handful of IPKF men climbed over the back wall and riddled the house with gunfire. A bullet passed inside and injured a woman in the neck. Then about eight soldiers broke in through the back door, at which 'all the people cried and raised their arms'. Several women begged the soldiers not to shoot and 'fell on their feet', but they kicked them off again, before fanning through the

In Theeruvil Lane, two brothers were sheltering at home with their wives⁵² and

KILLED AT THE HOUSE OF MR. SIVAGANESHAN

KILLED (4):



Nadarajah Raveenthiran

31, business owner, his death witnessed by his five sisters.



Arumugasamy Ramachandran

41, mason.



Kathirgamtahamy Sivanesarasa

36, labourer, was shot and killed in front of his wife.



Ponnambalam Ranjithkumar

25, mechanic.

AMONG THE MANY INJURED



Yogaguru

34, shot with Sivasubramaniam Arunendran, both survived but very severely injured.



Sivasubramaniam Arunendran

shot with Yogaguru, both survived but very severely injured.



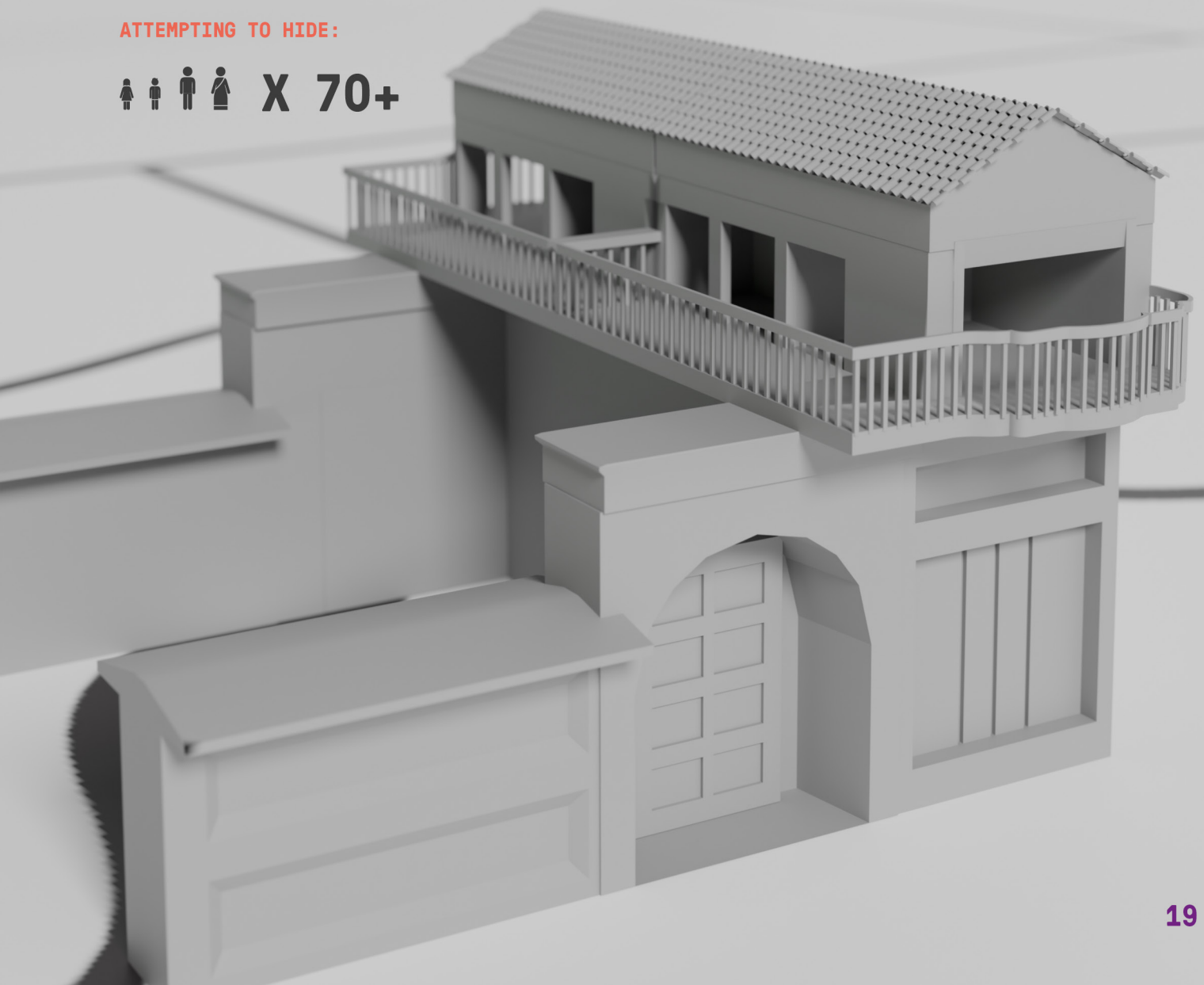
And others

Men, women, children.

ATTEMPTING TO HIDE:



X 70+





Kathingamathamby Sivanesarasa



Ponnambalam Ranjithkumar



Nadarajah Raveendran



Arumugasamy Ramachandran

house and ordering everyone out into the compound.

The de facto leader of these IPKF soldiers, though not an officer,⁵⁶ now ordered the adult males to stand by a cowshed against the boundary wall. Seeing that Mr Sivaguru was in his sixties, the soldiers allowed him and one other older man to join the women and children. This left eight men. The young hardware store owner passed his child to a 'known lady', after which they were 'taken for execution in pairs'. He was in the first pair. 'The executioner opened fire. My companion died,' he later said, whereas he himself was merely 'nicked'. He fell down and pretended to be dead. Then during the second execution, 'one of my arm joints was smashed'. Still he 'continued playing dead'. As Mr Sivaguru described this, the kneeling pairs 'were shot in the presence of their mothers, wives and children and other relatives. The horrible sight was over in five minutes. The I.P.K.F. threatened to shoot anyone who cried.'⁵⁷ The soldiers now tried and failed to set the house on fire, then at last they left, at which the silent survivors 'burst out' weeping. Four of the eight paired men were dead.⁵⁸ Among the other four who had survived 'by God's grace', one was left with complex injuries arising from bullets to the 'right chest, wrist, shoulder, and left arm'⁵⁹, while the owner of the hardware store, with his

joint 'smashed', later had to have his arm amputated.

AT THE HOUSE OF MR SUBRAMANIAM:

A second large house where numerous people congregated was that of Mr Vengadachchalam Subramaniam, 200 yards from the Junction, and accessible through a rear entrance on Theeruvil Lane. The morning's violence found him at home with his wife⁶⁰ and youngest son. When the shooting and burning began, people from their neighbourhood came creeping there through the smoke, seeking refuge. Not only was their home robust, but Mr Subramaniam, as a retired Superintendent of Surveys, spoke English. People felt he could address a cohort of IPKF soldiers and might calm them down.

Among those who came was a carpenter aged 24.⁶¹ He had been hoping to escape VVT with his family, but the gunfire drove them to take refuge at Mr Subramaniam's house instead. Another clutch to arrive in the afternoon lull was the group of three who had previously been hiding under their banana stall at the market. When they dared to crawl out, Rajaguru Pushparani and her two young sons, Jeganrai and Yavanaraj, ran for home. After finding no one there, they pressed on to Mr Subramaniam's.



Soon IPKF soldiers kicked the

door, behind which some 50 people waited defenceless. Fearful of inflaming their anger, Mrs Subramaniam urged her husband to let them in. As the soldiers pushed their way in, all inside raised their hands. The soldiers ordered the men to come forward. When Mr Subramaniam attempted to speak they shot him mid-sentence in a burst of semi-automatic fire. He tumbled to the ground along with two other men. One was the young carpenter, who had been pleading for his life. With bullets in his chest and arm, he lay pretending to be dead even as the soldiers looted the cash out of his pockets.

The soldiers now turned and fired on the women and children, several of whom fell to the ground and pretended to be dead. Others ran in panic to the back of the house. One group huddled together in a back room. When a Sikh soldier came in, they begged him not to fire, but 'he shot downwards aggressively,'⁶² then lifted his gun a little and fired right in amongst them. He hit the cowering women and children chaotically, in the lower limbs and chest, until their blood flowed to his feet. The soldier was preparing to fire again when one of his colleagues came in and stopped him. One woman with a 4-year-old daughter had to stanch a wound to her child's leg with her clothes, before another woman died in her lap.

KILLED AT THE HOUSE OF MR. SUBRAMANIAM

KILLED (9):



Vengadachchalam Subramaniam

Retired Superintendent of Surveys, killed in front of his wife.



Rajalakshmi Eswaramoorthy

25, killed in front of her mother-in-law.



Arunasalam Elaiyaperumal

Retired postal worker, killed after IPKF firing.



Amirthalingam Umathevi

Killed after IPKF firing along side Arunasalam Elaiyaperumal.



Sinnaththamby Ganeshalingam

25, fisherman, was killed with his daughter Sashikala.



Sashikala

1, Killed with her father Sinnaththamby.



Aathiarunachchalam Sunthareswaran

11, the youngest of three brothers.



Rajaguru Pushparaj

Owner of banana stall, mother of Yavanaraj and Jeganrai.



Yavanaraj

11, little brother of Jeganrai.

AMONG THE MANY INJURED:



Subramaniam Muththuvell

24, carpenter: shot; survived by pretending to be dead.



And others

Men, women, children.

ATTEMPTING TO HIDE:

 X 50+



Mr Subramaniam



Rajaguru Pushparani



Arunasalam Elaiyaperumal



Mrs Amirthalingam Umathevi



Rajalakshmi Eswaramoorthy



Sinnathamby Ganeshalingam

Among those also trapped by this rash of indiscriminate firing was 14-year-old Jeganrai from the banana stall. He saw that a bullet had shattered his mother's hand, and that she had 'two holes in her right chest'. When he lifted her shirt, he 'saw that her bones were visible outside'. He tried to ease her, but she said, 'Jegan, take my blood, coat it on your body and lie down'. Eventually he did so. As he kept motionless, 'blood stagnated around me as there was a dead body crossing me'.

In time the soldiers returned. They could see that not all of their victims were dead. As another survivor Mrs Nageswararasa Jayanthini⁶³ later recorded, 'one soldier requested the other to shoot those who are still alive. To this the soldier replied that all are bleeding and they will all die soon and went out pulling the other soldiers too.' When they left the house, the soldiers fired a few final rounds in the air.

Hidden under the kitchen table, Mr Subramaniam's wife later stated it was a couple of hours before silence fell. When she crept out, she found her husband with bullet wounds to his chin, shoulder and abdomen 'lying in a pool of blood'. He 'appeared to be breathing his last'. She 'gave him some water, but he passed away soon after'. Mrs Jayanthini, who had been pretending to

be dead, now discovered that her father-in-law, Arunasalam Elaiyaperumal, a retired postal worker aged 76, and her 26-year-old sister-in-law, Mrs Amirthalingam Umathevi, had both been killed. Also dead was Rajalakshmi Eswaramoorthy, aged 25, whose mother-in-law⁶⁴ could not but think of the 'pathetic plight' of her newly bereaved son, currently detained in an IPKF army camp. Dead too were Sinnaththamby Ganeshalingam, a 25-year-old fisherman, along with his one-year-old daughter Sashikala, leaving his widowed wife⁶⁵ penniless with a five-year-old son. Fourteen-year-old Jeganrai rose up from another pool of blood to find his mother had grown cold, and his 11-year-old brother, Yavanaraj, was no longer breathing. The ninth to die at Mr Subramaniam's house was the young schoolboy Aathiarunachchalam Sunthareswaran, who though he had been rounded up with his two older brothers somehow ended up at Mr Subramaniam's house alone.

In the early evening, a neighbour hurried in to warn that houses nearby were being set on fire. Though several of the survivors were badly injured, everyone dispersed in terror, leaving behind the remains of their dead. Jeganrai, having seen his mother and brother killed, set out to search for his remaining siblings.

AT THE SAME TIME AS THE IPKF CONDUCTED ARBITRARY ATTACKS ALONG THE LANES AND CARRIED OUT FURTHER EXECUTIONS, MORE JEEPS ROLLED UP AT THE JUNCTION. VISIBLY EXCITED SOLDIERS JUMPED OUT WIELDING THEIR WEAPONS, CONTINUING THE WIDESCALE DESTRUCTION AND VIOLENCE.

One of the Junction shopkeepers⁶⁶ whose business was now destroyed, would later describe how the gathered troops 'walked away from us' only for one 'a few yards away' to turn back, and adopt a firing position with his automatic weapon, before he 'emptied a round into us'. One of the bullets injured this shopkeeper in his hand and another came sideways into his back. Nallathamby Senthivel, whose photography shop was now gutted, said that people prostrated themselves on the ground but 'The soldier continued with a second and then a third round.' When the shooting was over, witnesses saw ten people severely injured and two dead. One of these was Kanthasamy Thangarasa, who had been made to hobble there with his elderly sister. She said, 'All of a sudden we were fired upon. My brother who was next to me and had been comforting me was killed.' She too was badly injured and lay among the rest 'unable to move'. Later, those physically capable were finally allowed to carry the injured to the shade, while others were ordered to shift the corpses down Junction

Lane. One more body⁶⁷ added to these was that of a young taxi driver, Balakrishnan Premraj, aged 20. Witnesses identified⁶⁸ a further person killed by the Junction that day as Mrs Kanthasamy Sivapackiyam, a washerwoman.

Nor was she the only woman to be shot as she ran. Another was Peter Vijayarajan Kirushnavathana, a housewife aged 33, killed by fresh IPKF reinforcements coming into VVT from the Polikandy army camp. She had stayed indoors during daylight hours but was caught at dusk as she headed for Vervil Pillaiyar Temple seeking greater safety. When the soldiers moved on, a friend secured her body,⁶⁹ though under the curfew it was not possible for him to cremate her remains.

SEXUAL VIOLENCE

One crime little reported during these events was rape. There were later said to have been at least 20 known rape victims who did not wish to be officially identified; if so, it is reasonable to assume there were further victims who never spoke at all.

Remarkably, one victim⁷⁰ did swear to her appalling experiences just nine days after they occurred. On 2 August, she had been at home with her young child near the Uduppiddy army camp. She could hear the outbreak of shelling and therefore stayed indoors. At 4pm soldiers

14116

AFFIDAVIT

I, Nadarajah Balakrishnan, Aged 52 Years, being a Hindu, Sri-Lankan Tamil residing at Vaikundam Lane, Theeruvil, Valvettiturai do hereby solemnly, sincerely and truly declare and affirm as follows

1. I am the affirmant abovenamed, holding National Identity Card No. 38 076 1831 V.
2. On 02.8.1989, at about 11.30 a.m., the Indian Army-Personnel (I.P.K.F) went on a rampage in and around Valvettiturai-
-Proper. My son Balakrishnan Premathas, Aged 20 Years was as usual, at the Valvettiturai Junction with his hiring-car bearing No. EY 5872. It is indeed a calamity that the Indian Army shot my said son to death on the spot.
3. I have become sickly and have been exclusively depending on the said son's earnings. I am therefore in a state of bewilderment as to my future, apart from the mental agony I am sufferings.
4. I should therefore deem it gracious on the part of the Authorities, if adequate compensation be paid.

Readover and explained to the abovenamed affirmant, who admitted to the correctness hereof, set his signature before me at Valvettiturai, On this 26th day of August, 1989.

N. Balakrishnan
Affirmant.

Before me.

S. J. D. Lakshmanan
Justice of the Peace.

S. THAMISANIKATHESIGAR J.
CHIEF PRIEST
MATTUMARI AMBAL DEVASTHANA
VALVETTITHURAL



14116
26/8/89

came and demanded to search the house. She tried to step outside, but was forced back and taken into a room at gunpoint. When her child tried to run away 'crying through fear', another soldier made the child sit in the corner of the room. Two Sikh soldiers then undressed her and raped her in turn, while a third clamped a hand over her mouth. Afterwards, bordering on unconsciousness, she understood she was being warned to keep silent or her whole family would be killed. She needed hospital treatment for her injuries, but because of the curfew could not leave the house even if she had dared to.

BACK AT THE JUNCTION, ONE GROUP OF YOUNGSTERS, AFTER SUFFERING VIOLENT ASSAULT, WAS NOW TRANSPORTED TO UDUPPIDDY:

As the afternoon wore on, more Uduppiddy soldiers came to the Junction, bringing further citizens, among them Mr Anantharaj,⁷¹ Secretary of the Citizen Committee. At about 4:30pm, he had risked leaving home to check on his sister, who lived on the main road close by. He found her house and possessions on fire, and was trying to douse the flames when the captain from the Polikandy army camp drove past, the same one who had apparently gone 'completely off his senses' in January. He singled out Mr Anantharaj and had passing soldiers assault him 'in my face', before they forced him to go with them to

the Junction. There he saw a group of ten youths kneeling with their hands tied behind their backs and 'caught in front of me'. He recognised them as his own students or past students to whom he had taught science lessons. By now, as other witnesses attested,⁷² these youngsters were badly injured. Soldiers dragged them into a truck. Nallathamby Senthivel, photography shop owner, noted that two of them, Appaththurai Mathivarnan, whose father owned a bookshop, and Aathiarunachchalam Paramsothi, one of the three brothers taken together that morning, were so heavily wounded that the soldiers ordered people in the roundup to help them lift the boys into the truck. Inside lay the corpse of an old man. The youths were driven away towards Uduppiddy.

BY THE EVENING, THOSE STILL AT THE JUNCTION WERE SENT IN DIFFERENT DIRECTIONS. SOME OF THE INJURED AND ELDERLY WERE ALLOWED TO HEAD FOR THE HOSPITAL, OR EVEN BACK HOME. OTHERS WERE TAKEN ON FOOT TO AN UNKNOWN FATE AT UDUPPIDDY. OTHERS WERE SUBJECTED TO TORTURE ON THE ROAD:

Around 6:30pm, some 50 of those at the Junction, including Mr Anantharaj, were made to walk to the Uduppiddy camp, based in the requisitioned Uduppiddy Girls College. Among these was Rasamanikkam Sivalingam, who

had been caught that morning in his tea boutique and 'assaulted badly'.

Some of the injured were told to go home, at their own risk. To Mr Karunantharajah, shot clean through his chest, the soldiers said, 'Old man, go away'. He managed 'somehow or other' to walk the mile or so along the coast to the Oorany hospital. One of the Junction shopkeepers⁷³ recorded that, having been 'bleeding until evening', he too made it to the hospital, assisted by friends. Mrs Siththivinayagam, the elderly lady injured when her brother was killed beside her, similarly recorded that, after being 'left like that until evening', she was taken to hospital by a young man who somehow managed to balance her on his bicycle. Many others, rather than go home, sought shelter in the town's temples.

A final group of men at the Junction had been kept apart. They too were made to head for the Oorany hospital, forced either to crawl or to walk on their knees on the hot and gritty tar road. Sellaththurai Gopalasamy⁷⁴, a fisherman and father of five, who had been arrested on sight that morning, later described how soldiers beat them with guns and rods; once they reached the hospital, they were made to roll on the road outside while being beaten further.

A SINGLE AMBULANCE WAS ALLOWED TO LEAVE FOR POINT PEDRO:

Around 7pm, an ambulance with a curfew-pass left the same Oorany hospital with eight severely injured patients, taking them to the Point Pedro base hospital at Manthikai where Médecins Sans Frontières (MSF) doctors⁷⁵ were working, replacing Tamil doctors who had left the country.⁷⁶ These medics operated at once, performing major surgery including amputations. However, although there were further patients at Oorany in desperate need of help, the IPKF now refused permission for the ambulance to return for them, on the spurious grounds that the MSF staff must be shielded from the danger of an LTTE attack.⁷⁷ It was a ban that would hold for the entirety of the curfew.

AFTER SEEKING SAFETY ALL DAY, AT NIGHTFALL THE CRICKETING BOYS FINALLY FOUND SHELTER:

As darkness fell, Mohan, the boy who had been playing cricket that morning, along with around 20 companions, managed to get to the house of a friend, whose family was willing to risk giving them shelter. Earlier that day, the boys had been among numbers of VVT citizens who, ironically, had dared to seek protection from Sri Lankan soldiers confined to their base at Oorikkadu, on the west side of VVT. But the youthful cricketers were



turned away. In desperation, some of the boys broke into a co-operative shop for biscuits. They knew the dangers were immense if they were caught by the IPKF. They would need to continue this clandestine existence, out of contact with their families, for as long as the curfew held.

THAT NIGHT, THE UDUPPIDY ARMY CAMP WAS A SCENE OF TORTURE:

When the group who had walked to the Uduppiddy army camp arrived, Mr Anantharaj attempted to speak to those in authority, hoping he could appeal to his 'good relations' with them. But his request was refused, and he was made to sit with the others under a tree. In time, the captain of the Polikandy camp came and abused and kicked them. Soon they were forced inside by two Sikh soldiers, who thrashed them with wooden rods. As he went, Mr Anantharaj witnessed the cremation of the IPKF soldiers killed that morning by the LTTE, inside one of the classrooms, and using smashed up desks and chairs for firewood. Rasamanikkam Sivalingam, tea boutique owner, recorded that he was 'assaulted and tortured'. Mr Anantharaj wrote that others from the Junction were soon 'bleeding and crying'. He himself was now separated from the rest, and was once more singled out by the officer from the Polikandy camp: 'the first man to start torturing me'.

He reminded Mr Anantharaj of how, after the 19 January IPKF excesses, protest by the Citizens Committee had led to him being told to apologise. 'Now you wait and see what we are going to do to Valvettithurai, the people of Valvettithurai and to you', he said, grabbing Mr Anantharaj by the neck and saying he had 'orders to kill a few prominent citizens'. He forced Mr Anantharaj into a room where four Sikh soldiers set to, 'beating me with heavy wooden rods and with their fists'. Someone 'dashed my head against the wall'. When Mr Anantharaj fell, one of the soldiers laid a rod across his throat, stood on it, and attempted to crush his windpipe. A voice shouted, 'Kill him, Kill him.'

Somehow, despite the sense of slowly losing consciousness, Mr Anantharaj managed to unbalance his assailant, at which other IPKF men fell on him, 'beating me like beating a snake'. Now he really did temporarily lose consciousness. Perhaps a belief that they had killed him stopped the soldiers going further. At some point that evening, an army doctor removed Mr Anantharaj to a clinic in an adjacent block, 'and that saved my life'.

From his bed in the army clinic that night, Mr Anantharaj could hear the sounds of his students being tortured. He 'heard their screams for stop', and how

they were 'begging the soldiers to leave them', crying out, 'don't beat me we are only students'. As he listened helplessly, 'They were tortured the whole night'.

Sambasiva Iyer Thangavelautham

AFFIDAVIT.

I, Sambasiva Iyer Thangavelautham, aged 45 years, Sri Lankan Tamil, residing at Sannithy Kovilady, Thondaimanaru, being a Hindu, do hereby, solemnly, sincerely and truly declare and affirm as follows:

1. I am the declarant herein holding National Identity Card No. 44 245 1116 V.
2. On 2-8-89, my son named Sambasivam, aged 18 years, went to attend the Mini Cinema at Valvettiturai. My other two sons who too went with the former to the show came and informed me that son Sambasivam was being taken to the camp by Indian Army personnel.
3. I went to the Udupiddy camp as well as the Kankesan thurai camp on three occasions, where I was informed that my said son was not there.
4. I as well as the mother and other members of the family are in great mental agony. It is therefore earnestly requested that the authorities be good enough to ascertain his whereabouts and advise us for which act of kindness I will ever pray.

Declared and affirmed at
Valvettiturai this 1st
day of September 1989.

.....

Declarant.
Before Me,

Justice of the Peace.

DAY TWO. 3 August:



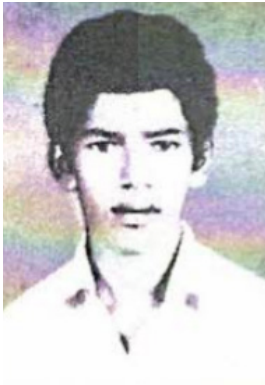
Thangavelayutham Sambasivam



Thalayasingham Sivakumar



Thalayasingham Jeyamohan



Aathiarunachchalam Paramsothi



Aathiarunachchalam Parasar



Subramaniam Perinbam



Appaththurai Mathivarnan



Nagarejah Sivakumar

AT UDUPPIDDY ARMY CAMP, THE BOYS FINALLY FELL SILENT:

Come morning, 'everything was quiet'. According to Mr Anantharaj, 'there was no sound anymore and the soldiers said the students had escaped from the camp'. He was visited by military authorities who ordered him to sign a document confirming that the youths had got away. They 'threatened me to sign the paper' or else, they said, 'you cannot leave here'. Mr Anantharaj refused to collaborate. He believed the youths were dead, and that their bodies must have been secretly buried in the college grounds.⁷⁸ It was subsequently established that among them were two pairs of brothers, one of these pairs being Paramsothi and Parasar, whose little brother Sunthareswaran had earlier been killed in the house of Mr Subramaniam.

AT FIRST LIGHT, THE IPKF RESUMED THEIR ACTIONS:

Somasundaram Rajeswari,⁷⁹ aged 60, was at home on the eastern side of VVT with relatives including her grandson Arulpragasm Swarnathas, aged 18, as well as his friend, another student, 19-year-old Kumaravel Selvananthavel. Early morning, six IPKF soldiers came brandishing rifles. One of them hit Mrs Rajeswari and one of her daughters hard in the face. They tied ropes round the legs of the boys and dragged them from the house. When Mrs Rajeswari followed pleading for their release she was hit so hard she was unable to stand up.

THE GROUP HELD ON THE ROAD OUTSIDE THE HOSPITAL HAD BEEN KEPT IN PLACE ALL NIGHT. NOW MORE MEN WERE ADDED TO THEIR NUMBER, PERHAPS 70 IN ALL, AND THEIR TORTURE CONTINUED:

The day before Vaiththy Sinnaththurai,⁸⁰ a labourer aged 55, and his friend, had risked retrieving the body of Selvaratnam Sivamathy, shot and killed running after her two little boys. They had taken her corpse to the hospital to preserve it. Now, returning quietly, they were caught by IPKF soldiers and beaten 'severely', before being made to join 'about 60 persons' detained at the front. One of these, a young man aged 30,⁸¹ who had run for safety to Vervil Pillaiyar Temple the day before, only

to be in effect held there with 'the other males', was warned by IPKF soldiers that if they attempted to escape they would be shot. At daybreak, they too were moved to the road outside the hospital. Now, over a distance of about 100 metres, all were once more 'ordered to roll on the tarred road up and down', while being 'assaulted with iron rods and wooden poles'. Mrs Sithivinayagam, the elderly lady severely injured at the Junction, who had been wheeled by bicycle to the hospital, would tell her daughter that she and other patients had witnessed this torture of 'several of their young men' through the windows: they had not been 'spared of further ugly scenes', and, 'Unable to bear the sight the people in the hospital beat their heads against the wall and screamed.'

UNDER HEAVY ASSAULT, THE DETAINEES AT THE HOSPITAL WERE MADE TO GO BACK TO THE JUNCTION, WHERE THEY WERE TOLD THEY WOULD BE RELEASED. BUT ON ARRIVAL, MID-MORNING, THEY WERE HELD WITH 60 OR 70 OTHER CIVILIANS, SURROUNDED BY ABOUT 200 SOLDIERS. THEN AT AROUND 2PM, THE SOLDIERS ORGANISED A LINEUP:

Once the group from outside the hospital made it back to the Junction, a fisherman,⁸² aged 36, and picked up the day before while out shopping, was 'attacked heavily', leaving him with a fractured forearm. Another

young man⁸³ was in a group made to lie back down and stare at the sun. Others⁸⁴ were crowded into a waiting room by the Junction bus stop and beaten further. From here, the twenty-year-old son⁸⁵ of Selvakathiramalai Myilvaganam, arrested that morning inside the hospital, saw his father, a retired hospital worker aged 55, being assaulted and then shot point blank: 'I saw my father in a pool of blood and blood pouring from his head and chest.'



Balasubramanian Mahenthirathas
& Thurairajah Nagathas



Thanigasalam Ravichchandran
& Suntharamoorthy Umasanker

Around 2pm, soldiers came to the Junction bringing '6 youths and 4 boys',⁸⁶ and meted out the favoured punishment of making them 'roll on the tarred road at the same time assaulting them severely'. With the tar at its hottest, all ten 'were screaming in pain'. Then the six youths were

made to form a lineup and 'shot dead by the soldiers in front of us all.' Sathasivam Balasubramaniam⁸⁷ had to watch as his son, Balasubramaniam Mahenthirathas, aged 16 and a student, and his son-in-law, Thurairajah Nagathas, an electrician aged 28, were put in this lineup with 'all youngsters' and 'shot dead all of them'. The same fate met two young shopkeepers. One was Suntharamoorthy Umasanker, aged 22. As his father had been killed by the Sri Lankan army two years before, he had been 'looking after the family'. When he was taken from home by IPKF soldiers, his cousin and sister⁸⁸ followed crying, and despite threats waited and watched as he was 'left along with others in a row'. Then as all were killed, his sister shouted 'at the top of my voice "Amma" [Mother]', before army personnel assaulted them and drove them away. Similarly, when soldiers came to take Thanigasalam Ravichchandran, his mother⁸⁹ 'went behind him crying', but to no avail. Reports agreed⁹⁰ that while five of the youths died instantly, the sixth initially survived, but 'was shot dead as he cried for help'.

ELSEWHERE IN TOWN, THE HOUSE BURNING CONTINUED. SEVERAL WITNESSES SPOKE OF THE EXUBERANCE OF THE IPKF SOLDIERS:

After being released from the Junction the day before,

one man had been seeking his family in vain. Now he attempted to approach his home, but saw soldiers setting it on fire, as he put it 'shouting and making merry'.⁹¹ They burnt it 'to ashes', and also killed his livestock, including the cattle that had been his means of existence.



Mrs. Nadarasa Nallamuththu

THERE WAS ALSO FURTHER VIOLENCE IN UDUPPIDY:

At home in Uduppiddy the family of Nagalingam Bawabirinda heard nearing gunfire. 'To save our lives', as her brother⁹² put it, they hurried to what they thought would be a safer house. But wild shooting by IPKF soldiers caught Bawabirinda in the throat. 'When I raised her head, I saw her dead.' Bawabirinda was 14. Another Uduppiddy resident⁹³ recorded simply that at 4pm he had been at his mother's house and IPKF soldiers 'who came along that way' had shot his mother in front of him. Mrs Nadarasa Nallamuththu, aged 70, [PHOTO p.8] 'died immediately.'

BY LATE AFTERNOON, MANY OF THOSE BEING HELD AT THE JUNCTION WERE FORCED TO GO ONCE MORE BACK ALONG THE ROAD TO OORANY HOSPITAL:

Around 5:30pm, those being tortured at the Junction were forced back east again along the coast road. Selvakathiramalai Myilvaganam's son could now see that his father had a 'big gun shot wound on his head' and was dead. Vaiththy Sinnaththurai, who had previously risked his life to retrieve the body of Selvaratnam Sivamathy, recorded that back in front of the hospital, they were subjected to yet more torment, rolling on the hot tar road while being beaten. 'The soldiers then threatened to shoot all of us and throw us in the sea.' The whole day they had been kept 'in the hot sun without any food or water.' They were not released as night fell, but made to remain as they were, lying on the road.

DAY THREE. 4 August:

THE MORNING OF THE THIRD DAY SAW FRESH INSTANCES OF DESTRUCTION BY IPKF SOLDIERS:

Kanagasundaram Nadesan⁹⁴ had survived at home with his family throughout the violence, but now IPKF troops entered his house. They took a few valuables, burnt his remaining property, and the family 'narrowly escaped firing by the IPKF'. After this enormity he recorded helplessly that they found themselves 'mentally upset'. Similarly, only now did IPKF troops come to the home of Muththusamy Kanthasamythurai⁹⁵ and his family. They 'broke open the gate assaulted all of us and chased us out of the house'. Next, they 'poured some oil and set fire to the house'. The family fled to a nearby temple until noon, returning later to a partially wrecked building and no possessions. Likewise, the home and private practice of Kanagasunderam Alaganandasunderam,⁹⁶ a retired doctor, was burnt out on day three. He, his wife and three daughters 'just

managed to save our lives by fleeing.' Everything was 'completely burnt', and he noted that, 'the mental agony suffered especially by my sickly wife and children is apprehensively causing great anxiety as to what the impact of same would lead to.'

THERE WAS ALSO AT LEAST ONE MORE, APPARENTLY RANDOM KILLING:

Mid-morning on the third day, Sinnavan Kanthan, a labourer aged 30, went to his vegetable garden about 100 yards from his house, on the west side of VVT. Indoors, his 25-year-old wife⁹⁷ heard gunshots. With soldiers passing by, she did not dare to go outside. Later she found the body of her husband among the vegetables. 'I was shocked, cried and shouted.' Others came, but were 'unable to do anything'. She and her two small children were left in a position of 'untold difficulties'.



Sinnavan Kanthan

THOSE STILL HELD OUTSIDE THE HOSPITAL WERE KEPT IN PLACE UNTIL EARLY AFTERNOON:

After two days of torture, the detainees outside Oorany hospital were still kept lying on the ground. At around 2pm most were finally released. About 20 were taken away in the direction of the Polikandy army camp, their onward fate unclear. Some of the rest walked straight into the hospital for treatment. Days later, one said, 'My entire body has beating marks and wounds'⁹⁸, while another, the fisherman Sellaththurai Gopalasamy,⁹⁹ recorded it was his 'plight' to have been left too injured to maintain his family of seven.

AT 3PM ON FRIDAY 4 AUGUST, THE IPKF CURFEW FINALLY CAME TO AN END. PEOPLE HAD BEEN TRAPPED FOR THREE DAYS WITH NO ACCESS TO FOOD SUPPLIES, WATER OR MEDICAL AID. SOME WERE GRAPPLING WITH INJURIES FROM WHICH THEY DID NOT EXPECT TO RECOVER QUICKLY, OR PERHAPS AT ALL:

The MSF medics who had been kept away by the IPKF were at last able to drive to the Oorany hospital in VVT, then on to various private houses, from where they collected ten desperately injured patients in need of major operations. Their coordinator¹⁰⁰ noted it that was considered highly dangerous 'to be an in-patient in VVT hospital at that moment'.

The carpenter who survived the mass killing at the house of Mr Subramaniam was left so badly injured by bullets to his arm that work seemed impossible. Meanwhile, Inthirani thevi Nadarajah, a 28-year-old woman¹⁰¹ who on the first day had merely been standing outside her house when soldiers drove by, had been hit in both her legs by their bullets. One of her legs remained numb. Similarly, Mahalingam Sangaraganthilingam¹⁰² described how his 21-year-old son, running from the IPKF in AGA's Lane, was felled by bullets aimed at his legs. Even with treatment in Point Pedro, he was unable to walk weeks later. Another seriously injured was Mrs Thangapponnu Sellaththurai,¹⁰³

a widow of 81, who had previously supported herself by 'running a minor shop, adjoining my house'. At the outbreak of the violence, she locked herself in. But soldiers had broken through and assaulted her, and weeks later, it was clear her independence was at an end.

AFTER THE CURFEW CAME REUNIONS, AND THE RELIEF OF FINDING MISSING FAMILY MEMBERS. BUT THERE WAS ALSO A TERRIBLE RECKONING TO BE HAD. FOR A START, MANY VVT RESIDENTS WERE STUNNED BY THE WANTON DESTRUCTION OF HOUSES, POSSESSIONS AND WORK GEAR:



Mohan and his brother, the young boys who had been playing cricket when the violence first flared, were finally reunited with their father, who had fled town, and was only now able to return to find them. Mr Anantharaj, too, despite earlier threats, was set free. An IPKF brigadier came and found him in the military clinic at the Uduppiddy camp. After close questioning, he informed him that he 'had been ill-treated by mistake' and ordered his release. Mr Anantharaj left along with around forty others, and made his way home, heavily injured, to his family, including his young daughter Kalyani, who for the past 48 hours had not known if he was alive or dead.



One those who sought had refuge in the house of Mr Sivaganeshan was a widow

with six children.¹⁰⁴ After the executions there, they hid in a school building, then another house. On 4 August they finally discovered their own home had been 'burnt fully' and all their possessions lost: two clocks, clothes, a pair of radios, their hens. A month later the widow explained: 'I am worrying how to solve my children's life.' Another woman¹⁰⁵ who slipped out of the back of her house when soldiers came, now returned, and was 'shocked to see the unbearable losses'. Everything was ruined, from silk saris and children's books, to pairs of glasses, as well as smashed windows and burnt doors. A fisherman¹⁰⁶ who lived on the beach side was another attesting to the destruction of all his household valuables, a clock, and the windows and doors of his house, but also to the fact that soldiers had 'then set fire to the fishing nets' by which he earned his living.



Kanthasamy Thangarasa



Balakrishnan Premraj



Selvakathiramalai Mylevaganam



Sinnaththurai Thambithurai

THE FUNERALS

MANY IN VVT NOW FOUND OUT ABOUT THE DEATHS OF FRIENDS, FAMILY MEMBERS, HUSBANDS, WIVES AND CHILDREN. AN IMMEDIATE AND PAINFUL NECESSITY THAT DAY WAS THE DISPOSAL OF THE DEAD. THE SAME INTENSE HEAT THAT MADE THE TAR ROAD AN INSTRUMENT OF TORTURE ALSO CAUSED THE RAPID DECOMPOSITION OF CORPSES. OFTEN RELATIVES HAD TO ABANDON TRADITIONAL HINDU FUNERARY RITES. HUMAN REMAINS THAT COULD NOT BE MOVED HAD TO BE CREMATED WHERE THEY LAY, SOME OF THEM STREWN ALONG THE LANES, IN PYRES MADE FROM BROKEN FURNITURE, CAR TYRES OR WHATEVER WAS TO HAND:

One of the MSF medics who entered VVT as the curfew ended described how 'bodies of dead people were lying all over the place', some partially eaten by stray dogs, while a subsequent Sunday Telegraph article¹⁰⁷ noted that one body was found dead from gunshot wounds 'still tied to a tree'.

The father whose 23-year-old son Senthivel Sakthivel had been removed by the IPKF from home on the first day 'for inquiry', now finally heard that he lay dead at the Junction. 'When I went and see my son was shot and dead', he said, and, 'As the body was unable to remove I have burnt his body in the junction.' Kanthasamy Thangarasa's wife¹⁰⁸ had also been forced to wait at home 'with much worry

and anxiety', until the news of his killing finally reached her. Now she found his remains by the Junction 'in a decomposed stage'. Her son-in-law¹⁰⁹ cremated the body in place that evening. The father of the young man killed on the first day outside their shop also now cremated him where he lay, as did the father of the young taxi driver, Balakrishnan Premraj, who burnt his son's body 'in the junction lane'. His son's death was 'a calamity', he said. He found himself 'in a state of bewilderment as to my future,' quite apart from 'the mental agony I am suffering'.¹¹⁰ Also cremated at the Junction without any family members present was a young vegetable stallholder, Ramachandran Navaratnam.¹¹¹

Sinnaththurai Thambithurai, aged 60, had been living with a relative,¹¹² as 'he had none to look after him'. Having gone out at around 9am the first morning, he never returned. His relative found his decomposed remains in nearby Aladi Lane with gunshot wounds. 'I cremated the body at the same place by setting fire.' The washerwoman Mrs. Kanthasamy was with her husband¹¹³ at the Junction waiting to catch a bus when the violence broke out. Amid wild gunfire, they had run for the lanes leading to the beach, when he saw her fall, blood pouring from her back. As IPKF soldiers were still after him, he said, 'For fear of life, I fled.' At curfew's end, he found her

so decomposed that he had to cremate her remains on the roadside where she lay.

The four men shot and killed at the house of Mr Sivaganeshan were cremated in a nearby paddy field. The widowed wife¹¹⁴ of one of them, Nadarajah Raveendran, had been trapped at home throughout the curfew with her four small children, and only now discovered what had happened, seeing 'his dead body with gunshot injuries' before the cremation. Those killed at the house of Mr Subramaniam were also cremated together. Jeganrai, the boy whose mother and brother had been killed in front of him, returned to find the nine corpses so offensively putrefied that he had to identify his own family by just their clothes. With the help of neighbours and other relatives, all nine were cremated 'in a pit in the adjoining land'. Also present was the widowed wife of Mr Subramaniam. It was at this point that she discovered that she had also lost her eldest son, Subramaniam Amuthan, aged 28, burnt to death in his shop on the first morning, 75 yards from home. It was he who had saved the life of Mr Anantharaj's little daughter three days before, when she bicycled there to buy sweets to celebrate her exams, lifting her hastily over the back wall. Mr Subramaniam's wife later recorded that she and her two surviving sons had been 'greatly affected' by



these sudden deaths, 'and by the manner in which they have been killed'.

BECAUSE MANY VICTIMS HAD BEEN DRAGGED OUT OF HOUSES AND SHOT AGAINST AN OUTSIDE WALL, SOME OF THE DEAD ENDED UP BEING CREMATED AND BURIED WITHIN THEIR OWN HOUSEHOLD COMPOUNDS:

Rasamanikkam Sivalingam, owner of the tea boutique, returned from being tortured at the Uduppiddy camp to discover that his house had been 'completely burnt', and that the IPKF had shot and killed his brother and nephew. Together with his daughter's husband, he performed a backyard cremation of the two corpses, which were 'in a highly decomposed state'. The two young women married to the Kanthasamy brothers also recorded that 'with the help of the neighbours, we cremated the two dead bodies in the house compound'. In Uduppiddy, meanwhile, the IPKF refused to allow the family of 14-year-old Bawabirinda to cremate her body in the local cemetery. And so, as her brother recorded, 'Finally I attended to the funeral rites in my own compound.' There was even IPKF interference at one cremation. Rasaiah Rajaratnam had been executed in the newspaper shop of his brother-in-law. The first time his family tried to take his body, an IPKF soldier ordered them away, insisting the corpse was LTTE. When at last they were able to burn

the remains, IPKF soldiers 'illtreated and harassed all those close by' demanding to know 'who burnt the body of this LTTE man',¹¹⁵ even removing some mourners to one of their army camps.



Selvaratnam Sivamathy



Peter Vijayarajan Kirushnavathana



Arulpragasam Swarnathas & Kumaravel Selvananthavel

THERE WERE, HOWEVER, SOME CREMATIONS HELD IN PUBLIC CEMETERIES, ESPECIALLY THOSE KILLED ON THE SECOND OR THIRD DAY, OR WHOSE BODIES WERE KEPT AT OORANY HOSPITAL, PRESUMABLY BECAUSE THEIR DECOMPOSITION WAS LESS ADVANCED. BUT AS AN INDIAN EXPRESS REPORT NOTED, EVEN WITH THESE MORE ORTHODOX CEMETERY CREMATIONS, OFTEN 'WITH SO MANY OF THE MEN DEAD OR MISSING, IT WAS WOMEN WHO HAD TO BURN THE BODIES WHICH TRADITIONALLY NO HINDU WOMAN WOULD DO' .¹¹⁶

Somasundaram Rajeswari, who had been badly assaulted when she tried to stop soldiers dragging away her grandson, Arulpragasam Swarnathas, and his friend, Kumaravel Selvananthavel, hastened at the curfew's end to search for their bodies, which were found 'behind the hospital'.¹¹⁷ She 'saw both bodies in pools of blood by the road side. Their bodies bore many marks of having been stabbed with knives and bullet wounds.'¹¹⁸ Their families were able to cremate both at the cemetery. The father of Suntharalingam Gnanavel, a fisherman aged 21, could only say that he had been shot and killed 'due to the turmoil',¹¹⁹ but presumptively this was on day two or three, as he too received a cemetery cremation. Female relatives of the youths shot in the lineup at the Junction on the second day explained that the dead bodies of all

six were cremated at the Oorany cemetery, having been 'removed by the public, especially women'¹²⁰; the fact that it was women was stressed in several accounts.¹²¹

THE FAMILIES OF THE BOYS WHO DISAPPEARED AT UDUPPIDY ARMY CAMP HAD NO SUCH SOLACE. TWO OF THE PARENTS LATER TESTIFIED TO THEIR DESPERATE AND UNREWARDED SEARCH FOR INFORMATION:

The widowed mother¹²² of Selliah Yagarajah, one of the youths who disappeared at Uduppiddy, said she knew that he had been extracted by soldiers 'on rampage' from inside the Diana Mini Cinema at the Junction. When the curfew ended she made many attempts to find him, but 'could not succeed'. She went to the three nearest IPKF army camps seeking news, but was fobbed off at all of them. On 23 August she attested that, even now, two weeks after the massacre, she had received no information, 'from the IPKF or from anybody'. After three weeks, the mother¹²³ of two more of these youths, Thalayasingham Sivakumar and Thalayasingham Jeyamohan, said she believed that they had been 'doused with petrol and burnt'. Thangavelayutham Sambasivam had been at the cinema with two of his brothers, who knew he had been removed to one of the army camps. When their father¹²⁴ went in search of him, including at the Uduppiddy camp, he was

repeatedly told that his son was not there. A month later he recorded that: 'I as well as the mother and other members of the family are in great mental agony. It is therefore earnestly requested that the authorities be good enough to ascertain his whereabouts and advise us for which act of kindness I will ever pray.'

His prayer has not been answered to this day, and these bodies have never been recovered.

45

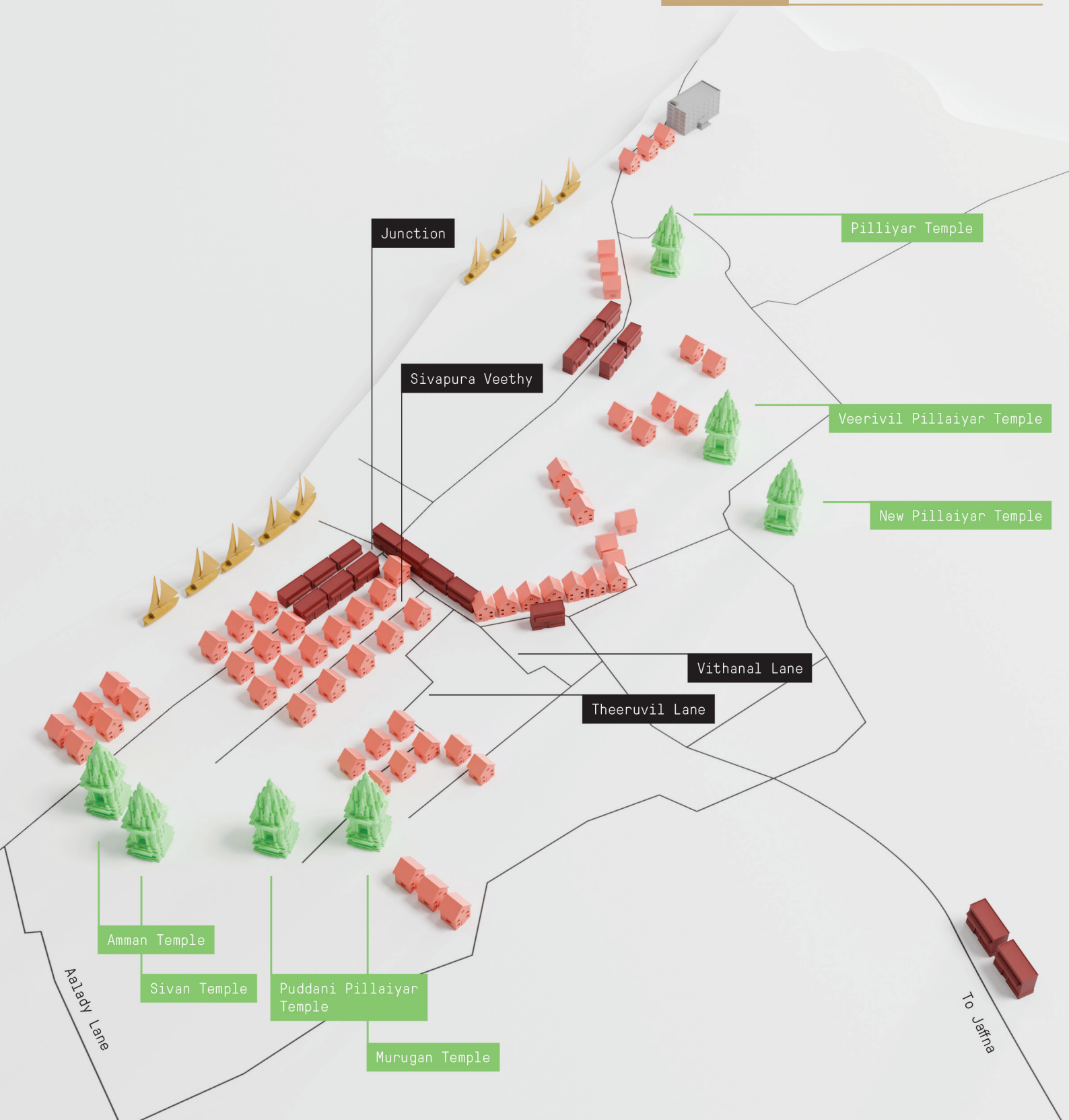
Burnings of shops

123

Burnings of houses

176

Burnings of boats and nets



4. THE IMMEDIATE AFTERMATH

AS WELL AS HARRYING, IMPOVERISHING, RENDERING HOMELESS, IRREVERSIBLY INJURING, RAPING, TORTURING, BEREAVING AND KILLING EXTRAORDINARY NUMBERS OF THE CITIZENS OF VVT, THE IPKF'S CAMPAIGN OF DESTRUCTION SEEMED CALCULATED TO BRING ABOUT THE TOWN'S ECONOMIC COLLAPSE. IN THE IMMEDIATE AFTERMATH OF THE CURFEW, MANY OF THOSE STILL TRAPPED THERE FACED STARVATION:

Writing from Colombo on 12 August, Chris Nuttall, in the Guardian,¹²⁵ reported that for the duration of the massacre, 'Reporters were not allowed past roadblocks and even doctors were barred from the area.' Furthermore, 'The soldiers burned nearly all food stocks and supplies are expected to run out by tomorrow.' This assessment mirrored that of MSF workers¹²⁶: 'The population is terrified and not ready to go to their homes even those who still have their houses.' About 3,000 people effectively became refugees in local temples, churches and education buildings, some

1,000 citizens had already departed for India, and more were leaving every night. For those who remained, only two grocery stores were still standing. 'This is an emergency situation and something has to be done to prevent massive fleeing of people to India.' Another reporter¹²⁷ relayed the fact that the Indian army was making it 'very difficult' for relief agencies to do their work.

MR ANANTHARAJ BEGAN TO AMASS WITNESS AFFIDAVITS:

A week after the massacre, Mr Anantharaj swore an affidavit in front of a justice of the peace testifying to his own near-fatal torture. Swearing affidavits was an established practice among the Tamil population in these times, who hoped to use them both to publicise the atrocities they suffered and to establish a basis for possible compensation. Having begun, Mr Anantharaj continued. Some victims and relatives came to his house to speak, others he visited at home, often translating Tamil

statements into English. He used a typewriter and carbon paper so that he had a set of copies for himself. He amassed roughly 200 affidavits, an unprecedented collection¹²⁸ in response to what amounted to a single event, a massacre that took place over three days. As a bitter irony, a few years later Mr Anantharaj's home was burned by the Sri Lankan army and over half these affidavits were lost. Those that survive constitute a remarkable and consistent joint account of the three days of the massacre, and are now safely preserved outside Sri Lanka. Because of his endeavours, the testimony cited in this report gives witness to the deaths or disappearances of 56 of VVT's citizens. Lists that Mr Anantharaj made at the time include a further eight names,¹²⁹ while the North-East Secretariat on Human Rights (NESoHR) would suggest a few more.¹³⁰ Though it may never be possible to establish an exact number, with some corpses burnt beyond recognition, and with so many families departing VVT, this

nevertheless constitutes an indicative total of more than 60 named dead.

POLITICAL AND PRESS RESPONSES:

Chris Nuttall's 12 August article stated that the first independent witness reports on the massacre had reached the capital the day before, and that the Indian High Commission had put out a statement in response saying, 'six Indian soldiers, five rebels and an officer were killed and nine other soldiers wounded'. It also 'yesterday admitted for the first time that there had been civilian casualties, but said that only 24 people were killed and that they had died in crossfire.'

K K Katyal,¹³¹ writing that same day in the Indian newspaper The Hindu stated that official Delhi sources 'denied that the Indian Peace-Keeping Force's action in Valvettithurai on August 2 had resulted in a massacre of civilians'. He provided the official counter-version, that the Indian army had fallen under LTTE attack, while the LTTE used civilians as a human shield with 'callous disregard' for their safety, leading to limited, accidental civilian casualties. Katyal wrote that the LTTE had coerced a revolutionary student into making a 'bizarre' false complaint about mass killings that he was then unable to justify. It was suspected,

wrote Katyal, that the LTTE 'planned to pass on the video pictures of a 1987 massacre as those of the recent incident to "substantiate" its charge against the IPKF.'

The Sunday Telegraph's reporter in Delhi noted¹³² that in response to stories of a massacre in VVT, 'Indian officials denied the claims and flew Indian journalists to Jaffna to hear the army's side of the story. They were not taken to the scene of the alleged massacre.' As the Tamil Times would comment bluntly: 'denying or covering-up excesses or atrocities committed by security forces is tantamount to sanctioning or condoning such excesses'.¹³³

A declassified telex¹³⁴ of 14 August from the British Foreign and Commonwealth Office to their officials in Colombo enshrined prevailing diplomatic qualms about how to respond. Advice from Colombo was that the British should be 'suitably vague', and the telex confirmed this: 'If Asked to condemn Indian troops - No independent evidence of what took place.' Meanwhile, anyone who approached the British with allegations of IPKF 'misbehaviour' should be redirected to the Sri Lankans, as 'only they' could 'deal authoritatively' with such a challenge.

A fortnight after the massacre, David Housego of the Financial Times¹³⁵ became

the first western journalist to report in person from VVT. Even now, he wrote, 'the smell of charred remains hangs over Velvettiturai'. He quoted anguished passages from some of Mr Anantharaj's affidavits, observing that Mr Anantharaj himself 'still bears the mark on his face of wounds he received'. Housego noted that 'perhaps half' of VVT's 15,000 citizens had 'left in fear or despair', often relocating abroad to India: 'Many who remain are distraught over the loss of relatives or belongings, and uncertain how to begin again or where.' The 'crossfire' explanation produced to account for a mere handful of civilian casualties had 'no credibility', he wrote, asking speculatively: 'Were the killings and the brutality the result of soldiers running amok or did they have the approval of their officers?' His own cautious answer was that there had been officers in town during the violence, and that some inhabitants 'believe that senior officers gave their tacit approval to the reprisals, if not more'. Meanwhile, 'The IPKF now hopes that the incident will be forgotten as quickly as possible'. They wanted no investigation as there could be no 'fair hearing' for Indian soldiers. The IPKF made the point 'with justification', wrote Housego, that the Tigers would 'intimidate witnesses in their favour'.

Two days later, Reuters reported that Sidney Jones, director of the non-partisan Asia Watch, had put out a statement¹³⁶ saying, 'It is deeply disturbing that rather than investigate the killings the Indian authorities have apparently engaged in a coverup.' He called for the prosecution of those responsible for 'extrajudicial executions, disappearances and torture'.

THE COVERUP CONTINUED:

On 21 August, the Sri Lankan Minister of Foreign Affairs and Defence, Ranjan Wijeratne, was flown in from Colombo by the Indian army for a supposed 'fact-finding mission'. But according to the VVT Citizen Committee, he was taken to the Oorikkadu army camp and prevented by the 'IPKF top brass' from speaking to ordinary citizens by a curfew. Mr Selvendra and Mr Anantharaj, by 'virtually forcing' their way through an IPKF cordon, managed a few words, but to little effect. After the Defence Minister left, it seems an LTTE member fired on the IPKF guard that had been providing his personal security. Soldiers responded by going 'on the rampage' as they returned to their base at Point Pedro, killing a further 13 citizens.¹³⁷

That same day, Mr Anantharaj wrote¹³⁸ to the Indian High Commissioner in Colombo: 'We were rather hurt', he said, to have no less a

person than General Kalkat himself,' the IPKF overall commander, 'frustrating our efforts and dismissing what we said as mere hearsay.' He also wrote to the President of Sri Lanka, Ranasinghe Premadasa. He had already sent a letter noting the fact of the massacre. Now he gave current statistics and details, and asked in vain for 'immediate inquiry into the said incidents so that the incidents could be objectively ascertained and urgent action taken to prevent recurrence of such incidents and to rehabilitate the affected people'.

ON 24 AUGUST CAME A NEW FIRSTHAND REPORT FROM VVT:

On 24 August, three weeks after the massacre, the journalist Rita Sebastian also visited VVT. In the Indian Express,¹³⁹ she stated that the town was still 'eerily silent and deserted', with many of its buildings 'reduced to rubble and twisted metal'. Here and there, she wrote, 'one can see patches of scorched earth where the dead were cremated since the putrefying bodies could not be moved'. She met 'grief, bewilderment and a burning anger', and called her own reporting duties 'harrowing'. She too quoted the witness affidavits, and gave the current estimates of death and damage by the Citizen Committee: 52 bodies identified, with more burnt beyond recognition and 12 missing presumed dead, a speculated total, then as

now, of more than 60. The Committee also listed 122 houses burnt, plus 45 shops, a disaster for commerce in VVT. Mr Anantharaj would later also list as destroyed two cinemas, 69 vehicles including trucks, 12 boats, countless barrels of fuel, and 129 fishing nets,¹⁴⁰ on which much of the enterprise of VVT depended.

THE VVT MASSACRE DID GIVE IMPETUS TO THE MATTER OF IPKF WITHDRAWAL FROM SRI LANKA:

The Indian government sought 'adequate and proper devolution of powers to the North-East Provincial Council',¹⁴¹ a political stumbling block among many Sri Lankan politicians. Also, as an irony, it required 'the physical security of the Tamil people'. Sri Lanka's new president, Ranasinghe Premadasa, elected in January 1989, was less favourable to the IPKF than his predecessor, and after the VVT massacre, Reuters reported that he had 'demanded a speedy withdrawal of the remaining 43,000 Indian troops from the island'.¹⁴² India agreed to pull out its troops the following February (1990), if Tamils were given more security.

MR ANANTHARAJ ATTEMPTED TO GAIN SUPPORT ABROAD, BUT THIS WAS CHALLENGING. COMPLEX BONDS BETWEEN INDIAN AND SRI LANKAN POLITICIANS INHIBITED PROPER EXAMINATION OF THE ROLE OF THE IPKF BY EITHER COUNTRY:

Mr Anantharaj knew he must abandon his job, leave Sri Lanka, and take the affidavits in order to agitate for the expulsion from his homeland of the IPKF. He was forced into hiding: 'Paramilitary groups allied with the Indian Army made several attempts on my life.' The LTTE, using systems long established by the marine smugglers of VVT, and navigating by the stars, spirited him across the water to India. He quickly assembled a book, India's Mylai, that was published in Mumbai, using ample firsthand testimony, and graphic photographs of the atrocities and destruction the text described. He also met M Karunanidhi, the Chief Minister of Tamil Nadu at that time. 'However, I did not receive the positive cooperation I had expected from him.'¹⁴³ Tamil leaders hoped for Indian backing in their pursuit of justice for atrocities committed against them by the Sri Lankan security forces, and this left them disinclined to press a parallel case against India's own peace-keepers. Mr Anantharaj was joined abroad by his family. They did not return home to VVT until December 1990, shortly before the IPKF finally left Sri Lanka, unlamented, and with none of their objectives achieved.

On 21 May 1991, Rajiv Gandhi, now ex-Prime Minister of India, and responsible for sending the IPKF into Sri Lanka in the first place, was assassinated by a suicide

bomber allegedly of the LTTE. On 1 May 1993, Sri Lanka President Ranasinghe Premadasa was assassinated by a suicide bomber of the LTTE.

In 1989, VVT was made up of some 5,000 closely interwoven families. After the massacre, around 3,000 families remained,¹⁴⁴ and 35 years later, according to its residents, the town is still not 'put back together again'.¹⁴⁵ Kalyani, who went by bicycle to buy sweets on the morning the VVT massacre began, Mohan, who was out playing cricket, and Jeganrai, who initially hid inside his family's banana stall at the Junction, and whose mother and little brother were killed within hours, all now live outside Sri Lanka.

Mr Anantharaj states in interview: 'To date, the Government of India has not provided any compensation to the victims of these horrific events. The Government of India should issue an apology to the people of Eelam and provide substantial compensation for their losses, alongside rebuilding the destroyed infrastructure. Concurrently, it should work towards offering a permanent political solution that respects the rights of the Eelam Tamils and enables them to live with dignity and freedom in their homeland.'



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AND TO DESKBY 150330Z NEW DELHI

FROM SAD
YOUR TELNO 467: ALLEGED INDIAN 'MASSACRE' IN JAFFNA PENINSULA
1. THERE HAS BEEN CONSIDERABLE (AND VARIED) PRESS REPORTING
OVER THE WEEKEND OF THE ALLEGED MASSACRE OF TAMIL CIVILIANS BY
THE IPKF.
2. IN RESPONSE TO QUESTIONS (NONE SO FAR) NEWS DEPARTMENT
WILL TAKE THE FOLLOWING, DEFENSIVE LINE:
- DO NOT HAVE FULL INFORMATION.
- DEEPLY REGRET REPORTED DEATHS
- ESPECIALLY TRAGIC IF INNOCENT CIVILIANS SUFFER
- UNDERLINES THE NEED FOR ALL PARTIES TO WORK FOR A PEACEFUL
AND LASTING SETTLEMENT IN SRI LANKA.
(IF ASKED TO CONDEMN INDIAN TROOPS)
- NO INDEPENDENT EVIDENCE OF WHAT TOOK PLACE.
3. HOWEVER, WE MAY COME UNDER PRESSURE TO CONDEMN THE INDIANS IF
A MASSACRE IS CONFIRMED.
WE RECOGNISE THE DIFFICULTIES IN SIFTING FACT FROM RUMOUR BUT WOULD
BE GRATEFUL FOR ANY FURTHER INFORMATION YOU CAN GLEAN AND FOR
COMMENTS/SUGGESTIONS ON THE PRESS LINE.

MAJOR

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PS/MR SAINSBURY
MR GILLMORE
MR MCLAREN

NNNN

PAGE 1
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AFFIDAVIT.

I, Thanigasalam Meignanamaalai, age 50 years, of Kadduvalavu, Valvettiturai, holding National Identity Card No.396360314 V, being a Hindu, do hereby, solemnly, sincerely and truly declare and affirm as follows:-

1. I am the affirmant above named.
2. On Thursday the 3rd August 1989, at about 11-00 a.m. the I.P.K.F. came along the sea beach side and entered my house and took my son Thanigasalam Ravichchandran away. I also went behind him crying along with Inthirane. Then the I.P.K.F. lined my son and some others and shot them. Out of fear I ran away. On the following day at about 4-30 p.m. with the help of some women, we carried the body of my son and cremated at the urany cemetery. My son is the only bread winner and the shop also burnt by the I.P.K.F. to ashes.

Declared and Affirmed at Valvettiturai this 12th day of August 1989 and the declarant seeming to understand a translation of the foregoing in Tamil, her own language, set her signature.

த. மெளனாமலை

Declarant
Before Me

[Handwritten Signature]
Justice of the Peace.
Dr. S. RAMASAMY
JUSTICE OF THE PEACE
SAM RAMASAMY
UDUPPIDU



5. LEGAL ANALYSIS

LEGAL FRAMEWORK

INTERNATIONAL HUMAN RIGHTS LAW (IHRL)

Article 3 of the Universal Declaration of Human Rights (UDHR) establishes that everyone has the right to life, liberty and security of person.

Article 6 of the International Covenant on Civil and Political Rights (ICCPR), to which both India and Sri Lanka are parties (and had been parties at the time of the incidents), also provides that every human being has an inherent right to life, which shall be protected by law, and that no one shall be arbitrarily deprived of their life. No derogation from this article may be made, even in time of public emergencies (ICCPR Art. 4). Article 9 of the ICCPR further echoes the UDHR in establishing the right to liberty and security of person and the prohibition of arbitrary arrest or detention. In addition, Article 10 provides that all persons deprived of their

liberty shall be treated with humanity and respect for the inherent dignity of the human person.

Specifically, regarding torture, Article 5 of the UDHR and Article 7 of the ICCPR provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. As with the right to life, the right to be free from torture and cruel, inhuman or degrading treatment or punishment is non-derogable, even in time of public emergencies (ICCPR Art. 4).

Article 16 of the ICCPR further provides that no one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.

During the period of the IPKF's deployment in Sri Lanka, and at the time of the VVT incidents in 1989, neither India nor Sri Lanka had ratified the Convention

Against Torture (CAT).¹⁴⁶ The International Convention for the Protection of All Persons from Enforced Disappearance was adopted in 2006 and entered into force in 2010,¹⁴⁷ also well after the IPKF period. Additionally, while Sri Lanka ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1981,¹⁴⁸ prior to the IPKF's deployment in Sri Lanka, the CEDAW committee only explicitly recognised rape as a form of discrimination and gender-based violence in 1992 in its General Recommendation No 19.¹⁴⁹ Moreover, India only ratified CEDAW in 1993, again post-IPKF.¹⁵⁰ Furthermore, the Declaration on the Elimination of Violence against Women was adopted in 1993.¹⁵¹ This legal analysis thus does not apply these human rights treaties, but still considers them important points of reference in IHRL.

In terms of economic, social, and cultural rights (ESCRs), Article 17 of the UDHR prohibits the arbitrary

deprivation of a person's property. Article 22 of the UDHR establishes that every person is entitled to realisation, through national effort and international co-operation and in accordance with the organisation and resources of each State, of the economic, social and cultural rights indispensable to dignity. The International Covenant on Economic, Social and Cultural Rights (ICESCR), to which both India and Sri Lanka are parties (and had been parties at the time of the incidents), further provides for a wide range of ESCRs, such as the right to an adequate standard of living (including adequate food, clothing and housing) (Article 11), the right to the enjoyment of the highest attainable standard of physical and mental health (Article 12), and the right to take part in cultural life (including the conservation of culture) (Article 15).

As for the right to a remedy, Article 6 of the UDHR and Article 8 of the ICCPR provide that every person has the right to an effective remedy for violations of their rights and freedoms under international human rights law. The Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, though not in existence in 1989 and which only came into force in 2005, is also

a helpful reference. It provides that States must ensure that their domestic law is consistent with their international legal obligations.¹⁵² Moreover, in cases of gross violations of IHRL and serious violations of international humanitarian law constituting crimes under international law, States have the duty to investigate and, if there is sufficient evidence, the duty to submit to prosecution the person allegedly responsible for the violations, as well as to punish them if found guilty.¹⁵³ Victims have the right to remedies, which includes equal and effective access to justice; adequate, effective and prompt reparation for the harm suffered; and access to relevant information concerning violations and reparation mechanisms.¹⁵⁴

INTERNATIONAL HUMANITARIAN LAW (IHL)

International humanitarian law is also relevant in the context of the armed conflict between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE). However, although the IPKF was meant to be a peacekeeping force, it became embroiled in the internal conflict in such a way that it warrants a more deliberate discussion over whether IPKF participation changed the nature of the internal conflict, which is beyond the scope of this report. Therefore, ITJP has chosen to limit the legal

analysis to IHRL and briefly on ICL in terms of crimes against humanity (which does not require a nexus to an armed conflict). Still, it is important to note that, given the nature of the atrocities committed by the IPKF in Sri Lanka, their conduct could amount to IHL violations and even war crimes under ICL.

INTERNATIONAL CRIMINAL LAW (ICL)

While neither India nor Sri Lanka are State Parties to the Rome Statute of the International Criminal Court (ICC), the ICC may still exercise jurisdiction over the crimes committed in Sri Lanka during the conflict either through a declaration accepting jurisdiction by Sri Lanka, or a UN Security Council referral. Moreover, the individual criminal responsibility of an alleged perpetrator can be engaged by those States that have included provisions on universal jurisdiction in their national law or before a special or hybrid-court that could be potentially established to try those responsible for international crimes committed in Sri Lanka.¹⁵⁵

Under the Rome Statute, the following acts may constitute crimes against humanity when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack: (1) murder, (2) imprisonment or

other severe deprivation of physical liberty in violation of fundamental rules of international law, (3) torture, (4) rape and other forms of sexual violence, (5) enforced disappearances, and (6) other inhumane acts of a similar character intentionally causing great suffering or serious injury.

APPLICATION OF THE LAW

The IPKF soldiers were in flagrant denial of the VVT civilians' rights to life, liberty, and the security of person as they ruthlessly detained, tortured, and killed unarmed civilians who posed no threat to the IPKF, wantonly and indiscriminately shooting multiple rounds of fire against unarmed civilians and leaving them in pools of blood. These violations, which went on for three consecutive days, clearly constitute extrajudicial killings and torture, and cruel, degrading, and inhuman treatment in serious violation of IHRL.

The torture they endured was both physical and psychological, as the civilians not only received extensive physical injuries and were denied medical treatment, but were also mentally tormented as they were harshly ordered around and humiliated in a cruel and degrading manner, some not even allowed to cry, all the while being seriously injured but not allowed access to medical treatment.

The psychological impact of being forced to witness loved ones being tortured and killed, or of not knowing where they were, while being surrounded by gruesome deaths, amounts to further torture and cruel, degrading, and inhuman treatment. Additionally, the fact that the attack against civilians in August was seen as revenge for the VVT civilians' completely legitimate and justified response to and request for accountability for the January incident further indicates that IPKF soldiers were intentionally abusing unarmed civilians with complete disregard for their human rights. The accompanying verbal threats by IPKF soldiers during the process of the brutal attack also amount to psychological torture, as the civilians, witnessing the killings of their relatives and peers, and with the deep wounds that previous incidents had left still fresh in their minds, reasonably believed that they would be subjected to more physical torture and even death. Even after the mass atrocities against them finally ceased, the surviving victims were left with the trauma of physical and mental pain for decades to come.

Women suffered numerous and diverse forms of sexual violence, ranging from being bitten on their breasts and cheeks to being gang raped, which amounts to violations of IHRL as sexual violence infringes the right to life and the security of person.

In addition, the victims also experienced immense shame as they struggled and suffered in silence, since speaking about such sexual violence is taboo in Tamil society and women are stigmatised when their experiences become known. The physical and psychological impact of sexual violence thus further constitutes torture or cruel, degrading, and inhuman treatment in violation of IHRL.

Moreover, the IPKF soldiers violated the VVT civilians' right to liberty and the security of person as they arbitrarily arrested, detained, and forcibly disappeared the civilians. Civilians were forcibly taken by the IPKF back to different camps and detained, without reference to any law; some subsequently died in IPKF custody, while others were never found again, amounting to extrajudicial killings and enforced disappearances in violation of IHRL. The invasive intrusion into the civilians' homes in the course of the killings, torture, sexual violence, and enforced disappearances further violates the VVT citizens' right to privacy.

Additionally, the above atrocities in conjunction with the curfew and IPKF soldiers' refusal to release dead bodies, led to delayed and hasty cremations of decomposed bodies, in gross violation of the VVT civilians' inherent human dignity, one of the cornerstones of all human

rights, as well as their cultural rights to perform proper burial rituals according to Hindu traditions and customs. The arbitrary and widespread destruction, including arson and the looting of VVT civilians' houses, businesses, and other property - many of which were directly linked to their livelihoods and which left numerous people bereft of possessions, including vital food supplies - also violates Article 17 of the UDHR and above-mentioned provisions of the ICESCR relating to the enjoyment of their social and economic rights. The ensuing curfew and blockade cut off incoming humanitarian supplies to the VVT civilians, and consequently these actions also constitute violations of the civilians' right to life as they might die from starvation and lack of medical treatment.

Furthermore, the above mass atrocities cannot be construed as incidental or inevitable civilian casualties since the IPKF made no effort to distinguish LTTE combatants and civilians, despite the civilians' repeated pleading and attempts to deescalate the situation; instead, the IPKF specifically targeted individuals (especially young men) who were clearly civilians by invading their homes, actively seeking them out, and then severely assaulting them without any restraint or listening to what they were saying, at times shooting them dead mid-

sentence. Taken together, and in the context of other atrocities committed by the IPKF throughout the 32 months they were present in Sri Lanka, the above acts were in all probability committed as part of a widespread and systematic attack against civilians in Sri Lanka, and thus may amount to crimes against humanity under ICL.

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AFFIDAVIT

I, Valliammai Widow of Selliah, Aged 58 Years, being a Hindu, Srilan-kan Tamil and resident of Koddappanai, Kamparmalai, Valvettiturai do hereby solemnly, sincerely and truly declare and affirm as follows

1. I am the affirmant abovenamed.
2. My only son Selliah Yogarajah, aged 19 years was inside the "Dayana Mini Cinema" at Valvettiturai Junction watching a film on 02.8.1989. At about 11.30 a.m. The Indian Army Person-nel (I.P.K.F) while on rampage, took him and many others who were also inside the said Cinema into custody and removed them to their Camp.
3. Uptodate, My said son Selliah Yogarajah did not return home or I did not hear any thing about my son. He was wearing a gold-chain and two rings weighing about 05 soverigns at the time of leaving home on 02.8.1989 morning.
4. I made various attempts to findout his whereabouts. But, I could not succeed. I made inquiries at the I.P.K.F. Camps at Polikandy, Udupidy and Kankesanthurai and I was told by the Army-Personnel that they will inform about my son Selliah Yogarajah after making inquiries about him. But, they did not confirm whether he is in their custody.
5. Even though two weeks has elapsed since the date of arrest, I did not receive any information about my son Selliah Yoga-rajah from the I.P.K.F. or from anybody.

Readover and explained to the abovenamed affirmant who affirmed to the correct-ness hereof set her signature before me at Valvetty On this 23rd day of August, 1989.



நீ. ச. ராமசாமி
Affirmant.

Before me.
Justice of the Peace. J.P.
Dr. S. RAMASAMI
JUSTICE OF THE PEACE
SANGARAI
UDUPPIDY

AFFIDAVIT

I, (Mrs) Thangapponnu widow of late Kandavanam Sellathurai, aged 81 years, being a Hindu, Sri Lankan Tamil, residing at Manal Valavu, Valvettiturai, do hereby solemnly, sincerely and truly declare and affirm as follows:-

1. I am the deponent herein holding National Identity Card No 086640716 V.
2. I am a poor widow and I eke out an existence by running a minor shop, adjoining my house.
3. On 02.8.1989 at about 11.30 a.m I heard gun blasts around, and I immediately closed my shop and kept indoors.

Roundabout 4.00 p.m some soldiers approached my shop, broke open the doors, walked in and assaulted me severely.

4. Temporary treatment was given but, as my general condition got worse I was admitted to the Govt Base Hospital, Point Pedro. I was discharged from there on 13.8.89. As further complications have set in I am again warded at the Govt Hospital and treatment is continuing (Medical Report No A 163515 from the Govt Medical Officer, Point Pedro is attached)

Marriage Certificate

5. I got married in 1928 according to Hindu religious rites; the marriage was solemnized by the Chief Priest of Nediyakadu Pillaiyar Temple (late Somasuntharakkurrakkal). It is regretted that I am unable to trace the certificate of marriage.

6. I have the undermentioned children;

- (1) Mr S. Sothilingam, son aged 50.
- (2) Mrs Anandarane Velumylum aged 48.
- (3) Mrs Indrane Arunasalam aged 45.

I am being now maintained and looked after by Anandarane Velumylum.

Declared and affirmed at)
Valvettiturai this 22nd)
day of October 1989.)

Declarant.



Before me.

S. Thandabanika Thesigar

J.P.

S. THANDABANIKA THESIGAR,

JUSTICE OF THE PEACE
Sri Muthumari Amman Temple
VALVETTITURAI

6. CONCLUSION AND RECOMMENDATIONS

This report has dealt with only one emblematic case, that of the VVT massacre perpetrated in August 1989 by the IPKF forces based in the northeast of Sri Lanka.

Despite the commission of these gross violations, the victims of VVT have had no access to an effective remedy. Nevertheless, in their pursuit of justice, the VVT citizens have timeously collected evidence in spite of their overwhelming grief and outrage. They have repeatedly and continuously demanded explanations and solutions in their efforts to engage with the IPKF authorities and the Indian government, only to be further confronted by denial and diplomatic 'euphemism' that made light of severe torture as 'ill-treatment by mistake', or more often cover-ups, obstructions, and even assassinations by the Indian authorities.

Successive regimes in Sri Lanka did not investigate the IPKF's crimes or attempt to hold them and their

leadership accountable, which may be partly due to the grant of immunity by Sri Lanka to the IPKF, similar to that under a UN Status of Force Agreement¹⁵⁶. Even without such an agreement, the possibility of justice in Sri Lanka remains remote for several reasons. First, there is no provision for the investigation and prosecution of atrocity crimes and command responsibility under domestic Sri Lankan law that could fully capture the scale and nature of the IPKF's violations as elaborated above; legal reform is desperately needed even before any truth commission or hybrid court is established to deal with accountability. Second, the Attorney General's Department in Sri Lanka is deeply compromised by its 'dual role both advising the government and functioning as the public prosecutorial agency'¹⁵⁷, and hence cannot act independently to protect the rights of citizens whose rights were violated.

As stated in this report, the gross human rights violations

committed during the massacre may also amount to crimes against humanity under international criminal law.

Given the number of years that have elapsed since the IPKF left Sri Lanka, it has been extremely difficult to estimate the exact number of civilians casualties, the economic, social, cultural and political impact this has had on the VVT victims, as well as the scope and extent of their economic losses.

Under international norms and standards, any State has the obligation to make full reparation for the injury caused by conduct attributable to the State that constitutes a breach of the State's international obligations.¹⁵⁸ A State's duty to provide for or facilitate reparation to victims is part of its obligation to respect and enforce international law.¹⁵⁹ Any human rights violation gives rise to a right to reparation on the part of the victim or his or her beneficiaries, implying a duty on the part of the State to make reparation

and the possibility for the victim to seek redress from the perpetrator.¹⁶⁰ In turn, as mentioned above, a victim's right to a remedy is enshrined in international human rights law,¹⁶¹ as well as international humanitarian law¹⁶² and international criminal law¹⁶³, and includes the right to adequate, effective, and prompt reparation for the harm suffered, as well as access to relevant information concerning violations and reparation mechanisms.¹⁶⁴ Reparations should be proportional to the gravity of the violations and the harm suffered.¹⁶⁵ It includes various forms: restitution, compensation, rehabilitation, and satisfaction.¹⁶⁶ These different forms of reparation must be complementary to achieve to the fullest extent possible reparation for the material and moral damage suffered.¹⁶⁷ Moreover, while the assessment of damage may be challenging due to the lack of evidence, international case law has made clear that this is not an obstacle for granting reparation.¹⁶⁸ In fact, '[d]amages may have to be presumed from the violation as such, because it is hardly conceivable that a gross human rights violation will leave a person unaffected either materially or morally. As far as financial compensation is concerned, it may often have to be assessed in equity.'¹⁶⁹

In the case of the VVT citizens, their right to an

effective remedy and redress has also been continuously violated.

TRANSITIONAL JUSTICE AND THE PROSPECT OF JUSTICE IN SRI LANKA FOR THE SURVIVORS OF THE IPKF VIOLATIONS

The Jointet/Orentlicher Updated Principles to Combat Impunity provide that past crimes committed during a conflict must be addressed in order to build a democratic, plural, inclusive and peaceful society and that the acknowledgement of serious human rights violations is essential for restoring dignity to victims, enabling society to regain trust and initiating a process of reconciliation.¹⁷⁰ The Updated Principles rest on four pillars, the inalienable right of victims and their families to the truth about what happened to loved ones, investigation, identification and prosecution of those responsible, reparations and the guarantee of non-recurrence.¹⁷¹ According to the Updated Principles '[i]rrespective of any legal proceedings, victims and their families have the imprescriptible right to know the truth about the circumstances in which violations took place and, in the event of death or disappearance the victims 'fate'.¹⁷²

Pablo de Greiff, the former UN Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence, notes that

in providing a framework for a holistic approach these four pillars of Transitional Justice aim to achieve two immediate goals: 'recognition and trust' and in the long term, 'reconciliation and the restoration of the rule of law'.¹⁷³

MEMORIALISATION

The Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, adopted by the General Assembly in resolution 60/147 by consensus in 2005, recalled that memorialisation processes are also part of the right to reparation.¹⁷⁴ The resolution specified that satisfaction should include the following measures: verification of the facts and full and public disclosure of the truth; an official declaration or a judicial decision restoring the dignity, the reputation and the rights of the victim and of persons closely connected with the victim; public apologies, including acknowledgement of the facts and acceptance of responsibility; commemorations and tributes to the victims; and the inclusion of accurate information on violations in training courses on international human rights law and international humanitarian law and in educational materials used at all levels. Despite the Van Boven principles, **51**

memorialisation has been an afterthought in many countries post-conflict, and it has taken the former Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence, Fabián Salvioli to raise memorialisation as a fifth pillar of transitional justice.¹⁷⁵ Salvioli noted in his report to the Human Rights Council that ‘memorialization is a long-term process to which other tools of transitional justice can contribute. Its success partly depends on whether the authorities in charge of the public space adopt and implement policies on memory that represent different points of view and foster good collaboration with civil society, whose actions mobilize groups of people, launch initiatives and debates and facilitate the taking of ownership by the public’¹⁷⁶. Salvioli also concluded that the state’s obligation to adopt memorialisation processes in societies that have suffered gross violations of human rights and serious violations of international humanitarian law derives from both primary and secondary sources of international human rights law and cannot be circumvented by Governments based on budgetary, political or structural arguments or claims that efforts should be focused on other areas of transitional justice¹⁷⁷. Recovering the truth, accessing reparations and

addressing memorialisation by the Government of Sri Lanka would go a long way in restoring the dignity of those who were killed during the massacre and their family members who not only lost a loved one but also suffered extensive economic loss.

MASS GRAVES AND EXHUMATIONS

All States have a duty to protect and respect the dead, which is enshrined in international and regional human rights instruments including the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED)¹⁷⁸. Article 24(3)) requires states to ensure the compilation and maintenance of official records, including the circumstances and cause of death and the destination of the remains, and in the event of death to locate, respect and return their remains, as human remains belong to and, at their request, should be returned to the family. The Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions and the Minnesota Protocol on the Investigation of Potentially Unlawful Death set common investigative standards, procedures and guidelines to address the protection of mass graves and exhumations¹⁷⁹. The families of the VVT victims are entitled to the graves of their loved ones being exhumed, and their remains being returned to them.

TRANSITIONAL JUSTICE IN SRI LANKA

In 2015, the Government of Sri Lanka co-sponsored a landmark UN Human Rights Council resolution, 30/1, making commitments to promote reconciliation, accountability and human rights in Sri Lanka, and renewed these commitments in two further UNHRC resolutions in 2017 and 2019. In the resolutions, Sri Lanka committed to ‘establish a judicial mechanism with a special counsel to investigate allegations of violations and abuses of human rights and violations of international humanitarian law’, a Truth and Reconciliation Commission, and Office of Reparations and an Office of Missing Persons. In 2019, following a change in government, the new government announced its intentions to withdraw its co-sponsorship of the resolution’s commitments, and declared the Government’s commitment ‘to achieve sustainable peace through an inclusive, domestically designed and executed reconciliation and accountability process’. Almost a decade later, the GoSL has failed to establish the Special Hybrid court and the Truth and Reconciliation Commission.

ESTABLISHING A TRUTH AND RECONCILIATION COMMISSION IN SRI LANKA

In 2023, the then President of Sri Lanka Ranil

Wickramasinge proposed the establishment of a Truth and Reconciliation Commission (CTUR) based largely on the South African model and while draft legislation was proposed for the establishment of the CTUR, it was not passed. The GoSL also established a National Unity and Reconciliation Commission (NURC) to work alongside the CTUR.

The recent Presidential elections in Sri Lanka in September 2024 saw Anura Kumara Disanayake of the Janata Vimukthi Peramuna (JVP) party come to power as the Executive President of Sri Lanka. Since Disanayake assumed office, his government has ordered the police to reinvestigate some high-profile cases, including the 2019 Easter Sunday terror attacks and the 2005 murder of a Tamil minority community journalist. The new government has also reiterated that it too does not intend to cooperate with the UN investigation on Sri Lanka (SLAP).

While the new government has not pronounced itself on the establishment of the proposed Truth and Reconciliation Commission or any other transitional justice mechanism, it is under a legal obligation to ensure that the rights of the survivors and families of the VVT massacre and other IPKF atrocity crimes are taken into account, and that those responsible are held to account.

RECOMMENDATIONS

TO THE GOVERNMENT OF INDIA:

The Government of India is under an obligation to ensure that it addresses the gross human rights violations perpetrated by the Indian Peacekeeping Force (IPKF) in Sri Lanka.

THE GOVERNMENT OF INDIA SHOULD:

ACCOUNTABILITY

1. Comply with its obligations under international law to ensure accountability for the gross human rights violations committed by the IPKF in the VVT massacre as well as other gross human rights violations perpetrated during the time they spent in Sri Lanka and clarify the chain of command for the IPKF as well as a list of the senior officials in command;
2. Ensure that the officers implicated in these violations as well as their commanding officers are removed from office and held criminally accountable in a process which allows for the victims of the VVT massacre to make submissions about the gross human rights violations perpetrated against them, the harm suffered and the losses they have sustained;

REPARATIONS

3. Commit to ensuring reparations and rehabilitation for the victims of the VVT massacre for the harm suffered, including both material and

symbolic benefits to victims, their families and the affected VVT community.

4. Set up a comprehensive reparations and rehabilitation programme which includes restitution, compensation for loss of life, including that of breadwinners, injuries sustained, the wanton destruction of property, loss of earnings and livelihoods, and loss of economic opportunities, access to medical and psycho-social support, as well as social services;

5. Make a written and public apology to the victims of the VVT massacre and their families, as well as the VVT community

TO THE GOVERNMENT OF SRI LANKA:

Noting the GoSL's international and domestic obligations to ensure that the victims of the VVT massacre, as well as those who have suffered harm during the IPKF period arising from the gross human rights violations committed by them, are able to access justice and accountability as well as reparations for the harm they have suffered, the Government of Sri Lanka should:

ACCOUNTABILITY AND REPARATIONS

1. Establish an independent investigation into the massacre committed by the IPKF in VVT during August 1989, and identify the specific Indian officers of

the IPKF implicated in the massacre, as well as those in command and control of the officers at the time with a view to ensuring that they are held criminally accountable;

2. Ensure that the victims of the VVT massacre are acknowledged and receive reparations for the violations and the harm suffered;

3. Liaise with the Government of India on justice and accountability for the gross human rights violations perpetrated by the IPKF including for the VVT massacre as well as other violations committed during their time in Sri Lanka, and ensure that the Government of India makes an apology to the victims and their families, contributes to erecting a monument to those who lost their lives in the VVT massacre and that they are appropriately compensated for the harm they have suffered and the consequences of the gross human rights violations;

MEMORIALISATION

4. Ensure that the victims of the VVT massacre as well as other violations committed by the IPKF are able to access transitional justice measures which include truth-seeking, the search for the disappeared and missing persons or their remains, recovery, reburial of remains, public apologies, judicial and administrative sanctions, memorials, and

commemorations. This includes the obligation to identify and collect the names of the dead and disappeared arising from the violence that occurred in the IPKF period in Sri Lanka. Given that existing lists pre-date the digital era and were not widely shared, they should be collected and collated, and digitised and provided to the Office of Missing Persons as well as to any future transitional justice body for accountability purposes;

5. Monuments to the IPKF exist in Sri Lanka for the dead. Therefore ensure that a permanent monument to victims of the August 1989 incident is erected in VVT in consultation with the survivors and the families of victims, listing the names of the dead and honouring them;

EXHUMATIONS

6. Noting the state obligation to ensure satisfaction, and the rights of the families of the VVT victims to the return of the remains of their loved ones, ensure that their graves are exhumed, and their remains returned to them;

7. Noting that to date, most such exhumations in Sri Lanka have been forced on the authorities after an accidental discovery of bodies during building works, road works or similar¹⁸¹, require that the GoSL pays special attention to exhuming a grave site located at Uduppiddy Girls College, which was temporarily

requisitioned by the IPKF for use as an army camp, and was subsequently renovated and returned to being a school for girls. Ensure that the place where ten of VVT's young men and boys were alleged to be buried in the college grounds is identified, the bodies exhumed and returned to their relatives in accordance with international standards¹⁸² and best practices¹⁸³.

8. Noting the numerous missing and disappeared, ensure that DNA samples are collected from relatives of the missing and disappeared with a view to matching them against any rediscovered bodies.

TRANSITIONAL JUSTICE

9. In the event that the current Government of Sri Lanka establishes the proposed Truth and Reconciliation Commission in Sri Lanka, its mandate should include the role and conduct of the IPKF in human rights violations committed during the period they served in the northeast of Sri Lanka;

SANCTIONS

10. The current Government of Sri Lanka should consider, in the absence of any criminal accountability, applying for targeted sanctions and visa bans in regard to those IPKF officers identified and implicated in the VVT massacre. In the case of US sanctions, Leahy Law should be applicable to any military unit in which they still serve.

AFFIDAVIT.

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I, Kanagasabai Thangarasa, age 62 years, of Vellaivaikal, Sivankovilady, Valvettiturai and holding National Identity Card No.282630958 I, being a Hindu, do hereby, solemnly, sincerely and truly declare and affirm as follows:-

1. I am the affirmant above named.
2. On Wednesday the 2nd August 1989, at about 2-30 p.m. the Indian Army entered my house and pulled my daughter's husband out of the house and put him against a wall and shot him. Then they threatened to shoot my daughter and children and burnt all house hold goods after pouring kerosine brought from the kitchen. My house and kitchen were completely burnt. The loss is about 50,000 rupees. When I saw my son-in-law, after the soldiers left he was dead.

Declared and Affirmed at Valvettiturai this 14th day of August 1989 and the declarant seeming to understand a translation of the foregoing in Tamil, his own language, set his signature.

.....
Declarant
Before Me

[Signature]
Justice of the Peace. J.P.
Dr. S. RAMASAMY
JUSTICE OF THE PEACE
SAM RAMASAMY
UDUPPIDU



M. SINNADURAI
JUSTICE OF THE PEACE
"KUGAN KUDISAI"
POLIKANDY
VALVETTITURAI

AFFIDAVIT

(14/91)



I, Rasiah Sothilingam, age 42, Fishing, Hindu, Sri -
-Lankan Tamil, of Alady Lane, Polikandy, Valvettiturai do
hereby solemnly, sincerely and truly declare and affirm as
follows:

1. I am the affirmant herein. (W.I.C. No: 472560360V.)
2. On the 02nd. day of August, 1989, while my eldest son RAMESHKUMAR, age 18, was going to Valvettiturai town at about 10.30 am was stopped by the I.P.K.F. personnels near Nullan Vairavar Temple with his friends and later was chased and on their return they were fired and on receiving the news the injured were admitted to the Govt. Hospital, Valvettiturai and there my son the said Rameshkumar died. Later the body was cremated on the 04th day of August, 1989 at Corany cemtery, Valvettiturai and the death was registered with the Registrar of Deaths Valvettiturai on the 19th day of August, 1989 under the No.1555.
3. Rameshkumar is my eldest son who was helping me in my profession. I have another three girls at the age of 17, 15 and 08 years and a boy at the age of 11 years. I was running my family with great difficulty after loosing most of my belongings during the Liberation Operation and I lost most of my professional equipments too. My late son Rameshkumar left school and was assisting me as I was unable to earn our family's living alone.
4. With his asistance I ~~managed~~ managed the family and was able to educate the other children.
5. By the death of my late son Rameshkumar I had lost a great asset, of my family.

The foregoing were readover, explained to the abovenamed affirmant in Tamil his own language who understood the same set his signature before me affirming to the truth and correctness therein at Polikandy on this 25th day of August, 1989.

R. Sothilingam

BEFORE ME
M. Sinnadurai
M. SINNADURAI
JUSTICE OF THE PEACE
"KUGAN KUDISAI"
POLIKANDY
JUSTICE OF THE PEACE
VALVETTITURAI

ENDNOTES

- 1** Mathisutha, India's Mylai (film) <https://www.youtube.com/watch?v=xyfpABjWxnQ>, and Nadarajah Anantharaj, interviews with ITJP.
- 2** Chris Nuttall, Guardian, (12 August 1989).
- 3** Mr Anantharaj in India's Mylai (film).
- 4** cited in P A Ghosh, Ethnic Conflict in Sri Lanka and the Role of Indian Peace Keeping Force (IPKF) (1999) p189.
- 5** This included the Jaffna Hospital massacre of 21-22 October 1987, when IPKF soldiers killed an estimated 70 civilians, including doctors, nurses and patients, inside Jaffna Teaching Hospital.
- 6** Maj Vivek Chadha, Company Commander in Low Intensity Conflict (2009) p57.
- 7** Amnesty International, Sri Lanka: The Indian Peace Keeping Force and 'Disappearances (September 1990) p3.
- 8** P A Ghosh, Ethnic Conflict in Sri Lanka and the Role of Indian Peace Keeping Force (IPKF) (1999) pp147-149.
- 9** S D Muni, Pangs of Proximity: India and Sri Lanka's Ethnic Crisis (1993) p155.
- 10** Mr Selvendra, Chairman of the VVT Citizen Committee, see Rita Sebastian, Indian Express (24 August 1989).
- 11** Citizen Committee to Deputy Commander, IPKF Vadamarachchi Division (26 January 1989).
- 12** Nadarajah Anantharaj and citizen interviews with ITJP.
- 13** UTHR, Jaffna Report 3.
- 14** Citizen Committee to Deputy Commander, IPKF Vadamarachchi Division (26 January 1989).
- 15** Affidavit (5 September 1989).
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- 17** see Nadarajah Anantharaj interviews with ITJP
- 18** Citizen Committee to Deputy Commander, IPKF Vadamarachchi Division (26 January 1989).
- 19** UTHR, Jaffna Dossier 2 (2 March 1989).
- 20** Affidavit (4 April 1989).
- 21** Nadarajah Anantharaj, interviews with ITJP.
- 22** Ibid.
- 23** UTHR, Jaffna Report 3.
- 24** David Housego, Financial Times (17 August 1989).
- 25** Ibid.
- 26** UTHR, Jaffna Report 3.
- 27** see Nadarajah Anantharaj interviews with ITJP.
- 28** Chris Nuttall, Guardian (12 August 1989). Only the IPKF had a telephone system at their disposal. The LTTE used walkie talkies.
- 29** Mohan, interview with ITJP.
- 30** see Jeganrai in India's

Mylai (film).

31 Affidavit (date missing): frightened shopkeeper, Amnesty materials.

32 Nallathamby Senthivel, Affidavit (16 August 1989).

33 Kunalingham Karunantharajah, a municipality chief, Affidavit (17 September 1989). Also India's Mylai (film).

34 Kuttippillai Appaththurai, Affidavit (2 September 1989).

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37 Sankarappillai Poopalu, Affidavit (21 August 1989).

38 Mrs Pathamathevy Shanmugalingam, Affidavit (14 August 1989).

39 Jeyarany Ranjanathas, Affidavit, India's Mylai (1989) p22.

40 Thanabalasingam Swarnalatha, Affidavit, India's Mylai (1989) p17.

41 Kalyani, daughter of Nadarajah Anantharaj, interview with ITJP.

42 Sellaththurai Senthivel, Affidavit (31 August 1989).

43 Witness interview ITJP.

44 Mrs Manikkaraththinam

58

Siththirinayagar, Affidavit (date missing).

45 Balasuntharam Ramachchanthiran, Affidavit (25 September 1989).

46 Ananthasamy Subathirai Amma, Affidavit, India's Mylai (1989) p21.

47 Kanagasabai Thangarasa, Affidavit (14 August 1989).

48 Rasamanikkam Sivalingam, 'V.V.T. Incident Report' (2 August 1989).

49 Yogaraneer Nadaraja, Affidavit (12 August 1989).

50 Mrs Selvaratnam, 'V.V.T. Incident Report' (2 August 1989).

51 Mrs Nalini Sivaratnam, Affidavit (12 August 1989).

52 Velummylum Mahaledchumy, Affidavit, (14 August 1989) and Mahaledchumy, wife of Kanthasamy Velummylum, Affidavit, (14 August 1989).

53 Sivabalachandran Nirmala, Affidavit, India's Mylai, (1989), p22.

54 Yogaguru, Affidavit (date missing).

55 Ramasamy Sivaguru, Affidavit (12 August 1989).

56 Ibid.

57 see also Manickaladhmy Sivanesarajah and Sabaratnam Ponnambalam, Affidavits, India's Mylai (1989) pp18 and 20. Nadarajah Raveenthiran was shot dead in front of

his five sisters, see Rita Sebastian, Indian Express (24 August 1989).

58 They were Kathirgamathamby Sivanesarasa, 36, labourer; Ponnambalam Ranjithkumar, 25, mechanic; Nadarajah Raveenthiran, 31, business owner; and Arumugasamy Ramachandran, 41, mason.

59 Sivasubramaniam Thavamanithevi, Affidavit (29 September 1989).

60 Sinnappillai aka. Rajeswari, Affidavits (12 August 1989 and 11 October 1989).

61 Subramaniam Muththuvél, Affidavit (19 August 1989).

62 Vasanthathevy in India's Mylai (film).

63 Mrs Nageswararasa Jayanthini, Affidavit (15 August 1989).

64 Suntharamoorthy Sooriyamoorthy, Affidavit (30 August 1989).

65 Jeyakanthi, widow of Sinnaththamby Ganeshalingam, Affidavit (7 September 1989).

66 same as endnote 31.

67 Nallathamby Senthivel, Affidavit (16 August 1989).

68 see eg Nallathamby Senthivel.

69 Thambiah Anandarajah, Affidavit, India's Mylai (1989) p18.

- 70** Affidavit (11 August 1989).
- 71** Mr Anantharaj, this and ff, combined interviews and publications.
- 72** see eg Kunalingham Karunantharajah, Affidavit (17 September 1989), also India's Mylai (film).
- 73** same as endnote 31.
- 74** Sellaththurai Gopalasamy, Affidavit (1 September 1989).
- 75** Johanna Lurusdottir, MSF telex (10 August 1989).
- 76** <https://uthr.org/Reports/Report3/chapter3.htm>
- 77** UTHR, Jaffna Report 3.
- 78** They are thought to have included Thalayasingham Sivakumar, 19, labourer; Thalayasingham Jeyamohan, 16, labourer; Athiarunachchalam Paramsothi 18, retailer; Athiarunachchalam Parasar, 18, student; Thangavelayutham Sambasivam, 18, fisherman; Subramaniam Perinpam, 18, fisherman; Appaththurai Mathivarnan, 17, student; Nagarajah Sivakumar, 18, labourer; Selliah Yogarajah, 18, farmer, and Ponnuchamy Saththiyarupan, 23, constable. Another believed to have been killed at the Udupidddy camp was Sinnaththamby Sivalingam, 49, labourer.
- 79** Somasuntharam Rajeswari, Affidavit, India's Mylai (1989) p17.
- 80** Vaithy Sinnathurai, Affidavit, India's Mylai (1989) p. 20.
- 81** Nadanasigamany Raveenrarasa, Affidavit (2 September 1989).
- 82** Sellaththurai Gopalasamy, Affidavit (1 September 1989).
- 83** Nadanasigamany Raveenrarasa, Affidavit (2 September 1989).
- 84** eg Vaiththy Sinnaththurai.
- 85** Myilvaganam Koneswaran, Affidavit (12 August 1989).
- 86** Nadanasigamany Raveenrarasa, Affidavit (2 September 1989).
- 87** Sathasivam Balasubramaniam, Affidavit (12 August 1989), see also Mrs Nagathas Sumathy, Affidavit (14 August 1989).
- 88** Sunteramoorthy Inthirany, Affidavit, India's Mylai (1989) p14, and Miss Suntharamoorthy Theepamalar, Affidavit (12 August 1989).
- 89** Thanigasalam Meignanamaalai, Affidavit (12 August 1989).
- 90** eg UTHR, Jaffna Report 3. (The identities of two in the lineup are unclear.)
- 91** Muruguppillai Ledchumanaperumal, Affidavit, India's Mylai (1989) p14.
- 92** Nagalingam Nadesan, Affidavit (12 August 1989).
- 93** Nadarajah Saravanapawan, Affidavit, India's Mylai (1989) p15.
- 94** Kanagasuntharam Nadesan, Affidavit (18 September 1989).
- 95** Muththusamy Kanthasamyththurai, Affidavit, India's Mylai (1989) p21.
- 96** Kanagasuntharam Alagananthasuntharam, Affidavit (10 August 1989).
- 97** Rasamalar, widow of Sinnavan Kanthan, Affidavit (29 September 1989).
- 98** Nadanasigamany Raveenrarasa, Affidavit (2 September 1989).
- 99** Sellaththurai Gopalasamy, Affidavit (1 September 1989).
- 100** Johanna Lurusdottir, MSF telex (10 August 1989).
- 101** Inthiraneethevi Nadarajah, Affidavit (date missing).
- 102** Mahalingam Sangaragandhilingam, Affidavit (5 September 1989).
- 103** Mrs Thangaponnu Sellaththurai, Affidavit (22 October 1989).
- 104** Pushpharany Veluchsamy, Affidavit (date missing).
- 105** Mrs Sivappagasam Suthathevy, Affidavit (7 September 1989), see also Mrs Potkamalranee, Affidavit (4 September 1989).
- 106** Kanthasamy Nageswaran, Affidavit, India's Mylai (1989) p22.
- 107** Jeremy Gavron, Sunday Telegraph (13 August 1989).

108 Thangapooranam, widow of Kanthasamy Thangarajah, Affidavit (30 September 1989).

109 Wyramuththu Karunanithy, Affidavit, India's Mylai (1989) p15.

110 Nadarajah Balakrishnan Affidavit (26 August 1989). Mrs Pathamathevy Shanmugalingam, too, describing the 'offensive smell' of her husband's remains, noted 'Immediately with the help of neighbours, we cremated the body together with five other dead bodies,' Affidavit (14 August 1989).

111 Navaratnam Rajani, Affidavit (22 August 1989).

112 Suntharam Arumaichandralingam, Affidavit (29 August 1989).

113 Sellan Kanthasamy, Affidavit, India's Mylai (1989) p22.

114 Vanaja, widow of Nadarajah Raveendran, Affidavit (17 September 1989).

115 Murugupillai Premkumar, Affidavit, India's Mylai (1989) p17.

116 Rita Sebastian: Indian Express, (24 August 1989).

117 Kumaravel Sooriyakumari, Affidavit, India's Mylai (1989) p20.

118 Somasuntharam Rajeswari, Affidavit, India's Mylai (1989) p17.

119 Arulambalam Suntharalingam, Affidavit (30 August 1989).

120 Suntharamoorthy Inthiran, Affidavit, India's Mylai (1989) p14.

121 see also Sathasivam Balasubramaniam, Affidavit (12 August 1989) and Thanigasalam Meignanamaalai, Affidavit (12 August 1989).

122 Valliammai, mother of Selliah Yagarajah, Affidavit (23 August 1989).

123 Sivamanithevi Thayalasingham, interview Rita Sebastian, Indian Express (24 August 1989).

124 Sambasiva Iyer Thangavelautham, Affidavit (1 September 1989). See also Sivalingam Maheswari, whose husband Sinnaththamby Sivalingam was later also listed as having disappeared at Udupiddy, Affidavit (31 August 1989).

125 Chris Nuttall, Guardian (12 August 1989).

126 as above MSF telex.

127 Jeremy Gavron, Sunday Telegraph (13 August 1989).

128 see Nadarajah Anantharaj interviews with ITJP.

129 Those named: Illayaperumal Umaranee, 29, housewife (some reports place her death at the house of Subramainiam); Nagalingam Piruntha, 14, student; Arulsothy Raveenthiran, 17, fisherman;

Mr Kuddipavun, 30, farmer; N Panugopal, 23, blacksmith; K Rajasekaran, 20, fisherman; S Thurairaja, 59, businessman; and S Balachandramoorthy, 31, fisherman.

130 Those named: Rajalingam Satheeskumar, 18, student; Rasa Jeyamayil, 20, retailer; Nagarasa Gnanakulasingam, 22, fisherman; Kulanthaivadivel Shanmugavadivel, 37, labourer; Gunaratnam Rasaegaram, 18, fisherman; Murukesu Sellaththurai, 32, driver; Arulappu Ilankainathan, 22, fisherman; Velumayilum Selvachanthiran, 26, sailor; Sivalingam Ramanathan, 35, driver; Vadivelu Kumarasamy, 89, labourer; and Selvasunthat Thavaseelan, aged 7, student.

131 K K Katyal, The Hindu (12 August 1989).

132 Jeremy Gavron, Sunday Telegraph (13 August 1989).

133 Tamil Times, (August 1989).

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135 David Housego, Financial Times (17 August 1989).

136 Reuters report quoted in New Straits Times (19 August 1989).

137 see Rita Sebastian, Indian Express (24 August 1989), partly quoting Mr Selvendra.

138 letters by Mr Anantharaj replicated in India's Mylai

(1989).

139 Rita Sebastian, Indian Express (24 August 1989).

140 see Nadarajah Anandaraj, India's Mylai (1989).

141 Tamil Times (August 1989).

142 Dalton de Silva for Reuters, cited in the Independent (date missing).

143 Nadarajah Anantharaj interviews with ITJP.

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