



8 February 2008

Submission to the United Nations Human Rights Council's Universal Periodic Review (UPR)

Country: SRI LANKA

Type of Human Rights Abuses: ABDUCTION / DISAPPEARANCE of Humanitarian Workers

I. Introduction:

Tamils Rehabilitation Organization, (TRO) is a registered charity/NGO (Number L 50706) with the Government of Sri Lanka (GoSL).

Seven TRO employees were abducted in two separate incidents on 29 and 30 January 2006 by paramilitary forces affiliated to the GoSL in the Welikanda area of Polonnaruwa District, Sri Lanka.

II. Names of the Abducted:

TRO HUMANITARIAN WORKERS ABDUCTED		
First Abduction		
Mr. Kasinathar Ganeshalingam	TRO Director/PSEDC NorthEast Province Secretary	abducted 29/01/06
Mr. Kathirkamar Thangarasa	PSEDC Driver	abducted 29/01/06
Second Abduction		
Ms. Thanuskodi Premini	TRO Batticaloa Chief Accountant	abducted 30/01/06
Mr. Shanmuganathan Sujendran	TRO Accountant, Children's Home	abducted 30/01/06
Mr. Arulnesarasa Satheesharan	Accounts Trainee, Vellavali	abducted 30/01/06
Mr. Kailayapillai Ravindran	Accountant, Children's Home	abducted 30/01/06
Mr. Thambirasa Vasantharajan	Accountant, TRO Batticaloa	abducted 30/01/06

Since the abductions TRO has worked with the Government of Sri Lanka, International Agencies, the Sri Lankan Human Rights Commission and Sri Lankan Police investigators (C.I.D.) to ascertain the whereabouts and facilitate the safe release of the abducted TRO staff.

III. Location of Abductions:

Welikanda Army Checkpoint, Welikanda, Polunaruwa District, Sri Lanka

IV. Alleged Abductors:

Paramilitary Group in civilian clothes

V. First Abductions:

It has been alleged by persons abducted at the same time and then later released that the abductors were part of a paramilitary group named the "Karuna Group". They are alleged to operate in government controlled areas with the knowledge and assistance of government security forces and at times in joint military maneuvers with government military forces. Statements by a variety of National and international organizations have alleged this in public statements. Ambassador Allan Rock, Special Advisor to the Special Representative on Children in Armed Conflict for UN



Secretary General stated that the Government of Sri Lanka (GoSL) is complicit in abductions of children by the Karuna Group.

Statements of witnesses based on visual evidence at the place of detention have pointed to the Karuna Group as the abductors. There was a picture of “Karuna” and his organization’s name was written in chalk on the wall of the room in which the abductees were held.

The following witnesses were abducted at the same time as Mr. Ganeshalingam and Mr. Thangarasa and were subsequently released by the abductors:

Ms. S. Dosini: PSEDC Division. Coordinator Mamunai North Division

Ms. Punniyamoorththy Nadeswari: Pre-School Teacher Vavunatheevu Pre School

Ms. Chithravel Sivamathi: Pre School Teacher Vavunatheevu Pre School

Ms. Nadeswari and Ms. Sivamathi went to the Batticaloa police station where they filed a report detailing their abduction. At this point police officials at the Batticaloa Police Station stated that a “CID team” from Colombo was coming to Batticaloa and that the women would be “held” at the police station until they were interviewed and would then be released. They were detained till after 13:00 hrs the next day after which they were produced to the magistrate courts and released.

VI. Second Abduction:

It has been alleged by persons abducted the previous night (First Abductions) and then later released that the abductors were part of a paramilitary group named the “Karuna Group”. They are alleged to operate in the area with the alleged knowledge of the GoSL security forces.

The incident was reported to Batticaloa TRO Office at 21.00 hrs. on the 30th January 2006, after which TRO Head Office (Kilinochchi) and TRO Colombo were informed. Sri Lanka Monitoring Mission (SLMM) and the International Committee of the Red Cross (ICRC) were immediately contacted for advice. Both parties said nothing could be done at that time of the night and the families of the disappeared should report to them in the morning.

The family of Ms. Premini, who live in Vavuniya, filed a “missing persons” report on Wednesday 1 February 2006 at the Vavuniya Police Station. The report was recorded by PC Wijesinghe (#31736).

On Wednesday 1 February 2006 Mr. Jan Hammer (SLMM Batticaloa), Mr. Caesar (Batticaloa District TRO Director), two (2) of the female accountants who were abducted and subsequently released two hours after abduction on Monday 30 January, and two of the mothers of the missing men who were also abducted Monday, and who remain disappeared, met at the TRO Batticaloa Office and proceeded to the Welikanda Checkpoint which is in close proximity to the location where the abductions took place. The women described the sequence of events of Monday evening 30 January 2006 to the SLMM and pointed out the location of the abduction.

The mothers, mentioned above, of Mr. Shanmuganathan Sujendran and Mr. Thampirasa Vasantharajan filed separate missing person reports with the police at the Welikanda Police Station.



VII. Other Actions Taken by TRO

- a) Media was informed of the abductions and help was sought from the public. The story was the lead story in the print and television media outlets for about two weeks.
- b) Notified all foreign based embassies in Sri Lanka in person and via letter/fax/telephone
- c) Informed the various government Ministers and Ministries and Members of Parliament
- d) Filed a request for investigation with the Human Rights Commission.
- e) Briefed and sought the support of Sri Lankan “Civil Society”. Met with the UNDP Senior Human Rights Adviser Mr. Rory Mungoven, Mr. Miguel Bermeo (UNDP/UN Country Team Resident Coordinator), International NGO partners, Local NGO partners and other influential persons
- f) The families of the some of persons kidnapped on the night of Monday 30 January, and who still remain missing, traveled to the Welikanda Police Station on Tuesday 31 January and attempted to file a Police Report. They were refused the opportunity to submit a report by the police. Additionally, there was no one in the police station who could speak Tamil.

VIII. Impunity

There has been a lack of any meaningful investigation into the abductions by the GoSL. There have been no arrests or convictions and the investigating authorities have not produced any reports or responded to the victim’s families’ requests for information on the progress of the investigation.

Though the President of Sri Lanka created a Commission of Inquiry (COI) to investigate the Action Contra La Faim (ACF) executions, amongst other cases, the TRO 7 were not among the cases taken up and the whole exercise has been seen by most to be an attempt by the GoSL to placate the international community. Even the International Independent Group of Eminent Persons (IIGEP), set up to monitor and give technical advice to the COI, has severely criticized the investigations and the lack of independence of the COI.