

**International Truth
& Justice Project
Sri Lanka**

18 May 2015.

SRI LANKA: Disappearances in Custody Six Years Ago Today

On the 18 May 2009, a large number of witnesses saw more than a hundred LTTE military and civilian administration leaders surrender to the Sri Lankan army close to the Wadduvakkal Bridge. The vast majority of these people have subsequently disappeared and, according to eyewitnesses, were last seen in the custody of the Sri Lankan military.

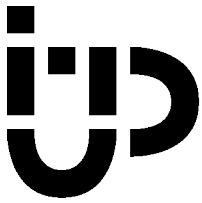
Those who surrendered on 18 May 2009 were screened and mostly put in a barbed wire holding area just south of the Wadduvakkal Bridge, which was in the control of the Sri Lankan armed forces. Many surrendered with an elderly Catholic Priest, Father Francis Joseph, who recorded the names of surrendeers in a list for the military. Many eyewitnesses saw these prisoners, and in some cases their family members, loaded on a series of buses and taken away by the military. They and the priest have not been seen since being taken custody of by the military.

The International Truth and Justice Project - Sri Lanka (ITJP) has continued its work on the issue of the disappeared last seen in the custody of the military, and has compiled the list of names below.

The list comprises the names of 110 people seen surrendering to the military on 18 May 2009 by eyewitnesses who have now fled the country; it is by no means a comprehensive list. The ITJP through this press release wishes family members and relatives of the surrendeers to know that there are eyewitnesses to the surrender of their loved ones to the military on the 18 May 2009 now living abroad. These eyewitnesses live outside of Sri Lanka as they fear for their security and reprisals against family members. The ITJP is cognisant of the fact that some of the people on the list may have been released from detention after many years, without the knowledge of our witnesses. We are also aware that eyewitnesses inside Sri Lanka and family members have also registered complaints or filed court cases regarding the disappearance of additional people who surrendered on 18 May 2009.

It is now well known that between 2009 and 2015, families of the disappeared have repeatedly sought answers from the Government of Sri Lanka on the fate of loved ones. Like families of the disappeared all over the world they need to know if loved ones are dead or alive as they live in world of uncertainty in pain and anguish. Unlike those families whose loved ones have died unrecorded in battle without a body to mourn and without closure, these families of the disappeared are unable to mourn or to have closure but know that their loved one was last seen in the custody of the authorities.

The failure on the part of the authorities to carry out a proper investigation into their subsequent disappearance is a further injustice as well as a personal tragedy. Under the Joinet/Orentlicher Principles to Combat Impunity, families and relatives have an imprescriptible right to the truth about the fate and whereabouts of their loved ones. There is also a corresponding obligation on the part of the State to initiate investigations and hold those responsible for the disappearances accountable.



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An enforced disappearance is defined by three cumulative [elements](#):

- (1) Deprivation of liberty against the will of the person;
- (2) Involvement of government officials, at least by acquiescence;
- (3) Refusal to acknowledge the deprivation of liberty or concealment of the fate or whereabouts of the disappeared person.

A key element that characterises forced disappearance is that this practice removes the individual from the protection of the law¹. This characteristic – and the reality of events confirms this – has the effect of suspending the enjoyment of all of the rights of the disappeared person and placing the victim in a situation of complete defencelessness.

The United Nations General Assembly has repeatedly affirmed that forced disappearance, "constitutes an offence to human dignity, a grave and flagrant violation of human rights and fundamental freedoms [...] and a violation of the rules of international law".² Furthermore the jurisprudence of international organs for the protection of human rights agree in describing forced disappearance as a grave violation of human rights.³

International jurisprudence and legal doctrine has repeatedly indicated that forced disappearance *per se* constitutes a violation of the right to security of the person; of the right to protection under the law; of the right not to be deprived arbitrarily of one's liberty; of the recognition of the legal personality of every human being; and of the right not to be subjected to torture or to other cruel, inhuman or degrading treatment or punishment.

We call on the government of Sri Lanka to undertake credible investigations into the forced disappearance of the more than a hundred people who disappeared while surrendering to the military on this day six years ago and to indict, prosecute and convict those responsible. Families are entitled to the truth about the fate and whereabouts of loved ones.

We also call upon the government of Sri Lanka to become a signatory to the International Convention for the Protection of All Persons from Enforced Disappearances. We welcome the news that the Working Group on Enforced or Involuntary Disappearances is to be allowed to visit Sri Lanka and we urge the Government of Sri Lanka to cooperate fully with them and to allow unmitigated access to families of the disappeared ensuring that there will be no reprisals against them.

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Previous Reports:

www.stop-torture.com

www.white-flags.org

¹ See, for example, par. 3 of the Preamble, Declaration on the Protection of All Persons from Enforced Disappearances. In this same context, see article II of the Inter-American Convention on Forced Disappearance of Persons and article 7 (2) (i) of the Rome Statute of the International Criminal Court.

² Resolution 49/193 of the General Assembly, adopted 23 December 1994. In the same sense, see resolutions 51/94 of 12 December 1996 and 53/150 of 9 December 1998 .

³ With respect to the Human Rights Committee, see for example, the decision of 29 March 1982, Communication No. 30/1978, case of *Bleier Lewhoff and Valiño de Bleier vs. Uruguay*; and the Concluding observations - Burundi, of 3 August 1994 (United Nations document CCPR/C/79/Add.41, par. 9). Reference might also be made – among other sources – to the Judgment of 14 March 2001 by the Inter-American Court of Human Rights in the *Barrios Altos case (Chumbipuma Aguirre et al. vs. Peru)*, par. 41.

18-May-09 [Surrenders](#)

Name	Role	Source	Fate currently	Father Francis Group
Aathava	UNKNOWN	Witness Statement; Led into bldgs S. side of Bridge Wadduvakal	UNKNOWN	
Ahilam Master	Intelligence Wing of LTTE	Witness Statement; seen in custody south of Wadduvakkal Bridge	UNKNOWN	
Ambi	Seen with husband Puratchika (see below)	Witness Statement; seen at Omanthai on 18 May 2009	UNKNOWN	
Aramuthan	Deputy commander Imran Pandian regiment of LTTE.	Witness Statement	UNKNOWN	Father Francis Group
Aryan	UNKNOWN	Witness Statement; Led into bldgs S. side of Bridge Wadduvakal	UNKNOWN	
Baby Subramaniam (aka Elankurmaran)	Head of the Tamil Eelam Education Department	Witness Statements. Surrounded N. side Wadduvakal; detained S. side of bridge	UNKNOWN	Father Francis Group
Balachandran Prabhakaran	12 year old son of LTTE leader. Child.	Witness Statement	DEAD (photo)	
Balakumaran, V.	Senior LTTE leader	Witness Statements - seen at 1500 on 18 May 2009 in custody, also in Mullaitivu Katcheri Administrative Office Hall.	UNKNOWN	Father Francis Group
Lt.Col. Arunnambi	Head, Imran Pandiyan Regiment	Witness Statement	UNKNOWN	
Balakumaran's Son Theepan, aka Sooriyatheepan	UNKNOWN	Report/photo showing him in Army custody	UNKNOWN	
Balathas	Senior LTTE Financial Officer	Witness Statement; seen south side of bridge at 1500 hours on 18 May.	UNKNOWN	Father Francis Group
Baari	In charge of external audits for LTTE	Seen alive south of Wadduvakkal bridge	UNKNOWN	
Babu +1	Coordinator of LTTE Jewellery Business, said to have surrendered with his wife.	Witness Statements	UNKNOWN	Father Francis Group
Babu - Illanbarithy	In charge of Seran Business of LTTE	Witness Statement		
Bavan Camilton	Was with Kaddafi but looked after disabled LTTE cadres.	Witness Statement	UNKNOWN	
Bhaskaran	Commander Manal Aru Headquarters of LTTE.	Witness Statements	UNKNOWN	
Bhaskaran	Working with Sornam; born in Kilinochchi.	Witness Statement	UNKNOWN	Father Francis Group

Lt.Col. Chendran/ Chandran	Military Intelligence, LTTE	Witness Statement; seen with Military Intelligence in Mullaitivu & reported to be missing.	UNKNOWN	
Ezhilan (Elilan)	LTTE political Wing, Trincomalee	Witness Statements (3) & Complaint by Family	UNKNOWN	Father Francis Group
Ezhilvanan Master	School Master	Witness Statement	UNKNOWN	
Father Francis Joseph	Catholic Priest	Witness Statements (4+), Complaint by Family	UNKNOWN	Father Francis Group
Gopi aka Veerapandian	LTTE, lost one arm, Political wing, property maintenance	Witness Statement; Led into bldgs S. side of Bridge Wadduvakal	UNKNOWN	
Hariharan	UNKNOWN	Witness Statement; Led into bldgs S. side of Bridge Wadduvakal.	UNKNOWN	
Ilamthiraiyan/ Marshall	The military spokesperson for LTTE, from Batticaloa	Witness Statement	Witness said he surrendered alive but killed shortly after; unconfirmed.	
Ilamparity (Sinnathamby Mahalinham)	Jaffna head Political Wing; home town Chavakachcheri.	Witness Statements saw him on the south side of the Bridge at 1500 hours, Complaint by Family	UNKNOWN	Father Francis Group.
Ilamparity - Mahalingam, Sivagini	Wife	Complaint by Family ; no witness statements.	UNKNOWN	
Ilamparity - Mahalingam, Mahilini	Child, aged 10	Complaint by Family ; no witness statements.	UNKNOWN	
Ilamparity - Mahalingam, Thamiloli	Child, aged 8	Complaint by Family ; no witness statements.	UNKNOWN	
Ilamparity - Mahalingam, Elilini	Child, aged 3	Complaint by Family ; no witness statements.	UNKNOWN	
Ilankumaran	Commander Officer, Manalaru, LTTE.	Witness Statement	UNKNOWN	
Ilavenkai Master	UNKNOWN	Witness Statement		
Inthamil	UNKNOWN	Witness Statement: saw him at Omanthai on 18 May 2009.	UNKNOWN	
Irumporai Master	In charge of LTTE Sniper Regiment	Witness Statement; report arrested in Mullaitivu.	UNKNOWN	
Isaipriya	Media Unit of LTTE	Reports & Video & Photos	DEAD (photo & GOSL)	
Javan	Voice of Tigers radio station	Witness Statement	UNKNOWN	
Jeyaraj	Financial unit LTTE	Witness Statement: Seen alive on 18 May south of bridge; ; seen in 2009 in Boosa.	UNKNOWN	
Kantheni	Intelligence Unit In Charge of the Jail	Witness Statement	UNKNOWN	Father Francis Group

Kannan	Head of Student Organisation, Political Wing	Witness Statement	UNKNOWN	Father Francis Group
Kangan/Kanagan (Loganathan Arunasalam)	Political wing security	Witness Statement; S. side Wadduvakal Bridge	DEAD (one witness)	Father Francis Group
Karikalan	Former Commander, Eastern Province	Witness Statements: seen surrendering at Wadduvakkal Bridge	UNKNOWN	
Karuvannan	In charge of vehicle for War Heroes Dept of LTTE	Witness Statement: seen alive south of bridge	UNKNOWN	Father Francis Group
Kini	Deputy to Yogi, Institute of Conflict Research. From Jaffna.	Witness Statement	UNKNOWN	Father Francis Group
Kiruba master	UNKNOWN	Witness Statement	UNKNOWN	
Kuyilan	Military Intelligence, LTTE	Witness Statement	UNKNOWN	Father Francis Group
Kumaran	Major in LTTE. Nephew of Balaraj.	dead acc to SLA list; If this is Commander Manil Aru District then Witness saw him alive in custody.	DEAD (GOSL); ALIVE IN 2009 says WITNESS	
Kunam	Senior LTTE military leader; possibly Trinco formerly	Witness Statement	UNKNOWN	Father Francis Group
Kutti	LTTE Finance & Transport Sections; in charge of Pandian Store	Witness Statement; seen south of bridge	UNKNOWN	
Lawrence	Commanding Officer LTTE Vavuniya District	Witness Statements; seen in Mullaitivu Katcheri at 1500 hours.	UNKNOWN	Father Francis Group
Madavan	Deputy in Charge of LTTE Police	Witness Statement	UNKNOWN	Father Francis Group
Majith	LTTE Military Intelligence Admin Officer	Witness Statement	UNKNOWN	Father Francis Group
Malaravan	Administration Service LTTE	Witness Statement	UNKNOWN	Father Francis Group
Manoj	Deputy to Ruban of Logistics.	Witness Statement	UNKNOWN	Father Francis Group
Maniarasan	Senior LTTE military leader	Witness Statement saw him with Father Francis.	UNKNOWN	Father Francis Group
Mathu	Trincomalee Military Wing	Witness Statement	UNKNOWN	Father Francis Group
Miresh	Nitharsanam TV	Witness Statement	UNKNOWN	Father Francis Group

Mohan Uncle	Sea Tiger	Witness Statement; Put in first aid building south of the brudge around 10 am on 18 May.	UNKNOWN	Father Francis Group
Mukilan/ Muhilan	Military Intelligence	Witness Statement	UNKNOWN	Father Francis Group
Mukunthan/ five nine =code	LTTE Military Colonel 2nd in charge after Theeban of Northern Battle Front	Witness Statement; surrounded North Side of Bridge	UNKNOWN	
Nadesan	LTTE Political Wing Head.	Witness Statement	DEAD (photo & GOSL)	
Nagesh	Head of Administration Division, Kilinochchi district; lost a leg.	Witness Statement; Put in first aid building South of the Bridge around 10 am on 18 May.	UNKNOWN	Father Francis Group
Nalayini	Head of English College	Witness Statement; At first aid station on S. side of bridge; spoke to Fr Francis at 10 am.	UNKNOWN	
Nalayini/Nalagini	Malathi Regiment - logistics supply	Witness Statement; Seen south of the Bridge.	UNKNOWN	
Neyan	Intelligence Lt Col. LTTE	Witness Statement	UNKNOWN	
Neethan	Head of LTTE Headquarters; from Trinco.	Witness Statement	UNKNOWN	
Nilavalaki	Doctor in medical unit with two kids	Witness Statement	UNKNOWN	
Nishanthan	Was with Kadaffi but then looked after disabled LTTE cadres	Witness Statement	UNKNOWN	
Nisathan Master	LTTE military supplies.	Witness Statement: saw him at Mullaitivu Katcheri in the hall.	UNKNOWN	
Panchan	Birth name is Mahadhevan Ganaharan – LTTE intelligence.	Witness Statements	UNKNOWN	
Para Ratha	Coordinator Justice Department	Witness Statements - one saw him south of Wadduvakkal Bridge and another thinks he saw him in TID 4th Floor.	UNKNOWN	
Pathmalojani, Dr.	Karikalan's wife & medical wing	Witness Statements; seen surrendering	UNKNOWN	
Piraba, Lt. Col.	LTTE military intelignce unit	Witness Statements; Seen at bridge	UNKNOWN	
Poovannan	Head of the Administrative Service Division of the LTTE	Witness Statement	UNKNOWN	Father Francis Group
Poorvanan Master	not same as above	Witness Statement	UNKNOWN	
Prian/ Piriyan (Swaminathar Thayasri)+ 1	Deputy head LTTE Administration	Witness Statements, Complaint by Family. According to witness his wife also surrendered.	UNKNOWN	Father Francis Group
Pulidevan	LTTE Peace Secretariat Head	Witness Statement	DEAD (photo & GOSL)	

Puluimainthan	Driver for Yogi (see below)	Witness Statemen; seen alive south of bridge.	UNKNOWN	
Puratchika	With Ambi (see above)	Witness Statement - seen at Omanthai	UNKNOWN	Father Francis Group
Puratsi Master	RPG Sniper for LTTE	Witness Statement	UNKNOWN	
Ruban	In charge of LTTE logistics unit	Witness Statement	UNKNOWN	
Rahulan	Deputy Jaffna Regiment; comes from Chavakachcheri.	Witness Statement	UNKNOWN	Father Francis Group
Raja	Deputy of Sports after Papa; From Jaffna. Missing with 4 children reportedly.	Witness Statement	UNKNOWN	Father Francis Group
Puthuvai Rathinathivai	Poet & Coordinator of LTTE Arts and Cultural Department	Witness Statements - seen at Wadduvakkal Bridge and in Mullaitivu Katcheri hall	UNKNOWN	
Ramesh, Col. (aka Illango)	LTTE police	Witness Statement	DEAD (says GOSL)	
Ramesh, Colonel	Senior LTTE from Batticaloa	Witness Statement	DEAD (photo & GOSL)	
Reha (Rega) Mahendrarajah	LTTE Medical Unit Head	Witness Statements (4): seen at Mullaitivu Katcheri building at 1500 on 18 May 2009 and at Omanthai.	UNKNOWN	
Regiththan	Manil Aru District LTTE	Witness Statement	UNKNOWN	Father Francis Group
Ruban	3rd in command of Jaffna Regiment of LTTE	Witness Statement	UNKNOWN	Father Francis Group
S. Thangan, Thankan (aka as Sudha) Somasuntharam Suthakaran	LTTE Political Wing, deputy to Nadesan	Witness Statement, Complaint by Family. Seen in first aid building around 10 am on 18 May.	UNKNOWN	Father Francis Group
sakthy	Coordinator Forestry Division and his wife Jakulin and three children.	Witness Statement	UNKNOWN	
Sathyan	Conservationist	Witness Statement	UNKNOWN	
Selvarasa	Former Jaffna commander for LTTE	Witness Statement; seen south of bridge.	UNKNOWN	
Silampan	Head of Radha Air Defence	Witness Statement; seen south of the bridge	UNKNOWN	Father Francis Group
Sinnavan	Intelligence wing, LTTE	Witness Statement	UNKNOWN	
Siththirangan	LTTE commander for Manil Aru District	Witness Statement	UNKNOWN	Father Francis Group
Lt.Col. Sudaravan	Military Intelligence, LTTE	Witness Statement	UNKNOWN	
Lt.Col.Thanikaiarasu	Imran Pandiyan regiment LTTE	Witness Statement	UNKNOWN	

Thilak	Head of planning and development secretariat, LTTE	Witness Statement; Surrounded north side Wadduvakal on afternoon of 18 May.	DEAD (Photo)	
Thilakar	LTTE financial unit looking after farms; originates from Jaffna	Witness Statement	UNKNOWN	Father Francis Group
Thuvurakan, Vayiravamoorthy	Lt Col. Thuvarakan (in charge of Mannar District's area in the LTTE Martyr's cemetery)	Witness Statement, Complaint by Family	UNKNOWN	
Vahesan (Ramanathan Nimalanathan)	UNKNOWN	Complaint by Family & witness statement	UNKNOWN	
Veerathevan, (Mahalingam Jeyakanthan)	Coordinator LTTE Bank	Witness Statement	UNKNOWN	Father Francis Group
Vaithi, Lt.Col.	Military Intelligence, LTTE	Witness Statement	UNKNOWN	
Valuvan Master, Lt.Col.	LTTE Ratha Air Defence Unit	Witness Statement	UNKNOWN	Father Francis Group
Velavan	LTTE military commander; Colonel.Imran Pandian Bridgade	Witness Statement; Surrounded N side Brdg; S. side Bridge; Mullaitivu Katcheri Administrative Office	UNKNOWN	Father Francis Group
Velmaran	LTTE Col. Pirabas Bodyguard	Witness Statement	UNKNOWN	
Vineetha	Wife of Nadesan (see above)	Witness Statements	DEAD (GOSL)	
Viman	Commanding Officer LTTE	Witness Statement; Seen on South side of Bridge.	UNKNOWN	
Vipulendran	LTTE Finance Section	Witness Statement; led into buildings on south side of bridge on 18 May.	UNKNOWN	
Yogan/ Semanan	Political Wing, LTTE	Witness Statement	UNKNOWN	Father Francis Group
Yogi	Head of Institute for Conflict Research, LTTE	Witness Statement; Surrounded north side Wadduvakal.	UNKNOWN	Father Francis Group