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Sri Lanka: Statements by detained doctors underline need for independent inquiry

The statements made to the media by doctors detained by the Sri Lankan government for providing what it says was false information about civilian casualties during the last days of its offensive against the Liberation Tigers of Tamil Eelam (LTTE) points again to the need for an independent inquiry into allegations that both parties committed war crimes, Amnesty International said.

Amnesty International raised several concerns about the credibility of the doctors' recent comments, including:

- the doctors' ongoing detention without access to lawyers and their vulnerability to torture and ill-treatment and pressure from the Sri Lankan government, which has a record of mistreatment of detainees and witnesses;
- the contradiction between the doctors' statements and independently verified facts;
- the two-month long period between the doctors' departure from LTTE-held areas and their recent 'recanting' of their earlier statements.

Amnesty International remains concerned about the safety and well-being of these men, who provided the only medical services available to hundreds of thousands of civilians trapped by the fighting, for which they should be commended, not punished. The Sri Lankan authorities have a long history of extracting confessions by force and compelling detainees to give media interviews that support the government's position, as documented in Amnesty International's recent report, *Twenty Years of Make Believe: Sri Lanka's Commissions of inquiry*. Under such conditions it is impossible to assess the validity of their statements, but Amnesty International pointed out that information from independent international organizations engaged in humanitarian assistance in the midst of the crisis contradicts the doctors' recent claims, including the United Nations and the International Committee of the Red Cross.

Between mid-February and 9 May, the ICRC said it evacuated almost 14,000 wounded or sick patients and accompanying caregivers with the assistance of these doctors; contradicting statements made by Dr. Varatharajah at the government press conference that only around 600 to 650 people had been injured between January and mid- April 2009.

At their press conference, the doctors also retracted reports that their hospital at Puthukkudiyiruppu was hit by artillery in February, although UN and ICRC staff reportedly witnessed the attack and confirmed the

incident. Eyewitness testimony obtained independently by Amnesty International confirmed events experienced by these doctors after artillery damaged their hospitals in Kilinochchi and Mullaitivu in December 2008.

Amnesty International pointed out that the doctors remain in detention and have not had access to lawyers. Senior government officials have consistently raised the threat of pursuing serious charges, including treason, against the men, despite acknowledging the doctors' claim that they were operating under pressure from the LTTE. Amnesty International has documented the LTTE's heavy pressure on Tamil civilians, including medical personnel.

Amnesty International urged the United Nations, international humanitarian organizations and other members of the international community who were able to amass information about conditions and incidents in the final phase of the war to disclose all information they possess. This information should contribute to a systematic and independent investigation of allegations of war crimes that must include confidential interviews with witnesses – most of whom are currently detained in government internment camps.

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