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PUBLIC STATEMENT
Amnesty International proposes to send observers
to exhumations in Sri Lanka

Amnesty International today proposed to the government of Sri Lanka that two of its experts be present at the exhumations of alleged mass graves at Chemmani, Jaffna, scheduled for 16 June 1999. The graves are suspected to contain bodies of scores of people who "disappeared" after being arrested by army personnel in 1996.

The proposal follows an invitation issued by the Ministry of Foreign Affairs in March for "interested non-governmental organizations, local or foreign, to send observers". Amnesty International said it believed that the presence of independent observers would help to ensure that the exhumations are carried out according to relevant international standards. A previous request by Amnesty International to Sri Lanka's government for international forensic experts to be invited to assist local experts with the exhumation has so far not been granted.

The organization has appealed to both the government and the Liberation Tigers of Tamil Eelam (LTTE), the main armed opposition group fighting the security forces in the north and east of the country, to guarantee the safety of everyone involved in the exhumations. It has also urged the government to protect all witnesses, including Somaratne Rajapakse, the soldier who initially revealed the existence of the mass graves.

The organization's appeal to the LTTE follows threats by the latter's leadership in Jaffna to magistrates in the peninsula, warning them not to participate in the exhumations. In their letters, the LTTE says it wants the investigations to be carried out "by representatives of international human rights bodies, and not by the local courts".

Amnesty International is concerned that the process of truth, justice and redress -- which the relatives of the "disappeared" in Jaffna are still waiting for -- is allowed to take its course at the earliest opportunity. Under Sri Lanka's current judicial system, this means that evidence has to be collected under the supervision of a magistrate. Otherwise the findings will not be admissible as evidence in court. Unlike other countries, such as the former Yugoslavia or Rwanda, the parties concerned have not agreed on an international authority under whose jurisdiction an investigation can be carried out and the perpetrators tried.

The human rights organization has also urged Sri Lanka's Human Rights Commission (HRC) to be present during the exhumations. It believes that HRC officers could play a key role by liaising with victims' relatives, by producing a public report on the investigations' findings and making recommendations for any compensation to be paid to relatives of people identified as victims of extrajudicial executions.

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