Your Excellency,

AN APPEAL TO THE PRESIDENT MAITHIRIPALA SIRISENA BY THE VICTIMS OF THE KUMARAPURAM MASSACRE THAT OCCURRED ON 11TH FEBRUARY 1996.

It is a known fact that the six former Sri Lankan army corporals were acquitted by a Sri Lankan court last Wednesday July 27, 2016 over the massacre of 26 Tamil civilians in Kumarapuram in 1996. The Sri Lankan soldiers were standing on trial over the involvement in the killings, which took place in the village in Trincomalee on the 11th of February 1996.

The massacre was perpetrated by the Sri Lankan army and neighboring Sinhala villagers upon the people of the poor and remote Kumarapuram village in the Muthur DS division in the Trincomalee district.

A total of 26 persons were killed and 26 were injured severely. It is important to note, the dead included six women, five men and 13 children. Out of the women dead, there was a nine months’ pregnant mother and a 16-year-old girl, killed after being raped. The body of the raped victim was recovered by villagers the following morning.

As the bodies of the murdered and the injured victims were brought to the Muthur hospital as inquiries were being carried in this regard and evidences sought. The villagers sought refuge at the Young Men’s Hindu Association hall. They were sent back to Kumarapuram once the inquiries were completed and it was deemed safe to return.

It is apt to mention that the case was taken up the Muthur Magistrate’s Court 17 times and 3 times at the High Court, Trincomalee. However, in 2006 an order was issued by the Court of Appeal to transfer the case to the Anuradhapura High Court citing security of the accused.

During the period 2006 to 2016 summons were sent to 108 witnesses four times and the witnesses too were present at the Anuradhapura High Court to give direct evidence. However, the case was postponed without examining the witnesses.

The case was dragged for 20 long years and when it was called for the 5th time on June 26, 2016, a glimmer of hope was seen not only amongst the deprived people of Kumarapuram but also amongst the minority community as a whole.

It is important recall the quote by Amnesty International of the massacre at the time:

"The Kumarapuram incident - The largest incident of deliberate and arbitrary killings of civilians by the security forces since the resumption of the armed conflict in April 1995 took place at Kumarapuram, Trincomalee district, on 11 February 1996. According to several survivors
interviewed by Amnesty International, 24 civilians, including 13 women and seven children below the age of 12, were killed by soldiers from the 58th Mile Post and Dehiwatte army camps, accompanied by Home Guards from Dehiwatte.

The killings were in apparent reprisal for the killings by the LTTE of two soldiers near the 58th Mile Post about half an hour earlier. According to one witness, a group of soldiers, some of whom were drunk, gathered at Dehiwatte junction and then proceeded towards Kumarapuram, shouting "Death to the Tamils".

The villagers of Kumarapuram had taken refuge inside their houses. The soldiers broke open the shutters and aimed their guns at the people hiding inside. One woman recounted how she pleaded with them not to shoot but to no avail. In her house, seven people were killed, including a six-year-old child.

Among the victims was a 16-year-old school girl. She was dragged from a boutique in the village and taken to the milk collection centre where she was raped before being shot. A 10-year-old boy, who tried to stop the soldiers from dragging her away, was shot between his legs."

At time when the country is working towards reconciliation and issues of justice and accountability is being raised at various platforms, such injustice makes the minorities question the commitment of the State in bring a peaceful solution to the ethnic question.

A biased judiciary biases has denied justice to the victims of an inhuman crime. This have makes one wonder whether an international inquiry alone would bring justice to the victims who have suffered grave crimes in the hands of security forces.

This verdict has caused great anguish and frustration amongst the people of Muthur at a time when Your Excellency will be visiting the Tricomalee district for the opening ceremony of the new wing in the Muthur district court.

Therefore, we humbly request you to reconsider your stance on ensuring justice to the minority communities who have been victims of war crimes and crimes against humanity.

Further we request that:
(a) The attorney general be directed to appeal against the judgement and retry the Accused before a Trial-at-Bar.
(b) To take steps to grant comprehensive compensation scheme to the families of the victims.

Thank you,
Affected families,
Kumarapuram, Kiliveddy, Muthur,
Trincomalee, Sri Lanka.
July 29, 2016.