

Setting the latest UTHR report on Mutur in context



Secretariat for Coordinating the Peace Process (SCOPP)

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The latest report from the Jaffna University Teachers for Human Rights claims to have pieced together the entire story of the killing of 17 ACF staff at Mutur. It now places responsibility for the killings on one Muslim home guard and two policemen, with the assertion that they must have been instructed by more senior policemen. The time of the killings is placed categorically in the afternoon of Friday August 4th.

UTHR has generally been one of the most hardworking and conscientious of organizations in its defence of human rights, and there is no doubt that it delivers this judgment in all sincerity. It has also taken some pains to explain why it was mistaken in earlier asserting that the killings took place on Saturday August 5th.



Whilst it is understandable that confusion may have occurred about the timing of various visits UTHR cites in its earlier reports, what is not referred to is its earlier categorical assertions that the ACF workers were in telephone contact with associates right up to Saturday morning. To quote some of an earlier report -

a) A professional in Trincomalee received a call from his younger brother among the Mutur ACF staff after he got home from work, about 5.30 PM on the 4th. He said that he had to leave the ACF office and go elsewhere with better reception to get a call through. The professional told his brother to stay in his office and not to court danger by moving around. The brother also said that they were fine, and ACF Trincomalee would be sending a vehicle on Saturday. This professional had spoken to his brother about thrice that day.

b) A relative in Trincomalee said that Ganesh, the ACF driver phoned him late in the evening around 8.00 PM. Ganesh was a native of Mutur who knew the area well. He also said that he went somewhere outside to get the call through, and hoped to be home the next day. Both Ganesh and his daughter Kavitha had cell phones, but there was no phone at home. Their contact with home was through this relative.

We have put these contacts down after repeated checks and are quite confident of their factuality. Even while the fighting was going on during earlier days, the ACF staff had been moving about Mutur distributing food items and water, including to the nearby mosque, and made calls from wherever they could find a signal. There was one contact on Saturday the 5th, which did not connect, and probably two.

c) Ganesh called his relative at 5.30 AM on Saturday morning. Before they could speak the call cut off. Seeing it was from Ganesh's cell phone, the relative tried dialling Ganesh a few times but failed to connect.

d) A leading member of the community in Trincomalee attended the funerals of the ACF staff on 9th September. There he met Miss. R... a friend of Ganesh's daughter Kavitha. Miss. R was crying saying something about having spoken to Kavitha. The community leader called her to a side and spoke to her. She said that Kavitha called her briefly around 6.00 in the morning of Saturday 5th and told her the Army had surrounded them and they did not know what would happen. Kavitha was a steady girl who helped in her brother's shop in Trincomalee that made frames. She was not the type to panic.

The Peace Secretariat will not presume to claim that anyone can be certain that what UTHR claims now is not true. After all, it was because of UTHR's dogged determination to look at all aspects, that alone of all Human Rights Organizations it drew attention to the culpability of ACF in having sent its workers to Mutur when others were withdrawing, and despite some of them begging for leave so that they should not be forced to go into a dangerous area. It is UTHR which raised the question of the beggarly compensation paid to these workers, and we must respect its commitment to the individuals who suffered and the bereaved.

Certainly they are right in asserting that the matter should be investigated thoroughly and there should be no cover up. We believe they are mistaken in some of their assertions, as with regard to the testimony of Dr Dodd, where they have tied themselves into knots over who used which gun which fired which bullet, but other points they raise should be taken into account in the ongoing investigation.

What should not be done is to assume that everything they say is necessarily gospel truth. We have cited examples of assertions they say were carefully checked, which now they assert are quite wrong. Their account must be seen as possibly part of the truth. It is those who pick what they want from the UTHR accounts to simply attack elements in the government who do no service either to UTHR, or to the victims or war, or to the innocent who are wrongly accused, such as the special forces and paramilitaries who were thought guilty by UTHR earlier.



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