ADVOCACY MEMORANDUM

Urgent Action Request: Chemmani Mass Grave Case (1996) Follow-Up

Formal Inquiries, Preservation of Records, Transparency, and Systematic Accountability in the Chemmani Mass Grave and Disappearance Cases

TARGET AUDIENCE:	Core Group on Sri Lanka (UNHRC), UN Special Procedures, Working Groups; Treaty Bodies, International Non-Governmental Organisations (INGOs), International Community & Partners
ISSUING BODY:	British Tamils Forum (BTF)
DATE:	01 November 2026
SUBJECT:	Chemmani Mass Grave & Disappearances Inquiry

URGENT NOTICE REGARDING RECENT FORENSIC CLAIMS

In light of recent assertions suggesting natural or epidemic causes for mass graves in northern Sri Lanka, this document establishes a rigorous evidentiary roadmap to ensure full judicial accountability and prevent the distortion of historical disappearances.

1. Executive Summary & Purpose

In the wake of recent reports by Dr. Raj Somadeva and associates suggesting that the Chemmani mass graves may have resulted from natural disasters or epidemics, this advocacy document issues an urgent call for international oversight, an independent international investigation, and formal inquiries into the unresolved Chemmani mass grave cases and the historical disappearance of more than 628 named individuals, alongside numerous others, in the Jaffna Peninsula during 1996–2000.

Critical Clarification on Past Prosecutions: Disclosures in 1998 by soldiers convicted in the September 1996 rape and murder of 18-year-old schoolgirl Krishanthi Kumaraswamy, her mother Rasamma, her brother Pranavan, and neighbour Sithamparam Kirupamoorthy led to limited exhumations in 1999 that uncovered initial mass graves. Exhumations never continued after the discovery of 15 skeletons. While selected military and police personnel were tried and sentenced in the distinct Krishanthi Kumaraswamy murder trial, no military personnel have ever been convicted for the **wider Chemmani mass grave crimes** or the systematically documented disappearances, despite initial arrests and releases on bail in 2000.

The urgency of this matter has been further heightened by the ongoing excavations at Chemmani in 2025–2026, during which over **580** skeletal remains have reportedly been exhumed, making Chemmani Sri Lanka's largest mass grave site identified to date.

2. Judicial Status of the Krishanthi Kumaraswamy Case

It is legally essential to distinguish the convictions obtained in the 1996 Krishanthi Kumaraswamy case from the wider, unresolved mass grave investigations. The 1998 verdicts in the murder trial stand as follows:

- **Somaratne Rajapakse (Corporal / Lance Corporal):** Convicted and sentenced to death (1998); Supreme Court upheld in 2004. His courtroom disclosures in 1998 exposed the existence of the Chemmani mass graves.
- **Jayasinghe Mudiyanselage Jayasinghe (Private):** Convicted and sentenced to death.
- **Priyantha Perera (aka Suranjith Priyashantha Perera) (Soldier):** Convicted and sentenced to death.
- **Dissanayake Mudiyanselage Jayatilake (Lance Corporal):** Convicted and sentenced to death.
- **D. V. Indrajith Kumara (Soldier):** Absconded during trial; convicted and sentenced to death in absentia (remains a fugitive).
- **Pradeep Priyadharshana (Reserve Police Constable):** Convicted and sentenced to death.
- **Wijayananda Alwis (Army Personnel):** Indicted; died in custody during trial.
- **D. G. Muthubanda & Pathiranalage Nishantha:** Indicted; acquitted due to insufficient evidence.

3. Military Officers Implicated in Wider Allegations

Identified key military personnel implicated in wider Chemmani allegations who were never prosecuted for the mass graves:

Name & Rank (1996–2000)	Arrest & Bail Status (2000)	Subsequent Career Trajectory	Current Legal Status
Major Amal Karunasekara	Investigated / Named	Promoted to Major General; Chief of Staff; Director Military Intelligence (Ret. 2018).	Unprosecuted for Chemmani.
Brigadier Gamini Jayasundara	Investigated / Named	Promoted to Major General; Commander of 51 Division; GM state security enterprise.	Unprosecuted for Chemmani.
Lt. Col. Duminda Keppetiwalana	Investigated / Named	Promoted to Major General; UN Haiti deployment role (Ret. 2019).	Unprosecuted for Chemmani.
Capt. Lalith Thusitha Kumara Hewa	Arrested 2000; released on bail	Promoted to Brigadier; retired officially Feb 14, 2024 (Gazette recorded).	Unprosecuted / No conviction.
Capt. Dilshan Shashika Perera	Arrested 2000; released on bail	Promoted to Major General; commanded 52, 59, 64 Divisions (Ret. 2025).	Unprosecuted / No conviction.
Lt. Sachindra Wijesiriwardena	Arrested 2000; released on bail	Promoted to Brigadier, Director Movement at Army HQ (Aug 2025).	Unprosecuted / No conviction.
Lt. Y. G. A. Udaya Kumara	Arrested 2000; released on bail	Military career continued in various posts.	Unprosecuted / No conviction.

4. Alleged Chain of Command & State Oversight (1995–2001)

A. Military Chain of Command

- **51 Division Command & Jaffna Operational HQ:** Exercised overall operational control over security forces, checkpoints (including Chemmani/Kaithady), and screening centers in the Jaffna Peninsula (1995–1996).

- **Intelligence & Security Units:** Regimental Officers, Unit Commanders, and Intelligence Detachments operating in Kaithady, Ariyalai, Navatkuli, and Chemmani.

- **Key Personnel Named in Disclosures:** Lt. Tudugala (Shashinda Tudugala), Captain Jayawardena, Captain Bandara, Corporal Bandara, Major Weerakkody, Major Gunasekera, and Sergeant Silva.

B. Investigative & Prosecutorial Oversight

- **Criminal Investigation Department (CID):** Conducted initial investigations and exhumations in 1999–2000, submitting a comprehensive investigation report to the Attorney General's Department in October 2001.

- **Attorney General's Department:** Maintained sole prosecutorial authority. ***By 2010, the CID formally reported to court that it was still awaiting advice from the Attorney General regarding the 2001 report.***

- **Ministry of Defence:** Exercised administrative jurisdiction over military promotions, postings, and oversight throughout the relevant period.

5. Structural Causes for Lack of Follow-Up on 628+ Disappearances (1996 – 2000)

The failure to achieve accountability for over 628 documented arrests and disappearances in Jaffna stems from deliberate institutional impediments:

- **Prosecutorial Stagnation:** The October 2001 CID report remained unacted upon by the Attorney General's Department for over two decades without indictments.

- **Systemic Promotions:** Suspects released on bail were re-integrated into active duty and steadily promoted to senior ranks (Brigadiers, Major Generals, Chiefs of Staff).

- **Procedural Impediments:** Transferring proceedings from local Jaffna jurisdiction to Colombo Magistrate Courts created severe access barriers for Tamil victims' families and witnesses.

- **Forensic Obstruction:** Administrative delays in funding and releasing forensic samples for independent foreign testing severely compromised physical evidence preservation.

6. Action Requests & International Recommendations

The international community, UNHRC Core Group, and UN Special Procedures are urgently requested to initiate four structured measures:

Target Body	Core Recommendation
UN Human Rights Council	Establish an international record verification mechanism via OHCHR / OSLAP.
Special Rapporteurs / WGEID	Issue joint urgent communications demanding the release and preservation of the 2001 CID investigation file.
INGOs & Human Rights Groups	Construct an independent chain-of-command matrix and master identity register for 51 Division.

Key Immediate Requests

- **Demand File Disclosures & Legal Audit:** Direct the Sri Lankan Government to publish the October 2001 CID Chemmani Investigation File and account for prosecutorial inaction.
- **Implement Strict Vetting:** Apply rigorous human rights vetting against named military officers before UN Peacekeeping deployments or diplomatic appointments.
- **Mandate Evidence Preservation:** Secure judicial, military, and forensic records—including 1999 notes and 2025–2026 excavation data—under Minnesota and Berkeley Protocols.

DOCUMENT CLOSURE

British Tamils Forum (BTF)

The British Tamils Forum is dedicated to advocating for human rights, self-determination, and international accountability for the Tamil people. We work closely with international human rights institutions, legal bodies, victims community, diaspora and diplomatic partners to advance truth and justice.

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