

INTERNATIONAL  
TRUTH  
AND JUSTICE  
PROJECT

**PRESS RELEASE:** Sri Lanka's Ambassador in Brazil flees as human rights groups file case accusing him of war crimes.

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29 August 2017

**Brasilia/London:** The International Truth and Justice Project has filed war crimes charges in Brazil and Colombia against Sri Lanka's Ambassador in Latin America, Jagath Jayasuriya, for his role in the final phase of the civil war in 2009. The United Nations estimated between 40 and 70 thousand Tamil civilians<sup>1</sup> were killed in the last months of the Sri Lankan war and a 2015 UN Investigation<sup>2</sup> found reasonable grounds to conclude the Sri Lankan military had committed systematic and widespread violations of international humanitarian law.

The lawsuit filed in Brasilia and Bogotá on Monday alleges that General Jayasuriya bears individual criminal responsibility as the commander of units that committed repeated attacks on hospitals, acts of torture and sexual violence, enforced disappearances and extrajudicial killings.

"It is an outrage that a man like this, named in UN reports, should be sent as a diplomat abroad and accredited given what he has done. The International Truth and Justice Project (ITJP) and its Latin American partners would have liked to see the General stand trial but instead we understand he's suddenly fled the region and returned to Sri Lanka," said the ITJP's executive director, South African human rights lawyer, Yasmin Sooka. "If he really believed in his innocence, General Jayasuriya would have remained in post and faced the judicial

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<sup>1</sup> 40,000 according to UN Panel of Experts report; 70,000 according to the UN Internal Inquiry Report.

<sup>2</sup> A /HRC/30/CRP.2, Report of the OHCHR Investigation on Sri Lanka (OISL): 2015.

process,” she added “And if Sri Lanka is really committed to rule of law and accountability this is the moment for them to charge him”.

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The filing of the cases in partnership with a number of Latin American organisations was coordinated by Spanish prosecutor, Carlos Castresana Fernández, who was one of the Spanish lawyers who in 1996 initiated the cases against General Videla and General Pinochet in Spain’s National Court and later indicted a number of Guatemalan war criminals and members of organized crime, including the former President Alfonso Portillo, while head of the Commission Against Impunity in Guatemala (CICIG).

“I am shocked to see there is even more evidence of grave crimes in this law suit than in the cases we started against General Pinochet or Videla,” said Castresana, “Nobody believed at first that the Pinochet case would go anywhere or that the Argentinian Courts would ever be able to make the Military Juntas accountable; nobody believed the Guatemalan security forces could be held accountable, but with a handful of good, committed people I want to tell you that it is possible to deliver justice for the victims. I don’t care that he fled Brazil; the case is just starting. He has made things easier for us, because fleeing he will not enjoy immunity anymore.”

General Jagath Jayasuriya was the Vanni Security Force Commander from 2007-9, by his own admission overseeing the entire conduct of the final phase of the war during which Tamil civilians were indiscriminately shelled and bombed and hospitals targeted. General Jayasuriya oversaw the offensive from one of Sri Lanka’s most notorious torture sites, known as “Joseph Camp<sup>3</sup>”. The ITJP has collected testimony from 14 survivors of torture and/or sexual violence in this camp that occurred while General Jayasuriya was in command of the site. Joseph Camp had purpose-built torture chambers, equipped with manacles and chains, pulleys for hoisting detainees upside down, bars for handcuffing them to the ceiling and underground holding cells. Victims describe hearing other detainees screaming at night, which the General would also have been able to hear from his house in the camp.

The lawsuit also alleges General Jayasuriya, who went on to become Sri Lankan army commander, had command responsibility for acts of extrajudicial execution and the enforced disappearance of hundreds of surrendeers at the end of the conflict. Eight years later, the families of the disappeared continue to mount daily protest on the roadsides of northern and eastern Sri Lanka, demanding information about the fate of their sons and daughters, holding up their photographs.

“On 30<sup>th</sup> August we mark the International Day of the Disappeared and as a country that has suffered disappearance, we stand in solidarity with the victims and their families in Sri Lanka,” said Juan Carlos Ospina of the Colombian Commission of Jurists. “We know what it is like to

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<sup>3</sup> ITJP report in:

English: [http://www.itjpsl.com/assets/ITJP\\_Joseph\\_camp\\_report\\_FINAL.pdf](http://www.itjpsl.com/assets/ITJP_Joseph_camp_report_FINAL.pdf)

Spanish: [http://www.itjpsl.com/assets/ITJP\\_Joseph\\_camp\\_spanish.pdf](http://www.itjpsl.com/assets/ITJP_Joseph_camp_spanish.pdf)

Portuguese: [http://www.itjpsl.com/assets/ITJP\\_Joseph\\_camp\\_report\\_POR\\_v2.pdf](http://www.itjpsl.com/assets/ITJP_Joseph_camp_report_POR_v2.pdf)

live without justice and if there's anything we can do to tackle impunity for others we consider it our duty to help," he added.

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## PROFILES

**Yasmin Sooka** is a leading human rights lawyer and transitional justice expert. She is a former member of the South African & the Sierra Leone Truth and Reconciliation Commissions, and was a legal advisor to Ban Ki Moon on the Panel of Experts on Sri Lanka. She served on the UN panel investigating sexual violence by French peacekeeping troops in the Central African Republic and currently chairs the UN Commission on Human Rights in South Sudan for the second year running. Ms. Sooka leads the International Truth and Justice Project, set up in 2013 to collect testimony from survivors and witnesses to war crimes in Sri Lanka, and is the Executive Director of the Foundation for Human Rights in South Africa.

**Carlos Castresana Fernández** was the Commissioner Against Impunity in Guatemala (CICIG) between 2007 and 2010. Since 1989 he has been a member of the Career of Public Prosecutors in Spain, serving in the Supreme Court in Madrid from 2005 onwards. Previously, he worked as a Lawyer, Investigating Judge, Court Magistrate and special prosecutor against organized crime and corruption. In 1996 he filed the lawsuits against the Argentinean and Chilean military *Juntas*, initiating the *Pinochet* Case. Among other awards, he has received the National Human Rights Prize in Spain, the degree of *Doctor Honoris Causa* from the Universities of Guadalajara (México) and Central (Chile), the Great Cross of the Quetzal from Guatemala, the Star of the Solidarity from Italy, the Legion of Honor from France and the Medal of Civil Merit from Spain.

## PARTNER ORGANISATIONS

**ARGENTINA:** [Centro de Estudios Legales y Sociales](#) is an organisation working to protect and promote human rights. It was created in 1979 by a group of families of victims from the military dictatorship. Since then, CELS has fought against impunity in cases of serious human rights violations committed during the dictatorship, as well as cases of structural human rights violations committed during the current democratic system. CELS works on issues such as citizen security, police brutality, prison conditions, economic, social and cultural rights, judicial institutions strengthening, access to justice for vulnerable populations, and the democratisation of armed forces, using investigation, advocacy and litigation to further its aims.

**BRAZIL:** [CONECTAS](#) a non-governmental and not-for-profit organization founded in São Paulo, Brazil in September 2001. Conectas aims to strengthen human rights defenders and academics in the Global South and to foster interaction between them, through collaborative networks. It also aims to strengthen the international protection of human rights by monitoring the foreign policy of Global South countries. In Brazil, Conectas promotes advocacy, strategic and public interest litigation.

**CHILE:** Human rights law firm [Nelson Aucoto and Associates](#), founded in 1978 by lawyer Nelson Aucoto, who worked for the Vicariate of

Solidarity during Pinochet's regime and then from 1995 until recently was head of the Human Rights Office of the Metropolitan Judicial Assistance Corporation. Caucoto has also acted lawyer for the Association of the Relatives of Disappeared Detainees.



**COLOMBIA:** [Comisión Colombiana de Juristas](#) supports the development of international human rights law and international humanitarian law in accordance with the purposes and principles of the Charter of the United Nations, and the full force of the State social and democratic rule of law in Colombia. The commission maintains consultative status at the UN, a subsidiary of the International Commission of Jurists in Geneva, and the Andean Commission of Jurists in Lima.

**PERU:** [Instituto de Defensa Legal](#) is a non-governmental organization in Peru devoted to the defence and promotion of human rights as part of bringing peace to the country and consolidating its democratic institutions. The IDL was founded in 1983, when general and permanent violence appeared in the country, due to the 1980's emergence of Sendero Luminoso, a political organization with terrorist methods, and because of the governmental answer that maintains a continual practice of human rights violations, principally against innocent individuals.

**SOUTH AFRICA/LONDON:** [The International Truth and Justice Project](#) has been collecting testimony from survivors and witnesses to war crimes and post war security force violations in Sri Lanka since 2013. It now has the largest archive of evidence outside the island, with nearly 300 detailed witness statements supported by medical evidence and other corroborating detail. It focuses on collecting statements from Sri Lankans who have fled the country.

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