



3RD LEAD (Adds ICC filing document)

Kohona could face court over Tamil Tiger deaths - Sydney paper

[TamilNet, Monday, 21 February 2011, 13:33 GMT]


"An Australian citizen and senior Sri Lankan diplomat has been accused of complicity in the murders of three surrendering Tamil Tigers in an application to the International Criminal Court in the Netherlands," Sydney Morning Herald said in its Monday edition, referring to Dr Palitha Kohona, who is currently attached to the United Nations Sri Lanka Mission in New York. "...two international Tamil organisations have made a series of war crimes allegations to the International Criminal Court involving Dr Kohona and his role in the negotiated surrender of three Tamil Tigers who are believed to have been killed," the paper said.

"The man, Palitha Kohona, was the international face of the Sri Lankan government's war with separatist militants, the Tamil Tigers, and played an important role in the surrender of Tamil Tiger soldiers following their defeat in May 2009," the paper said.



Dr. Palitha Kohona

"But reports of mass killings and the extrajudicial killing of surrendering Tigers have since surfaced. Dr Kohona and the Sri Lankan government strongly deny the claims, and so far the international community has been reluctant to investigate them," the paper added.

TamilNet has obtained the document filed with the ICC prosecutor. The public copy,  [Filing with ICC Prosecutor Moreno O'Campo](#) spokesperson for the US-based activist group, Tamils Against Genocide (TAG), said, "does not include the detailed deposition given under oath by a senior Sri Lanka's Army Commander who is in hiding in the U.S." The omitted parts of the deposition include a statement which "authenticates the fact that command from higher officials were given to front line commanders to shoot dead surrendeeds," the spokesperson said. The deposition, however, is part of the original filing, the spokesperson added.

The request, filed by the Swiss Council of Eelam Tamils and the US group Tamils Against Genocide, alleges Dr Kohona had been involved in the trio's [Mahindran Balasingham, Seeveratnam Pulidevan and a man known only as Ramesh] surrender in the days before their death, the paper noted.

A spokeswoman for the Home Affairs Minister, Brendan O'Connor, would not comment on the case except to say: "Australia is a party to the Rome Statute and, as such, supports action by the court to prosecute crimes falling within its jurisdiction," the paper further said.

Dr Kohona told the ABC yesterday the claims had no substance and were politically motivated, the paper noted.

[Australian Broadcasting Corporation \(ABC\) contains an audio interview with the different parties involved in the case.](#)

Chronology:

- 08.12.12 [South Africa rejects Silva for deputy ambassadorsh..](#)
- 07.12.12 [Sri Lanka's alleged war-criminal inspects UN Leban..](#)
- 18.03.12 [Shavendra Silva declared "persona non grata" to Br..](#)
- 23.02.12 [War-crime allegations lead to Shavendra's ouster f..](#)
- 18.02.12 [Ban under fire for silence in Shavendra's UN appoi..](#)
- 09.02.12 [US Court dismisses Shavendra case on grounds of im..](#)

- 08.02.12 [Boyle: Appointing alleged war-criminals to UN post..](#)
- 21.11.11 [Treaties provide absolute immunity against civil s..](#)
- 14.11.11 ["Charming Betsy" not so charming towards defendant..](#)
- 09.11.11 [Shavendra not entitled to immunity, argue attorney..](#)
- 02.11.11 [Shavendra raises immunity defense to escape tortur..](#)
- 24.09.11 [Torture case filed against Sri Lanka's ex-General ..](#)
- 13.05.11 [Kohona admits to sending "Killer SMS"](#)
- 04.05.11 [German Rights Group accuses Dias of war-crimes](#)
- 24.02.11 [Ban and Nambiar confer with generals and officials..](#)
- 22.02.11 [Diaspora legal activists speak to Palaka'ni on ICC..](#)
- 21.02.11 [Kohona could face court over Tamil Tiger deaths - ..](#)
- 13.02.11 [TAG, SCET's legal brief asserts ICC obligated to p..](#)
- 08.12.10 [Dual citizen Kohona falls under ICC jurisdiction o..](#)
- 06.12.10 [Suspect Sri Lanka war-criminal in UN post under US..](#)
- 26.11.10 [UN post confers no absolute immunity from war crim..](#)
- 21.11.10 [New York media alerts UN posting of 'War Criminal'..](#)
- 30.10.10 [Denmark Tamils take legal step to file war-crimes ..](#)
- 15.09.10 [European Court to review Jagath Dias case](#)
- 27.08.10 [Sri Lanka's presumptive war-criminal to take UN jo..](#)
- 01.08.10 [Dias case filed in European Court, German Ambassad..](#)
- 24.07.10 [Tamils sue Germany for accepting alleged war crime..](#)
- 21.07.10 [Tamil Country Councils, TAG announce legal partner..](#)

External Links:

SMH: [Australian could face court over Tamil Tigers deaths](#)

ABC-AU: [Push to investigate Australian citizen for war crimes](#)

ICC: [Rome Statute of the ICC](#)

Find this article at:

<http://www.tamilnet.com/art.html?catid=13&artid=33576>

Reproduction of this news item is allowed when used without any alterations to the contents and the source, TamilNet, is mentioned

[News](#) | [Features](#) | [Opinion](#) | [Palaka'ni](#) | [Photo Features](#) | [TN Transcription](#)
[Web feeds](#) | [Feedback](#) | [Home](#) | [About us](#)