

PUBLIC

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9 June 1999

Further information on UA 229/98 (ASA 37/22/98, 26 August 1998) - Fear for safety

SRI LANKA Somaratne Rajapakse, former lance corporal in the army
R D Ashoka Neelkanthi Rajapakse (f), wife of Somaratne
Rajapakse

Amnesty International is very concerned for the safety of a former Sri Lankan army lance corporal Somaratne Rajapakse and his family, after his wife received two threatening letters. Somaratne Rajapakse has been summoned by the magistrate in charge of forthcoming exhumations in the Chemmani area of Jaffna to point to locations of alleged mass graves.

There are also possible concerns for the safety of four other members of the security services and their families after they reportedly corroborated Rajapakse's evidence about the graves.

In a letter to "Somaratne's wife and all his family members", signed by "some members of the army" she was told:

"You are hereby informed that you should prevent the above-named from proceeding on the journey consequent to the statement made by him in Court as it will cause a big stigma on the Government of Sri Lanka and the Army. It will also be a big boost for the Tiger Organisation. You are also hereby informed that if he takes any action in this matter his wife, children and other members of his family should get ready to pay a big price by sacrificing their lives. This is the first and the last warning".

A subsequent letter, dated 26 May 1999 says:

"This letter is to all members of the Rajapakse family. You are hereby informed that you should make him withdraw the statement he made in the High Court following his conviction in the Krishanthi Case. Even though he was repeatedly asked to do so he continued to issue statements regarding this matter to Human Rights Organisations. Be that as it may, it appears that an inquiry is to be held during the sixth month [sic] and if he shows them the "places" please note that all the members of the family will be murdered. Please take this as the first and the last warning. If you inform the Police about this [letter] you will also be murdered. You must ensure that Rajapakse does not show the places. The relevant positions [persons] have already been arranged to be ready to murder all of you if he shows the places. With good intentions we are giving you adequate notice. Sgd. [Illegible]

Somaratne Rajapakse is currently in Bogambara prison, Kandy, awaiting the outcome of an appeal against a death sentence imposed by the Colombo High Court in July 1998. The court had found all five guilty of the rape, abduction and murder of 18-year-old Krishanthi Kumarasamy and the murder of her mother, younger brother and neighbour in 1996 in Chemmani. During the trial Rajapakse told the court that 300 to 400 other bodies were also buried at this site. He said: "almost every evening, dead bodies were brought there and the soldiers were asked to bury them".

Exhumations of the mass graves suspected to contain the bodies of scores of people who "disappeared" in Chemmani between July and September 1996 are scheduled to take place on 16 June 1999. Rajapakse is expected to be taken there in order to identify where the graves are situated.

His four co-accused currently in Colombo prison who reportedly corroborated his statement, and their families, may also be at risk.

BACKGROUND INFORMATION

In August 1998, Somaratne Rajapakse was hospitalized after being beaten up by prison guards at Welikade prison, Colombo, apparently for refusing to sign a written statement saying that his original statement about the mass graves had been untrue.

The Human Rights Commission of Sri Lanka has reportedly asked the police to provide protection to his family and initiated other measures to ensure Somaratne Rajapakse's protection during his stay in Jaffna.

FURTHER RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English or in your own language:

- expressing concern for the safety of Somaratne Rajapakse, his wife, family and other security forces personnel sentenced to death, and their relatives, following receipt by Mrs Rajapakse of threatening letters;
- urging the authorities to undertake a full and impartial investigation into the origins of the letters;
- urging that all necessary measures be taken to ensure his safety, the safety of the other convicted prisoners who have given evidence about the mass graves at Chemmani, Jaffna and their relatives.

APPEALS TO (please note that fax tones can be difficult to obtain):

President Chandrika Bandaranaike Kumaratunga
 Presidential Residence
 "Temple Trees"
 Colombo 3, SRI LANKA

Telegrams: President Kumaratunga, Colombo, Sri Lanka
Faxes: + 94 1 33 37 03
Salutation: Your Excellency

Minister of Justice and Constitutional Affairs, G L Peiris
 Ministry of Justice
 Hulfsdorp
 Colombo 12, Sri Lanka

Telegrams: Justice Minister, Colombo, Sri Lanka
Faxes: + 94 1 44 54 46 / 44 54 47
Salutation: Dear Minister

COPIES TO: diplomatic representatives of SRI LANKA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.