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Sri Lanka: Rape in custody must be stopped immediately

Allegations of rape in custody by army, police and navy officials increased markedly in Sri Lanka last year, Amnesty International said in a new report published today. The organization has evidence of cases where women in custody were blindfolded, beaten, had their clothes forcibly removed and were raped.

The majority of incidents occurred in the context of the armed conflict between the security forces and the Liberation Tigers of Tamil Eelam (LTTE) who are fighting for an autonomous state in the north and east of Sri Lanka. Many of the victims are internally displaced women.

"The fact that complaints of rape, like other complaints of torture, are often not effectively dealt with by police, magistrates or doctors challenges the government to tackle this problem. Deficiencies in the early stages of the criminal investigation process have repeatedly contributed to the ultimate collapse of the investigation of the rape and the prosecution of the perpetrators," Amnesty International said.

"The new government of Prime Minister Ranil Wickremasinghe must now do everything in its power to prevent this grave sexual abuse of detainees."

The organization is urging the new Prime Minister to:

-- send a clear public message to all security forces personnel that rape and other serious sexual violence in custody will not be tolerated and

that perpetrators of such offences will be brought to justice and held accountable;

-- establish an independent investigative body with the necessary powers and expertise to open criminal investigations where human rights violations, including rape, are believed to have been committed.

Amnesty International has welcomed the steps taken by successive governments over the last few years to combat torture, such as the ratification of the UN Convention against Torture in early 1994 and its incorporation into national law later that year as well as the more recent inclusion of more specific crimes of rape in custody and gang rape as acts punishable by a minimum of 10 years imprisonment under the Penal Code. However, despite those positive steps to date not one single member of the security forces has been found guilty of rape in custody in a court of law. Only in one case, where the victim was murdered, the culprits were brought to justice.

"Ensuring justice for the countless women who have been victims of rape in custody, is an opportunity for the new Prime Minister to redeem his party's election pledge to 'safeguard women's rights', " Amnesty International concluded.

Today the UN Committee on the Elimination of Discrimination against Women (CEDAW) is reviewing the periodic report of the Sri Lanka government and Amnesty International takes this opportunity to particularly highlight its concerns about abuses of the rights of women in Sri Lanka.

Selected case study:

In March 2001, Sinnathamby Sivamany (24) and Ehamparam Wijikala (22), two Tamil women, were arrested by members of the navy in the

coastal city of Mannar and taken to the office of a special police unit. There, Ehamparam Wijikala was taken inside the police station and brutally raped by two officers. In the meantime, a navy officer climbed into the van and blindfolded Sinnathamby with a sock aided by the driver of the van. This officer then forcibly undressed and raped her. Some time afterwards she was taken inside the office to the room in which Ehamparam Wijikala was being held. Security forces personnel present there beat her then demanding that she remove her clothes. When she refused, Rajah, a male police officer, ordered Ehamparam Wijikala to remove Sinnathamby's clothes. Both women were made to parade naked in front of the men. They were then made to sit in a crouched position; their hands and legs were tied and attached to a pole which was then placed between two tables so they were left hanging. They were in this position for about 90 minutes and were pinched and beaten with a thick wire during that time.

For a copy of the report visit

<http://www.web.amnesty.org/ai.nsf/index/asa370012002>

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