

EXTERNAL

AI Index: ASA 37/09/96

This is a limited action. Please restrict appeals to 20 per Section

UA 115/96

"Disappearance"

3 May 1996

SRI LANKAKulandavel Mahesan (19)

Murugupillai Kiruparan

Markandu Jeevarasa (20)

According to reliable sources, Kulandavel Mahesan, Murugupillai Kiruparan and Markandu Jeevarasa, three young Tamil men, have "disappeared" following their arrest by members of the Special Task Force (STF) at Tirukovil, Amparai District, on 29 March 1996 as they were cycling towards Kolavil, their home village.

On 30 March, relatives inquired at the Tirukovil STF Camp, where they met the Officer-in-Charge. He reportedly told them that all three had indeed been arrested but had since been handed over to the Akkaraipattu STF Camp. However, when relatives made inquiries there, they were told that no prisoners had been transferred from the Tirukovil STF Camp. Further inquiries at both STF Camps have so far been unsuccessful.

Amnesty International understands that the "disappearances" have been reported to the International Committee of the Red Cross and to the regional manager of the Human Rights Task Force (HRTF) at Kalmunai. On 25 April 1996, Amnesty International appealed to the HRTF to establish the fate or whereabouts of the three young men. To date, HRTF has not been able to obtain information about them.

BACKGROUND INFORMATION

There have been continuing reports of alleged "disappearances" from eastern Sri Lanka in the context of the armed conflict in the north and east of the country between members of the Liberation Tigers of Tamil Eelam (LTTE), the main armed opposition group fighting for an independent state in the area, and the security forces. Since the fighting resumed in April 1995, Amnesty International has recorded 60 "disappearances", most of them attributed to the army. The above three cases are the first reported to Amnesty International from Amparai District since the resumption of the fighting. In the mid-1980s, the STF, a police commando unit, was held responsible for scores of "disappearances" of Tamil young men in the area. Since April 1995, eight "disappearances" attributed to the STF have been recorded from the southern part of Batticaloa District, to the north of Amparai.

In mid-1995, the government reinstated the powers of the HRTF, an independent body set up by the previous government to monitor and safeguard the welfare of detainees. Shortly afterwards, the President issued directives to the heads of the security forces to safeguard the rights of detainees. Among the measures introduced was the issuing of "arrest receipts" with the name and rank of the arresting officer, the time and date of arrest and the place at which the person will be detained. In addition, the security forces have been directed to inform the HRTF of any arrest or detention "forthwith, and in any case not later than forty-eight hours from the time of such arrest or detention" and the place at which the person is being held as well as of any transfers of prisoners.

Amnesty International has welcomed these measures and has urged that all necessary steps be taken to ensure strict implementation. However, when meeting with officials of the Ministry of Defence during a research trip in

early March 1996, the organization was told that the issuing of "arrest receipts" was "impractical". While appreciating that it may not be possible in some exceptional circumstances to issue such a document at the time of arrest, Amnesty International is urging that record is made of why it was not possible to issue such a document, as indeed is provided for in the presidential directives. In any case, Amnesty International believes there cannot be any excuse for not informing the HRTF within 48 hours of arrests and detention.

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

- urging that the government swiftly investigate the whereabouts and safety of Kulandavel Mahesan, Murugupillai Kiruparan and Markandu Jeevarasa, reportedly "disappeared" since 29 March 1996, and ensure that, if there are no recognisable criminal charges against them, they be immediately and unconditionally released;
- urging the government to ensure that the safeguards on arrest and detention introduced in July 1995, particularly the need to inform the HRTF of any arrest and detention within 48 hours, are fully implemented and that steps are taken to discipline officers who fail to enforce them.

APPEALS TO:

Her Excellency President Chandrika Bandaranaike Kumaratunga
 Presidential Residence
 "Temple Trees"
 Colombo 3, Sri Lanka
Faxes: + 94 1 33 37 03
Telegrams: President Kumaratunga, Colombo, Sri Lanka
Salutation: Your Excellency

The Hon (General) Anuruddha Ratwatte
 Deputy Minister of Defence
 Ministry of Defence
 15/5 Baladaksha Mawatha
 Colombo 3, Sri Lanka
Faxes: + 94 1 68 77 68 or 54 15 29
Telegrams: Deputy Defence Minister, Colombo, Sri Lanka
Salutation: Dear Minister

Deputy Inspector General of Police Dharmasiri Weerakoon
 Commandant
 Special Task Force
 223, Bauddaloka Mawatha
 Colombo 7, Sri Lanka
Faxes: + 94 1 58 84 99
Telegrams: Commandant, Special Task Force, Colombo, Sri Lanka
Salutation: Dear Commandant

COPIES TO: diplomatic representatives of Sri Lanka accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 30 June 1996.