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Torture in Sri Lanka - 'Many times I would lose consciousness'

<http://www.amnesty.org/en/news/torture-sri-lanka-many-times-i-would-lose-consciousness-2013-06-26>

Thevan (not his real name) has flashbacks of the impossible days he spent being tortured in a police cell in Sri Lanka's capital, Colombo.

These flashbacks force him to relive a story so harrowing that even he sometimes struggles to believe it happened to him.

"I was blindfolded and with my hands tied behind my back. Sometimes our heads were banged against the wall or we would be kicked on our chests. Many times I was half conscious or would lose consciousness. When I would come back I would find people hitting me. They used to say: 'You must accept that you are part of the Tamil Tigers and you must sign these papers'".

In late 2008, Thevan worked in a shop near Vavuniya.

On 29 November that year, he travelled to Colombo with a friend amid the country's escalating civil war, and both were abducted by men driving a white van.

The men blindfolded them and took them to a detention centre. Three days of torture passed before they realized they were being held in a police station.

"For three days we didn't know what had happened to us, they just beat us. No questions were asked, only beatings and torture. We were kept in the same place but in different rooms. I could sometimes hear my friend crying as he was being beaten up and he could hear me," Thevan told Amnesty International.

Pattern of abuse

Thevan's story is illustrative of the abuses committed by the Sri Lankan security forces against anyone they suspected of being members of the Liberation Tigers of Tamil Eelam (LTTE) – an armed opposition group that fought for an independent Tamil state on the island.

The 26-year-long war between the Sri Lankan government and the LTTE ended in 2009 but the abuses that became entrenched over that period persist.

Journalists, lawyers, grassroots activists – anyone who dares to criticize the authorities – can be picked up under draconian security laws and detained for years without access to the outside world.

The Prevention of Terrorism Act – a holdover from the 1980s – is one of the main legal tools deployed by the government to silence its critics. Under it, people can be arrested without charge or trial and held for up to 18 months under a detention order, or pending trial - indefinitely. Locked in a sinister limbo and denied the right to a lawyer, they are left vulnerable to torture – despite a constitutional ban on the practice.

Sometimes the authorities eschew legal avenues altogether, harassing and assaulting their critics through anonymous means. Credible reports of people being bundled into white vans by unidentified assailants and later dumped, or never seen again, are alarmingly frequent.

For most of them, what followed the arrest was months of detention in unknown centres where security forces would try and force them to confess to being part of the Tamil Tigers.

Thevan was ill-treated in detention until his release in 2011. “They were trying to push me to sign by holding a pen in my hand and putting the paper in front of me, but I refused to do that, and after that the beatings started increasing. Once they hit my head so hard the blood was pouring down my side and there was a crack in my skull. You can still see the scars now,” Thevan explained.

Prison time

On 1 December 2008, after several days of torture and barely able to stand, Thevan was taken to a hospital where doctors treated his injuries.

His arms and legs were handcuffed to a bed.

“They would only take the handcuffs off when I had to go to the toilet and two police officers would come with me, and I had to leave the door open.”

Two weeks after his arrest, Thevan was taken to the Colombo Crime Division – the offices of the investigative branch of local police.

Four months later, he was transferred to one of the main prisons in Sri Lanka.

Thevan still hadn't been charged with an official crime. He simply did not know why he was being held, or why he continued to be ill-treated.

Every 14 days during his stay in the Welikada maximum security prison in Colombo, Thevan would be chained together with 70 other prisoners and taken in front of a judge.

The hearing would consist of a formal extension of the detention, rubber stamped by a magistrate who is not obliged to ask Thevan or the other prisoners if they wish to speak.

The situation in the prison was particularly difficult for Thevan as guards would tell other prisoners to attack those whom they accused of being supporters of the Tamil Tigers. Prisoners including Thevan were often humiliated, including being publicly stripped and forced to sit in front of others. Some prisoners also alleged other forms sexual abuse.

“Thevan's story clearly shows how poorly the legal system functions in Sri Lanka,” said Polly Truscott, Deputy Asia-Pacific Director at Amnesty International.

“The fact that there was no charge against him, that he was repeatedly tortured, and had no idea if was going to be held in prison for a day or two, five months or 30 years, shows exactly what is wrong with the system.”

The price of freedom

While Thevan was in prison wondering what would happen to him, his family was saving money to pay for a lawyer and navigate a complicated local system of bribes to get him out of the prison.

They claim these bribes are the reason he was eventually released.

And even though he now feels safe, living outside the country, he lacks confidence that he would ever see justice for the abuses he has suffered.

“The only reason I’m out of prison is because my family paid. I was kept detained to get money from my family. There was never an official charge. No attempt was ever made to investigate the abuses I suffered. We don’t feel we’ll get justice out of the system,” he says.

Background Information

1 May 2013 'There are no human rights in Sri Lanka' (feature)

<http://www.amnesty.org/en/news/there-are-no-human-rights-sri-lanka-2013-05-01>

Take Action!

<https://campaigns.amnesty.org/actions/demand-truth-from-sri-lanka-president>