

EXTERNAL

AI Index: ASA 37/17/96

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

UA 222/96

"Disappearances"

20 September 1996

SRI LANKAKrishanthy Kumarasamy (f), aged 18, student
Rasammah Kumarasamy (f)
Pranaban Kumarasamy, aged 16, student
Kirupakaran Sithamparam, aged 35, peon (office messenger)
Subramaniam, municipal council worker
Ganeshu Sri Ram, student

Over the last few days, Amnesty International has learned of six "disappearances", all from Kaitadi in Jaffna district. Among them are two women and a 16-year-old student from the same family.

Krishanthy Kumarasamy, from "Kumaralayam", Kaitadi, Jaffna, was taken into custody at an army sentry point between Chundikkuli and Kaitadi on 7 September 1996 around 10.30am. She was arrested when returning home after sitting an exam at Chundikkuli Girls' School, Jaffna.

Her mother, Rasammah Kumarasamy, and her brother, Pranaban Kumarasamy, together with a friend of the family, Kirupakaran Sithamparam, went in search of her later that day. They were told by people in the area that Krishanthy Kumarasamy was seen being arrested by the army at the sentry point. They went to the sentry point, and were seen reaching it between 4.30 and 5pm. They have not been seen since. Relatives have inquired about all four people at the sentry point, but soldiers denied taking any of them into custody.

The four "disappearances" were brought to the attention of President Chandrika Bandaranaike Kumaratunga on 13 September by a member of parliament. In addition, the "disappearances" were raised in Parliament on 16 September. The Deputy Minister of Defence reportedly asked for two weeks to provide a response.

Amnesty International has also learned that on 12 August, Subramaniam, a municipal council worker, and Ganeshu Sri Ram, a student, were seen being taken into custody by the army at Kaitadi. They were reportedly taken from their homes in the same neighbourhood by army personnel travelling in a truck. Since then, the local army officials deny these two people are in their custody.

BACKGROUND INFORMATION

Since the security forces regained control over the Jaffna peninsula from the Liberation Tigers of Tamil Eelam (LTTE) in late 1995 - early 1996, there have been several reports of arbitrary arrests, torture, rape, "disappearances" and extrajudicial executions. These reports have been hard to verify due to strict control on travel to and from the area. Only few journalists have been permitted to visit the peninsula, and when doing so they were only given limited freedom of movement.

To date, the Human Rights Task Force (HRTF), an official body set up to safeguard the welfare of detainees, with regional offices in various parts of the country, has reportedly not been allowed to open an office in the Jaffna peninsula. Amnesty International appreciates the difficulties experienced by the HRTF when investigating reports of "disappearances", particularly in areas where it does not have an office. It is also concerned that the lack of presence of organizations such as HRTF in these areas may contribute to a feeling among

the security forces deployed there that they can act with impunity away from the scrutiny of civilian organizations.

Amnesty International is urging the government to open a HRTF office in Jaffna. This would allow HRTF officers to visit places of detention on a regular basis and thus prevent torture and "disappearances". It would also provide an on-the-spot channel of communication for the civilian population to make complaints to and inquiries from the security forces. In addition, security forces should be instructed to at all times adhere to the presidential directives issued in mid-1995 to safeguard the welfare of people arrested and detained. Finally, observers should be allowed to visit the areas, as an additional preventive measure against further human rights violations.

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

- expressing serious concern about the "disappearances" of Krishanthi Kumarasamy, Rasammah Kumarasamy, Pranaban Kumarasamy, Kirupakaran Sithamparam, Subramaniam and Ganeshu Sri Ram from Kaitadi;
- urging that the government swiftly investigate their whereabouts, and that, if there are no recognisable criminal charges against them, they be immediately and unconditionally released;
- urging the government to establish a HRTF office in the Jaffna peninsula and to press upon the security forces to give its officers full cooperation.

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 54 15 29 or 68 77 68
Telegrams: Deputy Defence Minister, Colombo, Sri Lanka
Salutation: Dear Minister

R K Chandrananda de Silva
 Secretary, Ministry of Defence
 No 15/5 Baladaksha Mawatha
 Colombo 3, Sri Lanka
Faxes: + 94 1 54 15 29
Telegrams: Secretary Defence Ministry, Colombo, Sri Lanka
Salutation: Dear Secretary

Lt-General Rohan Daluwatte
 Army Commander
 Army Headquarters
 Flagstaff Street
 Colombo 1, Sri Lanka

Telegrams: Army Commander, Colombo, Sri Lanka
Salutation: Dear Army Commander

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 4 November 1996.