

UA 372/93 Arbitrary and unacknowledged arrests/Fear of "disappearance"

22 October 1993

## SRI LANKA

Nagaiah Ramachandran (24)  
Pathmanathan Gobinathan (19)  
Nadarajah Manoranjith (19)  
Vadivel Pathiparajah (19)  
Harihan  
Sadeswaran (13)

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Thousands of Tamil people have been arbitrarily detained in the capital, Colombo, and its suburbs since 15 October 1993 in the latest wave of arbitrary arrests by the Sri Lankan security forces. Relatives often do not know where the prisoners are held. Some are taken away by men in police or military uniform. Others are taken by officers wearing civilian dress. Many of the arrests are made in the middle of the night. In six documented cases the arrests had still not been acknowledged by the police three or four days after the arrest, and there are fears for the safety of these prisoners. Amnesty International believes that these six cases only represent a small number of those held in unacknowledged detention.

Nagaiah Ramachandran, a student at college in Kurunegala, was reportedly arrested at 4am on the 17 October 1993 by soldiers. At the time, he was staying with friends in Mount Lavinia, a suburb of Colombo. He had been detained by police for a few hours on the morning of 16 October, and then was picked up again that night. Three trucks of soldiers and one jeep were reported to be rounding up Tamil people in the area that night. His whereabouts remain unknown.

Three more people whose whereabouts remain unknown were reportedly arrested from their homes in the Colombo area in the early morning of 17 October by a group of men wearing civilian dress who were travelling in a jeep. Pathmanathan Gobinathan was arrested from his home at Kalubowila, Dehiwala, at 4.45am on 17 October 1993; at about 4.30am, Nadarajah Manoranjith had been similarly taken from his home at Kirulapone; and at about 3.30am that night Vadivel Pathiparajah had also been arrested from his home in Wellawatte. Vadivel Pathiparajah was reported to have been taken away blindfolded. Both Nadarajah Manoranjith and Vadivel Pathiparajah are students at the Bambalapitiya Hindu College.

Two further people arrested on 17 October 1993 whose whereabouts remain unknown are Harihan and Sadeswaran, who were reportedly arrested together from a guest house in Colombo 13 by a group of men in civilian dress driving a jeep which, according to one report, had no number plates.

**BACKGROUND INFORMATION**

Widespread arbitrary arrests of members of the Tamil community in and around Colombo began in June 1993 soon after elections to provincial councils had been held. Many people appear to have been detained solely on the basis of their ethnic origin. Since June there have been several waves of such arrests, apparently connected with investigations into the assassinations of opposition leader Lalith Athulathmudali and President Ranasinghe Premadasa on 23 April and 1 May respectively, and with reports that the Liberation Tigers of Tamil Eelam (LTTE) had infiltrated the city. Police attributed both assassinations to the LTTE. Although in June 1993 the government agreed with Tamil political

leaders to implement a series of measures to guard against arbitrary detention, these measures have not been implemented and the arrests continue.

The most recent wave of arrests began on the night of 15 October 1993 following a statement by the Defence Ministry that a body-bomb (to be worn by a suicide bomber) had been found in a box on a beach at Modera, north of Colombo, on 14 October 1993. The bomb was said to be of the type used to kill both former President Premadasa earlier in the year and the former Indian Prime Minister, Rajiv Gandhi, in 1991, raising fears that LTTE suicide squads may have entered the city.

The pattern of recent arrests by mixed groups of police and army, and by men in civilian dress possibly driving unmarked jeeps, is reminiscent of the manner in which thousands of people were detained in the south between 1988 and 1990, when the government was seeking to suppress an insurgency by the *Janatha Vimukthi Peramuna* (People's Liberation Front). Tens of thousands of people "disappeared" in custody in that period. Relatives were never able to trace them.

There is no indication yet of a repetition of widespread "disappearances" in Colombo. Indeed, in the past year the number of "disappearances" reported from Sri Lanka - including from the zone of conflict in the northeast - has decreased markedly and there is now a greater chance than ever before that people taken into unacknowledged detention will be traced. However, the fact that many people in Colombo are being taken into custody by men in civilian dress; that people are unable to trace the whereabouts of imprisoned relatives for days, at least; and the fact that the safeguards on arrest and detention which the government agreed to in June are not being implemented, all contribute to a fear that conditions may be allowed to develop which would again facilitate "disappearance" in custody.

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

- expressing concern at reports of widespread arbitrary arrests of Tamil people in the Colombo area apparently solely on the basis of their ethnic origin;
- expressing concern that the arrests of the six individuals named above appear not to have been acknowledged, and saying that there are fears for their safety;
- urging that the government swiftly investigate the whereabouts and welfare of these six individuals and ensure that, if there are not recognisably criminal charges against them, they be immediately and unconditionally released;
- urging the government to ensure that the safeguards on arrest and detention which it agreed with Tamil political leaders in June 1993 are fully implemented and that steps are taken to discipline officers who fail to enforce them;
- expressing concern that some recent arrests were reportedly made by officers in civilian dress, making it more difficult for relatives to trace the whereabouts of prisoners.

**APPEALS TO**

President D B Wijetunge  
 Presidential Secretariat  
 Republic Square  
 Colombo 1

Sri Lanka

**Telegrams:** President Wijetunge, Colombo, Sri Lanka

**Telexes:** 22650 PRESEC CE

**Faxes:** + 94 1 446657

**Salutation:** Dear President

**COPIES OF YOUR APPEALS TO:**

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 3 December 1993.