

PUBLIC

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Fear of safety

26 August 1998

SRI LANKA Somaratne Rajapakse, former lance corporal in the army

There are fears for the safety of Somaratne Rajapakse who is in Welikade prison hospital following an attack on him by prison guards on 23 August 1998. One of the attackers subsequently visited him in the hospital and allegedly threatened him not to talk about the incident "or you won't be able to leave the prison alive". Somaratne Rajapakse sustained injuries to his mouth, below his left eye and to his chest.

In July Somaratne Rajapakse and five other members of the security forces were sentenced to death after being found guilty of the rape, abduction and murder of a young women, Krishanthy Kumarasamy, together with her mother, brother and neighbour. Their bodies had been discovered at Chemmani, Jaffna district, northern Sri Lanka, two years earlier. During the trial Somaratne Rajapakse revealed to the court that 300 to 400 other bodies were also buried at this site.

Following these revelations both the Criminal Investigation Department and the Human Rights Commission of Sri Lanka took sworn statements from him and his fellow convicts. The Sri Lankan authorities were called upon by Amnesty International to authorize a parallel investigation by both organizations into the mass graves, with the assistance of international forensic experts. Amnesty International has also appealed for the commutation of the death sentences.

The attack on Somaratne Rajapakse appears to have resulted from his refusal to sign a written statement offered to him by the guards, reportedly on the order of "the Minister", to the effect that he had been emotionally disturbed at the time he made the statement to the High Court about the mass graves and that it had been untrue. Somaratne Rajapakse subsequently attempted to swallow the paper he was being asked to sign, in order to preserve it as evidence, but the guards violently extracted it from his mouth, contributing to some of his present injuries.

BACKGROUND INFORMATION

There is growing concern about security in Sri Lanka's prisons, which fall under the authority of the Ministry of Justice. In December 1997, one Muslim and two Tamil detainees were killed at Kalutara prison by a group of Sinhalese prisoners in an apparently premeditated attack. Reports indicated that prison staff and army personnel failed to protect the detainees and that some were actively involved in the attack. A presidential commission of inquiry was appointed to investigate the killings but to date its findings have not been made public.

More recently, on 30 June, a member of parliament visiting detainees at Kalutara prison was attacked by a group of prisoners and seriously injured. A police investigation into this incident, including allegations of negligence by prison authorities, is currently underway.

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

- expressing concern for the safety of Somaratne Rajapakse, following the attack on him by prison guards at Welikade prison on 23 August 1998 and subsequent threats to his life while in the prison hospital;
- urging the authorities to undertake a full and impartial investigation into the incident described above;
- urging that he receives all necessary medical treatment and that a judicial medical officer examine him to ascertain the precise nature of his injuries;
- urging that all necessary measures be taken to ensure his safety and the safety of the other convicted prisoners who have given evidence about the mass graves.

APPEALS TO:

President Chandrika Bandaranaike Kumaratunga
Presidential Residence
"Temple Trees"
Colombo 3, SRI LANKA

Telegrams: President Kumaratunga, Colombo, Sri Lanka
Faxes: + 94 1 33 37 03
Salutation: Your Excellency

Minister of Justice and Constitutional Affairs G L Peiris
Ministry of Justice
Hulfsdorp
Colombo 12, Sri Lanka

Telegrams: Minister of Justice, Colombo, Sri Lanka
Faxes: + 94 1 44 54 46 / 44 54 47
Salutation: Dear Minister

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 7 October 1998.