

UA 320/98

Fear of "disappearance"

23 December 1998

SRI LANKA  
Pakiyaratnam Yogeswaran (16)  
Subramaniam Atpudarasa (17)  
Selvarasa Tamilchelvam (16)  
Mylvaganam Jayaseelan (23)  
Lakshman Ketheeswaran (22)  
Nadarasa Rajaratnam (30)  
Veeraiah Udayakumar (30)  
Gunakularasa Danushan (17)

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Amnesty International is concerned about the "disappearance" of the eight above-mentioned men who went missing in Vavuniya district between 27 October and 21 December 1998. The "disappearances" have been attributed to the army and members of the People's Liberation Organization of Tamil Eelam (PLOTE), one of several armed Tamil groups opposed to the Liberation Tigers of Tamil Eelam (LTTE), currently fighting the security forces in the north and east of Sri Lanka. Most of the "disappeared" are internally displaced people. Among them are four juveniles.

Veeraiah Udayakumar was last seen being taken away from his home at Sittamparapuram on 27 October by members of PLOTE. Lakshman Ketheeswaran was taken into custody the same day in Sittamparapuram at around 10am. Nadarasa Rajaratnam was also taken into custody from his home at 92/6, Sittamparapuram at around 6pm on 4 November by members of PLOTE. Sittamparapuram is a camp originally established for refugees who returned from India to Sri Lanka but who were unable to resettle in their homes due to the ongoing conflict. It is suspected that members of PLOTE took them into custody at their Kovilkulam camp, but to date they have denied any knowledge of the men's "disappearances".

Gunakularasa Danushan, a student, was arrested on 22 November on his way from Maharabakulam, Poonthoddam to Vavuniya town. He was taken away in a white van known to be used by the army. Army officials deny he is in their custody.

Pakiyaratnam Yogeswaran was last seen being taken into custody at around 11am on 25 November while having a bath at a well near Veppankulam camp. He is originally from Sandilipai, Jaffna, but had been living in the Veppankulam camp for displaced people since February 1997. It is suspected that he was taken into custody by the army, but to date army authorities have denied his detention.

On 20 December, Mylvaganam Jayaseelan from Kurumankadu was seen being taken away by two men travelling on a motorcycle in front of Shanthi clinic, Vairakuliyankulam. It is suspected the abductors were members of PLOTE. To date his fate or whereabouts have not been established.

On 21 December, Subramaniam Atpudarasa and Selvarasa Tamilchelvam were seen being taken into custody by PLOTE at Kovilkulam. They both work at Asian Cool Bar, Vairakuliyankulam, Vavuniya and had been on their way to see a friend in Kovilkulam. It is suspected they too are detained at Kovilkulam PLOTE camp but PLOTE leaders are denying that they are in their custody.

#### BACKGROUND INFORMATION

Amnesty International has repeatedly expressed concern about the persistent use of unauthorized places of detention, particularly by armed Tamil groups opposed to the LTTE. In Vavuniya, evidence has emerged of three unofficial

detention places run by members of PLOTE after one prisoner escaped in September 1998.

During a visit to Vavuniya later that month, Amnesty International delegates found evidence of severe torture at two unauthorized places of detention run by members of PLOTE at Kovilkulam and Rambaikulam. Around that time, approximately 40 prisoners were estimated to be held in unacknowledged detention at these places.

The organization has welcomed the introduction by the government of measures to safeguard the welfare of detainees. These include the requirement that detainees only be held in officially gazetted places of detention; that keeping a detainee in an unauthorized place is an offence; and that each arrest has to be reported immediately to the Human Rights Commission of Sri Lanka (HRC), and not later than 48 hours from the time of arrest. Amnesty International understands that members of the army in Vavuniya have repeatedly failed to inform the HRC of arrests and detentions within the stipulated period. Despite continuing appeals by local and international organizations, no action has been taken to bring an end to the use of unauthorized places of detention by PLOTE.

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

- expressing concern for the safety of the above-named people who have not been seen since they were taken into custody in the Vavuniya area;
- urging that the government provide immediate information about their whereabouts and the reason for their arrests;
- urging that, if they are in official detention, they be promptly charged with a recognizable criminal offence, or immediately released, and that steps be taken in the meantime to safeguard their physical integrity and to allow them immediate access to their families, legal counsel and medical care;
- urging that those held in unauthorized places are transferred to regular places of detention or released;
- urging that those responsible for their "disappearances" be brought to justice.

**APPEALS TO:**

Her Excellency 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**

The Hon (General) Anuruddha Ratwatte  
 Deputy Minister of Defence  
 Ministry of Defence  
 15/5 Baladaksha Mawatha  
 Colombo 3, Sri Lanka

**Telegrams: Deputy Defence Minister, Colombo, Sri Lanka**

**Faxes: + 94 1 54 15 29 / 68 77 68**

**Salutation: Dear Minister**

R K Chandrananda de Silva  
 Secretary

Ministry of Defence  
No 15/5 Baladaksha Mawatha  
Colombo 3, Sri Lanka

**Telegrams: Secretary Defence Ministry, Colombo, Sri Lanka**

**Faxes: + 94 1 54 15 29**

**Salutation: Dear Secretary**

Lt-General Sri Lal Weerasooriya  
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 3 February 1999.