

PUBLIC

AI Index: ASA 37/015/2006

09 June 2006

UA 164/06

"Disappearance"

SRI LANKA

Rasanyagampillai Sivananthamoorthy (m), aged 35
Markandu Pushpakanthan (m), aged 26
Kandasamy Parimelalakan (m), aged 29
Vaikundavasan Vikunthakumar (m), aged 22
Ratnam Thayaruban (m), aged 19
Ponnambalam Partheepan (m), aged 22
Selvaratnam Sivanantham (m), aged 22
Ramachandran Rasakumar (m), aged 22

The eight Tamil men named above went to a Hindu temple in the north of the country on the evening of 6 May, to decorate it for a religious festival. The following morning they were reported missing and their whereabouts remain unknown. There are grave concerns for their safety.

Due to a curfew imposed at the time, it was not until 9 May that, following complaints by relatives, members of the Jaffna branch of the Sri Lankan Human Rights Commission (HRC), (a statutory body conducting independent investigation of reports of human rights violations), were able to visit the temple, called Seerani Kelakkai, in Manthuvil East, 7km northeast of Chavakachcheri town in Jaffna District. There they interviewed more than 50 people living nearby who said that on 6 May more than 25 army personnel had come to the temple for no apparent reason and then left. At the time there were many other people at the temple getting ready for the festival. Later that night, at around 1am, the residents reported that a vehicle came to the temple and they heard gunshots. Soon afterwards they reportedly saw two army vehicles leaving the temple. At about 4.30am, two more vehicles arrived.

Local people were afraid, and waited until daylight before they went to the temple to see what had happened. When they arrived at the temple at 6am, they found some army personnel there, who when they saw the villagers left immediately in an army truck and an armoured vehicle. They drove in the direction of Varany army camp, the headquarters of 52 Brigade, which is 3km from the Seerani Kelakkai temple.

The HRC team inspected the site and found bloodstains, several spent cartridges, some identity cards and discarded clothes lying on the ground at the temple. The local residents allege that the eight young men were taken away by the army. One of the men, Rasanyagampillai Sivananthamoorthy, is the general secretary of the Temple Trustee Management Board, while Markandu Pushpakanthan is a member of the Board. After their relatives complained, the local magistrate reportedly told the police at Kodikamam, a town near Chavakachcheri, to conduct investigations into the "disappearance" of the eight men.

BACKGROUND INFORMATION

Sri Lanka has a population of 19.5 million of whom the majority are Sinhalese (74%), who are mainly Buddhist. The next largest groups are Tamils (18%), who are mainly Hindu, and Muslims (7%). Tamil demands for regional autonomy in the island surfaced during the 1970s and precipitated the start of a conflict running for over two decades, when the armed opposition group Liberation Tigers of Tamil Eelam (LTTE) began fighting for an independent homeland in the north and east of the island.

The government and the LTTE entered into a ceasefire agreement, known as the CFA, in February 2002. Human rights abuses have been reported regularly since the CFA was signed, but they escalated dramatically following a split in the LTTE in March 2004, with politically motivated killings, torture and the recruitment of children as combatants being reported from the east. Since December 2005 violence has

spread from the east to include the north, with numerous armed clashes, killings and “disappearances” reported. Over 600 people, including civilians, have been killed in the north and the east during the past six months. In response to the killing of army personnel in landmine and other attacks, attributed to the LTTE, the security forces have conducted house-to-house searches and other operations in Jaffna town and other locations in areas where Tamil people are living. According to the HRC, over 150 people have been arrested and then “disappeared” during the past six months in northern Sri Lanka, although the actual total may be much higher. There are fears that a pattern of “disappearances” is re-emerging, in a similar way to the period in Jaffna in 1995 and 1996, when hundreds of Tamils “disappeared” during army operations in the area.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern at reports that the eight men named above (naming them) were abducted by soldiers at Seerani Kelakkai Temple on 6 May, and urging the authorities to order an independent and impartial investigation and make the findings public;
- urging the government authorities and security forces to clarify whether the eight men are in custody, and if so, calling on the authorities to allow them access to their relatives, lawyers of their own choosing and any medical treatment they may require;
- urging the authorities to release them immediately and unconditionally unless they are to be charged with a recognisably criminal offence;
- calling for the authorities to adhere to Presidential directives requiring detainees arrested by the army to be handed over to the police within 24 hours of their arrest;
- expressing concern at reports that a pattern of “disappearances” appears to be emerging again in northern Sri Lanka, and calling on the authorities to put a halt to this practice immediately.

APPEALS TO:

President Mahinda Rajapakse
Presidential Secretariat, Colombo 1, Sri Lanka

Fax: + 94 11 2333 703

Salutation: Dear President Rajapakse

Lt Gen Sarath Fonseka, Army Commander, Army Headquarters, Flagstaff Street, Colombo 1, Sri Lanka

Fax: +94 11 2855 018/+94 11 2434 862/+94 11 2338 653/+94 11 2421 374

Salutation: Dear Lt General

Major General Asoka K Jayawardhana

Secretary, Ministry of Defence, 15/5 Baladaksha Mawatha, Colombo 3, Sri Lanka

Fax: + 94 11 2446 300

+ 94 11 2541 529

Salutation: Dear Secretary of Defence

Mr Chandra Fernando

Inspector General of Police, Headquarters, New Secretariat, Colombo 1, Sri Lanka

Fax: + 94 11 2438 915

Salutation: Dear Inspector General

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 22 July 2006.