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Grave human rights violations have been committed in Sri Lanka for several years in a context of government measures to suppress armed opposition movements. In the south, a campaign of counter-terror was launched by the security forces from 1987 to 1990 in the face of rising violence by the opposition Janatha Vimukthi Peramuna (JVP, People's Liberation Front). The JVP had terrorized political opponents, killing several thousand people, and had murdered the families of members of the security forces. In the government's campaign, thousands more people were extrajudicially executed by the security forces, "disappeared" or were tortured and killed in custody. Security forces operations were conducted by uniformed officers in some cases, but in others men driving unmarked vehicles and wearing civilian clothes - recognised in some instances as security forces personnel - were responsible. Bodies appeared in public places in large numbers, but many could not be identified because they were mutilated, burnt, or had been transported from other areas. The thousands of extrajudicial executions and "disappearances" committed in the south marked an escalation in the use of tactics of terror by the security forces, but the pattern was not new to Sri Lanka. In earlier years in the northeast, where Tamil separatists have waged an armed campaign for independence since the late 1970s, members of the Sri Lankan security forces had also committed hundreds of extrajudicial executions and "disappearances", and the cycle of violence had escalated. After the Indian Peace Keeping Force took charge of the security of the northeast in July 1987, it too became the subject of complaints about human rights violations, including extrajudicial executions, "disappearances" and torture. Amnesty International's concerns from mid-1987 to June 1990 have been published in Sri Lanka: Extrajudicial Executions, "Disappearances" and Torture, 1987 to 1990 (AI Index: ASA 37/21/90, September 1990). This report updates Amnesty International's concerns in Sri Lanka from June 1990.

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forces regained control of areas of the east, reports began to be received

of hundreds of extrajudicial executions and "disappearances" of civilians committed by government forces in apparent reprisal for the actions of the LTTE. Hundreds of thousands of people fled their homes as fighting intensified: in early August there were over 300,000 refugees in Jaffna District alone, and fears of food shortages.

Amnesty International fears that the pattern of widespread extrajudicial executions and "disappearances" which had been experienced in the south in recent years is now being repeated in the northeast. At the same time, the LTTE have also been accused of committing numerous abuses, including the killing of hundreds of Sinhalese and Muslim civilians in the northeast.

This summarizes a 6-page document, Sri Lanka: An Update on Human Rights Concerns, AI Index: ASA 37/32/90, issued by Amnesty International in September, 1990. Anyone wanting further details or to take action on this issue should consult the full document.

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SRI LANKA: AN UPDATE ON HUMAN RIGHTS CONCERNS

Introduction

Grave human rights violations have been committed in Sri Lanka for several years in a context of government measures to suppress armed opposition movements. In the south, a campaign of counter-terror was launched by the security forces from 1987 to 1990 in the face of rising violence by the opposition Janatha Vimukthi Peramuna (JVP, People's Liberation Front). The JVP had terrorized political opponents, killing several thousand people, and had murdered the families of members of the security forces. In the government's campaign, thousands more people were extrajudicially executed by the security forces, "disappeared" or were tortured and killed in custody. Security forces operations were conducted by uniformed officers in some cases, but in others men driving unmarked vehicles and wearing civilian clothes - recognised in some instances as security forces personnel - were responsible. Bodies appeared in public places in large numbers, but many could not be identified because they were mutilated, burnt, or had been transported from other areas. The thousands of extrajudicial executions and "disappearances" committed in the south marked an escalation in the use of tactics of terror by the security forces, but the pattern was not new to Sri Lanka. In earlier years in the northeast, where Tamil separatists have waged an armed campaign for independence since the late 1970s, members of the Sri Lankan security forces had also committed hundreds of extrajudicial executions and "disappearances", and the cycle of violence had escalated. After the Indian Peace Keeping Force took charge of the security of the northeast in July 1987, it too became the subject of complaints about human rights violations, including extrajudicial executions, "disappearances" and torture. Amnesty International's concerns from mid-1987 to June 1990 have been published in Sri Lanka: Extrajudicial Executions, "Disappearances" and Torture, 1987 to 1990 (AI Index: ASA 37/21/90, September 1990). This report updates Amnesty International's concerns in Sri Lanka from June 1990.

Although reports of extrajudicial executions and "disappearances" in southern Sri Lanka diminished after March 1990, they did not cease, and intimidation and death threats by government forces continued. In the northeast heavy fighting broke out in June between the Liberation Tigers of Tamil Eelam (LTTE) and government security forces after the LTTE captured numerous police stations in the east. The LTTE took prisoner hundreds of policemen who had surrendered, and then summarily killed many of them. The full number of captives killed by the LTTE has not been confirmed but is thought to be in the hundreds, most of them local policemen. As government forces regained control of areas of the east, reports began to be received of hundreds of extrajudicial executions and "disappearances" of civilians committed by government forces in apparent reprisal for the actions of the LTTE. Hundreds of thousands of people fled their homes as fighting intensified: in early August there were over 300,000 refugees in Jaffna

District alone, many more in other districts, and fears of food shortages.

Amnesty International fears that the pattern of widespread extrajudicial executions and "disappearances" which had been experienced in the south in recent years is now being repeated in the northeast. At the same time, the LTTE have also been accused of committing numerous abuses, including the killing of hundreds of Sinhalese and Muslim civilians in the northeast.

The Northeast

Indian troops had completed their withdrawal from Sri Lanka by the end of March 1990 and, following heavy fighting with rival Tamil groups, the Liberation Tigers of Tamil Eelam (LTTE) took effective control of Northeastern Province. The LTTE continued its negotiations with the Government of Sri Lanka on the future administration of the northeast until June, when they captured numerous police stations in the east and took prisoner hundreds of policemen who had surrendered.

Tamil policemen among them were released, but many others were killed. Amnesty International condemned these killings.

In May, Amnesty International had called for an immediate halt to incommunicado detention and extrajudicial executions in northeastern Sri Lanka by forces of the LTTE. The organization had also recommended that the International Committee of the Red Cross, which had been active in southern Sri Lanka since October 1989, be granted access to all places of detention in the northeast. LTTE members had reportedly seized dozens of young people, including many former members of the Tamil National Army (TNA), an unofficial force recruited by Tamil groups which opposed the LTTE. The TNA had been backed by the Indian troops and fought the LTTE when the Indian troops began to withdraw from Sri Lanka. The LTTE reportedly screened former TNA members to establish whether they had volunteered for the TNA or had been forcibly recruited. Those who had been forcibly recruited were released, but those who could not prove this were reportedly kept in detention centres in private houses or in LTTE bunkers and camps in jungle areas of Mullaitivu District.

Other prisoners were held by the LTTE because they were candidates in the February 1989 parliamentary elections, which the LTTE had boycotted. The LTTE did not permit relatives to visit the prisoners, but set up a central office in Jaffna to register inquiries.

The LTTE also reportedly killed numerous defenceless members or presumed sympathizers of Tamil groups which had allied with the IPKF. In January 1990 a member of the Northeastern Provincial Council for the Sri Lanka Muslim Congress was killed by gunmen - reportedly LTTE members - who stormed his house at Sammanthurai, Amparai District. A few days later, several other defenceless civilians were reportedly killed by the LTTE, including five Muslim patients in Kalmunai hospital.

The LTTE also reportedly took several people hostage, demanding large ransom payments from relatives, some of whom live abroad. It also reportedly carried out summary executions of purported common criminals and held its own tribunals to adjudicate disputes. Amnesty International urged that no sentences be passed by any body other than a regularly constituted court in proceedings which accord with internationally recognized judicial guarantees for fair trial.

After the capture of police stations in the east in June, heavy fighting ensued between government forces and the LTTE, and government

forces began to regain control of major towns in the area, except on the Jaffna peninsula. In several cases, reports indicated that the LTTE had vacated the towns before government forces arrived, and moved into the surrounding scrub jungle.

At the time of writing, the LTTE remained in control of the Jaffna peninsula, where about 200 members of the Sri Lanka Army and police force remained besieged in Jaffna fort. The area around Jaffna fort, in particular, was subject to regular bombing by the security forces. Although government security forces were present in other areas of the northeast, these areas were not firmly under the control of one side or the other. Other armed groups were also active in some areas of the east, including armed Muslim groups in the east area who reportedly killed dozens of Tamil civilians in August, apparently in retaliation for the murder of Muslims by the LTTE. According to reports, these armed Muslim groups acted in some instances with the acquiescence of the Sri Lankan security forces.

There were reports of numerous abuses on both sides as the conflict continued: the Sri Lankan press gave great prominence to the murder of Muslim and Sinhalese civilians by the LTTE, but reports from other sources indicated that the security forces also committed widespread grave human rights violations. Victims of security forces violations were mostly young Tamil men. Shortly after government forces had regained Vavuniya from the LTTE, they reportedly shot and killed several defenceless civilians. About 15 bodies were found on the road. Among those killed were a public health inspector named Anthony Pillai and his wife and son. Similarly, in the last week of June, Sri Lanka Army and police personnel reportedly killed 15 people in Vellavelli village, Batticaloa District, including a school teacher whose body they burnt.

Hundreds of extrajudicial executions and "disappearances" were reportedly committed by Sri Lankan security forces in late June and early July in the east.

In Kalmunai, over 70 people were reportedly detained by soldiers and then "disappeared". Among those who "disappeared" were Mr Anurachelvam, John Patrick Asirwathan and the chairperson of the Kalmunai Citizen's Committee, Pandiyarum Kanapathipillai, and his two sons. Other residents of the town were reportedly shot in their homes, including Mr Thiyagarajah. According to reports, on 22 and 23 June 1990 soldiers had rounded up men in Kalmunai between the ages of 16 and 30, lined them up blindfolded and stabbed them to death with bayonets. They had then thrown the bodies into shops owned by Tamil residents of the town and set them on fire.

Over 30 bodies were found in one burnt-out shop in Kalmunai, including the body of 23-year-old Chandrikumar, who had earlier been detained by the security forces.

Another six bodies were found outside the Kalmunai hospital, including the body of a Tamil policeman who had earlier been captured and released by the LTTE. On 8 July 1990 a further six burning bodies were found on the roadside in Batticaloa, about 20 miles north of Kalmunai. Scores of burnt bodies believed to be victims of extrajudicial executions by the security forces were also reportedly found in other locations in the east in late June and early July, including at Veeramunai, Sammanthurai, Nintavur and Karativu. Local people complained that they were unable to trace relatives who had "disappeared" after being detained by the security forces: inquiries from the military authorities have yielded no results, and the names of prisoners held in custody have not been made known.

The LTTE also reportedly abducted civilians: as they withdrew from Kalmunai they reportedly abducted five Muslim residents who had refused to give them money.

The whereabouts of these men - named Latif, Farloon,

Salim Khan, Rahim and Akram - is not known.

Members of a Tamil group which opposes the LTTE reportedly aid the government security forces in identifying LTTE suspects at checkpoints.

The government repeatedly stated that security forces action was intended to destroy the LTTE alone, and was not an assault against the Tamil population as a whole. The government also said, however, that it would deal with the LTTE in the same manner as it had dealt with the armed opposition group, the JVP in the south.

Although the government had claimed that its forces killed only in combat in the south during the campaign against the JVP, thousands of defenceless people were killed or "disappeared" following widespread arbitrary detentions by the security forces. This pattern appears to be being repeated in the northeast in the fight against the LTTE: reports indicate that hundreds of defenceless civilians may have been victims of extrajudicial execution or "disappearance" by the security forces.

Indeed, the government appears to condone the summary killing of suspected LTTE members instead of arresting them, establishing their guilt by bringing them to trial and imposing punishments according to law. Thus, Minister of State for Defence, Ranjan Wijeratne, told parliament on 7 August 1990 that "the government will show no mercy to these Tamil terrorists, criminals who do not deserve to live" (quoted by Associated Press, 7 August 1990). Amnesty International fears that such statements may encourage the security forces to commit extrajudicial executions with a sense of impunity.

The South

Compared to the period from August 1989 to February 1990, there have been significantly fewer reports of extrajudicial executions and "disappearances" in southern Sri Lanka, but these violations have not been halted. In addition, intimidation continued, and death threats were made to several people, including members of parliament. There were few reports of killings by the armed opposition group, the Janatha Vimukthi Peramuna (JVP, People's Liberation Front), but in late July the murder of 15 people in Matara District was attributed to the JVP. According to press reports, most of the victims belonged to three families whose members had been active in a village "vigilance committee", which reported on suspected subversives to the security forces.

Among those reported to have "disappeared" after being detained by government forces was H. D. Lalith Padmasiri (also known as Lal). According to reports, he was abducted by unknown people at Madurankuliya in Puttalam District on the morning of 30 June 1990, and then seen at Negombo police station. However, the police denied that he was in their custody and his present whereabouts are unknown. Another "disappearance" reported from Negombo District in June was that of Seneviratne Dissanayake. His elder brother had been detained as he returned home from the Free Trade Zone on 27 June 1990 and taken, blindfolded, to his mother's home. She, too, was detained, blindfolded and asked about the whereabouts of her younger son, Seneviratne Dissanayake. The mother and elder son were then taken in a van to Seneviratne Dissanayake's home, and he too was detained. All three were reportedly held in a two-storey house. The mother and elder son were released, but the whereabouts of Seneviratne Dissanayake since then is not known.

Hundreds of young Tamil men were detained in Colombo and other southern

districts in June after the LTTE attacked police stations in the east. The young men were screened for connections with the LTTE. Some

were released, and others remained in detention. Several, however, have reportedly "disappeared". Letchumanan Sivakumaran was reportedly detained at the Jinthupitiya Murugan Temple in Colombo on 22 June 1990 by members of the Sri Lanka Army. Inquiries to establish his whereabouts yielded no results. Thuraiappah Surendran was taken from his home in Chilaw at 12.45pm on 23 June 1990 by a group of men in blue uniforms driving a vehicle without number plates. They are believed to be from the security forces. His whereabouts have also not been established, despite inquiries. Balasunderam Dayaleswaran was detained by army personnel at Palampoddu on 19 June 1990 at about 10.15am, when he was returning to Colombo from Trincomalee. His relatives have also not been able to establish his whereabouts.

Reports of possible extrajudicial executions also continued to be received. On 8 July the Sri Lankan Government was reported to have issued shoot-on-sight orders to police in the south in response to fears of a renewal of subversive activity by the JVP. Scores of bodies of victims of suspected extrajudicial executions had been found dumped in southern Sri Lanka during the preceding two weeks, and there were fears that the shoot-on-sight orders would result in further extrajudicial executions of unarmed civilians, as had been the case in the past. Some of the bodies were reportedly found close to army camps which had been closed when troops were moved to the northeast, including at Diyagama in Gampaha District, Bandaragama in Kalutara District, Embilipitiya in Ratnapura District and Suriyawewa in Hambantota District. On 19 July 1990, Minister of State for Defence, Ranjan Wijeratne, responded to parliamentarians' complaints that dead bodies were again being found dumped in various places by saying that officers-in-charge of police stations would in future be held responsible for bodies found in their areas of jurisdiction. Nevertheless, bodies continued to appear: for example, the bodies of six people suspected to be victims of extrajudicial executions were found in Beliatta, Hambantota District, in August.

Death threats continued to be received by opponents of the government. Five opposition members of parliament complained to the Inter-Parliamentary Union in May that they had received death threats at their homes and by telephone. In July, another member of parliament complained that he had received a letter threatening to kill six named members of parliament, including himself.

Detentions of JVP suspects, and of people who were effectively held hostage against the actions of relatives, continued to be reported. In late June or early July, I. M. Herath Banda, Kurunegala District President of the recently formed Organization of Parents and Family Members of the Disappeared was detained by Maho police, who demanded that his son be produced before Herath Banda would be released.

By 10 July 1990, 1,474 people had surrendered to the Independent Surrender Committee set up in late April 1990, and it was announced that people could continue surrendering to the committee until 20 August 1990. After that date, they would have to surrender to the security forces. Later in July, it was announced that the release of detainees held under Emergency Regulations against whom there was insufficient evidence to justify their continued detention would be halted, because the government feared a renewal of JVP activity in the south.

There were continuing fears for the safety of prisoners, with reports of continuing deaths in custody and ill-treatment. According to a press report, in mid-June the International Committee of the Red Cross (ICRC)

visited a detention centre in Naula, Matale District, and examined about 60 Tamil detainees, 45 of whom were found to have been ill-treated. The head of the ICRC delegation was also reported to have said that after their visit to the centre the detainees had been beaten. Seventy out of 200 prisoners at the centre had been in detention for over 6 months (Sunday Times, Colombo, 29 July 1990). Sinhalese prisoners were also reportedly victims of torture and death in custody. In August, for example, two of a group of three people detained by police in Moneragala District were reportedly killed: one at the place of arrest and the other at a police station.

There was little further information on the criminal cases pending against security forces officers for various crimes, and none of the pending cases outlined in Sri Lanka: Extrajudicial Executions, "Disappearances" and Torture, 1987 to 1990 have yet been completed. Eight of the 14 police officers arrested in connection with the murder in February 1990 of 12 prisoners in Nittambuwa were discharged on 27 July 1990 on the instruction of the Attorney General. The Attorney General held that there was insufficient evidence to bring charges against them. The remaining six officers were remanded to custody, and at the time of writing it was not known if charges would be brought against them.

The difficulties faced by Richard de Zoysa's mother, Dr Manorani Saravanamuttu, in seeking justice for the murder of her son, illustrate the continuing intimidation facing those who attempt to press cases against members of the security forces, and the difficulties involved in seeking redress. The Senior Superintendent of Police (SSP) named by Dr Saravanamuttu as having been among those who abducted her son in her presence in February 1990 remained on active duty at the time of writing, and charges had not yet been brought against him. Richard de Zoysa was abducted from his home in the early morning on 18 February by six armed men believed to have included police officers. His naked body was retrieved from the sea by fishermen the next day. His mother insisted on pursuing a full inquiry into his murder: on 16 May an anonymous death threat was sent to her, and on 1 June her lawyer, Batty Weerakoon, also received a death threat. Batty Weerakoon then accepted from President Premadasa the offer of armed guards to protect him. On the morning of 22 June two of his police guards themselves received threats addressed to them by name, warning them to leave Batty Weerakoon or face death. The fact that Batty Weerakoon had received police protection had been publicized, but the names of the officers guarding him had not been published. They remained on duty as his guards despite the threats.

At the time of writing the inquiry into Richard de Zoysa's death had been subject to several delays. The police had failed to carry out the magistrate's order to produce the SSP in court on 11 June, and the case was postponed. The magistrate referred the case to the Attorney General to decide whether there was sufficient evidence available for the SSP to be arrested. A decision had not been reached at the time of writing.

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Sri Lanka

An Update on Human Rights Concerns

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