

amnesty international

SRI LANKA

BRIEFING



A human rights crisis

Gross and widespread violations committed in a context of armed opposition

Political killings † 'Disappearances' † Torture

Throughout the world thousands of people are in prison because of their beliefs. Many are held without charge or trial. Torture and executions are widespread. In many countries men, women and children have “disappeared” after being taken into official custody. Still others have been put to death without any pretence of legality: selected and killed by governments and their agents.

These abuses—taking place in countries of widely differing ideologies—demand an international response. The protection of human rights is a universal responsibility, transcending the boundaries of nation, race and belief. This is the fundamental principle upon which the work of Amnesty International is based.

This briefing is part of Amnesty International’s worldwide campaign for the international protection of human rights.

Amnesty International is a worldwide movement independent of any government, political persuasion or religious creed. It plays a specific role in the international protection of human rights:

- it seeks the *release of prisoners of conscience*. These are people detained for their beliefs, colour, sex, ethnic origin, language or religion who have not used or advocated violence;
- it works for *fair and prompt trials* for all *political prisoners*;
- it opposes the *death penalty* and *torture* or other cruel, inhuman or degrading treatment or punishment of *all prisoners* without reservation.

Amnesty International is impartial. It does not support or oppose any government or political system, nor does it support or oppose the views of the prisoners whose rights it seeks to protect. It is concerned solely with the protection of the human rights involved in each case, regardless of the ideology of the government or the beliefs of its victims.

Amnesty International, as a matter of principle, condemns the torture and execution of prisoners by anyone, including opposition groups. Governments have the responsibility for dealing with such abuses, acting in conformity with international standards for the protection of human rights.

Amnesty International does not grade governments according to their record on human rights: instead of attempting comparisons it concentrates on trying to end the specific violations of human rights in each case.

Amnesty International has an active worldwide membership, open to anyone who supports its goals. Through its network of members and supporters Amnesty International takes up individual cases, mobilizes public opinion and seeks improved international standards for the protection of prisoners.

Information about prisoners and human rights violations emanates from Amnesty International’s Research Department in London. No section, group or member is expected to provide information on its own country, and no section, group or member has any responsibility for action taken or statements issued by the international organization concerning its own country.

Amnesty International’s work is based on the United Nations Universal Declaration of Human Rights. The organization has formal relations with the United Nations Economic and Social Council (ECOSOC); the United Nations Educational, Scientific and Cultural Organization (UNESCO); the Council of Europe; the Organization of African Unity and the Organization of American States.

Cover photograph: The body of a young man reportedly killed by Sri Lankan security forces in Hakmana, 1989

SRI LANKA

**amnesty
international
briefing**



**Amnesty International Publications
1 Easton Street
London WC1X 8DJ
United Kingdom
First Published September 1990
AI Index: ASA 37/20/90
ISBN: 0 86210 185 9**

© Copyright Amnesty International Publications. Original language: English. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording and/or otherwise, without the prior permission of the publishers.

Printed by Flashprint Enterprises Ltd, London, United Kingdom

SRI LANKA is situated in the Indian Ocean off the southern tip of India and comprises one large and several small islands. Known as Ceylon until 1972, it gained independence from the United Kingdom in 1948. It has 25 administrative districts in eight provinces, each with an elected Provincial Council.

A presidential form of government was introduced under the Constitution of September 1978.

Sri Lanka in profile

The Constitution provides for a unicameral parliament as the supreme legislative body, its members being elected by a system of modified proportional representation. Executive powers are vested in the president, who is head of state. The president is

elected for a term of six years and is eligible for re-election.

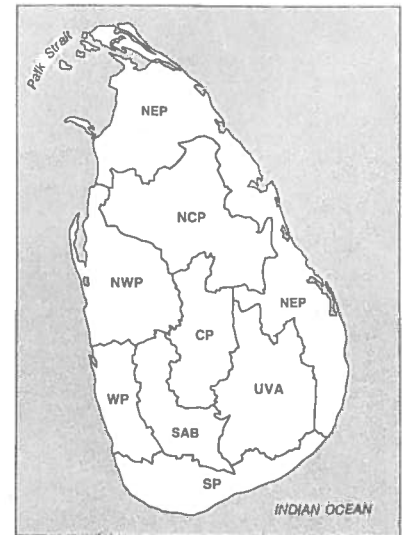
Population: 16.5 million. Over 70 per cent of Sri Lankans are Sinhalese and about 18 per cent are Tamil. Most Sinhalese are Buddhist, while most Tamils are Hindu, but there are also signifi-

cant Christian (mostly Roman Catholic) and Muslim minorities. The "wet zone" in the southwest, which includes the capital, Colombo, and most of the up-country has a dense rural population. Some of the "dry zone" areas are fairly sparsely populated.

Language: Sinhala and Tamil.
Currency: Rupees (US\$1 = 39.27 rupees).



Sri Lanka, showing administrative districts



Provinces of Sri Lanka

- NEP — Northeastern Province
- NCP — North Central Province
- NWP — North Western Province
- UVA — Province of Uva
- SAB — Province of Sabaragamuwa
- CP — Central Province
- WP — Western Province
- SP — Southern Province

In this report "the south" refers to all provinces except for Northeastern Province.



the roadside in Tangalle, 1989: they were reportedly victims of plainclothes forces

man rights crisis

nan rights violations in Sri
nore than seven years against
ion to the government. "Dis-
executions in particular have
equency since mid-1983. For
oncentrated in the northeast
te 1970s Tamil militants have
uggle to establish a separate
and early 1990, however, fol-
l opposition in the Sinhala-
i Lanka (referred to in this

powers to arrest suspected opponents of the government and detain them incommunicado without charge or trial for long periods.

Under these conditions, reports of gross human rights violations by Sri Lankan government forces — and of political violence more generally — reached a peak in 1989. In the south thousands of people "disappeared" or were victims of extrajudicial execution. These were committed by uniformed members of Sri Lankan security forces and plainclothes "death squads" which have been drawn from the security forces and have sometimes been connected to poli-

The extraordinary powers introduced by the Sri Lankan Government in the face of armed opposition have provided the very conditions under which detainees are most likely to be tortured, to die in custody and to "disappear". During some periods Emergency Regulations have also been issued to permit the security forces to dispose of bodies without post-mortem or inquest, thereby enabling them more readily to cover up their commission of deliberate and unlawful killings.

Despite the introduction of these far-reaching security provisions, the authorities were unable to suppress armed Tamil separatists based in northern Sri Lanka. Nevertheless, these powers were retained — despite clear evidence that they had contributed to extensive human rights violations in the north — and were used in the south when Sinhalese critics and opponents of the government launched a particularly violent campaign of armed opposition. As a result, thousands of people "disappeared" in detention or were tortured or extrajudicially executed.

The victims included not only suspected "subversives", but also known members and supporters of lawful opposition parties, some of whom are said to have been arrested on the instructions of individual members of parliament belonging to the ruling UNP. Indeed, the background of government responses to the often brutal violence by armed opposition groups appears to have been used at times as a screen to suppress legitimate opposition to the government: "disappearances" and extrajudicial executions continued to be reported in 1990, well after the government claimed it had crushed the JVP.

The government's willingness

ARMED opposition presents governments and security forces with particular difficulties. Governments bear the responsibility of protecting their citizens from violent crime and for bringing those responsible to justice. In doing so, however, they must ensure that fundamental human rights, particularly the right to life and the right not to be subjected to torture, are respected.

Amnesty International as a matter of principle condemns the killing and torture of

Introduction



A Sri Lanka Army patrol, Tangalle 1989

to condone the actions of the security forces and government officials, even when they have committed gross abuses, was underlined in December 1988 when the Indemnity (Amendment) Act was passed days before a presidential election was to take place. This retroactively gives immunity from prosecution to all members of the security forces, members of the government and government servants involved in enforcing law and order between 1 August 1977 and 16 December 1988, providing that their actions were carried out "in good faith" and in the public interest. The act also indemnifies any other person who can use the defence of having acted "in good faith" under the authority of a government official.

Even before this indemnity legislation was introduced, the

government's persistent failure to act against security forces abuses had raised major questions about its commitment to or concern for human rights, despite the existence of a chapter in Sri Lanka's Constitution protecting fundamental human rights. For example, the great majority of the 680 or more "disappearances" recorded by Amnesty International in the northeast between 1979 and mid-1987, when the Sri Lankan security forces were in the area, remain unexplained. Indeed, to Amnesty International's knowledge, not one member of the Sri Lankan security forces was prosecuted for abusing human rights during those years, despite the widespread violations which occurred in the northeast.

Only in the very few cases in the south in which torture or ex-

trajudicial execution by the security forces received widespread publicity did investigations result in the prosecution of security forces allegedly responsible, and in none of these cases had the trials been completed by June 1990.

Following the crushing of the JVP by the beginning of 1990, and the withdrawal of the IPKF in March, a relative calm set in. In February some Emergency Regulations which had facilitated abuses were withdrawn and from March there were fewer reports of human rights violations in the south. Two other important developments were the government's invitation to the International Committee of the Red Cross to visit Sri Lanka, which was taken up in October 1989, and its invitation to the United Nations Working Group on Enforced and Involuntary Disappearances to visit the island, which is expected to be taken up in 1990.

In the northeast, however, reports of new abuses committed by the Liberation Tigers of Tamil Eelam (LTTE) were received in April 1990. The LTTE had taken control of the northeast after the Indian troops had withdrawn and were reported to be holding prisoners incommunicado and committing summary executions. In early June, after new reports that the LTTE had taken several hundred Sri Lankan police officers captive in the east, heavy fighting broke out between government forces and the LTTE.

In order that there is no continuation of the gross human rights violations that the country has experienced in recent years, it is imperative that the truth about each of the thousands of reported extrajudicial executions and "disappearances" should be uncovered, that those responsible are brought to justice, and that effective safeguards are implemented. □

deliberate killing of unarmed demonstrators or of unarmed suspects as an alternative to arrest, detention and trial, for example, violates the prohibition on the arbitrary deprivation of life. This has often been the case in recent years in Sri Lanka.

In addition, the use of excessive force by governments has frequently resulted in the escalation of internal conflict rather than its limitation. This has also been evident in Sri Lanka over the years.

Government responsibility

prisoners by opposition groups, and has consistently condemned such acts by the JVP, the LTTE and other armed opposition groups in Sri Lanka. Yet it is in precisely such contexts of armed opposition that Amnesty International believes fundamental human rights need to be protected with extra vigilance.

The principles of necessity and proportionality lie at the core of international standards regulating the use of force by law enforcement personnel. The use of force beyond that necessary in the circumstances to prevent crime or to carry out the lawful arrest of suspected offenders is not permitted. The

Many thousands of people were killed in southern Sri Lanka in 1988 and 1989 — perhaps 30,000, according to some observers. A significant proportion occurred in the second half of 1989 when government security forces and so-called vigilante groups apparently working on their behalf were responsible for a mounting toll of extrajudicial executions and “disappearances”. This period also saw a rising number of attacks and killings by the JVP, to which the government attributed a total of 6,517 killings between 1987 and mid-March 1990.

Following the reimposition of the state of emergency in June 1989, government security forces made little attempt to conceal their resort to widespread murder. Piles of bodies were dumped openly by roadsides, in fields and in cemeteries; others were thrown into rivers. Many bodies were mutilated or burned beyond recognition.

Towards the end of the year, mutilated bodies of JVP suspects, many of them apparently captives at the time of their killing, were

The South

reported to have been left hanging in central points in Kandy town, and in the surrounding villages severed limbs were seen hanging from trees.

which were made public.

In November the government announced that its forces had captured and killed the central leadership of the JVP. However, the

‘Rather than finding measures to reduce the violence, the government has sought to wipe out the JVP with widespread repression.’

Recent member of the Sri Lankan security forces

The government persistently denied that it sanctioned illegal killings by the security forces, claiming that security forces personnel only killed in combat. However, most of the inquiries that the government promised into specific instances of alleged extrajudicial executions by security forces personnel during 1989 failed to produce any results

killings continued: on 20 and 21 December 1989, for example, between 140 and 200 bodies of men aged between 18 and 35 were reportedly found on roadsides and beaches in Hambantota District. Some had been decapitated; some were left hanging from trees and lamp-posts; most were naked and some had been burned on tyres.

The killings were widely

attributed to “pro-government vigilantes” in the press, but others believed members of the security forces were responsible.

Extrajudicial executions

Extrajudicial executions occurred in several contexts: defenceless prisoners were deliberately killed; unarmed demonstrators and curfew violators were shot dead; people in the vicinity of atrocities attributed to the JVP were killed in acts of reprisal; and individuals were targeted for assassination — including JVP suspects, members of other opposition parties, journalists, lawyers and witnesses to violations committed by the security forces.

Reports were first received in early 1988 of alleged extrajudicial executions of suspected JVP supporters. The victims were mostly young men. The killings continued throughout 1988 and were most prevalent in Southern Province.

In some cases there was sufficient information to establish that those killed had been in custody.

For example, X (the name cannot



The bodies of 24 young men, blindfolded and with their hands tied behind their backs, were found near Kandy town in October 1989. They were reportedly killed by a “death squad” in retaliation for the killing by the JVP two days earlier of the family of a police officer.

© Popperfoto/Reuter



Sri Lanka Army soldiers confront a group of Buddhist monks protesting against the Indo-Sri Lanka Accord in Colombo, July 1989.

be revealed for security reasons) had been arrested at a Buddhist temple, Giriya Raja Maha Viharaya, Hambantota District, by the air force on 1 December 1987 and held at an army camp. Two weeks later a relative was told at the camp that X had been transferred to Hambantota. On 18 January 1988 his body was found on the Hungama road, Hambantota District.

Some extrajudicial executions were reportedly committed by

uniformed members of the security forces. Others were committed by armed men wearing civilian dress who the government claimed were "vigilantes" acting outside its control, but who in some cases were recognized as members of the security forces or, sometimes, as the bodyguards of politicians from the ruling party.

The regular attribution of political killings to "pro-government vigilante groups" is believed to have begun in March 1989 when

the "Black Cats" were held responsible for numerous killings in Anuradhapura District. Following this, apparently new "vigilante groups" proliferated,

**"I heard them cry out,
Please let me go!
Don't kill me!
Then I heard shots."**

such as the "People's Red Revolutionary Army", "Eagles of the Central Hills", "Scorpion" and "Red Dragon". Posters were left by bodies in the name of such groups claiming responsibility for the deaths and sometimes including threats. This practice echoed that used by the JVP.

Even when posters were not left at the scene, security forces and government spokespersons often attributed the killings to "vigilante groups" before any investigations could take place. Yet there is overwhelming evidence to indicate the participation of members of the regular security forces in such killings, including eyewitness reports.

Hundreds of people are also reported to have been abducted and killed by armed men wearing civilian clothes. Again there is strong evidence to support the suggestion, widely believed in Sri Lanka, that in many cases these armed men were members of the

regular security forces, sometimes directly linked to senior members of the ruling party.

Prisoners killed

Hundreds of prisoners have been killed in custody or within hours of their arrest or abduction. In some cases, prisoners have been deliberately shot dead. A young prisoner witnessed such an incident:

"One of the prisoners of the group that had just been brought in, who was about my age, was brought into the office. Inspector X shot him with a T56 in front of me.... One of the army officers who brought him said, 'He is a JVP supporter.' I was asked to carry the body outside with another prisoner. This happened [just] before the presidential elections on 14 December 1988."

The same prisoner described how later that day he had heard the sound of many more prisoners being shot:

"I heard them cry out, 'Please let me go! Don't kill me!' Then I heard shots.... I later found out that on election day, bodies were dumped all around the area. The body of the prisoner who was shot in front of me was seen...near Matara with other bodies. They had been burned, but in his case only the lower part of his body was burned."

There were also reports from people who had seen bodies of people who were clearly prisoners before they were killed. One person described the following:

"At the village reservoir I twice saw people's bodies. They had been killed with their hands tied, blindfolded and shot through the head. One day there were four bodies. The next day there were three.... The bodies had not been burned, but nobody recognized them. People believed they were from another area."

Some prisoners have reportedly been set on fire while alive. In one account, a person who had been arrested by police in Gampaha District in March 1989 was said to have been "severely beaten by the police and set on fire while fully conscious. He managed to escape but since villagers were afraid to take him to a hospital, he died by the roadside of burns a few hours later."

Other prisoners have been killed soon after their abduction. The killing of 12 out of 13 prisoners who had been abducted from Nittambuwa came to light after

Extrajudicial execution and 'disappearance'

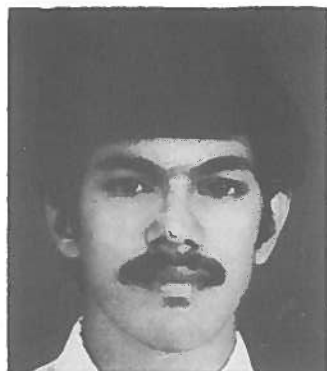
AMNESTY INTERNATIONAL uses the word "disappearance" to signify forced disappearance. The victims are not simply missing but are believed to have been detained by government agents, who then deny or refuse to acknowledge the detentions and do not disclose the fate and whereabouts of the person concerned.

Extrajudicial executions are unlawful and deliberate killings carried out by governments, or with their complicity. Amnesty International uses the term to distinguish these political killings from "judicial" executions, that is, the carrying out of death

sentences that have been imposed by a court.

Extrajudicial executions are also distinct from deaths resulting from the use of reasonable force in law enforcement and from killings not forbidden under international humanitarian law in armed conflict.

"Disappearances" and extrajudicial executions are frequently connected. Often, victims of "disappearance" are believed to have been secretly extrajudicially executed, with their bodies then dumped or burned: the "disappearance" disguises the killing.



M.A. Wijesinghe
one youth escaped and described what happened (see below).

The victims of extrajudicial executions have also included Buddhist monks killed in temples. A monk described such an incident, which happened in September or October 1989:

"A group of men armed with T56 guns came to the temple. They were not in uniform but I think they were from the army because they had T56 guns. They killed all the five monks in the

'I was going mad those days, seeing so many bodies.'

temple and threw their bodies into the temple, which they set on fire.... I was going mad those days, seeing so many bodies."

Suspects killed

Some reports indicate that units within the security forces, working in plain clothes, have operated a policy of deliberately killing JVP suspects instead of arresting them, even when the suspects are unarmed and offer no resistance.

In one case, a plainclothes

police squad apparently mistakenly killed M.A. Wijesinghe (also known as Ranjith) in December 1989. He had been putting up legitimate posters for the *Nava Sama Samaja Pakshaya* (NSSP), New Socialist Party, an organization whose members have been among JVP targets.

Wijesinghe and a colleague were followed by a plainclothes police unit as they left the town centre having put up their posters, and were shot in a quiet street. Wijesinghe died; his colleague was injured.

Soon after, a police superintendent contacted NSSP officials and admitted that police personnel were responsible. He reportedly said that the shooting had been a mistake and that the police had assumed that the posters were JVP propaganda.

Facing trial

In some cases, prisoners who had been charged and were facing trial were killed. One example was Lasantha Wijewardene, the principal suspect for the murder of the UNP chairman in 1987.

In February 1989 he testified before Colombo High Court that a statement which he had made had been extracted under torture. He reportedly alleged that he was taken to Homagama police barracks where he was undressed, hung from a beam and beaten on his heels. The police were also said to have trampled on his legs.

His wounds were reportedly left untreated for several months and were festering at the time of his court appearance. The judge instructed that Lasantha Wijewardene be taken to hospital. Later, while in prison awaiting



The burning body of a Sinhalese youth allegedly killed by a "vigilante group" in retaliation for JVP actions
© Associated Press

trial, he suffered from heart trouble and returned to hospital. In September 1989 gunmen in civilian dress reportedly entered the hospital, told his bodyguards to leave, and shot him as he lay in bed. Those responsible have not been found, to Amnesty International's knowledge.

Several reports have been received of the arrest of relatives of suspects as substitutes for the wanted person. In some cases they have "disappeared"; in others they have been killed.

In July 1989, for example, six men in army uniform went to the home of an army deserter. The parents told them that their son had returned to the army, but the soldiers did not believe them. When the soldiers threatened to shoot the family, another son said that he would go with them to save the others. Two days later, the boy's body was found in a reservoir not far from his home.

Several lawyers have been killed and more than 20 are known to have been threatened with death if they continue to file *habeas corpus* petitions or fun-

damental rights petitions, or continue to act on behalf of people described as "terrorist" suspects by those who issued the threats. Witnesses who have testified against the security forces at inquiries have also been threatened and killed, apparently to prevent them from testifying in court.

Charitha Lankapura, a lawyer who had filed numerous *habeas corpus* petitions, was killed in July 1989 at his boarding house in Slave Island, Colombo. Two gunmen in civilian clothes reportedly arrived in a van with several other people and shot Charitha Lankapura from an open window.

Soon after, Kanchana Abhayapala and Prins Gunasekara, lawyers who had worked closely with Charitha Lankapura, received death threats from a telephone caller who claimed responsibility for the death of their colleague. A few weeks later Kanchana Abhayapala was killed at his house by a gunman.

The killing of another lawyer, Sanath Karalliyadda, in October 1989 is believed to have occurred because he had acted in the case

Nittambuwa killings

ON 27 February 1990, 13 people were abducted from their homes in Nittambuwa, Gampaha District, by masked gunmen who said they were members of the security forces. The prisoners were driven to a jungle clearing, where they were shot. Their naked, charred bodies were found the next morning after one youth, who had escaped with gunshot wounds, reported the incident.

Among the victims was a young woman: according to the survivor, several of the male

prisoners had been forced to sexually abuse her. Those who refused were beaten.

The Criminal Investigation Department was assigned to investigate the killings and 14 police officers were subsequently arrested.

In April the government announced that it would compensate the relatives of the victims, 10 of whom had been identified. By June it was still not known whether charges were to be brought against the police personnel in detention.

of a schoolboy who had been shot dead by police during demonstrations at Teldeniya in June 1989. A magisterial inquiry into the schoolboy's death resulted in criminal charges being brought against seven police officers.

Sanath Karalliyadda was taken from his home on 26 October by two or three armed men, one of whom was reported to be wearing army uniform. His relatives, who had witnessed his abduction, and made inquiries at the local police station, found the bodies of Sanath Karalliyadda and four others the following morning about half a mile from their home. He had two gunshot wounds in his head. On the day of his funeral posters appeared in Teldeniya warning people, especially lawyers, that they faced death if they attended. They were signed "ratu makara", "Red Dragon" — a "vigilante" group in the Kandy area.

Several other people connected with the case were killed or

threatened with death. Parakrama Ranasinghe and at least one other lawyer who had appeared at the inquiry went into hiding after being repeatedly sought out by groups of armed men wearing civilian clothes. In addition, two eye-witnesses to the shooting of the schoolboy — Sena Rankothge and Edward Kulatunge — were reportedly taken from their offices by a group of armed men in plain clothes and driven away in a Pajero jeep without number plates. They were released shortly afterwards from an army camp, but about two weeks later they were again abducted from their offices by armed men. Their bodies were later found about three miles away with gunshot wounds. At least two others who gave evidence against the police are believed to have been killed: Bandula Ekanayake, who was abducted and subsequently "disappeared"; and a trader named Jayakody, who was shot dead by two people who came by

motor-bike to the estate where he worked.

Reprisal killings

Many killings by the security forces have followed the commission of violent criminal acts by the JVP against security forces personnel or their relatives. Reprisals by killing took many different forms: prisoners were sometimes killed after JVP actions in the area; in other cases, people in the vicinity of a JVP attack were arbitrarily dragged from their houses and killed. In numerous instances when bodies were left by the roadside, the security forces said the killings had been committed by "vigilante groups" in reprisal for killings by the JVP.

In the second half of 1989, reports of such killings became commonplace and were attributed to the security forces. In some cases, witnesses had seen uniformed members of the security forces carry out such killings or identified victims as people

who had last been seen in the custody of the security forces.

In one case, about 14 bodies were found in an abandoned cemetery at Meegaswewa, near Eppawala, about 15 miles from Anuradhapura, on 20 March 1989. According to a *Reuter* report, the Deputy Inspector General of Police (DIG) in North-Central Province said that a note signed "Black Cats" found near the body said that the killings were a punishment for the followers of Rohana Wijeweera, leader of the JVP. Local people said the victims had been seen in police custody at Eppawala for up to two weeks, and believed they were killed in retaliation for a landmine explosion in Eppawala the previous day which killed three police officers and injured three others.

The largest single incident known to Amnesty International involving what appear to have been reprisal killings by the security forces took place in Kandy District in mid-September 1989.

THE killing of Richard de Zoysa, a well-known journalist, broadcaster and actor in Sri Lanka, attracted wide public attention.

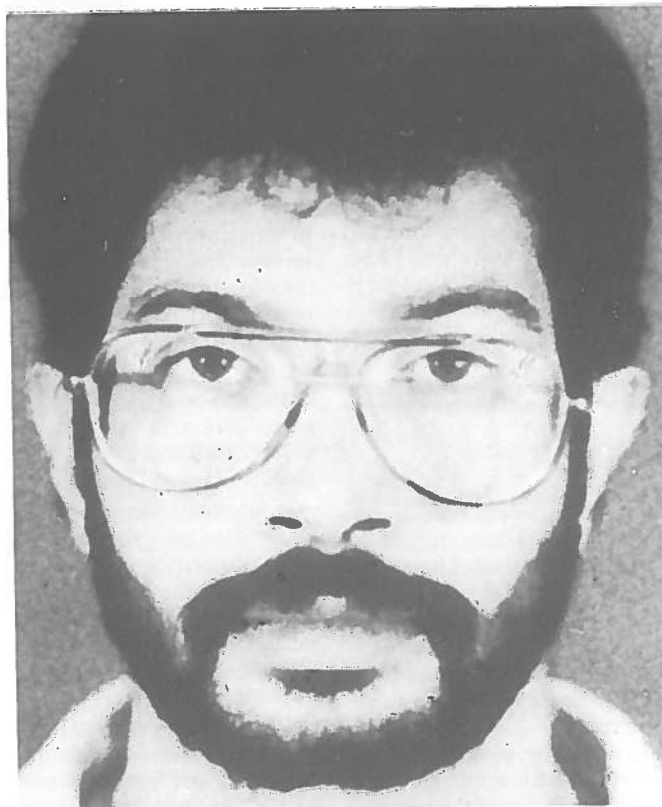
On 18 February 1990 six armed men arrived at his Colombo home in a jeep, believed by his mother to be a police vehicle. One or two of the men wore police uniform; the others were dressed in black. They threatened to kill Richard de Zoysa's mother when she asked to see their identity cards, stormed into the house and took Richard de Zoysa from his bed.

His naked body was found the next day in the sea off Koralawella beach at Moratuwa. A post-mortem performed by the Judicial Medical Officer, Colombo South District, found that Richard de Zoysa had been shot twice through the neck and head at close range.

Immediately after Richard de Zoysa's abduction, relatives made a complaint at Welikade police station and appealed to government authorities, but were unable to trace his whereabouts. The Ministry of Defence denied that the security forces were involved in his abduction and killing, but before the body was found relatives and friends were told otherwise.

The magisterial inquiry into Richard de Zoysa's death was not concluded by early June.

Death of a journalist



On 16 May 1990 an anonymous death threat was sent to his mother, Dr Manorani Saravanamuttu, apparently to deter her from pressing for a

full inquiry into the murder of her son. It said: "Mourn the death of your son. As a mother you must do so. Any other steps will result in your death at the

most unexpected time." Her lawyer also received a threat which read: "If at a time when attempts are being made to get financial aid for the country you act in a manner which will bring dishonour to the country in international forums, we will not desist from visiting you...with 'punishment'." On 1 June Dr Saravanamuttu told the magistrate's court that she had identified one of those who abducted her son as a Senior Superintendent of Police, Colombo, who she named. The magistrate ordered the police to arrest the officer and produce him before the court on 11 June, but they did not and the case was postponed until July.

There was much speculation in Sri Lanka that Richard de Zoysa's murder was linked with the "disappearance" the previous month of Lakshman Perera. Lakshman Perera had produced a political satire, "*Me Kauda? Mokada Karanne?*", "Who is he? What is he doing?", written by Richard de Zoysa. This phrase had been used in reference to President Premadasa during the presidential election campaign in December 1988. However, the then Minister of Foreign Affairs said that "the killing of Richard de Zoysa appeared to be an act done to embarrass the government in international circles".

The victims were residents of villages apparently believed by the security forces to be strongholds of support for the JVP. On 14 and 15 September the bodies of at least 80 villagers from Menikhinna, Kundasala, Arangala and Mahawatte were reportedly found burned or partly burned on roadsides, and about 20 bodies were recovered from the Mahaweli river.

Shortly before, on 13 September, about 16 relatives of members of the security forces had been killed at Kundasala, apparently by the JVP. The subsequent killings of villagers were attributed by the then DIG in Kandy District to the "Eagles of the Central Hills", a "vigilante" force. However, other reports, including from eye-witnesses, suggest that these killings were committed by a joint force of army and police personnel, many of whom were in uniform.

It is alleged that the killings began between 3pm and 4pm on 14 September, when the security forces opened fire in the villages. Men, women and children were shot. Many houses were burned. After the killings, members of the security forces reportedly returned to the villages and took bodies away in a truck. Some were said to have been buried in a mass grave in Kandy cemetery.

Torture

The torture of prisoners by members of the security forces has been widely reported in the south. It has sometimes been so severe that it has resulted in prisoners' deaths. The methods used reportedly include beatings on various parts of the body, including the feet and genitals; assaulting detainees while they are suspended;

electric shocks and burning, including of the penis; pulling out hair; and forcing chilli powder into the anus, penis and mouth.

Several former detainees have described a form of torture known as *dharma chakra* (wheel of Buddha's teaching) in which they were stripped naked and tied in a squatting position. A pole was then passed under their knees upside down. They were then rotated, causing injuries to their arms and legs, and beaten.

'We'll hang you and kill you'

Men and women prisoners have reportedly been raped and male prisoners have said that they were forced to sexually abuse women prisoners.

One example of torture leading to death was the much-publicized case of the lawyer Wijedasa Liyanarachchi. He was arrested by the police on 25 August 1988 and died eight days later. A post-mortem report detailed over 100 injuries on his body, "consistent with those seen in cases of police assaults".

Among those tortured in detention have been Buddhist monks. A 24-year-old monk, who was arrested by police in March 1989 and released after 12 days following the intervention of a member of parliament, subsequently described his ordeal:

"I was beaten on my back. They tied my thumbs together and hung the rope over a bar that was across the ceiling. They pulled me up. My left shoulder was dislocated.... They were shouting things like 'Dog, are you a monk? No,



A poster signed by the People's Red Revolutionary Army (PRRA) threatens: "The punishment for boycotting the elections is death". The JVP called for several elections to be boycotted and threatened to kill those who participated in them.

you are a dog.... We'll hang you and kill you.' They also threw chilli powder in my face, especially in my nose and eyes."

'Disappearances'

Thousands of people have "disappeared" in custody in southern Sri Lanka in recent years after being detained by members of the security forces. Many are believed to have been killed within a short period, their bodies being dumped or secretly cremated. Most remain unaccounted for after they "disappeared".

In 1989 alone, more than 3,000 people were initially reported to have "disappeared" in the south, but the true figure is believed to be substantially higher.

The great majority of the "disappeared" are young men. Students — especially those connected with student organizations suspected of links with the JVP — have been at particular risk of arrest and "disappearance". Buddhist monks are also among the "disappeared", as are people arrested as substitutes for a wanted relative. Many of the "disappeared" are from rural, poor communities which, for reasons of economic and social status, are believed by the authorities to be collectively sympathetic to the JVP.

The difficulties faced by relatives of the "disappeared" have been heightened by the fear of witnesses to arrests to come forward and openly give evidence. The relatives of a young man reported to have been detained by the army in April 1989 told Amnesty International that they had visited the camp where he was believed held and had seen the vehicle said to have been used to take him there. However, their attempts to see the young man were unsuccessful. One of the relatives commented: "There are people in ... town who had seen the incident but for the fear of being shot by the army they never come forward to give evidence."

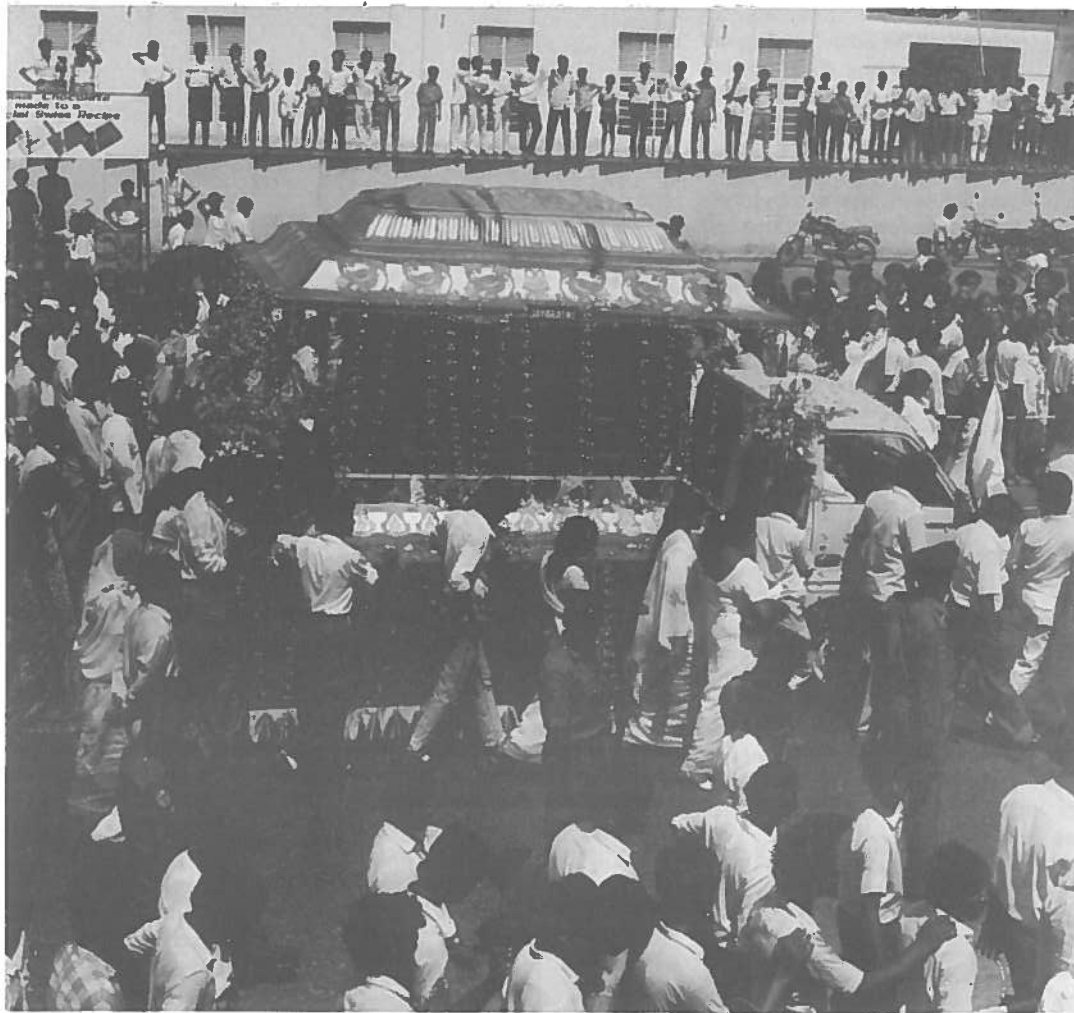
The pattern of "disappearances" in the south has differed in some respects from that established in the northeast since 1983 as some of those whose arrest was not acknowledged have been heard of again, either because they have been released or because they have been located by personal contacts within the security forces or among those employed at detention camps. However, in the south too the fate of many people who "disappeared" remains unclear.

In many cases the arrest — whether by uniformed security forces personnel or unidentified armed groups — has not been



Young JVP suspects, who had responded to a government call and surrendered to Sri Lankan security forces, board a bus in Puttalam, October 1989

© Associated Press



The funeral procession in Colombo for Vijaya Kumaratunge, leader of the United Socialist Alliance, killed in February 1988 by gunmen presumed to have been from the JVP

In 1971 an armed youth insurrection in the south against a coalition government under Prime Minister Sirimavo Bandaranaike was quickly suppressed. The insurrection was led by the *Janatha Vimukthi Peramuna* (JVP), People's Liberation Front, a revolutionary Marxist party. The group was widely thought to have emerged because of the frustration felt by educated youth owing to a lack of job opportunities.

Thousands of young suspects were killed during the insurrection and its leaders and thousands of supporters were jailed. When the UNP came to power in 1977, the remaining leadership of the JVP was released and the party began to participate in open politics, campaigning in particular on the basis of Sinhalese nationalism and against autonomy for the Tamil areas in the northeast. The party developed a following especially among young people in the south, including Buddhist

monks and students. It also cultivated sympathizers within the security forces. In 1982 JVP leader Rohana Wijeweera unsuccessfully contested the presidential elections, winning four per cent of the vote.

The JVP was among the three leftist parties outlawed by the government following widespread communal violence in July 1983. The ban on the Communist Party



Nandana Marasinghe, shot dead by the JVP in Anuradhapura in November 1987

and the *Nava Sama Samaja Pakshaya* (NSSP), New Socialist Party, was quickly lifted, but it continued to apply to the JVP until May 1988. The JVP, which had gone underground following its proscription, continued to operate as a clandestine party after May 1988.

Even before the escalation of opposition in the south following the July 1987 Indo-Sri Lanka Accord, the JVP was reported to be mobilizing to overthrow the government by violent means. In April 1987, for example, a raid on Pallekelle army camp for weapons was reported in a local newspaper as signalling "a major arms build-up by the JVP". Two months later attacks on the air force base at Katunayaka and the Kotelawala Defence Academy near Ratmalana Military airport were also attributed to the JVP.

Following the Indo-Sri Lanka Accord, the JVP intensified its campaign to overthrow the government. The elections to the

provincial councils provided under the accord, which were held at various times during 1988, were boycotted in the south by JVP and the Sri Lanka Freedom Party (SLFP). The JVP attempted to disrupt polling by threatening to kill candidates and party supporters, and the elections were held amid intimidation and violence. In the run up to the J

The armed

1988 provincial elections in the provinces, 12 candidates and numerous party supporters were killed, allegedly by the JVP.

The presidential election in December 1988 was marked by a further rise in political violence. It was again boycotted by the JVP and in the preceding weeks the organization called widespread government demonstrations, strikes in the south. It was blamed by the security forces for attacks on election rallies and several killings.

The parliamentary election in February 1989 were also boycotted by the JVP and marked by increased violence: among the 14 dead were 14 opposition candidates and several hundred of people, including members and supporters of the ruling UNP. Although the JVP was accused of responsibility for most political killings, it was often difficult to determine clear culpability in individual cases as there were many conflicts between and with other political parties.

In January 1989 President Premadasa lifted the state of emergency. However, the JVP continued its armed opposition, calling strikes, often threatening to kill those who refused to participate, and continued to mount a campaign of assassinations. The organization became known as the *podu aanduwa*, the "liability government", for its ability to pose unofficial "curfews".

Unlike the JVP, the leftist parties which in February 1988 formed the United Socialist Alliance (USA) strongly supported the Indo-Sri Lanka Accord. As a result, members of those parties as well as of the ruling UNP came targets for assassination by the JVP from July 1987. For example, the JVP was accused of responsibility for the murder

UNP Chairman Harsha Abeywardene in December 1987 and of Lionel Jayatilake, the Minister for Rehabilitation and Reconstruction, in September 1988. It was also believed responsible for the murder of USA leader Vijaya Kumaratunge in February 1988.

The JVP was also held responsible after mid-1987 for several bomb attacks and for killing



A victim of the JVP in Tissamaharama on the day of the parliamentary elections, February 1989

Opposition

numerous members of the security forces and their families; people regarded as informers; Buddhist clergy who publicly supported the UNP or USA; candidates or voters in elections boycotted by the JVP; and those who broke strikes and curfews called by the JVP. Prominent broadcasters, senior figures in state-owned corporations, newsagents selling publications "blacklisted" by the JVP and sellers of Indian goods were also murdered, apparently by the JVP.

The bodies of many victims of the JVP were openly displayed as a warning to others: some had posters beside them in the name of the JVP or its "armed wing", the *Deshapremi Janatha*

Viyaparaya (DJV), Patriotic People's Movement; others were mutilated, sometimes with severed limbs or slashed sexual organs.

In August 1989 the JVP announced that it would kill the relatives of security forces personnel who did not resign their posts. In response, posters appeared threatening that the army would kill numerous relatives of JVP supporters for each of their own killed. A widespread cycle of

murder and reprisal killings followed. The number of "disappearances" and extrajudicial executions reported after August rose dramatically. The JVP then increasingly began to mount attacks on state property.

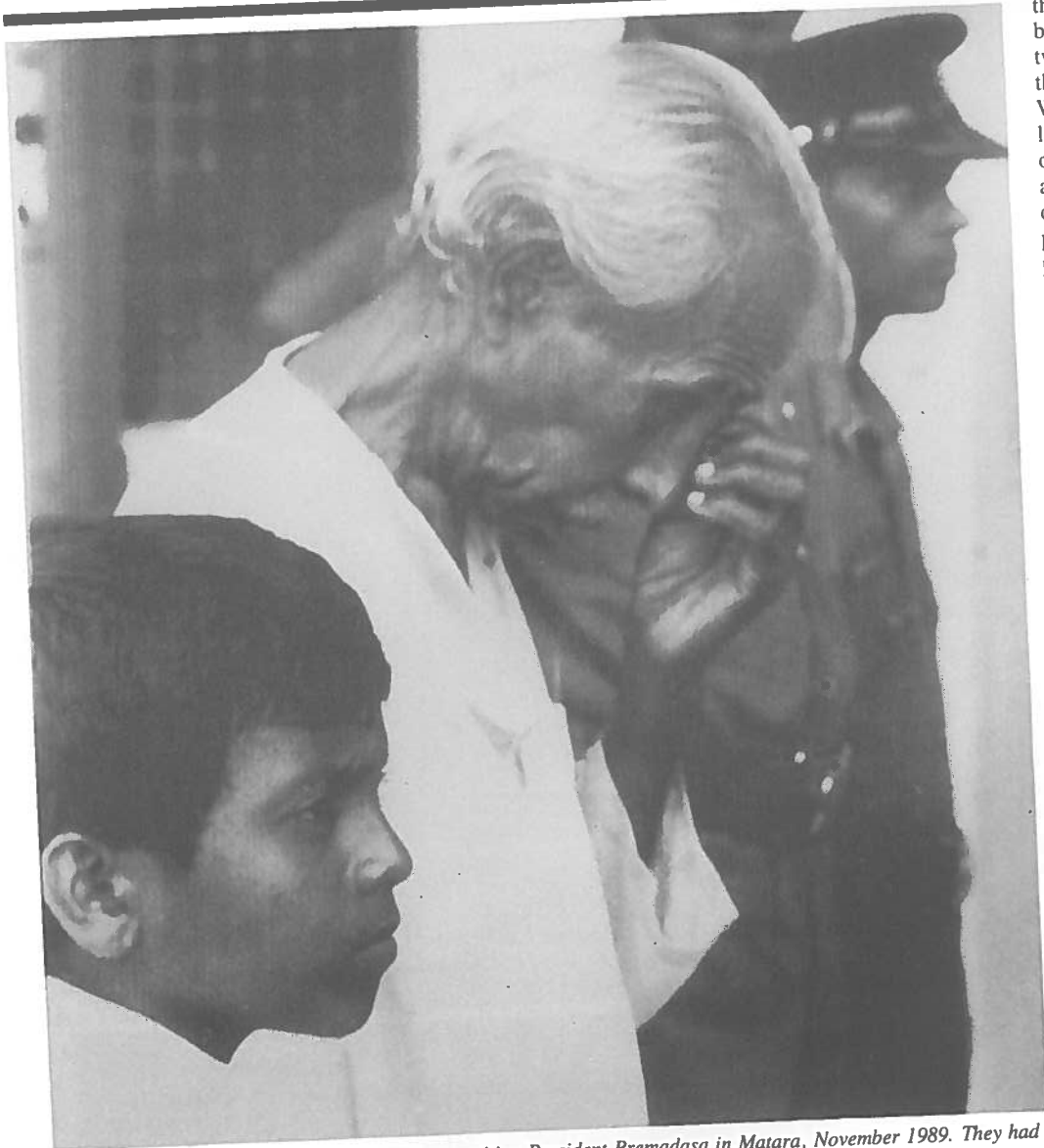
In August 1989 "Operation Combine" was reorganized within the armed forces as part of a renewed upsurge in anti-insurgency operations. In November the government reported that

Rohana Wijeweera and several other JVP leaders had been captured and killed. The circumstances of Wijeweera's death were disputed and an inquiry was announced which has yet to produce a result.

The government announced that by mid-January 1990 it had captured all 13 members of the JVP politburo. "Mopping-up operations", however, continued to be reported for several months.



Firemen douse a bus set alight by the JVP in Colombo on the eve of parliamentary elections in 1989



A young boy and his blind grandfather wait to petition President Premadasa in Matara, November 1989. They had heard nothing of the boy's father since early 1989 when he was detained by the police. © Popperfoto/Reuter

acknowledged by the security forces and nothing more has been heard of the person. In others, the arrest has been acknowledged, but the person later "disappeared".

The refusal to acknowledge that an arrested person is in custody carries the most serious implications as it means the authorities effectively disclaim responsibility for the welfare of the person concerned. Such circumstances facilitate the torture and deliberate killing of prisoners: those responsible for such grave human rights violations often consider themselves free to act with impunity.

Even when a prisoner has been visited in custody, however, his or her safety has not been assured. In several cases, prisoners whom the authorities have acknowledged holding have subsequently "disappeared" with their relatives being told that they had escaped.

were released, or transferred elsewhere.

Plainclothes abductors

From 1988 there was a marked rise in the number of reported detentions or abductions and killings carried out by groups of armed men wearing civilian clothes.

taken in this way are believed to have been killed. Others have been found in custody or have been released after periods of unacknowledged detention: their cases provide direct evidence of the participation of members of the regular security forces in these operations.

'I'm the luckiest mother in Sri Lanka, because at least I got my son's body back.'

Dr Saravanamuttu, mother of Richard de Zoysa

They frequently abducted victims from their homes at night without indicating the basis of the detention or where the person was being taken to. When relatives inquired at police stations or army camps, the officers denied all knowledge of the victim — they had "disappeared". Many people

In some cases, witnesses have recognized the plainclothes abductors. One woman described what happened to her husband in a sworn statement.

On 14 September 1989, soon after midnight as she and her husband, mother and two children were sleeping, the woman heard

the doors of her house being broken down. She got up and saw two people with torches. One of them asked for her husband. When her mother turned on a light, the woman recognized one of the men as a Sub-Inspector of a named police station and the other as an officer of the same police station. "Thereafter a few persons entered my house one by one...and took my husband out onto the road just outside the house.... We heard my husband shouting under assault. Just before my husband was taken my one-and-a-half-year-old daughter cried and one of the [police officers] plucked his gun at her mouth and shouted 'shut up'."

On inquiring at police stations in the area, this woman was told that the police were not aware of any such arrest. Her husband remains "disappeared".

In August 1989 five armed men wearing civilian clothes drove up to the home of X. They took X away, blindfolded, in an unmarked vehicle, together with X's landlord and a student who was also at his home. X was held for seven days at an army camp set up in a school in the Colombo area. He was blindfolded for most of this time, and regularly interrogated. He was tied to a chair for four days without being given access to toilet facilities.

On his fifth day of detention, he was put in a room with his landlord. Both men were handcuffed to a bench, and X saw burn marks and lacerations on the landlord's chest, and noticed that several of his teeth were broken. X asked the landlord what had happened to the student. Both of them had been forced to drink petrol: the landlord had last seen the student vomiting and then being put into a vehicle along with a tyre. The landlord was later released; the student has "disappeared".

First 'disappearances'

A previous case was that of Sathyapala Wannigama, 37-year-old assistant lecturer at Ruhuna University at the time of his arrest. He was one of the first people to "disappear" in the south and provides an example of the earlier pattern of "disappearance" before detentions by plainclothes armed men became commonplace.

According to witnesses, about 1pm on 13 November 1989 Sathyapala Wannigama was about to get on a bus near his home

Kariyamaditta when a vehicle drew up behind him. Four police officers got out, including two from the Special Task Force (STF), arrested Wannigama and drove away.

Relatives inquired about him at Middeniya police station, where they reportedly saw him sitting at a table with a police officer. About 45 minutes later Wannigama was reportedly taken to Tangalle in a van by the police. The next day a relative went to Tangalle police station. Although told by a constable that Wannigama was not there, the relative reportedly saw him being photographed. When the relative returned with food and clothes on 15 November, one police officer accepted the items while another denied that Wannigama was in custody.

Since then, two *habeas corpus* petitions have been filed in an attempt to locate Wannigama, but without result. The police deny that he was arrested. In the second petition, a relative said that on the day of Wannigama's arrest "persons dressed in STF uniforms came in a jeep...and told us, 'Where is Wannigama. If he was handed over to us when we asked for him this wouldn't have happened. Now you had better perform religious services and give seventh day alms [given on the seventh day after a funeral by Buddhists]'."

Despite this message, sources close to the case believe that Wannigama was alive and in custody for at least several weeks. They believe that he was then killed in custody, but there is insufficient



Sri Lanka Army soldiers guarding parliament house after a grenade attack by the JVP on a UNP parliamentary meeting headed by President Jayewardene in August 1987. The District Minister for Matara, Keerthi Abeywickrema, and a clerk were killed; among those injured was the Minister for National Security, Lalith Athulathmudali. © Associated Press

information to know whether this is true or not.

Screening operations

Some people have reportedly "disappeared" following security force round-ups of young men for screening as possible JVP suspects.

For example, four people "disappeared" out of 18 villagers detained by soldiers in December 1988 at a village in Matara District. About 25 soldiers are said to have surrounded the village and searched houses, beating some residents in the process and summarily killing others who possessed weapons. One man was shot in the leg. He and 17 others, including two brothers, were then taken away by the soldiers. All but four of these returned home on 10

January 1989. Relatives appealed to various politicians, police and army officials and others for help in finding the missing four, but without success. The security forces denied detaining the four, arousing fears that they may have been killed in custody; several bodies which could not be identified were found dumped on roads in the area a few days after the round-up.

Arrest acknowledged

In many cases people have "disappeared" after the authorities have acknowledged holding them. Jayesundara Mudiyansele Chandrasiri, for example, a 30-year-old married man, was reportedly arrested at a relative's house in Polonnaruwa District on 25 March 1988 and taken to

Meegaswewa Army Camp. The next day a relative went to the camp but was told that Chandrasiri had been moved elsewhere. When the relative returned in early April soldiers said they would pass on clothing to Chandrasiri.

In August 1988 Chandrasiri's relatives filed a *habeas corpus* petition on his behalf including sworn statements from two former detainees at Meegaswewa Army Camp who said that they had seen Chandrasiri in custody there. The respondents alleged that Chandrasiri had escaped the day after his detention.

The case was then made the subject of a magisterial inquiry, which was to be held in January 1990. It is not known whether the inquiry has been completed.

'I was told he had been released, but to this day my son has not come home.'

In other cases, detainees "disappeared" after relatives were allowed to visit them in detention. In one such case, the mother of a "disappeared" prisoner told Amnesty International:

"[In] December 1987 [my son] was arrested by some unnamed men while he was on his way to work.... In March 1988 I was informed that he was being held in ... prison camp.... I went there to see him. I saw my son that day and found that his memory had been affected. He had been



Plainclothes gunmen on patrol in Galle, 1989

tortured and inhumanely assaulted by the police. He had been hit on his head with a large baton.... I went to the camp in January 1989 but he was not there. Upon making inquiries I was told he had been released, but to this day my son has not come home."

In several cases, people have been released from custody only to be abducted within a short time by armed men in plain clothes believed to be operating on behalf of the security forces. They have then "disappeared".

By no means all victims of reported "disappearances" were associated with the JVP. Members and supporters of the ruling UNP as well as the opposition Sri Lanka Freedom Party (SLFP) and the parties which form the United Socialist Alliance (USA) have also been victims.

For example, one family known to support the SLFP was subjected to particular harassment in 1989, during which there appeared to be collusion between bodyguards working for a local UNP member of parliament and local police. In March one member of the family, D.N.M. Herathbanda Dissanayaka, was abducted from his shop by the "Green Tigers", but he escaped and went into hiding. A few days later a police team searched the family house and took Herathbanda Dissanayaka's motor-cycle and other possessions. When Herathbanda Dissanayaka's father went to claim them the next day, the

WORKERS seeking to protect the rights of people employed in the Free Trade Zone (FTZ) near Katunayaka, where trade union activities are greatly restricted, are among those who have "disappeared", and others are said



Madurappulige Lionel



Appukkutti Dewage Swarnalatha, also known as Deepika

police told him that they would be returned only when Herathbanda Dissanayaka surrendered to the police.

In September, Herathbanda Dissanayaka's brother D.N.M. Appuhamy Dissanayaka was abducted in broad daylight. A witness said that Appuhamy Dissanayaka had been taken by a group of men in civilian clothes who had assaulted him with their rifle butts. The witness identified one of the armed men as a local police inspector and three others as members of the local Home

Guard, a civilian defence militia, who also acted as bodyguards to a local member of parliament. Appuhamy Dissanayaka has not been seen since his abduction.

A third brother was arrested in October by police, accompanied by the same members of the Home Guard. He was released after two days in custody, as was a fourth brother held for two days in December 1989. However, a fifth brother, D.N.M. Tikiribanda Abeyasinghe, "disappeared" following his arrest by police while visiting friends. The friends

were told that he was in custody but later a police officer confidentially informed one of Tikiribanda Abeyasinghe's relatives that he had been transferred to police custody in his home area. However, they deny holding him and he has now "disappeared".

Women

Men have comprised the majority of those who have "disappeared" but the victims have included a number of women. For example, two women in their twenties "disappeared" after being arrested by soldiers near the Karapitiya Hospital in Galle on 8 December 1988. Chamani Geethanjali Muthuhetti and Appukkutti Dewage Swarnalatha (also known as Deepika) were reportedly seen at Kotigala army camp by two other women who were later released and who were told by Chamani Muthuhetti and Deepika that they had been tortured and raped. Before their release, the two women say they saw Chamani Muthuhetti and Deepika being dragged away by two guards to the rear of the camp. They heard gunshots from that direction and soon after could smell burning bodies. The authorities have not, to Amnesty International's knowledge, ever acknowledged the detention of Chamani Muthuhetti and Deepika. *Habeas corpus* petitions were filed on their behalf in December 1988, the outcome of which is not known. □

Herath Mudiyansele Ranjith or **Madurappulige Lionel** were detained, and their abductions were reportedly referred to the Crime Investigation Department, although apparently without result.

Trade unionists 'disappear'

to have been detained and killed by the security forces.

Herath Mudiyansele Ranjith, a machine operator and supporter of the ruling UNP, is believed to have been detained and possibly killed after he complained about dangerous machinery, which had injured other workers. He was suspended by the company after his complaint. He went for advice to the Katunayaka Legal Advice Centre, and an advice worker accompanied him as an observer to the internal inquiry at the company on 27 October 1989. Afterwards, Herath Mudiyansele Ranjith and the advice worker, Madurappulige Lionel, left on a bicycle. Neither of them reached home.

The same evening two men were seen being knocked off a bicycle and detained by men, believed to be police. The bicycle belonged to Herath Mudiyansele Ranjith. The next day two bodies were found nearby, burned beyond recognition but believed to be those of Herath Mudiyansele Ranjith and Madurappulige Lionel.

A few days before his "disappearance" Madurappulige Lionel is said to have received a threatening telephone call from a police officer in Negombo, Gampaha District, who said that he had been given powers to deal with "busy bodies" at the Legal Advice Centre. The police continue to deny that



Herath Mudiyansele Ranjith

In August 1987, shortly after the arrival of the Indian forces, fighting intensified between the LTTE and other armed Tamil groups, reportedly over disagreements on the balance of power in the interim administration pending elections to the Northeastern Provincial Council.

In October, 15 LTTE combatants who had been arrested committed suicide at Palaly military airfield as they were about to be transferred to Colombo for questioning by the Sri Lankan authorities. In response, the LTTE killed eight Sri Lanka Army soldiers whom they had been holding captive in Jaffna. It also attacked Sinhalese residents of Eastern Province, killing around 200 people.

In the same month, the IPKF launched a major offensive against LTTE strongholds in Jaffna and took control of the city. There were heavy casualties on both sides and hundreds of civilian deaths.

For the next two years the LTTE remained in violent opposition to the IPKF and rival Tamil groups, most notably the Eelam People's Revolutionary Liberation Front (EPRLF), which aligned with the IPKF.

In September 1989, in anticipation of the agreed withdrawal of the Indian forces, the EPRLF, with the active assistance of the IPKF, forcibly conscripted and trained thousands of young men and women into an unofficial armed force, the Tamil National Army (TNA). As the IPKF withdrew from eastern districts in October 1989, there was fierce fighting between the TNA and LTTE, with heavy loss of life. By the end of the year, an estimated 25,000

IN July 1987 the Governments of Sri Lanka, headed by President Junius Richard Jayewardene, and of India, under Prime Minister Rajiv Gandhi, signed an accord which, among other provisions, brought Indian troops to the northeast of Sri Lanka to take charge of security there.

The Indian Peace Keeping Force (IPKF) was to disarm the several Tamil militant groups in the area in preparation for elections to a provincial council for the newly united Northeastern Province. The system of island-wide provincial councils envisaged in the Indo-Sri Lanka Accord was intended to provide

The Northeast



An Indian Peace Keeping Force checkpoint in Batticaloa, 1988

Indian troops remained in Jaffna and Trincomalee Districts.

In January 1990 fighting was reported between the LTTE and the IPKF in Jaffna. The LTTE took control of all areas vacated by the Indian forces. When the IPKF finally withdrew from Trincomalee in March, thousands of members and supporters of Tamil groups which had fought the LTTE fled to India.

Extrajudicial executions

Numerous extrajudicial executions committed by Indian troops and members of Tamil groups allied to them were reported between 1987 and 1989. Some were reprisal killings of civilians in areas of LTTE attacks against the IPKF; others were individual killings of civilians, sometimes in

their homes, during search operations.

Two sisters were reportedly killed by Indian soldiers in their home in Udipiddy on 15 February 1989, the day of the parliamentary elections. Their home was close to an IPKF camp and soldiers regularly passed by. On election day, a soldier who was passing through the compound fired his gun at the roof of the main house. A group of nearby soldiers heard the shots and rushed towards the sisters' house firing their rifles.

The soldiers questioned the sisters, who explained that the firing had been initiated by a soldier. The soldiers started to leave. Then, according to the testimony of the sisters' brother: "When they had gone about 10 yards, two of them turned towards us and shot at us. Two of my sisters, Elizabeth and Joyce, were hit by the gun shots. My sister Joyce was then carrying in her arms her three-year-old child... Both sisters fell and died instantaneously."

He added: "At the IPKF camp I was asked to sign a prepared statement in English.... It was to the effect that the killing of the two women was by the LTTE." He refused to sign it.

Some reported extrajudicial executions were apparently caused by civilians failing to obey IPKF instructions, some of which were not widely known. On 13 July 1989 at Munai a young fisherman was icing fish when he was reportedly called over by Indian soldiers and beaten. He tried to escape and was shot dead. The IPKF had announced a ban on fishing that day, but this was not known by all fishermen. ▶ p. 15

although several groups had allied to the Indian forces and contested provincial council elections.

In the 32 months of their presence, the Indian forces were reportedly responsible for numerous "disappearances" and extrajudicial executions committed either by their own members, or by Tamil groups allied to them and acting with their acquiescence. They also reportedly tortured prisoners, some of whom died as a result. In addition, the IPKF detained several thousand prisoners without charge or trial, apparently without reference to any legislative provision.

Indo-Sri Lanka Accord

greater regional devolution of powers and was incorporated into the Constitution in November 1987. However, none of the militant Tamil groups was a signatory to the agreement.

The accord also provided a general amnesty to political and other prisoners held or sentenced under the Prevention of Terrorism Act (PTA). Around 3,750 Tamil prisoners out of some 5,400 held at the time of the accord were released in 1987

and by the end of 1988 about 250 remained in jail. By the end of 1989 all pre-accord prisoners from the northeast had been released, but those whose alleged offences had been committed in other areas of the island remained imprisoned.

By agreement of the Sri Lankan and Indian Governments, all Indian troops were withdrawn from Sri Lanka by the end of March 1990. They had failed to disarm the LTTE,

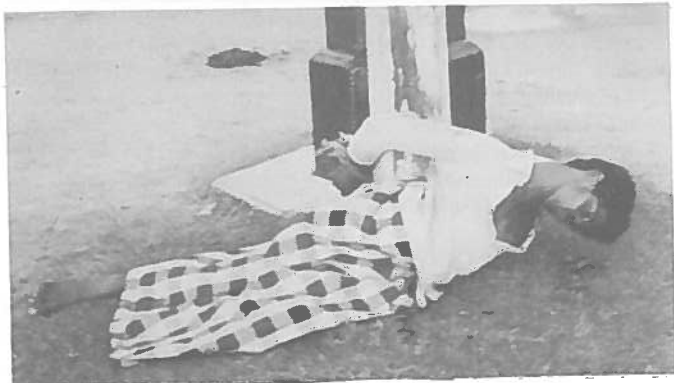


Members of the Liberation Tigers of Tamil Eelam in Vavuniya, 1988

political demands for an independent Tamil state in northeast of Sri Lanka — to called “Tamil Eelam” — the first made in 1976 at the 19th national conference of the Tamil United Liberation Front (TULF). The TULF aimed to achieve its objective by

not advocated the use of violence.

By 1978, however, several violent attacks on the police in Jaffna had occurred. These were attributed to the newly formed Liberation Tigers of Tamil Eelam (LTTE). In the following years, other Tamil militant groups were formed



A victim of the Liberation Tigers of Tamil Eelam left tied to a lamp-post as a warning to others in Batticaloa, 1988

engage in armed opposition to the government.

The separatist demand has been fuelled by disputes over the allocation of resources within Sri Lanka, access to education and jobs in the state sector, and a general perception by minorities that the state is identified with majority Sinhalese interests and with Buddhism. Ethnic violence against Tamils in the south contributed further to the call for Tamil independence, particularly among the youth.

Following the Indo-Sri Lanka Accord in 1987, several Tamil militant groups allied with the

killed many Tamils suspected of opposing them or informing against them, and members of the civil administration with whom they disagreed. For example, they were believed responsible for the murder in May 1989 of the government agent of Jaffna, T. Panchalingam.

In April 1989 the LTTE began negotiating with the Sri Lankan Government, and in December 1989 it announced the formation of a new political party — the People's Front of the Liberation Tigers — and said it would contest provincial

The armed opposition

Indian troops deployed in the northeast of the island. These groups, including the Eelam People's Revolutionary Liberation Front (EPRLF) and its allies, contested the 1988 North-eastern Provincial Council elections. The LTTE, however, opposed the Indo-Sri Lanka Accord and continued its policy of armed action in pursuit of a separate state — now against the Indian forces and members of Tamil groups allied with them.

Widespread killings of both Tamil and non-Tamil civilians were committed by the LTTE in the period during which the IPKF was deployed in the northeast. For example, in March 1988 the LTTE reportedly attacked two Sinhalese villages in Vavuniya District, leaving 15 people dead, and killed 40 Muslims south of Batticaloa. The worst single attack on civilians attributed to the LTTE occurred in October 1988 at Ullukulama in North Central Province, where 47 villagers

council elections. After the withdrawal of the IPKF in March 1990, the LTTE gained control of the northeast. However, in June heavy fighting began between government forces and the LTTE, after the LTTE had reportedly captured several hundred police officers, some of whom they shot dead. Government forces were gradually regaining control of parts of the east in mid-June.

While in control of the northeast, the LTTE reportedly committed human rights violations. Prisoners were said to have been held incommunicado in bunkers and camps, and people who had contested parliamentary elections in February 1989 were reported to have been detained. The prisoners were said mostly to be young men who had been members of the Tamil National Army.

The LTTE was also reported to have murdered political rivals and to have dispensed summary justice by, for example, hanging

In rights activist killed

Rights activist Rajani Thiranagama, a doctor and lecturer at the medical faculty of the University of Jaffna, was shot dead by an unidentified gunman in Jaffna on his way home from work on 21 September 1989.

IPKF and the LTTE are blamed for her killing. It is believed that the IPKF may have had a role, but, however, no independent investigation has been held to establish the truth.

Like several other teachers, Rajani Thiranagama was a member of the Teachers for Human Rights (Jaffna), UTHR (Jaffna). Thiranagama's relatives reported that at least four occasions soldiers searched her apparently looking for a transcript of *The Broken*, which documents

events during the October 1987 offensive on Jaffna by the IPKF.

Others, however, accused the LTTE of killing her because she had denied them access to the body of Thileepan, the LTTE leader who had died in 1987 after a hunger-strike. His body is preserved in the Anatomy Department of the University of Jaffna. In addition, UTHR (Jaffna) had reported on abuses committed by the LTTE, as well as by the IPKF and other militant Tamil groups. The LTTE denied involvement in the killing.



documented extrajudicial executions. Troops were apparently of reprisal for the killing of their colleagues by the IPKF. The incident reported in Avarangal, near Jaffna, on 16 May 1989, was after an LTTE attack on an IPKF patrol which had several soldiers dead. According to reports, Indian soldiers from the Puttur camps surrounding the area. Two young boys, Kanthasamy and Kanalingam, were taken to a vineyard where they were shot dead. Another woman, S. Ratna, was taken to her house for a while to be allowed to get the key, and

was shot dead as he walked away. Six young labourers were arrested, beaten and taken to the main road. The soldiers stopped a bus and ordered the six aboard. One of the passengers, a postmaster at Chankanai, protested at the way the six were being treated, and a soldier shot him dead. The other passengers were asked to say that the LTTE had shot at the bus. The six labourers were later taken to the Puttur IPKF camp.

The largest single instance of reprisal killings by the IPKF was reported from Valvettitturai in August 1989 (see page 16).

Some prisoners died while in IPKF custody, apparently as a result of torture or deliberate shooting. Others were shot dead

shortly after their release, reportedly by members of Tamil groups allied to the Indian troops.

For example, Ariyaratnam Thandauthapany was reportedly arrested by the IPKF on 8 January 1988 while he was worshipping at a Murugan temple in Sivan Kovilady, Vaddukoddai. On hearing of his arrest, his wife and children rushed to the Vaddukoddai IPKF camp. On their way they saw Ariyaratnam Thandauthapany and three other prisoners being escorted by about 25 Indian soldiers. Ariyaratnam Thandauthapany was bleeding from injuries on his back.

Two days later they were told that Ariyaratnam Thandauthapany would be released within

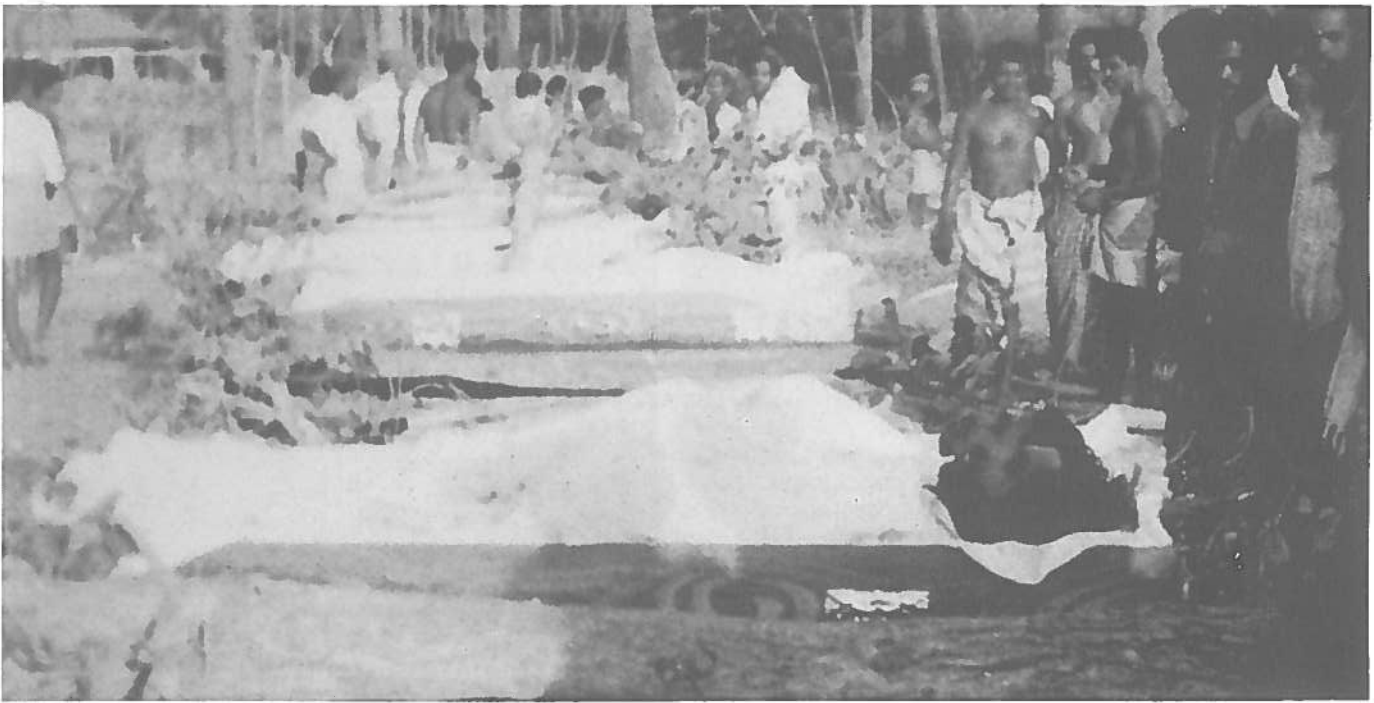
three days. On 26 January, however, they were told that his whereabouts were unknown. On 10 February they were informally told by an IPKF officer that he had been shot dead. According to the death certificate, Ariyaratnam Thandauthapany died on 13 January 1988 in an IPKF action at Araly. Other prisoners who were released said they had seen Ariyaratnam Thandauthapany in custody up to 13 January.

Another case involved Vaithy Daniel, a worker at Kankesanthurai Cement Factory, who was arrested at work on 5 February 1988 by soldiers from Tellippalai IPKF camp, according to relatives. The next morning his body was found at Crusher Junction, tied to a lamp-post. There was a bullet wound in his head and lacerations on his back, forehead and neck. A doctor who examined the body said Vaithy Daniel had probably died five hours before he was tied up and shot.

A relative who had inquired at Tellippalai camp at 6.45pm on the day of the arrest was told that Vaithy Daniel would be released the next day, following an inquiry. After the body was found, the relative was told by the same officer that Vaithy Daniel had been released at 5pm on the day of his arrest. When the relative reminded him that he had been there at 6.45pm that day, the officer changed his account of the release.



Anarajah, a 33-year-old Tamil farmer, died in Tellippalai IPKF camp on 19 February 1988, as a result of injuries received under torture. This photograph, taken the following day in front of his



Bodies of victims of the Valvettitturai massacre, August 1989

© HMKP

DOZENS of people were killed in Valvettitturai on 2 August 1989 by members of the IPKF. The attack was in apparent reprisal for an incident earlier in the day when, according to reports, six soldiers of the 17th Sikh regiment were killed and 11 injured when the LTTE ambushed an IPKF patrol in Valvettitturai market.

A few hours after the clash, members of the IPKF reportedly returned to Valvettitturai, a known LTTE stronghold, and

Valvettitturai massacre

rampaged through the town killing 52 residents, many of whom are believed to have been defenceless and deliberately killed, and setting fire to houses and other property. The IPKF cordoned off the town for two and a half days, denying access to medical personnel who were

trying to reach the injured.

In some cases IPKF soldiers entered houses where people were taking refuge and shot them. Twenty people were sheltering in the house of 60-year-old Vengadasalam Subramaniam when IPKF soldiers entered. "All of us then

went forward raising our hands. [Vengadasalam Subramaniam] too went forward raising his hands and attempted to speak to the soldiers. But the soldiers started firing. Those in front fell down." Vengadasalam Subramaniam was killed along with eight others, including 70-year-old S. Illayaperumal; two 11-year-olds, Rajaguru Javanaraj and Aathy Sundareswaran; one-year-old Ganeshalingam Sashi; and three women.



Appapillai Amirthalingam (above), leader of the TULF, and Vettivelu Yogeswaran, another senior TULF leader, were killed in July 1989 by gunmen at Amirthalingam's house in Colombo. The LTTE later claimed responsibility.

Indian forces were also reported. One such case was that of Pon-nampalam Sasitharan, who was shot dead by the EPRLF.

On 4 September 1989 he had gone to the EPRLF office in Jaffna and then to the EPRLF camp at the Ashok Hotel to seek the release of one of his employees. His widow testified that he was arrested at about 4pm in the Grand Bazaar. She went to the EPRLF office, where she saw her husband's motor-cycle. A sentry said that her husband was in the office and would be taken to Ashok Hotel camp for an inquiry and released in the evening.

She went to the camp and at 6.30pm saw her husband arriving in a van. Ten days later a released prisoner, who worked with Pon-nampalam Sasitharan, told her that the EPRLF had asked him to convey that her husband had been shot by them on 9 September. She

went to Jaffna Hospital and identified her husband, who had died of gunshot wounds.

Not all of those shot by the EPRLF had been held in detention. There were numerous reports of summary killings by the EPRLF, including that of Ahilan Thiruchelvam, the 19-year-old son of the editor of *Murasoli*, a Tamil-language newspaper.

Four members of the EPRLF went to the family home on 10 May 1989 to question Sinnadurai Thiruchelvam, the editor of *Murasoli*. When Sinnadurai Thiruchelvam saw one of them with a pistol, he slipped out through the back door. His son came out of his room and was dragged out of the house and forcibly taken away by car. Sinnadurai Thiruchelvam later found out that his son had been shot three times in the head within 10 minutes of leaving the house.



Ariyaratnam Thandauthapany, who died in January 1988 a few days after being reportedly arrested by the IPKF

'Disappearances'

At least 43 people are known to have "disappeared" following arrest by the IPKF. At least 12 have "disappeared" following arrest in the east by members of the Sri Lankan security forces after the Indo-Sri Lanka Accord.

The majority of "disappearances" for which the IPKF were reportedly responsible occurred in Jaffna District in October and November 1987, the period of the main IPKF offensive on Jaffna town. In some cases, members of Tamil groups allied with the Indians participated in the arrests. "Disappearances" attributed to the IPKF were also reported from Trincomalee, Vavuniya and Amparai Districts. After November 1987, many fewer "disappearances" were reported in the northeast.

'It was only when my son cried out that we recognized him.'

Ponniath Kantharuppan was arrested on 19 November 1987 soon after he had left his house at Nallur, Jaffna District. Friends saw him being assaulted near the Vairavar temple. His mother was later taken to the gate of the IPKF camp at Nayanmarkadu by Indian soldiers, who asked her to identify her son.

She testified: "At first my grown up daughters and I could not identify my son as he was dressed from head to foot in IPKF uniform and cap. It was only when my son cried out that we recognized him. The soldiers said that he would be freed that evening and took him away."

He was not released that night, and when his mother returned to the camp she was denied access. In July 1988, after repeated inquiries, the mother said that the IPKF Jaffna Town Commandant told her that the IPKF would have released her son but that "the LTTE would have shot him". He gave her a letter saying that her son was not in IPKF custody.

George Alexis, a carpenter, was arrested by the IPKF on 8 September 1988 after two Indian soldiers had been killed close to his home at Pandaterruppu, Jaffna District. He was seen in detention by his wife at Thottilady IPKF camp.

Two days later his relatives



Clappenburg Refugee Camp in Trincomalee District, 1987. About 10 men and children "disappeared" in April 1987 after they were taken from a nearby camp by members of the Sri Lanka Army.

were told that George Alexis had been released the day before. The camp is only 200 yards from his home, but he never arrived. Relatives were shown release papers with what was said to be George Alexis' thumb print next to his name. When relatives pointed out that George Alexis could write and would not have signed in that way, the commanding officer said that he had been in a disturbed state of mind at the time.

"Disappearances" were also reported in Mannar, Trincomalee, Amparai, Vavuniya and Batticaloa Districts following arrests by the Sri Lanka Army during the period that the IPKF were present in the northeast.

Seenithamby Mahadeva and Kalendran Sivaselvanathan were arrested by Sri Lanka Army personnel on 9 October 1987 while waiting for a bus near the Hardy Institute at Kondavattavan, Amparai District. The army stationed at the Hardy Institute said that the two men had been taken for ques-

tioning and then released. They were not seen again.

More than 680 people had "disappeared" in the northeast before the arrival of the IPKF, following arrest by the Sri Lankan security forces. Among these was a group of refugees arrested from Gopalapuram Refugee Camp at Nilaveli, Trincomalee District, on 19 April

1987. The camp was reportedly surrounded at midnight by Sri Lanka Army personnel, who turned out the lights and took away about 10 men and children. The incident was reported by women who had moved to Clappenburg Refugee Camp. The arrests were denied and the fate of those taken away is unknown. □

Recommendations

AMNESTY INTERNATIONAL recommends that the following measures be taken to prevent the continuation of the grave human rights violations that have occurred in Sri Lanka in recent years:

□ The government should set up an independent commission of inquiry into extrajudicial executions, the results of which should be made public.

□ The government should initiate prompt and impartial investigations, through an independent commission of inquiry, to clarify the whereabouts or fate of all people reported to have "disappeared".

□ The government should implement and enforce safeguards to prevent extrajudicial executions, "disappearances" and torture.

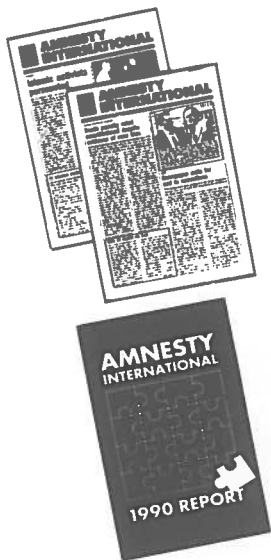
Information from Amnesty International

This briefing is part of Amnesty International's publications program. As part of its effort to mobilize world public opinion in defence of the victims of human rights violations, Amnesty International produces a monthly Newsletter, an annual report, and reports, briefings and other documents on countries in all quarters of the globe.

Amnesty International attaches great importance to impartial and accurate reporting of facts. Its activities depend on meticulous research into allegations of human rights violations. The International Secretariat in London (with a staff of over 250, comprising some 40 nationalities) has a Research Department which collects and analyses information from a wide variety of sources. These include hundreds of newspapers and journals, government bulletins, transcriptions of radio broadcasts, reports from lawyers and humanitarian organizations, as well as letters from prisoners and their families. Amnesty International also visits countries to carry out research, observe trials, meet prisoners and interview government officials. Amnesty International takes full responsibility for its published reports and if proved wrong on any point is prepared to issue a correction.

How to subscribe to Amnesty International

A subscription to Amnesty International will give you access to information about human rights abuses produced on a global, independent and impartial basis. You will also receive details on how you can help the people who are the victims.



Amnesty International Newsletter

This monthly bulletin is a regular update on Amnesty International's work: reports of fact-finding visits, details of political prisoners, reliable reports of torture and executions. It is written — without political bias — for human rights activists throughout the world and is widely used by journalists, students, political leaders, doctors, lawyers and other professionals.

Amnesty International Report

This annual report is a country-by-country survey of Amnesty International's work to combat political imprisonment, torture and the death penalty throughout the world. In describing the organization's work, the report provides details of human rights abuses in over 130 countries. It is probably the most widely read — and most influential — of the many reports published by Amnesty International each year.

Please detach this form and return to the Amnesty International section in your country or to: Amnesty International Publications, 1 Easton Street, London WC1X 8DJ, United Kingdom.

- I wish to subscribe to the *Amnesty International Newsletter* (price, including postage and packing: £7.00, US\$12.00).
- I wish to subscribe to the monthly *Amnesty International Newsletter* and yearly *Amnesty International Report* (price, including postage and packing: £18.00, US\$30.00).
- Please send me further details of Amnesty International Publications.

Name _____ Address _____

ISBN 0-86210-185-9



9 780862 101855

 **Amnesty International Publications**