

# Terrorism indictments brought against six tea plantation workers

## Frame-up of Tamil youth, attack on Sri Lankan SEP

A correspondent  
17 July 1999

Six Tamil-speaking youths who were arrested in June 1998 on false charges of bombing a tea factory in Hatton, a country town in Sri Lanka's highland plantation region, have been indicted under Sri Lanka's notorious Prevention of Terrorism Act (PTA) by the Peoples' Alliance (PA) regime.

**Suppu Udayakumar** and **Pichchamuththu Chandran**, both from the Strathdon Group of Estates, Eastern Division, Hatton; **Arunasalam Yogeswaran** of the St. Lyes Estate, Enfield Group, Dickoya; **Solamalai Loganathan** from Kudaoya Estate; **Ponnaiah Saravanakumar** from Saumya Pura, Kotagala; and **Samimuththu Benedict** from Salan Kanda Estate were indicted under the PTA in the High Court of Kandy, the principal city in the highland region, July 8.

Against the six, who have been in detention since their initial arrests, the State Attorney delivered four indictments, outlining six charges. The youths are alleged to have participated in the blowing up of six electrical transformers belonging to the government. They are also accused of being members of the Liberation Tigers of Tamil Eelam (LTTE) and to have carried out these violent activities on behalf of the Tamil separatist movement. Trial for the six on all charges is set to begin September 7.

The prosecution's case rests entirely on confessions the state claims that the accused gave voluntarily, but which were extracted from them through prolonged abuse, harassment and torture. The signatures of the accused appear at the bottom of typed statements written in Sinhalese, a language the youths do not speak, let alone read. In May the *World Socialist Web Site* published a lengthy exposure of the torture carried out by Sri Lankan security forces against the Hatton six based on detailed accounts three of the youths gave to an attorney who was able to visit them in prison. (See: Tamil plantation youth recount brutal torture by Sri Lankan police).

Under the PTA, a statement given by an accused to a high-ranking police officer is admissible in court and the onus falls on the defence to prove that the confession was

obtained through coercion and hence illegal. As a result, Sri Lankan police frequently threaten, beat and torture persons to extract confessions. Ultimately, most frame-up victims plea-bargain for sentences from six months to seven years, depending on the severity of the original charges, because they recognize they face a hostile judiciary, cannot afford the cost of waging a proper legal defence and become worn down by lengthy prison stays awaiting trial.

Those accused who do have the courage to challenge the police, refuse to plead guilty and opt for full trial are threatened under the PTA with prison sentences of up to 20 years, and even capital punishment. Eager not to become embroiled in a lengthy and likely unprofitable legal battle that will place them at odds with the police and government, most lawyers pressure their clients not to contest the legality of their false confessions.

In this case, all six are maintaining their innocence and intend to demonstrate that their confessions were obtained illegally and through extreme violence. Mr. A. Vinayagamoorthy, a senior defence attorney who is appearing on behalf of some of the accused, says that he intends to call the Judicial Medical Officer who examined the six. The police were obliged to submit the six for medical examination only because of an order from the Supreme Court on a fundamental rights petition filed on the youths' behalf.

One of the six, Suppu Udayakumar, has asked the Socialist Equality Party of Sri Lanka to undertake his legal defence. The SEP is mounting a campaign against the growing state repression in the plantation region. Ajith Ratnayake, the attorney retained by the SEP, reports that Udayakumar said he and the other five are in good spirits and are determined to expose the frame-up against them.

Most of the Hatton six were previously arrested in late 1994 or 1995 and held for varying lengths ranging to over a year, on false charges of being affiliated with the LTTE. As the result of an island-wide campaign mounted by the

Revolutionary Communist League, the forerunner of the SEP, and by its union, the Plantation and Industrial Workers Union (PIWU), they were all eventually released without any charges being laid.

In rallying opposition to the current frame-up, the SEP has explained that it is part of a widening campaign of state repression in the plantation districts, where there is increasing anger and social unrest over the deterioration in wages and living conditions that have resulted from the privatization of Sri Lanka's tea estates. Of particular concern for state authorities is the diminishing political support for the traditional plantation workers' organizations, which are allied with the PA government. In 1998 half a million tea and rubber plantation workers mounted a powerful strike, which continued in many areas even after the main plantation unions accepted an offer that fell far short of the workers' demands.

Less and less able to maintain the allegiance of the mainly Tamil plantation work force, the Ceylon Workers Congress (CWC) and the Up Country Peoples Front (UPF) are openly supporting the state repression, while the other unions, apart from SEP-affiliated PIWU, are doing nothing to actively oppose it.

While pointing to the parallels between the Hatton case and another where striking plantation workers are being framed up for the burning of an estate manager's house, the SEP has explained that the Hatton youths are being victimized a second time by Sri Lanka's security forces because of their continuing association with the SEP. Udayakumar was an SEP candidate in the 1997 local elections.

Now with the official filing of charges against the Hatton six, it has been revealed that the police, probably acting under the direction of top officials in the PA government and/or the security forces, are seeking to directly tie the SEP to the LTTE and terrorist activity. The confessions that the police forced the Hatton youth to sign claim that Dr. Shantha Kumar, a prominent SEP member in the Hatton area, had "indoctrinated" them in revolutionary politics when he was incarcerated with them in 1994-95, also on suspicion of being an LTTE operative. The false confessions further claim that Shantha Kumar's denunciations of the politics of CWC leader and Peoples Alliance Minister S. Thondaman and UPF leader and Deputy Minister P. Chandrasekaran led the youth to join the LTTE and carry out violent activities on its behalf.

This is a tissue of lies, which to any politically educated person would make no sense. The SEP and the RCL have always opposed both individual terrorism and the LTTE. In innumerable political documents dating back more than two decades, the Sri Lankan Trotskyists have elaborated their

attitude to the Sri Lankan state's discrimination against the Tamils and to the LTTE, arguing that the only viable means to put an end to the national oppression of the Tamils is by building a mass political movement for a workers' and peasants' government and the creation of a Socialist United States of Sri Lanka and Eelam.

At the time when the Hatton youths signed the documents that associate the SEP with the LTTE—early September 1998—four Tamil SEP comrades were being held by the LTTE in Killinochchi, south of Jaffna, on the claim that their political activity was undermining the Tamil struggle. Ultimately, the LTTE was forced to release the four because the SEP's record of opposing the Sri Lankan state's oppression of the Tamils and its 15-year-long war in the North and the East is well-known among Tamils and supporters of the Tamil struggle for democratic rights in Sri Lanka and around the world.

The Sri Lankan authorities' attempt to frame up the Hatton youth and railroad them to prison and, through them, to target the SEP, must be vigorously rebuffed.

The Sri Lankan state has a notorious record of human rights abuses, and not just in the predominantly Tamil-speaking North and East. Tens of thousands of Sri Lankan youth were "disappeared" in the South of the island in the late 1980s and early 1990s, when a counterinsurgency campaign against the communalist JVP (People's Liberation Front) became a pretext for suppressing all dissent in the impoverished and land-hungry countryside. Only last January, the ruling People's Alliance regime won a Provincial Council election through ballot-rigging and outright violence.

We urge all individuals and organizations committed to upholding democratic and human rights to send letters of protest demanding the withdrawal of the indictments against the six Hatton torture victims and their immediate and unconditional release, and denouncing all attempts to falsely tie the SEP to illegal activities.

Your letters of protest should be mailed or faxed to:

The Attorney General,  
Attorney General's Department,  
Colombo 12, Sri Lanka.  
Fax: 0094-1-436421.

Please refer to case numbers: NJ 1290/99, NJ 1291/99, NJ 1292/99 and NJ 1295/99.



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