

Sri Lanka: delay in case of framed Tamil plantation youths

Our correspondent
18 September 1999

The court case on frame-up charges against six Tamil-speaking plantation youths in Sri Lanka was put off for more than a month on September 7 due to the absence of the trial judge. A new case date has been fixed for October 9. These youths were arrested in June 1998 following a bomb attack on May 31 on the Shannon tea factory near Hatton, a hill country town. They have been detained under the Prevention of Terrorism Act.

The youths indicted in the case are: Suppu Udayakumar and Pichehamuththu Chandran, both from the Strathden group of estates, Eastern Division, Hatton; Arunasalam Yogeswaran of the St. Leyes Estate, Enfield Group, Dickoya; Solamalai Loganathan from Kudaoya Estate; Ponnaiah Saravanakumar from Saumya Pura, Kotagola; and Samimuththu Benedict from Salan Kanda Estate.

The youths were taken in custody on the basis of suspicion in the bomb attack on the tea factory. However when they were served with indictments on July 8 there was no mention of the bomb attack, and they have now been indicted in connection with bomb blasts at electrical transformers at various locations in the vicinity of Hatton. Defense attorney Ajith Ratnayaka, retained by the Socialist Equality Party (SEP-Sri Lanka), told the *WSWS* that all the youths have pleaded not guilty on all counts.

The case is set to be heard in the high court in Kandy, the major central hill country city. The young prisoners were escorted into the court on September 7, by prison guards along with heavily armed military and police personnel. Under conditions where the youths have been named as "suspects" of the LTTE (Liberation Tigers of Tamil Ealam, who are fighting for a separate state in the North and East of Sri Lanka), this provoked tension among Sinhalese gathered in the courts, who murmured, "They are tigers, they are tigers", the

connotation being that the youths are "LTTE terrorists".

Kandy is a heavily guarded city with patrolling policemen and soldiers, with bunkers and checkpoints at junctions and entry points to the city. These measures were introduced after the LTTE's bomb attack on a Buddhist temple "Dalada Maligawa", or Palace of Tooth Relic. In attacking the temple, the LTTE sought to provoke Sinhala chauvinism, and the government has exploited this to its advantage.

Parents and other relations of the youths were present at the courts, some having not seen their arrested relatives for more than a year, as visits are severely restricted. But they were forced to stay 20 to 50 feet away from the court cells, and even then they were chased away by prison officers. When the defence lawyer demanded that the parents be allowed to see their children, prison officers said they had no authority to grant permission.

State frame-up charges were brought against the youths only after one year. Police have the power to use so-called confessions as the sole evidence in cases and can use these "confessions" as the basis of judgements under the Prevention of Terrorism Act. The youths were asked to sign statements typed in Sinhala, a language which they can neither read nor understand. The youths have provided lawyers with affidavits describing how they were tortured by the police in order to force them to sign the statements. The notorious Prevention of Terrorism Act (PTA), hurriedly passed in the parliament in 1981, gives police the power to detain arrested persons for 18 months without any judicial inquiry. The act has been used against hundreds of people throughout Sri Lanka over the last 18 years.

In 1997 the present People's Alliance (PA) regime introduced regulations restricting visitors from seeing

prisoners detained under the PTA. According to these regulations, a prisoner can receive only one visitor a month. Before visiting the Hatton youths, relatives must first obtain a letter from prison authorities, confirming the prisoner's police area. They must then approach the police chief in that area and obtain another confirmation that they are relatives of the prisoner, and that they have been given permission to see him. Visitors may speak to prisoners only in the presence of guards, and letters to prisoners are read by prison officials.

All the youths now in custody were arrested along with others in late 1994 or early 1995, just after the People's Alliance government came to power. They were released as a result of a political and legal campaign waged by the Revolutionary Communist League (RCL), forerunner of the Socialist Equality Party (SEP), and its Plantation and Industrial Workers Union.

One of the arrested youths, Suppu Udayakumar, was a candidate of the SEP in the 1997 local government elections and others have also worked closely with the party. Statements police forced them to sign indicate that a present prominent member of the SEP in Hatton, Dr. Shanthakumar, indoctrinated them, leading them to their so-called association with LTTE. But it is only the SEP that has carried out a defence of the plantation workers from state repression and racist attacks.

These arrests among the plantation workers and their continued detention takes place in the midst of a growing propaganda campaign by the state and the media about the so-called infiltration of the LTTE into the plantations. For instance, following an large explosion around midnight on August 11 in Hatton, the media reported that it was a "bomb blast." It was later determined that the sound had been from an explosion at an illicit liquor distillery, however neither the media nor police corrected their previous reports of the incident.

This LTTE scare campaign is bound up with the aim of increasing the presence of security forces and repression in the plantations, and at the same time intimidating workers and inciting racism against Tamil speaking plantation workers. In October 1998, Passara Plantation Group's management staged a provocation against striking workers and arrested about 25 workers. Following further arrests, about 28 workers remain in

prison custody in Badulla, another hill country town.

Struggles by workers to demand improved working and social conditions have provoked police repression and arrests. Following a 1984 strike of plantation workers, 58 youths were arrested. Another 73 youths were arrested after a strike in 1986.

With the privatisation of plantations in 1995 by the PA government, and the increasing crisis of the tea export market, (which showed a negative growth in value by 24.11 percent in the first half of this year) employers have sought to implement plans to cut jobs, reduce wages and speed up production.

The Ceylon Workers Congress (CWC) and the Up Country Peoples Front (UPPF) have been working with the PA regime, supporting the arrests in the plantations and the plans of the employers. Other unions have also kept silent about the repression being unleashed against these workers.

The SEP calls upon all organisations and individuals committed to the defence of democratic and human rights to send letters of protest demanding the withdrawal of indictments against these youths and their unconditional release.

Letters of protest should be mailed or faxed to:
The Attorney General,
Attorney General's Department,
Colombo 12. Sri Lanka.
Fax: 0094-1-436421.



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Socialist Equality Party visit:

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