

Six Sri Lankans held for 19 months without trial plan to go on hunger strike

A correspondent
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Six young men from the plantation areas of Sri Lanka, who have been detained for nearly 19 months without trial, have said that they will stage a hunger strike along with two Tamil teachers from January 1 to demand their release. The hunger strike is to publicise their case, which last came before the court on September 27, only to be postponed until next April 26.

The six were arrested after a bomb blast on May 31, 1998 at a tea factory near Hatton, a plantation town 200 kilometres from Colombo. During the following week, the Tamil youth were taken into custody by the Hatton police who alleged they were involved in the incident and were suspected of having connections to the Liberation Tigers of Tamil Eelam (LTTE). The Sri Lankan army has been engaged in a brutal 17-year-long war to suppress the LTTE, which is fighting for a separate Tamil state in the north and east of the island.

The six are: Suppu Udayakumar (26) and Pichchamuththu Chandran (23) from the Strathdon Group of Estates, Eastern Division, Hatton; Arunasalam Yogeswaran (26) from the St. Leyes Estate, Enfield Group, Dickoya; Solamalai Loganathan (29) from Kudaoya Estate; Ponnaiah Saravanakumar (23) from Saumaya Pura, Kotagala; and Samimuththu Benedict (24) from Salan Kanda Estate. Suppu Udayakumar is a supporter of the Socialist Equality Party (SEP) in Sri Lanka and stood as a party candidate in local elections.

The SEP has been campaigning for their immediate release. The tough security regulations put in place by the People's Alliance (PA) government, purportedly to counter "LTTE infiltration", are aimed at intimidating and terrorising Tamil-speaking plantation workers who are among the most oppressed layers of the Sri Lankan working class. Hundreds of Tamils have been held in detention for lengthy periods without trial on the flimsiest of pretexts.

Charges were only laid against the men after they had spent a year in detention and then not on the basis of the original accusations. They were charged instead with being involved in blowing up electrical transformers in the plantation area. The six have denied the charges saying that the police have concocted the accusations. The case, which first came before the High Court in Kandy on July 8, has been repeatedly postponed.

The two teachers—Sambandan Thiruwandan and Sivam Sivanandaraja—are also from Hatton area and were taken into custody for alleged connections with the LTTE.

The lawyer for the six young men, Ajith Ratnayake and his

interpreter, A. Shanthakumar, who are both members of the Socialist Equality Party (SEP), visited them in detention on December 4. The main detention camp for Tamil prisoners is situated in a rural area in Kalutara, 40 kilometres south of the capital of Colombo. There is no public transport and visitors have to walk or use a trishaw to travel the last three kilometres from Kalutara town.

Visiting rights for detainees are highly restricted. Family members require police permission, and under new government regulations put in place a few months ago, lawyers need approval from the Defence Ministry before they can visit their clients.

Even though prior Defence Ministry approval had been granted, prison officers tried to prevent Shanthakumar from visiting on the grounds that he had once been a detainee. While Ajith Ratnayake was speaking with the deputy commissioner in his office, the chief jailer provocatively ordered a prison guard to push Shanthakumar out of the premises. The prison authorities were, however, finally forced to back down.

During the discussion with Ajith Ratnayake and Shanthakumar, the six Tamil men explained that they had done nothing wrong. "We were tortured cruelly when we were in the police custody and they have got our signatures on pre-prepared statements which now have been produced as our confessions."

"We were taken to Hatton after three months in the custody of the police and the anti-subversion division of the police. We were produced before Hatton Acting Magistrate Mr. Rajendran and then sent to Bogambara prison (in Kandy) and later to Kalutara prison," Suppu Udayakumar said.

"We were not produced in the magistrate courts to get the remand order. We were shown to the magistrate when we were in a police vehicle while he was travelling in his vehicle from his house. He didn't see even us. He just signed a paper and later we were taken to Bogambara (prison)," Ponnaiah Saravanakumar added.

When asked about the court postponements, Solamalai Loganathan said: "They have no way of proving the case because it is a frame-up by them. So they wanted to punish us somehow. That is why they postponed the case for so long a period. Already we have languished in prison more than a year. If they keep putting off the case, it is like to serving a prison sentence of two years without being found guilty."

Pichchamuththu Chandran explained that the six had already begun a fast but had called it off after a visit by the leader of the

Up Country Peoples Front (UPF), a political party based among Tamil-speaking plantation workers.

P. Chandrasekaran formed the UPF—a trade union cum political party—after breaking away from the Ceylon Workers Congress (CWC), the main trade union in the plantations in 1989. He was elected to the parliament in 1994 general elections as an independent candidate, joined the Peoples Alliance (PA) government and was rewarded with a deputy ministerial post. In the recent presidential elections, he resigned and switched his support to the opposition United National Party (UNP).

“We started fasting, demanding our release, on December 1. On December 3, Deputy Minister Chandrasekaran visited us and promised us that he would discuss [our case] with President Chandrika [Kumaratunga] and would work to release us. He asked us to give up the fasting. We did not give up the fast because we believed his promises. We have seen lot of promises like this during our prison life. We wanted to take time and start a fast unto death on January 1, 2000. If we start, we will continue until our release or until our death,” Pichchamuththu Chandran said.

Arunasalam Logeswaran added that Chandrasekaran had not promised to fight for their unconditional release. “He said that he would discuss expediting the case—if we are found not guilty we would be released. He also told us that he would speak to the Chief Justice and also promised us to arrange a prominent lawyer.”

All were critical of Chandrasekaran's visit. “He came here to stop our hunger strike and to satisfy the government and get more benefits. It can't be ruled out that the government itself may have made him come here. His visit at this juncture, after we have been in jail for so long, may have been for his own political benefit.”

They explained that they had been first arrested in 1994 on bogus charges of having connections to the LTTE. “We were released after two years due to the campaign of the Revolutionary Communist League, the forerunner of the SEP. The Attorney General's Department issued an order to the court that we should be released because there was no evidence to file a case against us.

“We were released but the police filed a case at the Nuwara Eliya Magistrate Courts under normal law. The so-called confession statements extracted under the PTA [Prevention of Terrorism Act] are now being used under the normal law. When the case was taken to trial, the police had three witnesses. All of them said that they had not seen us but that case is still going on.” [Confessions extracted under the Prevention of Terrorism Act cannot usually be used under normal law.]

“Fundamental right cases were filed on our behalf against the arrest last year, but were not taken immediately to a hearing. When the present case came to a hearing, the court ordered that we be examined by a Judicial Medical Officer (JMO). We were tortured a year ago. How could the JMO give a correct report on the torture? He will look for the scars. If he does not find them, he will not record what we tell him.”

They went on to describe the conditions in Kalutara Prison. “There are 844 Tamil political prisoners here, out of which 78 have been convicted. We are locked up in big halls, each of which is about 20 feet by 40 feet. There are 50 to 60 prisoners in each hall. We don't get proper meals. Uncleaned vegetables and rice containing sand are cooked for us. We get only two government

newspapers. Political books are not allowed.

“We get only one or two toilets in each hall. Sanitary conditions are terrible. There is a doctor in the prison hospital but the doctor doesn't understand our language. Even if we are admitted to hospital we have to sleep on the ground. [The medical attention is so poor that prisoners went on a protest fast on December 18 and 19.]

“The prison administration keeps Sinhala-speaking prisoners, convicted of ordinary crimes, here to do the cooking. In 1997, Tamil-speaking prisoners were attacked by these criminal prisoners. The prison officers here are communal-minded and at any time they may instigate violence against us using these criminal prisoners. Since 1983, many such incidents have taken place in the jail and some political prisoners have been killed. Commissions have been appointed, inquiries held, but nothing has happened and the culprits were promoted.”

Three walls have been erected around the prison, which is guarded by army personnel, police and jailers. Prisoners labeled as “hard core” by the authorities are kept in cells separate from others. The prison premises are full of mosquitoes. Prisoners are only provided with mats for sleeping.

WSWS reporters spoke in Hatton to some of the parents of the detained men. “We can't visit our sons. If we want to visit them we have to spend four days work and five to six days salary for traveling expenses. We are getting only 95 rupees (\$US1.25) for each working day. If we spent such a lot of money [on visiting] how could we eat and look after our other children. We have visited them only once,” one said.

“We are unable to correspond with them properly because the letters we send them take a month to arrive. The same thing happens to their letters. The letters sent in and out are censored. They always write us to bring soap and tooth paste. How could we send them these things? Even basic needs are not met in the prison,” another added.

Suppu, the father of Udayakumar, said: “Our sons have been in prison for more than a year. No trade union or political leader has visited them. They didn't take a single step to release the six but after the presidential nominations were filed some of them started to make statements about the political prisoners. The trade union and political leaders are always intervene for the sake of their names whenever an election comes.”



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