

# Sri Lankan SEP calls for the release of all Tamil political prisoners

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The Sri Lankan Socialist Equality Party (SEP) has launched a campaign to demand that the government immediately and unconditionally release all Tamil political prisoners held under the country's draconian Prevention of Terrorism Act (PTA) and emergency regulations.

Nearly a thousand Tamil political detainees are currently being held in prisons around the island. Some have been held for months, if not years, without trial, or in some cases even charges. Most are accused of being members of the separatist Liberation Tigers of Tamil Eelam (LTTE). Few have been convicted of any of the charges. For many, the only evidence against them has been their own "confessions" extracted under torture.

The SEP, which has successfully fought for the release of particular prisoners, had decided to initiate a broader campaign in response to a series of appeals received from Tamil detainees.

On May 10, 64 prisoners in the Kaluthara Prison wrote to the SEP asking for its support. "We launched a fast unto death demanding our unconditional release. We thank you for your support during that agitation. The promises given to us [by the authorities] at that time have not been met... Friends, we urge your SEP to launch an agitation on behalf of our unconditional release," they wrote.

The 64 expressed their appreciation for the protracted campaign waged by the SEP and the *World Socialist Web Site* that resulted in the release of six young Tamil plantation workers from Hatton. Suppu Udayakumar, Solamalai Loganathan, Samimuttu Benedict, Ponniah Saravanakumar and P. Chandran were held for three and a half years without trial before finally being freed this year after the court accepted that their confessions had been obtained by torture.

The hunger strike mentioned in the letter began on February 1 and involved hundreds of political prisoners in the Kaluthara, Boossa, Bogambara, Negambo, Jaffna and Colombo jails. The Minister for Refugee Affairs, Dr. Jayalath Jayawardhana, visited Kaluthara prison and persuaded the detainees to call off the protest, promising their release.

But the promise was broken, so the prisoners began another fast on April 10. According to the letter, the minister again visited the jail on April 17 along with several top officials—the Secretary to the Ministry of Justice, Dhara Wijethilake and Deputy Solicitor General, Riency Arsekularatne. The protest was postponed after promises were again made but these have not been met either. The letter declared in disgust: "We have no faith whatsoever in these people who make false promises."

The promises included: not postponing cases for more than 14 days; disposing of cases quickly where no prosecution witnesses appear in courts; releasing prisoners held under section 5 of the PTA for "withholding information about suspicious persons"; and the withdrawal of cases based on confessions obtained under duress. The officials also pledged to implement the speedy revocation of preliminary police reports when suspects were freed by higher courts. At present, detainees can continue to be held using the police reports even though a court has ordered their release.

The media in Colombo carried articles reporting the meetings at the Kaluthara prison and the promises made by government representatives. But nothing has been written about the fact that the pledges have still not been implemented or about the real conditions facing hundreds of Tamil detainees.

Under PTA, police can detain people under their custody for three months without even producing them before a court of law. The detainees are often severely tortured during this period to obtain confessions, which, under the PTA, can be used as evidence in court. The onus is on the detainee to prove torture was used. Even without the filing of charges, a detainee can be held for a further 18 months on the basis of a court order.

The PTA provides wide scope for security forces to harass and detain Tamils—as well as "withholding information about suspicious persons," a person can be charged with aiding, providing shelter or information to "terrorists". Many charges are completely fabricated. With repeated court delays, detainees can be held for years without conviction—in some cases up to six or seven years.

The government has not released the official figures for the number of detainees. The commissioner of prisons has stated that there are about 800 Tamil detainees. But, according to unofficial estimates, the figure is far higher. International Committee of the Red Cross records show that 3,194 people were arrested under the PTA last year.

A survey in April by the Centre for Human Rights, a non-government organisation, found that Kaluthara prison has the highest number of Tamil detainees—282. Of those 211 have been charge-sheeted in the high courts and 59 are without any charge. Another 103 are detained at Boossa jail, of whom 95 have been recently transferred to Kaluthara. Smaller numbers are held elsewhere: at Badulla 23, Batticaloa 11, Anuradhapura 71, the New Magazine Prison of Welikada 7, and Colombo's remand

prison 10. Others are detained in the Bogambara and Jaffna prisons but there are no figures. Some of the detainees are women—39 at Welikada and 65 at Negombo—who are treated just as brutally as the men.

A number of other prisoners and their parents have written to the SEP asking for the party's support. One was Kathiravale Amirthalingam, who was arrested in Vavuniya on January 15 by the police Counter Subversive Unit (CSU). He was working at a lodge in Colombo and accompanied a group of Tamils from Vavuniya, who were seeking to emigrate, to a police station to obtain police passes. Amirthalingam was detained. After three months, he was transferred to Anuradhapura under an order from the Vavuniya courts and then later to Kaluthara. According to Amirthalingam's letter, his case in the Colombo High Court has been postponed 16 times.

Even though the United National Party (UNP)-led government signed a ceasefire with the LTTE in February and is considering lifting the formal ban on the organisation, nothing has changed for the Tamil political detainees. The LTTE made no demands on their behalf as part of the ceasefire negotiations. Moreover, Interior Minister John Amarathunga, recently told parliament: "The time has not come to get rid of this act (PTA). So our government has no plans to repeal it now."

The Tamil political parties, who in the past have been virtually silent on the issue, are now feigning some sympathy for the detainees. The Tamil United Liberation Front (TULF), the main Tamil bourgeois party, has told the state-run *Daily News*, that they are calling for a general amnesty for Tamil detainees. The TULF's partners in the Tamil National Alliance, as well as EROS (Eelam Revolutionary Organisation of Students) and EPDP (Eelam People's Democratic Party), supported the demand at a meeting in May convened by Human Rights and Development. These organisations have also reportedly agreed on a campaign to pressure the government to repeal the PTA.

But the call for a "general amnesty" falls far short of what the detainees are seeking. In effect, they will have to plead guilty to the charges against them in return for their freedom. Having been falsely accused, tortured and held in prison for lengthy periods without trial, many not only want their freedom but recognition of the gross injustice done to them.

Workers and youth people should place no faith in these Tamil parties who have collaborated with successive UNP and Peoples Alliance (PA) governments—that is, the very administrations responsible for drawing up and implementing the PTA and emergency provisions. Nor should they rely on the Ceylon Workers Congress (CWC) and the Upcountry People's Fronts (UPF)—the two main organisations of Tamil plantation workers—which have done nothing to halt the repression.

UPF leader P. Chandrasekaran, who is currently a government minister, was another of those who visited Kaluthara prison in February to urge the detainees to halt their hunger strike. According to the prisoners, his main concern was not their plight but that the protest would weaken the government. A case that was recently brought to the SEP's attention underscores the UPF's attitude to the Tamil detainees and the appalling indifference and contempt for democratic rights by the police, the courts and the

legal profession.

Palangimuttu Gunasekaram, who was released recently, was arrested by police under the PTA on January 9, 1996, as a suspected LTTE member. He signed a document said to be his confession after being severely tortured. On July 23, 1997, he was charged in the Kandy High Court with delivering a revolver to an LTTE member at Thotalanga. On the same day, he was charged with the same offence in the Vavuniya High Court where he was acquitted after the court found that his confession had been extracted by torture. The Kandy High Court ignored the legal decision and kept him in jail for a further five years by continually postponing his case.

Gunasekaram's father explained that the UPF leader Chandrasekaran had done nothing to help his son. All of the family had been UPF members since its inception, so when his son was arrested, he went to Chandrasekaran for assistance. The UPF leader promised to provide a lawyer but one never appeared, even though right to the last moment, Chandrasekaran insisted the lawyer would arrive at the appropriate time.

Gunasekaram's father was compelled to hire his own lawyer who charged 2,000 rupees a day—the monthly wage of a plantation worker—and proved worthless. In desperation he contacted the SEP whose lawyer obtained Gunasekaram's release on the first court appearance. The Kandy High Court was finally compelled to throw out the case, admitting that the medical records showed that Gunasekaram had been brutally tortured by the police.

The democratic rights of Tamil political prisoners have been blatantly violated. The SEP demands the immediate and unconditional release of all Tamil detainees and the repeal of the PTA and emergency regulations. We call on workers, intellectuals and young people in Sri Lanka and internationally to support our campaign by writing letters of protest to the Sri Lankan Attorney General and donating generously to our special fund of 30,000 rupees (\$US310) established to provide legal assistance.

Protest letters should be directed to:

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

Please send copies to:  
Socialist Equality Party,  
PO Box 1270, Colombo, Sri Lanka.

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