

Hundreds of Tamils held without trial despite Sri Lankan peace talks

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Even though the first round of the Sri Lankan peace talks took place in Thailand last week, the government has refused to release hundreds of Tamil prisoners being held without trial under the country's draconian Prevention of Terrorism Act (PTA). Many have been falsely accused of being members of, or assisting, the Liberation Tigers of Tamil Eelam (LTTE), as part of the security forces' systematic harassment of the country's Tamil minority.

For its part, the LTTE has not insisted on the release of the Tamil detainees or the repeal of the PTA but has focused instead on arranging the exchange of captured government soldiers for selected Tamil prisoners. Even this limited measure fell through in the week prior to the peace talks as the government of Prime Minister Ranil Wickremesinghe bowed to pressure from Sinhala extremist groups.

On September 12, the government delayed the exchange for a second time in two weeks. Under the deal, originally set for August 31, Colombo was to release 23 Tamils in exchange for seven servicemen. Everything was place. The Tamils were to be transported to Omanthai at the edge of the LTTE-controlled area of Vanni in the north of the island. The seven military personnel were to be handed over through the International Committee of the Red Cross.

On August 30, however, cabinet spokesman G.L. Peiris told a press conference that the prisoner exchange would be delayed for a few days due to "legal snags". "Some of the prisoners have been indicted in the courts and the exchange cannot take place till that technical snag is sorted out," he said, adding that the prisoners would be released prior to the peace talks on September 16.

But on September 11, Army Commander General Lionel Balagalle informed the LTTE that the number of

releases had been cut back from 23 to 14. Ministry of Defence officials indicated to the press that they were awaiting a response from the LTTE and that the exchange set for the following day would be delayed again. The number of detainees to be exchanged has since been cut to 13 and no date has been fixed.

The real reason for the changes and delays has been the opposition of Sinhala chauvinist groups, fueled in part by media reports alleging that three of the Tamil prisoners have been indicted or convicted of serious crimes. They claim that one is a suspect in the attempted assassination in 2000 of President Chandrika Kumaratunga, a second is indicted for destroying an aircraft at the Palaly air base in 1995 and a third is convicted of killing Tamil United Liberation Front (TULF) parliamentarian S. Thangathurai in 1997.

Kumaratunga has written to Wickremesinghe demanding that the government release the names of those to be exchanged. She further incited the Sinhala chauvinists by alleging that the government intended to release "a large number" of prisoners, including LTTE cadres responsible for assassination attempts and a number of bomb attacks, notably those on the Central Bank and Prime Minister's office.

The Sinhala extremist Janatha Vimukthi Peramuna (JVP) went one step further, claiming in its newspaper, *Niyamuwa*, that the LTTE leader Velupillai Prabhakaran was demanding the release of eight suicide bombers. The report proved to be false. But the proposed prisoner exchange has stalled as Wickremesinghe fears the political repercussions of the chauvinist campaign in the ranks of his ruling United National Front.

The 14 Tamil prisoners are just a handful of those being held. According to latest figures announced by the Defence Minister Tilak Marapana, there are still

349 Tamils detained in jails around the country: 199 in Kalutura prison, 30 at Batticaloa, 27 in Welikada, nine in Badulla, two at Bogambara, eight in Trincomalee, four in Colombo's Magazine prison, 17 in Negambo, 34 in Anuradhapura, 14 in Jaffna and five in Galle.

Most have never been tried and found guilty on any charge. Like hundreds of others, they have been rounded up as "LTTE suspects" in routine police and army dragnets. Some have been tortured to extract a confession, which is then used as the pretext to hold them for months and years without trial. Most have been indicted on charges ranging from "receiving LTTE training" and "providing information to the LTTE" to being involved in LTTE attacks. Some, however, have never been charged.

Over the past few months, the government has been quietly releasing a number of Tamil detainees. According to the Defence Minister, 415 in all have been set free. Most of those released have been held under the notorious section 5 of the PTA, which permits security forces to detain anyone who allegedly fails to provide information about the LTTE.

But the government has ruled out any blanket release of prisoners held under the PTA. Responding to media reports in July, the Attorney General's Department stated that it had no intention of withdrawing all its cases against PTA detainees. Moreover, the Wickremesinghe government has declared that it will not repeal the PTA.

Neither the LTTE nor any of the bourgeois Tamil parties based in Colombo have waged a campaign for the release of the Tamil detainees. The LTTE formally requested the PTA's repeal as part of the peace talks last week in Thailand, as has the Tamil National Alliance. These organisations, however, have not taken the matter any further or insisted that the basic democratic rights of the prisoners be upheld. As far as they are concerned, the prisoners are simply a bargaining chip in the negotiations with the government.

The Socialist Equality Party is the only party in Sri Lanka that has waged a consistent struggle for the immediate and unconditional release of all Tamil detainees and the repeal of the PTA and other anti-democratic legislation. As a result of its campaigns, the previous Peoples Alliance government was compelled to release eight Tamil detainees in 1997 and another six

in 2001.

In the most recent case, six young Tamils from Hatton in the central plantation area of Sri Lanka were arrested in 1998 and accused of a bomb attack on a tea factory. After being held for months in jail, the initial allegations were dropped and the six were charged over previous, unrelated bomb attacks. The only evidence against them consisted of "confessions" extracted under torture and written in Sinhala—a language that none of them read or write.

The SEP's campaign, waged in conjunction with the *World Socialist Web Site*, compelled the attorney general in 2001 to admit that the six had been tortured and to order their release. The six were never tried or found guilty of any charge. They were kept in jail for more than three years while the prosecution and the courts repeatedly delayed any legal proceedings.

Hundreds of Tamil detainees remain in jail for being "LTTE suspects," even though the government has allowed the LTTE to engage in political activities since the signing of a ceasefire in February and on September 4 formally lifted the official ban on the organisation. The prisoners' anger and frustration has already led to three hunger strikes this year and the threat of another this month.

The SEP once again calls upon all those who defend basic democratic rights to demand the immediate and unconditional release of Tamil detainees in Sri Lanka and the repeal of the PTA and other anti-democratic laws.



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