

Sri Lanka: Police oppose bail for arrested slum dwellers

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A month after the July 4 mass arrest of more than 200 slum dwellers at Mattakkuliya Summitpura in northern Colombo, the Sri Lankan police are continuing to oppose the granting of bail for the 23 people who remain in custody.

On July 28, Magistrate Lal Ranasinghe Bandara granted a police request to extend the prisoners' detention until August 11. The court ordered more than 175 other "suspects"—who were bailed out earlier—to appear in court when they receive summonses. The court room was overcrowded because most of those arrested have been summonsed.

In a police-state operation on July 4, police and military officers rounded up the local population on a field. The previous day, residents had protested outside a police station against a police attack on a young man, M. Nishantha, who had been arrested. Having herded around 8,000 residents onto the field, hooded informers picked out more than 200 people, including women, who were arrested.

The previous night hundreds of police and army personnel, who had been mobilised to quell the police station protest, went on a terrifying rampage through the area. They damaged the homes and vehicles of many residents, and physically attacked them.

The police have accused those arrested of conducting an "unlawful assembly," damaging public property at the Mattakkuliya police station and stealing three revolvers. Those found guilty of damaging public property can be jailed for up to 20 years and those convicted of unlawful assembly can be imprisoned for five years.

The police-military operation in Mattakkuliya followed the announcement of a plan by President Mahinda Rajapakse's government to evict tens of thousands of poor families from

Colombo to clear the way for developers. In May, police and security personnel forcibly evicted 45 families from Slave Island in central Colombo. Another several hundred families have been given notice in other suburbs.

The repressive measures being used against the Mattakkuliya slum dwellers are a warning of the repressive methods being used by the government to enforce its agenda. It is facing growing unrest as it begins to implement the austerity program demanded by the International Monetary Fund.

The Mattakkuliya prosecution involves blatant manipulation of the legal system. According to the Bail Act, the offences of damaging public property and stealing firearms are non-bailable. Moreover, the police can prolong the period of remand for up to 12 months before bringing the case to trial, and for even longer with the approval of the attorney general. Judges can review police requests for continued remand and grant bail. In this case, no charges have been framed against the prisoners, despite a month passing since July 4.

Objecting to bail, the police argued that the "investigation has not yet been concluded" and that there were 20 more suspects to arrest. When defence lawyers challenged the police to name those suspects, the police were unable to do so. Instead, they only read nicknames of the "wanted".

The police claimed to have "identified" 20 people among the 23 remanded, and to have witnesses who saw the involvement of the three unidentified prisoners. However, the court granted bail for a teenager when a defence lawyer produced his birth certificate. Police could not object to his release, because he was under the legal age for detention.

Another person, K.P. Gayan Priyasantha, who surrendered to the court in July, has also been remanded. The police claimed that Priyasantha is the "main suspect" in relation to

the attack on the police station and that he had stolen three revolvers and 15 live cartridges.

Defence lawyers told the court that despite accusing their clients of various offences, the police had refused to take complaints from victims of the July 3 police-military rampage. Lawyers cited 13 houses and 10 vehicles that had been damaged.

The magistrate ordered the police to inquire into all complaints, and rejected a police claim that the damage was done by an unidentified group. “Such devastation cannot be done secretly,” he noted. “The police should identify those unidentified men.” These remarks indicate concern among some sections of the legal establishment over the open violation of the legal system by the police.

Residents in Mattakkuliya have expressed anger about continuing police intimidation. One told the WWSWS that several residents went three times to lodge complaints but the police refused to take them. “They kept us there for hours each day and we were told to come back the next day,” he said. “Sometimes they talked in a threatening manner.”

According to the wife of one detainee, the damage done by the police to her house amounts to around 150,000 rupees (\$US1,335). “They crushed everything in the house, and they stole 78,000 rupees in cash and jewelry,” she added.

Another resident said the damage to his house and property exceeded 1.7 million rupees. “Three families live in our house,” he explained. “The police destroyed three TVs, a radio set, furniture, kitchen utilities, the front door and windows, and a motor bicycle. They stole jewelry and clothes. We complained to the human rights commission because the police refused to take our statements.”

A day worker at a tea-packing company recounted his experience: “I was beaten and arrested by the police. Being an innocent man who works hard to feed my family, I am highly angered. Why does all the evil come unto the poor like us?”

The tea worker added that he formerly worked at a pencil company. “In 2006, when we struck demanding a pay rise, the owners sacked 1,700 workers. We struck as members of a trade union affiliated to the Janatha Vimukthi Peramuna (JVP). After sacking us, the only step that the union took was to file a case in the labour courts. Years have gone by but we haven’t received a single cent as compensation. The

JVP leaders have no program to fight for our jobs. They advised us to depend on the court’s decision.”

Sunil Handunneththi, an MP from the JVP, a Sinhala chauvinist party, had come to the police station to see the arrested Mattakkuliya prisoners, the tea worker said. “They are trying to pretend that they are for us. According to my experiences, we can’t rely on them.”

A female tea-packing worker condemned the police and the media for seeking to justify the arrests by depicting the neighbourhood as dominated by drug dealers and drug addicts. “There may be some people addicted to drugs. But the media’s attitude toward us is not sympathetic. They use that word to insult us. We are also people who want to stop this drug menace. The government and the police turn blind eyes toward the drug-smuggling big businessmen who finance the election campaigns of politicians.

“I worked abroad for about 10 years. The last time, I earned 500,000 rupees and spent 200,000 to build a house on land identified as ‘unauthorised’ because we have no other place. If the authorities chase me out, I have no place to go with my four children. In 1976, during the period of Prime Minister Sirima Bandaranaike, my parents were chased from central Colombo to this area because they lived on ‘unauthorised land’. Now the Rajapakse government is attempting to chase us from the periphery to outer Colombo. We are being treated as unauthorised forever.”

A housewife, who was taken into police custody, said she had seen a police assault with her own eyes. “When we were being loaded onto a bus a 13-year-old boy fell on the floor after a policeman pushed him hard. The policemen ordered us to walk over him, trampling him. The poor boy shouted loudly, begging the policemen. Finally he fainted. How many Tamils in the north [during the civil war] have had to undergo this type of brutality?”



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