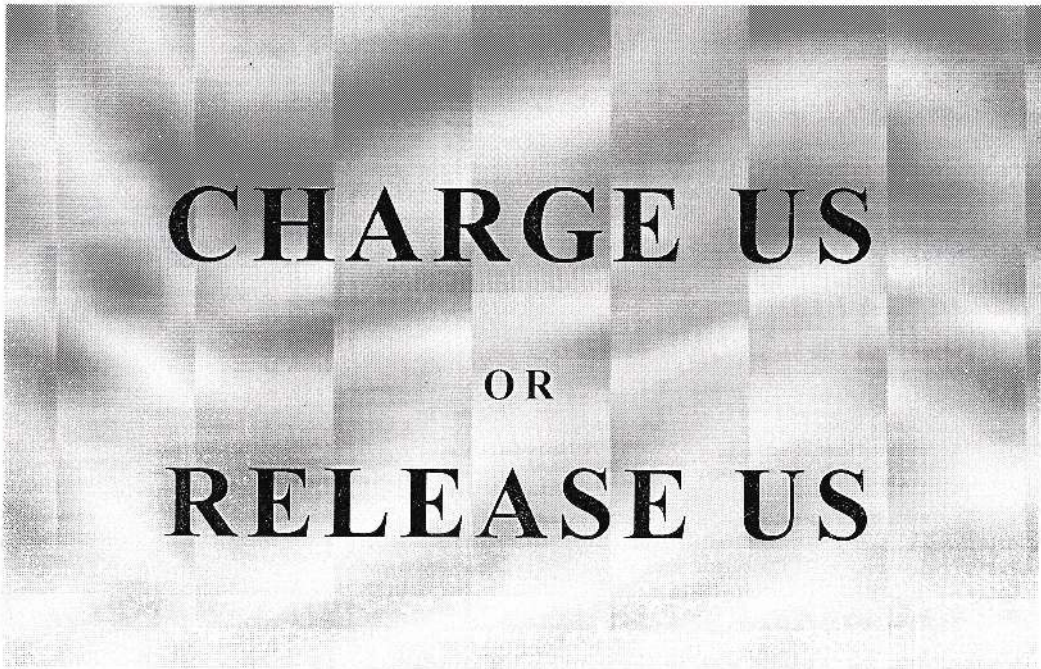


OUR DETENTION IS ILLEGAL



Tortured Voices from the Inside

Tamil detainees in the notorious jails of the

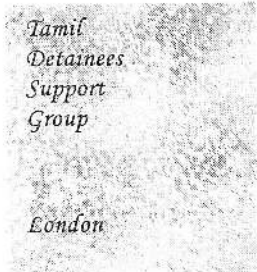
Democratic Socialist Republic of

SRI LANKA

*Tamil
Detainees
Support
Group*

London

A note from the Chairman



The Tamil Detainees Support Group based in London was formed with the aim of helping the Tamil detainees in Sri Lanka in gaining their right of freedom. So far we have received nearly three hundred letters from the detainees kept in Welikade and Kalutara Prisons. We understand that approximately two thousand Tamil detainees are kept by the Sri Lankan Government authorities at various places. Some are authorised by them others are not so. We were able to contact only a fraction of them.

These detainees are kept for years without being charged or brought to trial before a Court of Law. These detentions are illegal but there are no organisations to highlight the detainees' plight or to aid them in securing their release.

Some of the letters we received have been translated into English and are given in Part I of this document in the hope that will unite us to work against the injustice faced by the detainees.

As can be seen from their letters these detainees are very poor; they have no one to help them; their age limit varies from five years to seventy-one years old; some suffer from illness. Some are widows; in some cases both husband and wife have been arrested and detained leaving their children on the streets or having to plead for the charity of neighbours or relatives. In another case a widowed mother and her daughter were detained leaving four young children in a desperate position. Most of the detainees are the breadwinners of the family.

These detainees are kept in prisons alongside hardened Sinhala criminals and drug addicts who ill-treat them in various ways. There were incidents when convicted Sinhala prisoners, with the connivance of prison guards and soldiers attacked the Tamil detainees. In July 1983, the Sinhala convicts in Welikade Prison butchered to death fifty-three Tamil political prisoners. In February 1996 the Tamil detainees in Magazine Prison were seriously assaulted, with metal rods, clubs and cricket bats by prison guards. On 22nd

April 1987 Sinhala prisoners attacked Tamil detainees who were on hunger strike. On 12th December 1997 three Tamil detainees in Kalutara Prison were hacked to death by Sinhala convicts while prison staff and members of the armed forces stood by and watched. Several other detainees were injured.

As this publication was going to press we received the news that Sinhala prison guards in Kalutara Prison had beaten to death three Tamil detainees and wounded 34 on 6th January 2000. There is no sign that the situation will improve in the near future.

Female detainees are not exempted from abuse. Convicted drug dealers known as "Kudu Amme" subject them to ill treatment. Their plight is unbearable.

Most of the detainees have been tortured during the interrogation by the State Armed Forces. "Confessions" have been manufactured under torture and they are the only evidence available against the detainees, but the onus of proving that the confession was obtained under duress falls on the detainees.

The Emergency Regulations and the Prevention of Terrorism Act (PTA) have unjust provisions under which these detainees languish. There is no bail and no trial with a jury under the PTA. In addition a detainee can be held in custody for eighteen months by renewal every three months, on an Order of the Defence Minister. The Emergency Regulations allow for detainees to be held in preventive detention on the Order of the Secretary of the Ministry of Defence for one year without being brought before a Court of Law.

There are unauthorised places of detention where Tamil detainees are frequently kept by the State Armed Forces and the armed para-military groups working with them. Though keeping the detainees in unauthorised places is an offence under the Emergency Regulations, no one has been charged for such an offence.

Detainees have been arrested under "suspicion" but neither have they been told what crime they have committed nor have they been told the facts on which the "suspicion" was formed. The "unlawful activity" that is meant to substantiate arrest under suspicion is a nothing more than a fiction. For the State authorities being a Tamil is sufficient because they believe any Tamil is a Tiger. The unlawful activities listed under the PTA include even a trivial act of erasing, mutilating, defacing or otherwise interfering with any words, inscriptions or lettering appearing on any board on the highway or street. This offence will keep the offender in a prison as a detainee for eighteen months on the Defence Minister's order. This is just one example of the injustice the detainees are facing in Sri Lanka.

For the reader's convenience extracts from certain publications are given in Part II which show a fuller view of the detainees' situation.

The detainees say that their prolonged detention is illegal. They have protested against their detention by going on hunger strike several times but all their attempts were broken by the false promises given by the authorities. They now seek your support to gain their freedom.

We are also concerned about the plight of the Tamil detainees in the Special Camps in South India and we will be taking up their cases with the appropriate authorities soon.

After the formation of our group we approached the ICRC and UNHCR to obtain updated information regarding the detainees in Sri Lanka. UNHCR informed us that their work does not relate to this group of persons whereas ICRC said that their activities were carried out on a confidential basis and could not be disclosed to us.

On behalf of the Tamil Detainees Support Group I appeal to you to join hands with us in solidarity with the detainees so that they can be set free.

M. Neminathan

January 2000

Arrest and Detention of Tamils in Sri Lanka

In Sri Lanka the Government has given wide powers under the Prevention of Terrorism Act (PTA) and the Emergency Regulations (ERs) to police officers and other members of the security forces which are used for the arrest and detention of Tamils.

More than two thousand Tamils have been arrested and are detained in various prisons and police stations.

The Prevention of Terrorism (Temporary provisions) Act No. 48 of 1979 gives wide powers to the police and the Minister of Defence to arrest and detain Tamils for a period of 18 months at a stretch. The Emergency Regulations published in Government Gazette No. 843/12 of 4th November 1994 enable the security forces to arbitrarily arrest innocent Tamils and detain them.

Under Section 7 (2) of the PTA a Magistrate can remand a person **indefinitely** until his trial is over in the High Court.

Under Regulation 18 (1) of the ERs a person arrested in the Northern or Eastern Province by a police officer or a member of the security forces can be detained for a period of **60 days**. If the arrest takes place outside the Northern or Eastern Province then he or she could be detained for a period of **21 days**. If a detention order is issued by the Ministry of Defence under Regulation 17(1) of the ERs, a detainee can be held for another period of **three months**.

If they are successful in **extracting a confession** from a detainee, then they change the case midway and produce the person originally arrested under ER 18 (1) before a Magistrate, and get him remanded **indefinitely** under Section 7 (2) of the PTA. The police misuse both these special laws to keep a Tamil person in detention.

I visit these prisons every Saturday, as a human rights activist. In New Remand Prison Kalutara alone there are about 800 Tamil detainees. There almost every Tamil detainee complains that he has been arrested for no reason just because he is Tamil, and that he has been assaulted and tortured and that he was forced to sign a self-incriminating statement, written in Sinhala, a language not known to him. Thereafter he has been detained indefinitely until a trial comes up in the High Court. Recently because of the delay in bringing them to court the detainees went on hunger strike and we persuaded them to give up their fast.

Section 6 of the PTA enables a police officer not below the rank of a Superintendent of Police or a police officer not below the rank of a Sub-Inspector with written authority from a Superintendent of Police to arrest a Tamil. But normally no one is arrested under the PTA. What the police do is to first arrest a person under the ERs, then, at the end of the 21 days or the 60 days or the 3 months, they change the case and file it under the PTA to get the person remanded indefinitely.

The PTA gives the security forces extraordinary powers. No legislation conferring even remotely comparable powers is in force in any other democracy operating under the rule of law.

Under Section 16 (1) of the said Act statements made to the police are admissible as evidence in court, contrary to normal rules of evidence laid down in Section 25 and 26 of the Evidence Ordinance which exclude confessions made to the police as evidence in future trials. Similar provisions regarding admissibility of confessions are also found in Regulation 49 of the ERs.

Amnesty International is of the opinion that such provisions regarding confessions constitute a direct incentive to interrogating officers to obtain information or "confessions" by any means, including torture. The situation

is particularly dire because the burden of proof, ie that a confession was extracted under torture, is on the victim.

Mr Paul Sieghart, from the International Commission of Jurists has stated that the PTA is an ugly blot in the statute book of any civilised country.

Almost every Tamil arrested is assaulted, tortured and a self-incriminating statement is extracted from him or her. In almost all the cases filed in the High Court against Tamils the extracted confession is the **only** evidence available for the prosecution to prove their case. In two of these cases where the only evidence produced were the confessions, one person was sentenced to **70 years rigorous imprisonment** and the other person was sentenced to **50 years rigorous imprisonment**. We have appealed against the convictions and sentences.

Amnesty International has on several occasions requested the Sri Lankan Government to repeal these draconian laws, or at least to abolish the provisions regarding the admissibility of confessions as evidence and to restore the normal rules relating to confessions as laid down in the Evidence Ordinance. Their requests have fallen on deaf ears.

The international community needs to bring more pressure on the Sri Lankan Government to abolish the PTA, or at least remove the provisions regarding the admissibility of confessions in the PTA and ERs. The terrible powers contained in these two special laws have 'legalised' the persecution of Tamils.

A Vinayagamoorthy

Attorney at Law

Colombo

Sri Lanka

January 2000

Part I

PRISON LETTERS

Letters from women in Welikade
and men in Kalutara Prisons

Translated from Tamil

1

16th October 1999, Female Ward, Welikade Prison, Colombo 9

I am, 46 years old. I was arrested on 31st March 1998 in Vavuniya. They detained me at S.I.U in Kandy for six months and they have tortured me severely. I had two operations close to my throat. Now my throat will swell at any time and feel like bursting. They brought me to Welikade Jail on the 29th of July 1999. My lawyer is As I am very sick and suffering in prison, I hope that your Committee will do everything necessary to secure my release. I have no one else to help me.

2

Welikade Prison

I, Mrs..... am being detained in Welikade Jail. I am on remand but no date for a hearing has been given. I was arrested on 4th February 1999 and I was held at the 6th Floor up to the 9th August. They gave no reason for my arrest. I was tortured. I am being held here still without any charges having been made against me.

My husband was also arrested, on 5th February 1999 and tortured on the 6th Floor. He is now being held in Kalutara Jail. He had learnt that I had been arrested, and when he came to visit me, he himself was arrested.

My family details are as follows:

- 1. Mr..... 34 years old - Now at Kalutara jail
- 2. Mrs..... 30 years old - Now at Welikade jail
- 3. Master..... 10 years old
- 4. Master..... 8 years old
- 5. Master 6 years old
- 6. Master 3 years old

As we are both in jail, our children are not being protected and they can't go to school. My mother is 71 years old and not able to look after my children. My husband's parents are not living. My children are entrusted to my aged mother and

so I worry about their safety. I would be grateful for whatever actions you can take to win our freedom, especially because of our children. As my husband too is incarcerated we are impoverished. My mother is able to support our children only with the help of some charitable people. We have no funds for our legal defence. We would be grateful if you could help all you can to gain our freedom.

Female Ward, Welikade Prison

3

Thank you for your letter and I am obliged to you for your efforts to release me from prison.

My husband was arrested on 11th August 1998 in Batticaloa. I was arrested on 18th August 1999 in Vavuniya. We have three children and both of us are separated from our children and we were worrying who would come to help us. When I received your letter I was relieved a lot that you are there to help us. We are anxiously awaiting your efforts to release us.

My husband is a casual labourer. Neither my husband nor I was ever involved in any terrorist activities. Still we do not know why the authorities have arrested us despite being in the remand prison for more than a year now. We were physically and mentally tortured and we have been physically and mentally affected.

We do not have any money or anyone to look after our children. The children are left to roam wild. There is no one taking any steps to release my husband or me.

In the past we have written to many lawyers to help us and no one replied. We contacted the human rights lawyer several times, but to no avail. My case is not being handled by anyone. I was taken to court on 7th October 1999 and I will again be taken to court on 21st October 1999. Even though no lawyer represented me all these days please can you arrange for a lawyer to represent us in future. I earnestly plead with you to take all the necessary steps to release us.

16th October 1999, Welikade Prison, Female Ward, Colombo 9

I came to know about you and so I am writing this letter with the hope that you will be able to help me. I am, arrested in Colombo on 28th February 1999 under the prevention of Terrorism Act and I am being kept in this prison without any investigation and without any charges being filed in any court of law. I have no one to take up my case and do what needs to be done. My father has passed away and my mother is old and sick. One of my brothers was shot dead by the Sri Lankan Army in 1986. My two sisters are married. Another brother was killed when the Sri Lankan Army bombed the Vanni area.

Now my mother is in Jaffna and from there she cannot visit me or deal with anything. I have not yet engaged any lawyer. Please arrange a lawyer for me. You could speak to Mr, Attorney at Law.

In 1991 I was injured in the leg by shelling by the Army. So I can't properly walk and I can walk only with help. I am suffering a lot in the prison and I hope that you will help me get released. I anxiously await your reply.

16th October 1999, Welikade Prison, Women Section, Colombo 9

I am 34 years old. I have five children (1) 15 years, (2) 13 years, (3) 10 years, (4) 8 years and (5) 6 years.

My husband is suffering from cancer in his heart. He cannot take up any employment. I was arrested by the C.I.D in Vavuniya on 31st March 1998 and I was detained in S.I.U in Kandy. They tortured me in various unspeakable ways. Then they brought me to Welikade Prison on 1st October 1998 and I am still here without being charged with anything. So many human rights organisations have visited us. But the government has neither filed an action against us nor released

us. If possible please help my children. If I were released I could go back home and put my children back in school and they could continue their education.

I earnestly request your Committee to take up my case and engage the right lawyer and secure my release.

16th October 1999, Welikade Prison, Female Ward, Colombo 9

6

I , 30 years old, am writing this letter from prison. I was arrested by S.T.F of the Sri Lankan Army in my house in Batticaloa on the 29th of November 1998. Then I was taken to Hultsdorf Magistrates Court on 26th January 1999 and I was remanded in Welikade Prison. Then again I was taken to the same court on 11th February 1999 and I was remanded without any returnable date. They have not charged me for any offence up till now and I am languishing in the jail. I have two children. One is eight years old and other is four years old. My unemployed husband is now looking them after. My husband is unable to fulfil the needs of the children, particularly of the younger one who is crying for me. What can he tell the children?

When I was desperate and I didn't know what I could do I heard about your organisation trying help people like us to be set free from jail. I am writing this letter relying on you, hoping that you will be able to help me and secure my release. To help you deal with my matter I am giving my details below.

Name
Date of birth	28/09/1969
Date of arrest	29/11/1998
Courts	Hultsdorf
Date remanded without any returnable date	11/02/1999

Please send your reply to this address.

16th October 1999, Welikade Prison, Female Ward, Colombo 9

I am writing this letter from Welikade Prison. My daughter and I were arrested in Colombo on 24th February 1999 and detained in Welikade Prison without any date set for a court hearing. My husband is dead and I have five children. I don't have any one to help our family. I need to work hard and look after my family. Since my daughter and I are in jail, the other four children are in the Vanni alone, undergoing tremendous hardship.

Until now I have not approached or engaged any lawyer. So please help us in whatever way possible to secure our release from prison.

..... 43 years

..... 20 years

Please contact – Attorney at Law and speed up our release from the prison.

16th October 1999, Welikade Prison, Women Section, Colombo 9

I aged 27, am writing this appeal letter. I was arrested in my house in Puttalam by the Sri Lankan Army on 2nd September 1996. After that I was taken to Mt. Lavinia Magistrates Court on 14th February 1997 and since then I have been on remand in Welikade Jail, without any date set to return to court. The members of my family are not financially well off and so they are also unable to secure my release. So I have been languishing in jail for more than three years without the authorities having made any judgement against me. I wonder when people like me will be able to breath the fresh air of freedom. I heard of the help you are giving to secure the release of prisoners and I am writing you this letter seeking your assistance. Since I could not engage any lawyer for all these three years I wasn't able to get out of prison. To help you in your efforts to obtain my release I am giving you my details below;

Name:
Date of birth: 2/1/1972
Date of arrest: 2/9/1996
Arrested by: Sri Lankan Army
Court: Mt. Lavinia
Date of Order without any further date: 14/2/1997
Address:, Puttalam Road, Palaavi.

Please send your favourable reply to me or to my home address.

16th October 1999, Welikade Prison, Women Section, Colombo 9

Iam writing this letter to you. I am permanently resident at Peddai Kulam, Eranai Illuppang Kulam, Vavuniya and I was arrested by the Sri Lankan police on suspicion on 6th March 1999. They arrested me and my husband in our house and detained us at Vavuniya Police Station where we were interrogated until 24th April 1999. Then, on 24th April 1999, they took us to Vavuniya Magistrates Court and we were remanded without any date set for a court hearing. I am still at Welikade Prison without any case having being filed against me.

Now my husband is in Kalutara Prison. He also has no date set to return to court for a hearing. My father is being treated for cancer at Maharagama Hospital. So only my mother is looking after the family. She has her own difficulties too. My husband's family is in Batticaloa. They are also poor and in difficulties. So we are unable to contact a lawyer. So please take over my case and do whatever is necessary to get me out. Please reply to my letter.

16th October 1999, Welikade Prison, Women Section, Colombo 9

I am 20 years old. I have lost both my father and mother. I have only two younger brothers. They are with my grandmother. She is ill with cancer. She cannot help me. I was arrested on the 23rd December 1997 while I was studying. Now I have been languishing for almost two years in Welikade Jail. My lawyer is I don't have anyone who can help me. There are so many people like me in the jail suffering without being charged with anything. They range from five years old to seventy-one years old. Please help them also to get released from jail.

We are happy to learn that you have formed an organisation and are helping people like us. Please do everything necessary to secure our release and see that we reach our respective homes.

16th October 1999, Female Ward, Welikada Prison, Colombo 9

I, aged 46 years, was arrested on 28th May 1999. I have four children. From 28th May 1999 till 21st July 1999, I was interrogated by the S.I.I in Kandy. I have been held in Welikade jail since 21st July 1999. No case has been filed against me. I am held, sine die. My husband is dead and gone. My children, deprived of their parents, are in a state of distress. So I beg you to give us any help you can and to see that my case is taken up soon. My permanent home is: Valaichenai, Batticaloa. I get no help from anyone.

16th October 1999, Female Ward, Welikade Prison

I,, was arrested by the army in Vavuniya on 12th February 1998 under the provisions of the P.T.A. There was no investigation, but nevertheless I am being

held in Welikade Jail. Still no case has been filed against me. I have a family. My three children are:aged 15 years, 12 years and 10 years. My husband is ill and so he only manages to earn a pittance to support my children. Because of this my son has stopped going to school. When I was there, I could also some manual work to support the family. Deprived of my presence and assistance my family is on the verge of ruin. Relatives are sheltering my husband and children. My relatives are not in any position to help. My father has spoken to, a lawyer, but the case has not come up for trial yet, perhaps because my father was not able to pay the lawyer. Please consider our situation and speak to Mr and obtain our freedom.

8th September 1999, Mattakuliya, Colombo 15

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Sir, I am with two children and I have no husband. I have undergone terrible sufferings in bringing up my children. My hometown is Kantheroddai. I have been leading a nomadic existence because of the present situation in the land. My only son went to work in Colombo. He was employed by the for about 2 years. He was the only breadwinner of the family. The Mount Lavinia Police arrested him on suspicion and he was held there for two months. Later he was transferred to Kalutara Prison. I have been left destitute with my other child; we are unable to eat even one meal a day and we are without any help whatsoever. We are at the moment at the above address.

Sir, we beg you to consider our plight and give us a remedy by seeing to the early release of my son from prison.

No date, Welikade Prison

I, Miss am writing this letter appealing to you. I am from Chavakattu, Anaicottai, Manipay. I was arrested on 11th May 1999 by the army on suspicion. I was held at Kankesanthurai Police station and after they questioned me I was taken to Anuradhapura Court. I was taken to court on 2nd July 1999. No date for any hearing was mentioned, I was taken to Welikade, and I have been held here since then.

I have not contacted any lawyer, as I cannot afford to pay for one. So, I would be grateful if you could arrange for my legal defence and get me my freedom.

My father is dead and gone. My mother is the one that maintains the family. My brother is already married. I have a sister who is also married. My younger brother and younger sister live with my mother. We get no help from anyone. The two children with my mother go to school. My mother cannot afford to come and see me here. Please take pity on me and do something to obtain my release. I await your reply.

16th October 1999, Female Ward, Welikade Prison, Colombo 9

I was arrested on 5th June 1997 and I have been detained in Welikade Prison for the last two years and four months. My lawyer is..... My case was filed in the Lower (Magistrates) Court and my release was ordered. But now they have taken the case (appealed) to the High Court. The hearing is fixed for 16th February 2000. Please help me prepare for the hearing and do everything necessary to get my release.

16th October 1999, Welikade Prison, Female Ward, Colombo 9

16

I am, aged 50. I have three children and my husband is suffering from asthma. I was supporting the family on my income only. I was arrested on 17th October 1998 and I was held at the Wategama Police Station for six months and then later I was transferred to Welikade Prison on the 10th April 1999.

My son, is being detained in Kalutura Police Station. We do not have any one to help us. I am writing this letter trusting that you will be able to help us get released. In total six members of our family are in prison. My remand number is

16th October 1999, Female Ward, Welikade Prison

17

I am, 65 years old. I was arrested on 13th October 1998 with my sister, sister's son, nephew, niece's husband and niece's son. We were held at Nawalapitiya Police Station and then we were moved to Welikade Prison on 28th May 1999. Our family is very poor and suffering a lot. Please look into the family's matters. I trust your committee will be able to help us. I am having asthma and I am in the prison hospital and suffering in my old age. My remand number is, I earnestly beg you to help us to get out of prison.

16th October 1999, Welikade Prison, Colombo 9

18

I, Mrs, was arrested in Vavuniya, on 18th April 1999. My husband, my two-year old child and myself are being held in Kalutara Prison and Welikade Prison respectively. I have five children aged ten, eight, seven, six and two. Four of them are living with a priest from the Church of South India in Vavuniya. I

have no news of my children. My case has not been taken up yet. I am a teacher, originally from Jaffna, but I was teaching in Vavuniya. I have no relatives. Since my husband and I were jailed, we are in a pitiful state. Now, Mrs lawyer, has informed me that she is going to represent me. Please speak to her to deal with my case quickly as I am anxious about the fate of my children. Please do your utmost to obtain our freedom.

My husband's address is as follows:.....Kalutara Prison Kalutara

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No date furnished.

I, Miss wish to inform you that my hometown is Batticaloa. I was arrested on suspicion on 25th December 1998, held at the STF camp in our town for 11 days and assaulted. After that I was detained at the TID in Colombo for three months. From 19th March 1999 I was remanded in Welikade. Since then my case has not been taken up. My father is died leaving behind six children including myself. My mother does not get help from anyone and she cannot even afford food for herself. We have engaged a lawyer..... He too has not taken any action yet. No one comes to see me. I am in dire straits; please help me. After the STF assaulted me, I suffer from chest pains and I bleed from my mouth. I am in this pitiable state; please help me to obtain my freedom. From the very day that I heard about you, I was anxious to communicate with you but I could not do so until now.

I am now 18 years old and the second one in my family. I am unable to describe the pitiful state my family is in. I beg you again to help me. I anxiously await your reply.

My home address:Koolavady Batticaloa

16th October 1999, Female Ward, Welikade Prison, Colombo 9

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Having received your address, and learnt that you are prepared to help, I write with the hope that you would give us all help. My sister 18 years old, and I25 years old, were arrested in Vavuniya under the provisions of the PTA on 24th March 1999. There was no investigation but yet we are being held in Welikade Jail. No case has been filed against us. Our family lives at Velankulam near Vavuniya. I have six brothers and sisters – two are married. My father is without any income as the army now occupies the land that was cultivated by my father. He now works as a casual labourer and with his meagre earnings he tries to maintain the family. Since we have no means of our own, we would be grateful for your helping both of us. My father has spoken to lawyer Mrs If you could also speak to Mrs regarding this matter and speed up our cases and win our freedom, we shall be forever grateful. My sister..... is preparing to sit for her GCE O' levels in 1999. We anxiously await your reply and assistance.

16th October 1999, Welikade Prison, Female Ward, Colombo 9

21

I am 31 years old and I was arrested by the Kaluvanchikudi Police on 28th February 1998. I have four children and my last son is only three years old. My husband is suffering from blood cancer. My lawyer is Mr Though I have been taken to court several times I was neither charged nor released.

Since I was arrested I have not seen my children or my husband. They couldn't come to Colombo from Batticaloa because they don't have any money. Because of my husband's illness I was the breadwinner of the family, running a small business. In my absence the whole family, that is my husband and my children are undergoing unimaginable suffering. So I am asking you to take the necessary action to get me released from prison.

16th October 1999, Female Ward, Welikade Jail, Colombo 9

I..... was arrested by the police on 24th February 1999 at Bambalapitya. I have three small children. My four-year old child and I are in jail undergoing immense hardship. My husband was arrested by PLOTE on 13th August 1996. I have not heard of his fate till now. I was supporting my four children by selling clothes. My two children are alone in Colombo. My two children are living like orphans because they do not know where their father is. No case has been filed against me. There is no one outside to take an interest in my case. From prison I managed to contact a human rights organisation. On their behalf Ms..... has written to me stating that she is going to represent me but there has been no further action. So, I beg you to do something to hasten the hearing of my case. I look forward to your taking an interest in my case.

16th October 1999, Female Ward, Welikade Prison, Colombo 9

I am I was arrested on 25th November 1997. I lived in Maha Rambaikulam near Vavuniya. I have no husband and am without anyone's help. I have three children aged 11, 9 and 8 years. They are alone and without anyone's help. Now my case has been entrusted to..... lawyer. I am unable to pay for my legal defence. Please could you see that my case is taken up quickly. My brother was also arrested at the same time as myself. Now, he is held in Kalutara Jail. His particulars are as follows:

..... Kalutara Jail, Kalutara.

Following our arrest we are in a pitiable state.

24th August 1999, Wellawatte, Colombo 6

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We are living in Colombo. The Sri Lankan Police arrested our parents and they were held in prison. Although one year has passed no judgement has been passed. We are four children living alone. There is no adult with us to help us. All four of us are at school. Two of us are doing our A' levels, one of us is doing our O' levels and the last one is in the 6th standard. There are no relatives to look after the family or to pay for our studies. In addition to this we are living in a temporary place that we have to pay for. Even this is very difficult. Our relatives give us money in small amounts. We are also trying to get our parents released with the help of a lawyer. We need a lot of money for that too. Because of this the case is being delayed.

Two of us are going to sit for our A' levels in the year 2000. We don't have the things we need to study. We face a lot of difficulty without our parents. They are also in the unhappy position of not seeing us. Father is suffering from asthma and his health is also deteriorating. We are asking for your help for us to be able study or for you to provide other help.

16th October 1999, No. Female Ward, Welikada Prison, Colombo 9

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I, was arrested on 25th June 1995 and till now I have been held in Welikade Jail. I have no parents. No one was interested in taking up my case until now. I was arrested on suspicion. My hometown is Batticaloa. There is no one to help me to pay for my defence. The two others in my family are already married. Please help me so that my case can go to court. Mr....., lawyer from the Human Rights Organisation has taken an interest in my case.

16th October 1999, Female Ward, Welikada Prison

I,, was arrested on 29th July 1998 along with my husband,..... I have four children. They are living all alone without any help from anyone. Ms..... is the lawyer representing us. We cannot afford to pay her, so we are appeal to you. My husband is being held in Kalutara Jail. My children cannot go to school. My four children,,,, and..... are in Colombo. Please take an interest in our cases. I trust you will help us.

Husband's address: No. Kalutara Jail, Kalutara

16th October 1999, Female Ward, Welikade

I am 52 years old. They arrested my husband and son. We are innocent and we do not know anything. We are poor and helpless. They have arrested my son who is the breadwinner of the family and so the whole family is undergoing hardship. We hope that your Committee will do whatever is necessary for our release. We can only thank you and be grateful to you and cannot do anything else. We poor people are depending on you.

7th October 1999, Remand Prison, Kalutara

I have been an inmate in the above prison for the past eight months. I have been arrested under the Prevention of Terrorism Act. The Colombo T.I.D arrested me on 11th August 1998 at Kaluwanchikuddy in the Batticaloa District.

A T.I.D. member picked me up. My native place is Kottaikallaru. I am 33 years old and married with three children aged 8, 6 and 3. I am a homeopathy physician. My dispensary is at Periyaporathivu which is not in the army-controlled area. I travel daily to my place of work. I was arrested while I was travelling to work. I was held at the T.I.D. office for six months and later sent to the remand prison. Since then I have been an inmate of this prison.

My family at home is now undergoing severe hardship because of my arrest and my absence. My wife is not employed and the entire family was dependent on me and were under my care. They get no help whatsoever now. In addition we lost everything we had during the 1990 holocaust. Now my family is staying in a rented house. As I was aggressive during the interrogation I was beaten up very badly and I am suffering from the injuries to my body.

Sir, I am confident that you will take some interest in my case and see that I get released from this prison soon. This is my humble request.

My wife's address: Nadesapathy Road, Kaddaikallar 2 Batticaloa

20th August 1999, Kalutara Prison, Kalutara North, Sri Lanka

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I,, write as follows from Kalutara prison. I am from Maseri, Varani in Kodikamam near Jaffna in Sri Lanka. I studied up to grade six. Now I am 18 years old. My family details are as follows: father, mother, one brother, two elder sisters and one younger sister. My father is a farmer. Owing to the civil unrest and consequent reduced earnings, I had to stop going to school to help my father farming. During this time, I was arrested on suspicion by the army at Varany on 10th January 1998. I was tortured for nine days. On 19th January 1998, I was handed over to the police at Kankesanthurai. There, I was tortured while being interrogated. On 9th March 1998, I was produced at Anuradhapura Court. The court ordered my detention till 5th June 1998. I was sent to Kalutara prison for 90

days. On 5th June 1998 I was again taken to court. I was ordered to be detained indefinitely. Till now I have been detained without any investigation.

Dear Sir, I have never indulged in any action against the State. Even though I have not committed any offence, I have now endured 20 months of detention. My family's standard of living is below the poverty line. In the circumstances, I have no means to engage a lawyer and argue my case. I learnt of your address and your service towards persons like me. I am writing this letter amidst immense difficulties. I humbly implore you to take pity on me and do your utmost to win my freedom.

P.S. In order to draw attention to my case, I have decided to go on hunger strike from the 26th August 1999. Sir, I hope you will take pity on me and send me a reply.

New Remand Prison, Kaluturai North

I am from Akkaraipattu. My parents have eight children. My father cannot do any kind of work to look after our family now, so I took up some farming to look after my parents, my brothers and sisters. The army in Akkaraipattu asked us all to go to the Akkaraipattu STF (Special Task Force) army camp every month and sign their register.

One day, a few days after signing, the army surrounded our house, and arrested my brother and me. Our house was demolished and razed to the ground.

We were held in the Akkaripattu STF army camp for two months from 4th January 1996 and then I was sent to the 6th Floor in Colombo for more questioning. I was there for one month, and then I was sent back to the Akkaripattu army camp where I spent another month. Then I was moved back to Colombo. The Colombo PuthuKadai Magistrate's Court sentenced me to KRP prison without setting any

date for a hearing. I was in the KRP prison for 16 days and then they transferred me to the Magazine Prison for one year.

I was sent back again to the Kaluturai prison on the 29th November 1997 and I have been here ever since.

There are 10 cases filed against me. I have no financial means to engage a lawyer, so I got in touch with the Human Rights Organisation to arrange a lawyer for me. I was assigned a lawyer called who is representing me at the moment.

Sir, my case is being continuously prolonged without arriving at any outcome. I cannot do anything more to speed up the case or to have more lawyers because of financial constraints. My parents and my brothers and sisters have been suffering enormously because of my arrest. So, I beg you to understand my plight, consider my very sad situation and please take up my case. Please help me to get out of prison.

My home address: My date of birth is 25th October 1973

9th September 1999, Kalutara Prison

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I am from 2nd Cross Street, Navatkuda, Batticaloa. There are twelve members in my family and seven are females. My parents are old and have no job. I was working as a caretaker at Sivanantha Vidyalayam. On 12th January 1998 I was arrested by the TELO and the army on suspicion. Later I was handed over to the C.S.U. in Batticaloa where I was tortured severely. During the interrogation I was beaten with batons, a bag filled with petrol was tied to my face; chilli powder was applied on me. Later on 11th March 1998 I was produced in court in Batticaloa and the Magistrate postponed my case stating "no date". For the last twenty-two months I have been detained here without any investigation or release. I have contacted Mr....., lawyer about my case. I have no money to pay my lawyer but

he is doing whatever he can and I am thankful to him. I beg you to act quickly to get my release soon.

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25th August 1999, Kalutara Prison

I was born in Valvettithurai, Jaffna. In 1995 during the Sri Lankan Army's operation called "Sunray" army shelling killed my sister. Later when there was a displacement my family too fled to the Vanni. While we were living there my father died due to malaria for which he could not obtain proper medical facilities. After the death of my father I had to look after my mother, younger sister and brother. I did fishing to look after them.

On 29th June 1997 the engine of our boat broke down when we were fishing. We did not know what to do and when the navy came there they started shooting at us. We jumped into the sea. Then we saw our boat sinking after it caught fire. We were arrested by the navy who said they suspected us to be Tigers. Later they tortured us and then handed us over to the police. After a month I was able to make contact with my family with the help of the ICRC. On 2nd September 1997 the police said they suspected me to be a Tiger and they put me in Trincomalee Prison. After that I was transferred to Kalutara Prison. I was brought before the magistrate every now and then. Every time I was denied bail. Under the Emergency Regulations I was kept in detention...

... One of the other accused in our case has been released on bail. I have been brought to court three times. As the prosecution is not ready with their witnesses my case is getting delayed. As the Counsel for the Prosecution is not opposing bail for me there is a likelihood of my being released on bail. To be let out on bail my mother has to come from the Vanni. But because of difficulties faced by my family they are not in a position to come here to bail me out. So I hope you will be able to provide the amount needed to meet the expenses that will be incurred as a result of my mother having to come here. When you send the money please send

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it to my mother's address. Please write to me about what you are doing. In Trincomalee High Court they do not require cash bail. They are content with a personal bail. So no money is needed to get me out on bail. Please take this letter and the condition of my family into consideration and give me the little help I have asked for.

Kalutara Prison, Kalutara

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I am from Thadchanamaruthamadu Palampiddy Mannar. My father and mother are blessed with six children including me. My other five brothers are living separately. I am 28 years old and I was the one looking after my parents. Our monthly income was a meagre Rs.1, 000. So we were leading a very difficult life. My father and mother being very old were not capable of earning a living. To cap it all they had become ill too. We were doing our traditional farming.

On the evening of 15th April 1999 while I was playing in the playground near Thadchana Maruthamadu School I was arrested by the army on suspicion that I was an LTTE member. I was subjected to brutal torture. They tied my hands and legs and covered my eyes and took me to a camp in a jungle and kept me there for four days. During those four days they hung me upside down and covered my face with a bag soaked with petrol as if to suffocate me. They sprinkled something into my eyes and introduced an iron bar into my bottom. They also exposed me to live electricity and charged me with batons all over my body. They used a vice to pull out the nails from my hands and feet. They burnt my body with cigarette butts and forced me to confess that I was a member of the LTTE. They threatened me saying that they would shoot me if I refused to confess. I was stripped naked and hung on a tree upside down for three days. The injuries that I sustained were such that they admitted me to their hospital for five days for treatment. As a result of the torture I had been subjected to I am incapable of doing any difficult work.

On 19th April 1999 I was transferred from the jungle camp to the Vavuniya Joseph Camp where again I was subjected to the same degrading treatment. The torture there continued for a month and afterwards on 17th May 1999 I was transferred to the GGMP camp where I was once again tortured. Afterwards I was put into the custody of Vavuniya CSO Police on 9th June 1999. The CSO Police interrogated me and put me in great trouble. Later on 13th June 1999 I was taken to the Vavuniya Magistrates Court and the Court, without setting any date for a hearing, ordered me to be kept in Anuradhapura Prison. On 19th June 1999 I was transferred from there to Kalutara Prison where I have continued to languish until now. My aged and sickly parents are undergoing unmentionable hardships because of my imprisonment. I am writing to you about the plight I am now in in the hope that you will obtain justice for me.

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31st August 1999, Kalutara Prison

I was arrested on suspicion on the 20th April 1994 and detained in the Kalutara Prison. As I was not charged with any offence, on the 27th December 1996 I was discharged by the High Court. So then I went to my birthplace, Hatton, and registered myself as a worker at the Chithirawaththai Plantation and started working there. On 12th June 1998 I was arrested once again on suspicion and taken to Kalutara Prison where I have been detained until now. Four cases have been filed against me. The cases have been filed in the Kandy High Court. My parents who were working in the plantations have now ceased to work. I have eight brothers and sisters. Honestly I have never been involved in any criminal activities. I am not financially sound enough to engage a lawyer to defend myself against the charges. Until now no lawyer has been engaged to represent me. The adjourned hearing will be on 7th September 1999. I shall be eternally indebted to you if you could in any way help me in my case and get my freedom for me.

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I come from the district of Kandy. During the pogrom of 1983 we lost everything we had saved and fled to Vavuniya as refugees to save our lives. In Vavuniya we were eking out an existence like beggars. My mother died in 1990. In 1993 my father followed my mother. From then on I had to support my wife, my children and my brothers. I have two girls and a boy. The eldest is thirteen years old. As the family burdens increased I worked for a businessman in a permanent job. I was working for him as a cleaner too. On 20th November 1998 while I was working in the house of my employer some CSU Police of Vavuniya came there and took my employer and me together in the lorry to the police station. We were detained by the police for about a month and subjected to inhuman treatment on communal lines. On 16th January 1999 we were taken to Vavuniya Magistrates Court and then confined to Anuradhapura Prison without any date being set for a hearing. Now I am being held in Kalutara Prison.

I am the poorest of the poor. It is nine months since I was sent to prison. Nobody has come forward to speak about my fate in detention. My family is casually employed and they make a living like that. In the circumstances my family will not be able to fight the case against me and to obtain my release. I have been constantly writing to various aid agencies explaining my plight. So far I have not received any concrete response. At a time when I was losing hope and patience I had the chance to see the letter you had written to some of my colleagues telling them of the help you are trying to do. Because your organisation is located outside Sri Lanka I am writing this with great hope and anxiety. I trust that you would do your best to me get out of this rut upon receiving this letter.

17th September 1999, Kalutara Prison

I hail from Kurunagar in Jaffna. I am married and blessed with two children aged 5 years and 1 1/2 years. I was dependant on fishing for a livelihood. My father and mother were under my care. As a result of the Buddhist chauvinistic aggression unleashed by the Sri Lankan Army in 1995 I fled to the Vanni leaving behind all my possessions including the house and other property. Even in the Vanni we did not have a place to live or food to eat because of the atrocities of the army. We were compelled to move from place to place. Despite this miserable state of affairs, relying on the false propaganda of the army and the government that we could return to Jaffna safely, we went to Jaffna by sea and started living in the house I had deserted. I resumed normal life and through sheer perseverance I was looking after my family well.

On the 12th December 1997 while I was at home the army all of a sudden raided my house, arrested me and took me to the army camp at Sinnakadai for interrogation. When the questioning was over I was taken to the Gnanams Camp in Jaffna which is their headquarters. There I was subjected to severe punishment and interrogation and after three days they put me into the custody of the Jaffna Police, who in turn left me with the KKS Police. During detention with KKS Police, which lasted a month, they questioned me while torturing me. On 9th January 1998 I was taken to Anuradhapura and charged in court. The hearing was adjourned till 6th March 1998. I was taken to Kalutara. On 6th March 1998 I was taken to court but the hearing was adjourned without any new date set. Then I had come to Kalutara.

Because my family is in a pitiful state there is nobody in the family to attend to matters relating to my release. I have no news of my family's situation since my arrest. Though I have not achieved anything in connection with my case through my efforts Mr....., a lawyer, helped me and my case has now been committed to Colombo High Court. Knowing my plight he is helping me without receiving any payment. I have promised him that I will pay his fees somehow. It was at this point of time I received your letter offering help. I am writing this in the hope that you could provide me with the money needed for the case against me.

12th September 1999, Kalutara Prison

37

My place of birth is Punnalaikadduvan in Jaffna. I understand that your organisation provides legal assistance to Tamil political prisoners. It is because of that knowledge that I write this. I was working as an employee in a shop in Colombo. On 24th June 1994 the army in Colombo arrested me. Following that I was subjected to severe interrogation for three months and then taken to Magazine Prison for detention. On the 12th February 1996 two charges were filed against me in Court No.3 and 4 in Colombo. The number of one case is 1/ 8150/ I don't remember the number of the second case. My B report number is Attorney at Law Mr..... represented me. I was found guilty. Court No.3 sentenced me to 12 years imprisonment. Court No. 4 sentenced me to 7 years imprisonment. People say that prison terms are generally to run concurrently. In my case the sentences appeared to be consecutive. This being the case I request you to appeal against the sentences so as to make the sentences run concurrently.

My father was shot dead by the Indian Army in 1987. I have an elder sister and two younger sisters. My elder sister is married and has two children but my brother-in-law has died of illness. It was I who was looking after my family and the family of my sister. Now that I am in prison both the families are undergoing unmentionable hardships not having the means to get even a single meal. I entreat you to look at my case sympathetically and do your best to help me. Mr..... an Attorney at Law demanded Rs.10, 000 to conduct my appeal. I cannot find this money. If you contact him he may undertake this case for me.

10th September 1999, Kalutara Prison

38

My name is I was born in Mannar on 15th September 1942. I was working at the Mannar Kachcheri in the Department of the Land Commissioner as a field instructor. In 1972 I got married in Puloly South and we have three children all girls aged 26, 24 and 22 years. I also have two boys aged 20 and 18

years. During Operation Sunray II I abandoned my home and went to Visuvamadu with the children. There I was living in a temporary shed. In Visuvamadu life was very difficult. In Visuvamadu there was no source of income for me. They even stopped the minimum rations. Unable to see my family members starving I applied through the Government Agent to the Ministry of Land to get back my job in the Kachcheri. I came to Colombo with a recommendation letter from the G.A Mannar and resided at the Atlas Inn in Kochchikade. During that time on 17th January 1999 I was arrested by the CID Police, detained and tortured. The police forced me to confess in writing and on 24th February 1999 charged me in court on some charge under the Prevention of Terrorism Act. The court adjourned the hearing without setting any new date and now I am in Kalutara Jail. Up to now no effort has been made to arrange a hearing for my case.

It was only after coming to Kalutara Prison that I informed my family that I had been arrested and was confined to Kalutara Prison. When I was in police custody the police did not allow me even to communicate with my family. Even the ICRC did not come to see me. My wife has written to me now that they are now living in Visuvamadu in the District of Mullaithivu and that they are there without relations or any means of existence. This news from my wife is worrying me greatly. I don't know when my family and I will be free from this misery.

I am giving on the next page the bank account of my wife. If you can help them please do so. In the prison I am helpless. I beg you to help me also if you can. As my family members are in Vanni they are not in a position to come to Colombo to take care of my needs or to engage a lawyer to conduct my case. Under the present condition it is difficult to come from Vanni to Vavuniya or to Colombo because it is impossible to obtain a pass. Even if they manage to come to Colombo the situation is such that it will be difficult for them to reside or move about in Colombo. This being the case no one will dare to come to Colombo. It is unfortunate that such is the situation of Tamils today. I am hoping that you would try your very best to help my family and me. In this prison there are many other friends like me not knowing what to do next. I am an educated person. When my plight is such, just imagine how the situation must be with others. Others have got in touch with me and have asked me to obtain help for them also from you. Here it

is difficult even to get an aerogramme. I had to buy this by secretly paying above the odds to the jail guards. Even more difficult is posting a letter from prison. This is the reason my colleagues are not able to write to you. I look forward to hearing from you soon.

11th September 1999, Kalutara Prison

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My name is I am 32 years old. I am married and have two children. I am from Sankilian Street Nallur Jaffna. I was working as a labourer in Nallur to support my family. On 3rd November 1998 the army arrested me without any plausible reason on mere suspicion that I was an LTTE supporter. They tortured me beyond measure. The inhuman army punished me in a degrading manner. Having treated me miserably they put me in police custody. The police frightened me and against my wish obtained my signature confessing to offences I never committed. Then when I was produced before the Anuradhapura Magistrates Court on 3rd January 1999 the Magistrate adjourned the hearing without fixing a date for the next hearing. The Magistrate ordered that I be detained in Prison. I am languishing in this prison now.

What you should understand is that I never engaged in any activities against the Sri Lankan Government. If I had committed any offence then those who arrested me should proceed with the case immediately. If they think that I am innocent then they must release me. It is an uncivilised act to detain me indefinitely. I have to engage an Attorney at Law in connection with the case against me. I am unable to do so because of my poverty. I should therefore be grateful if you could do your best to expedite the hearing of the case against me. If my present condition continues like this then I will be compelled to go on hunger strike. All that I have now is my life. I am prepared to give that also.

Kalutara Prison

I am from Sivan Street Avarangal. I am a labourer. On 20th March 1998, when I was working, the Army in Achchuveli arrested me and ill-treated me. On 26th March 1998 I was taken to the KKS Police. The Police forced me to confess that I committed an offence. To obtain my signature they hung me upside down, burnt me with cigarette butts, and covered my face with a bag filled with petrol. They also broke my shoulder blade and other joints. As I did not commit any offence I refused to sign on the paper they showed. Infuriated by my refusal to confess they frightened me saying that they would detain me for ten years without trial or hearing. Afterwards on 23rd April 1998 I was produced before the Anuradhapura Magistrates Court but the Magistrate adjourned the hearing without fixing the date for next hearing, but ordering that I be detained in prison. I was in this prison once before on 6th April 1996 having been arrested by the same soldiers. Once again I was arrested on 28th April 1997 and then released.

Dear Sir, it is six years since I got married. I had a female child. During the time I was being held in KKS Police she died because she got no medical attention. I am without any parents, likewise my wife. I am thirty-four years old. It was by working as a labourer that I was looking after my family. I understand that my wife is now working as a labourer for her livelihood. This being the situation I have no money to pay for a lawyer. So I entreat you to help me to get my freedom. I have failed in my previous attempts to obtain help from other institutions. Because there is nobody who is caring about me, I am proposing to start a hunger strike from 14th September 1999. Unless an officer from the Attorney General's Department comes to me and assures me that he will free me or start hearing my case, my hunger strike will end in my death.

In the event of my dying I have told them that my body should be donated to the university where three languages are taught and donate my single eye to someone who may be in dire need of it as my other eye had lost its power when I was young.

My name is I am from Puliyankulam Vavuniya. I have two children the elder one is ten years old. I have eight brothers and I am the eldest. Before 1997 four of my brothers were brutally killed by the army. I was the one who was supporting my family as well as my brothers. As a result of the atrocities carried out by the Sri Lankan Army we abandoned everything we had and came to a place called Veppankulam in Vavuniya as refugees. Within a few months after coming to Veppankulam the very same army activities affected us so badly that we struggled even for our food and in the absence of any support whatsoever we, along with many other refugees, went to India in 1990. When the situation in Sri Lanka improved in the year 1993 we returned to Sri Lanka and started life again in Vavuniya at a place called Mallukkalunkunai. In 1995, unable to bear the atrocities of the army, we moved out to a place called Nelunkulam in Vavuniya.

At Nelunkulam I was working as a labourer. During that time the soldiers who used to come that way on their rounds arrested me on eleven separate occasions and subjected me to degrading treatment. The CSU Police and the NIB, which visited Nelunkulam on 6th August 1998 on an inspection mission, took me to the police saying that they had to interview me. Having interrogated me in the Vavuniya Police Station I was taken to the Mount Lavinia Police in Colombo the following day. At the Mount Lavinia Police station, the police charged me with things I had not committed using concocted evidence and tortured me. At this time my wife and children came to see me. They sent my children away and interrogated my wife. At that time the Red Cross came that way. Luckily for my wife they spoke to the police and got my wife released. They kept me here for five months and after torturing me took me to Mount Lavinia Magistrate's Court on 28th December 1998. The Magistrate adjourned the hearing without fixing a date for the next hearing.

From court I was taken to the Magazine Prison and from there on 31st January 1999 I was brought to this prison.

Please take pity on me. I was arrested and tortured not once but many times. Under the present condition there is no way I could make the government hear my case. The aid organisations from which I sought help so far have not been able to help me. I trust you at least will be able to help me out.

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15th September 1999, Kalutara Prison

My name is I am from the Up Country. Though my case had come up for hearing on 14th October 1995 because of my poverty and my not having a lawyer to represent me I am still in prison. The desperate financial straits of my family is gripping us very badly. On 14th October 1995 I was arrested under the Prevention of Terrorism Act. I was in detention for three months. Twenty months afterwards they charged me with three offences. However because I do not have attorney the case against me is dragging on. I beg you to take pity on me and try to help me out as early as possible. Those who administer this prison do not deliver letters addressed to us promptly. So I am asking you to send your reply to our home address which I am giving below.

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15th September 1999, Kalutara Prison

I am from Up Country. I understand that you help people who are in situations like mine. I was arrested on 8th November 1998. After subjecting me to many acts of torture from 22nd March 1999 I have been kept in remand jail. There is no date fixed for my hearing. I have a big family. I have no lawyer to represent me. I would be grateful if you would take my condition into account and do your best. I would be pleased if you would send your reply to the following address, as the authorities here don't deliver our letters to us promptly.

20th September 1999, Kalutara Prison

44

I am from Thirunelvely Jaffna. I got married in 1977. I am now a father to a boy. I am a labourer and I supported my family on my daily wage. In addition I was also supporting my parents. In view of the holocaust that occurred in 1995 and with the mass exodus we were forced to abandon all our possessions and we moved to the Vanni. Here too we underwent unspeakable hardship. In 1977 we returned to Jaffna which was under the control of the army. Somehow we were able to settle down after renovating our damaged house. While we were living under army control, on 4th November 1998 the army came round suddenly during a search operation and took me away for interrogation. Later I was taken to the Army Head Quarters at Gnanams Hotel where I was beaten very badly. After 10 days I was taken to the Palaly Army Camp where I was severely beaten. After the interrogation I was later taken to the K.K.S. detention centre on 28th November 1998, where the same treatment was meted out to me. I was forced to confess that I was guilty and in view of this I was produced before the Anuradhapura Magistrate Court on 3rd January 1999. The Court ordered me to be remanded indefinitely. I was then taken to Kalutara Prison.

I have been detained here now for the last 10 months without any further legal action whatsoever. Having come to know about you and your service this is the second letter I am writing to you. I have talked to several lawyers but they insist on payment which I cannot afford. So Sir, I hope to receive a very favourable reply from you and firmly believe that something good will happen to get me out of this miserable situation.

3rd October 1999, Kalutara Prison

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My hometown is Nelliaddy. I am a mason by profession. My wife and three children are all dependent on me. They look to me for their daily needs. My eldest daughter is of a marriageable age. They are now left alone and unprotected.

There is no one who can help them at this time of need. They are suffering in silence.

The Army arrested me on suspicion on 7th January 1998 while I was at home. After interrogation and beating I was handed over to the K K S Police on 10th January 1998. Later I was taken to Anuradhapura and produced before the Magistrate on 17th February 1998. On 15th May 1998 I was ordered to be remanded indefinitely and I was sent to this prison. No action has taken place since then. It was not possible to contact Miss..... (lawyer) on that day of inquiry. She was the representative of an organisation for human rights violations. Now without legal aid we are helpless. Upsetting myself over all what has transpired I am failing in my health.

Sir, after coming to know of your humanitarian activities, I am writing this letter thinking there is a glimmer of hope that I will have someone to help me out from this prison life. I am enduring terrible suffering in my old age and considering my plight please use your good offices to give me the desired assistance asked for.

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8th October 1999, New Remand Prison

I have been arrested under the Prevention of Terrorism Act and am a detainee in the above prison. I was arrested at Pattiruppu, Kalmunai by the T.I.D. At the time of arrest I was on my way home with purchases of household items.

I was not given any explanation for my arrest and was packed off to Colombo after a series of torture. I was detained for two months. On 5th January 1999 I was produced before the Colombo Magistrate and sent to the remand prison. I have not been given any date for my trial.

I am 25 years old, married and with a child. My arrest and absence have brought my family to a point of deprivation and difficulty. My wife has no job and I was

the mainstay for their sustenance. Knowing of their unspeakable suffering I am undergoing mental agony, so I beg of you Sir to take some meaningful steps to have me released from this dreadful prison for which favour I shall ever be thankful.

August 1999, Kalutara Prison, Kalutara, Sri Lanka

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I,, am from Parasankulam in Ilupaikulam in Vavuniya. I am nineteen years old. On 15th April 1999 the Sri Lankan Army arrested me when I was going home from school. I was not given any reason for my arrest. Later I was brought to the Joseph Torture Camp and interrogated and tortured. On 28th April 1999 I was handed over to Vavuniya Police and was tortured there as well. On the same day evening I was taken to Vavuniya C.S.U Police Unit, badly assaulted and forced to sign a document, which was typed in an unknown language. On 19th May 1999 I was taken to Vavuniya Magistrate's Court and ordered to be detained indefinitely.

Now I am indefinitely detained at Kalutara Remand Prison. My parents are unable to visit me. My future life is being affected. Could you please consider my situation and through your organisation help me get released.

My details:

Name:

School: Kakeyankulam Maha Vidyalayam in Mannar

Grade: Year Eleven

Place and date of arrest: On my way back from school, 15th of April 1999

Court: Vavuniya M.C, 19 May 1999

6th October 1999, New Remand Prison, Kalutara

I am a detainee in the above prison and I humbly approach you for assistance.

I am 32 years old. I am married and with a child. My permanent home address is Munaithivu, Periyaporaitivu, Batticaloa. I was supporting my family by labouring for a daily wage. Now that I am in remand my family is undergoing severe hardship without any help for their daily survival. They have no one who will give them any sort of help at this moment of need.

On 9th November 1998 when I was on my daily labour work at Kalmunai I was arrested by the Special Task Force on suspicion. After severe beatings and interrogations I was forced to sign a document typed in Sinhala. On 11th November 1998 I was handed over to the T.I.D Colombo where I underwent the same procedure of beating, interrogation and signing of documents. Later on 9th January 1999 I was produced before the New Market Magistrate Court and was ordered to be sent to remand indefinitely.

Sir. I am in a desperate position. I am not in a position to engage any lawyer to represent me. My wife is unable to come over here to meet me. In addition I am financially helpless to obtain the services of a lawyer. So Sir, I beg of you to see that you obtain my release through your institution for which act of kindness I shall ever be grateful.

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28th August 1999, Kalutara Prison, Kalutara

I,....., presently of the above address am writing to inform you that I am from Batticaloa in the Eastern Province. My family has eight members consisting of my parents, six brothers and sisters. Both my sisters and one of my brothers were already married. During the war between the Sri Lankan Army and the Tamil organisations both my father and my eldest sister's husband were shot dead by the other Tamil organisation members who were working hand in hand with the Sri

Lankan Army. After that I supported my mother, brothers, sister and her children from my daily wages. After this I was arrested by the army on suspicion on the 7th April 1996. When they took me into custody they tortured me and took me to Kalutara Prison, on the basis of a Tamil political prisoner, where they keep Tamil political prisoners indefinitely. As they kept me there for two years my mother approached an Attorney-at-Law..... and I was acquitted on the 22nd October 1997 and released by the High Court of Justice.

Within a few months of my release and return home, I was arrested again and brought to the same Kalutara Prison where I have been detained for the last few years. As my mother has no resources to arrange for legal advice or assistance I am forced into a position where I can't get my release. The reason is my mother underwent immense trouble to arrange an Attorney At Law to secure my release. In spite of the fact that we approached a Sri Lankan human rights organisation, my release cannot be confirmed or obtained early. This explains the plight of the human rights organisation here clearly. Because of this I look forward to you giving a hand to arrange an Attorney-at-Law to secure my release. I submit this letter for your kind attention and look forward to hearing from you with a favourable reply.

22nd August 1999, Kalutara Prison, Kalutara, Sri Lanka

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I,, would like to bring to your attention to my arrest by this note. I was arrested by the Galkissa Police when I was at home on 18th April 1999. I was arrested for no reason. Another person had my telephone number with him and that was the only reason. I was tortured very much. I was kept in custody from 18th April 1999 to 25th May 1999. On 25th May 1999 they took me to the Galkissa Magistrates Courts. They filed an undated case and I was taken to Colombo Magazine Prison and then on 6th June 1999 I was transferred to Kalutara Prison and I was detained there.

PS: I am 47 years old. My earnings alone supported my family. I was a driver. My wife and four children are badly affected by my detention. Because of this I did not arrange an Attorney-at-Law, we had no money. So I request you to assist me in securing my release from the case that is filed against me.

Kalutara Prison

Sir, I was born in Jaffna. During the army operations we moved from our place and were living at Oddichuddan. Sir, My family is very poor. My father is ill. My mother is also not well. I was shouldering all the responsibility for the family. My brother is a dumb person. One sister and three brothers are studying. They also find it difficult to study due to the lack of financial help. My family is still in Vavuniya refugee camp. Their home address is Welfare Office, Vavuniya. Sir, please show some kindness to me. I am 21 years old. I have studied up to 10th standard and then I stopped my studies due to family difficulties. Sir, I am one of four children. I was also subjected to severe torture; I have several marks from it. Up to now no lawyer has represented me. I am suffering very much. Sir, Please help me as far as you can.

The army arrested me. Place: Oddichuddan, Mullaithivu. No date has been given to hear the case. I was handed over to the police on 26th December 1998. Date of arrest was 3rd December 1998. I was taken to Vavuniya Court on 12th January 1999. Sir, all three of us are detained in Kalutara in the same place until now. Sir, please show some kindness to me.

14th August 1999, New Remand Prison, Kalutara

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I hereby write to you, being a person held in the above prison for two years. I thought to submit my position for your attention on the recommendation of a friend who heard your interview on I.B.C. Although I did not have your address I managed to send this letter through a friend who is now living in Switzerland, who was already detained here with me earlier, with the help of the telephone number. My plight can be verified from the friend who contacts on the telephone.

I am from Trincomalee. During the atrocities in 1990 we moved from our place to Mullaithivu District. I am married and have a three-years-old daughter. As there were no job opportunities in Mullaithivu District and due to the difficult situation there we returned to Trincomalee in 1996. On 3rd March 1996 when I went to register my return to Trincomalee at the police station I was arrested on suspicion. However much I explained and tried my best to give my position to the police they refused to release me. So my wife returned to Mullaithivu to her parents. My parents are living in India as refugees. My wife's parents are also living in a refugee camp in Mullaithivu.

Those who arrested me tortured me severely, interrogated me and after detaining me for fourteen months produced me before the Magistrate on 2nd June 1997. I was given bail by the Court. Then I went to Mullaithivu and brought my wife and child back to Trincomalee where I registered with the Alles Garden UNHCR Camp and worked as a daily waged labourer and carried on my life supporting my family with that income for the next three months. At this time there was a summons from the Colombo High Court of Justice. When I came to Colombo in response to the summons and attended court on 25th September 1997 I was ordered to be detained on remand and I was refused bail. As a result of this my wife and child were left alone, helpless. During this time I heard that my father-in-law had died of illness due to lack of proper medical attention. As a consequence my wife could not go to her parents' house.

My wife carried on her life as far as she could by doing odd jobs and looked after our child as well. During that period my wife was also arrested and tortured and

interrogated before her release. Because of this she is scared to go out and lives in the refugee camp. She doesn't have proper food and due to malnutrition she is ill and mentally affected. She has no moral support and is left in the refugee camp suffering.

After being remanded in custody, they filed thirty-one cases against me numbering 8793/97 to 8823/97 in the High Court. I have no financial resources to engage a lawyer. Because of this a legal attorney from the Human Rights Organisation appeared for me. Even he was expecting money from us. As I did not have any money he did not show much interest in my case. As a result of this I asked for a different attorney to be engaged but I have had no reply to that yet.

During the seven months from the date of filing the charges on 25th February 1997 to 29th April 1998 the case was fixed for hearing four times but none of the witnesses turned up. In addition it is pertinent to mention that apart from the one police officer that arrested me, all the others, including the Assistant Superintendent of Police, have never been involved in any of the investigations in my case.

Also when the case was taken up at the Colombo Court No.7 on 29th April 1998, and none of the witnesses were present, at the Crown Prosecutor's request all the 30 cases were to be transferred to Vavuniya High Court. But up to now none of the cases have been taken up in any High Court as mentioned. For the last 16 months I have been detained like other prisoners who are detained indefinitely.

The Judge had refused me bail, although I was on bail earlier, and unjustly put me in jail and I am facing this sad state of affairs. In this respect I notified the last year and asked for legal assistance. Although they announced that they would provide legal assistance, they have not done so up to now. In the absence of legal assistance or legal representation the cases are being dragged on and I have no means to arrange an attorney to represent me. As a result of this I write with very sad feelings that it appears jail will be the place for us for the rest of our lives as there is no legal assistance or help for us.

In the meantime on 15th February 1999 a new case (the thirty first one) was filed against me in Colombo Court No.6. In the light of my difficult situation an attorney called came forward to appear for me. When I mentioned to him of the previous case he told me that if the cases were called in court he would represent me. But if there are any other matters to attend to it may involve expense and so I could not speak to him about other matters. If the cases are fixed for hearing he promised to represent me, considering my difficult situation.

Next, a particular case was called on 15th February 1999 and fixed for hearing on 2nd June 1999. No witnesses were present on that date. The case was fixed again for hearing on 21st July 1999. On that date neither the Judge (as he had gone on leave), nor the witnesses, were present in court. On that day another Judge fixed this case for hearing on 13th September 1999. As a result dates long in the future being fixed and the absence of witnesses in court on the hearing dates, justice is denied and I am being deprived of my freedom for years continuously. If you contact Mr..... Attorney-At-Law the position can be ascertained. At the moment he understands the difficult situation of the people and argues cases successfully. He has in fact successfully secured the release of several detainees. He had helped several persons like me. I wish to inform you that I like to have his legal assistance.

Sir, from the time I was taken into custody on 25th September 1997 and detained, my wife and child at C2/3, UNHCR Camp, Alles Garden, Trincomalee are suffering without even able to get their basic needs. When they are suffering like this how can they get day-to-day needs and clothes etc. Further, due to the lack of food they are susceptible to various illnesses. Also my wife has no money to come from Trincomalee to even see me. For the last two years we have not seen each other or talked to each other. I don't know how my wife and child are living. Occasionally I receive letters.

So kindly take into consideration my plight, and find some legal assistance. Please help my wife and child with food and basic needs for their living, if possible at least through some public organisation. Please save them from misery. I look forward to hearing from you with your favourable reply.

New Remand prison, Kalutara

I was born and am living in Akkaraippattu, and now remain at the above named prison. I have been working as a labourer to look after my parents, my brothers and sisters. I was arrested in my house on 26th June 1995, purely on suspicion and detained in prison for nearly 20 months. Then I was released on 2nd January 1997 by the High Court in Batticaloa.

Later, while I was getting treatment for an illness at Akkaraippattu Govt. Hospital, I was arrested again by the Akkaraippattu S.T.F on 23rd December 1998 without any reason. I was then handed over to the 6th floor CID in Colombo on the same day. Then on 17th March 1999 the Colombo Puthu Kaddai Magistrate's Court decided to send me to CRP prison without any future date. I was detained there until 24th April 1999, and because of my constant and untiring pleading, I was then transferred to Kalutara prison on that day.

There has been no further investigation into my arrest since then, and I cannot even have any contact with my lawyers. This is causing me enormous hardship and mental trauma. My parents, brothers and sisters have been made helpless because of my arrest and they are like orphans at home. Sir, there is nobody to look after my family at present and my arrest is against the law. Therefore, please consider my family's and my pathetic situation, and I earnestly beg you to speak for me in order to get me out of my misery.

My home address: Amparai Road, Akkaraippattu.

August 1999, Kalutara Prison, Kalutara

I,, residing in Vilathikulam, Iranai Iluppaikulam, Vavuniya, am married and have three children. I was arrested by the Sri Lankan Army on 15th April 1999 when I was on my way to get medicine for my children.

Then I was brought to the Joseph Torture Camp and tortured several times. On 28th April 1999 I was brought to Vavuniya C.S.U police unit and tortured again. On 19th May 1999 I was produced at Vavuniya Magistrate's Court and ordered to be detained indefinitely. Now I am detained indefinitely at the Kalutara Remand Prison. I used to support my family with my daily wages.

Could you please consider my situation and help me get my release through your organisation.

My details: -

Name:

Place of arrest: On my way to Hospital

Court: Vavuniya M C

Home situation: My wife and 3 children are dependent on me.

23rd August 1999, Kalutara

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I, am from Kondavil North (C.R.D.S) Jaffna. I come from a family of five children and have my parents too. I am the eldest in our family and have 3 younger brothers and a younger sister. My father who has got poor eyesight was unable to go to work and so I was the breadwinner of the family. During that time, I decided to go abroad to Qatar and so I came to Colombo in 1996. An agent deceived me after paying Rs50, 000. I hardly had money to eat. You would not believe me - the days I had bread with green chillies. Amidst these hardships, I could not decide whether to go back home or stay in Colombo. I was thinking what kind of job would be available if I chose to go home.

Being aware of my situation, a friend of mine obtained a job in a welding shop. I had only been working there for about a month when on 11th September 1996 I was arrested by the army at the shop. Three years later now I am still unable to see neither my parents nor my family members. Even at this precarious moment too, I

am not worried about myself, Akka, but I am more concerned about my brothers. Since the day I was arrested by the army, my brothers left their schooling and had started to work. My sister got married has now got two children. Her husband too was arrested at our home in Jaffna and he is with me in prison at Kalutara. Our home circumstances are so sad that I did not have the means to appoint a lawyer even. So I asked for a human rights lawyer. He is not a very responsible person and has no sympathy for me. He keeps postponing my case dates. Akka, I wanted to write so much but as I could not write everything I shall write and tell you the rest in my next letter. My mother's address:Kalikovilady Urumpirai North Jaffna. Please reply immediately as I will be waiting full of hope.

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24th August 1999, New Remand Prison, Kaluturai North, Kaluturai

Brother, I heard through my colleague from here that you have an institution where you provide a service for people like me who are helpless. Since I do not know how to contact you, I am writing this letter. I do not know whether this letter will reach you. If you do receive it, please do tell us at the above address - how to contact you etc.,

Brother, I live in a village called Periya Pora Thevu in Batticaloa District. My home Address is:

.....Pattapuram Periyaporathivu Baticaloa

I am a married man with 3 children. I worked in a government department as a temporary employee. I was earning Rs.2, 000 per month. Our quality of life was very bad. While we were leading a life of poverty I was arrested on the 11th August 1999 along with four others at Kalvachikodi-Pattirupu Bridge without any valid reason by the Colombo Terrorist Investigation Group. Although a year has passed, they still have not filed a case. We are still in the No Date category.

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I was held at the 6th floor for 5 months and 21 days and on the 21st January 1999, they took me to prison. I am sure you will be aware about how our investigations take place.

My family's circumstance is such, that I am unable to seek assistance through a lawyer. I am writing this letter with much hardship and I trust that you will be kind enough to help me get released and would also help my family out of difficulty.

I am sure you will help our family and I will be waiting full of hope for your reply.

For want of means we are writing these two letters in one sheet. We crave your indulgence.

3rd October 1999, New Remand Prison, Kalutara

My hometown is Olurnadu, Nedunkerny. I am 24 years old. After my mother passed away I was looking after my aged father, my three sisters and brother. I am a labourer by occupation. During one of the air raids I lost my left limb while working in the farm. Even with this infirmity I was supporting the family by doing labouring as far as it was possible for me to do. During this time on 15th May 1997 the army arrested me and after undergoing the usual beating and torture I was passed on to the Vavuniya C.S.O. Here too I underwent the same ordeal. Later on 7th June 1997 I was produced before the Vavuniya Magistrate's Court and was ordered to be sent to Kalutara prison indefinitely.

Sir, I have been pushed into a very unhappy situation. Even the aerogramme, which brings our story, is purchased in exchange for the clothes issued by the I.C.R. We do not have any resources to obtain the services of any lawyer. My entire family is displaced and I understand that they are in Mallavi. I have spent two long years in this prison short of a limb. I seek your legal assistance to extricate me from this misery. I shall be living in hope.

20th August 1999, Kalutara Prison

Sir, I have been at the above jail for one year under a law prescribing indefinite imprisonment, and I most humbly write as follows:

On 3rd September 1998, the police arrested me at my hometown, Valaichenai. After a series of interrogations on 5th September 1998 I was transferred to the C.S. Unit investigating terrorist activities in Batticaloa. After ill treatment and interrogation, I was produced at Batticaloa Court, and given an order for indefinite imprisonment. I was then transferred to this prison.

I am married and have two children. I was supporting my family by working as a daily waged labourer. My wife and children are undergoing immense hardship even for their daily sustenance. In these circumstances, I have no means to engage a lawyer to put forward my case. I shall be grateful if you could assist me to gain my freedom and thus save my wife and children from peril.

Family particulars: Home Address: Playground Road Kinnaiadi Valaichenai
..... (25); Miss (3); Mas. (2)

21st August 1999, Kalutara Prison, Kalutara North

ICRC No.

This is my humble request to the London Co-ordinator. I, the above mentioned, am a resident of Thotiladi near Chankanai in Jaffna Sri Lanka. I have eight brothers and sisters. My father's eyesight is very poor. I had to support my parents and my brothers and sisters by working as a labourer.

During the army operation 'Rivirasa' in 1996, we lost our belongings and fled to Kilinochchi in the Vanni district. We had to move again to Mallavi the same year. Having moved there, I earned my living as an itinerant trader, during the

course of which I travelled to Mannar and Vavuniya. On one such trip, I stayed at the A.K.S. Travellers' Camp in Vavuniya. There I was arrested on 21st November 1998 by the C.S.U Police. They accused me of being a terrorist and tortured me. Later on 24th January 1999 I was taken to the Magistrate's Court in Vavuniya, beaten and moved to Anuradhapura Prison and then to Kalutara.

Sir, I express my gratitude to Mrs who wrote to me about your organisation. Please note that I was the only breadwinner in the family. It is 9 months since I was arrested. I do not know whether my family is able to survive. I heard that no relief is provided to the Vanni area. In these circumstances, I have no one to take my case forward. I mention my case to lawyers who call here. They asked for fees but I am penniless and in this hopeless state your letter came as a big relief. I trust that with your assistance my case will be taken up soon and my freedom ensured.

4th October 1999, New Prison, Kalutara

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I am a poor inmate in the above prison. Having come to know about your generous activities through authentic sources, I hasten to address this letter of appeal to your good self for a speedy redress.

I was just 17 years of age at the time of my arrest and a school-going student too. On the death of my mother I was under the care of my father and I continued my education without any break. Unfortunately I lost my father in 1996. Parentless and as an orphan I had to take our neighbour's charity. In order to continue my education I worked part-time during my leisure hours and at the same time attended school. During school vacations I left for Colombo to work in one of the shops there. This did go a long way to help me eke out a living and to study as well.

On 26th July 1998 I happened to go to the shop where I was working at Kadawatte. As I entered the shop I was arrested by the police and taken to the Peliyagoda Police station. There I was interrogated and tortured. After one month of continuous ordeal I was transferred to the Colombo T.A.V. on 27th August 1999. Here too I underwent all the police atrocities and interrogations. Later on 15th February 1999 I was produced before the New Market Court Magistrate and was ordered to be remanded indefinitely. I was then sent to the Kalutara Prison from where I am writing this letter. During the three episodes I was asked to sign on typed documents and under duress.

I am now in a present state of helplessness, unable to obtain any legal assistance or aid whatsoever. However I was in a position to come in contact with Mr lawyer through a friend of mine. He conveyed to me that it was possible to institute a case under the violation of human rights act and to do so I will have to incur some expenses. As I am penniless I could not proceed with his suggestion and I never saw him again.

I am a student and my right of schooling has been totally denied to me. Further I have suffered immense bodily torture and this has affected my health. If action could be taken under the violation of human rights I have every opportunity to obtain a release. I have implicit faith in Mr. but my hopes are shattered, as I cannot obtain any financial assistance at this time of need. Hence Sir, I beg of you to have compassion for my desperate plight and use your good offices to obtain the legal assistance now urgently needed to get my release, for which act of mercy I shall ever be grateful.

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6th October 1999, Kalutara Prison

I was arrested along with my sister in the year 1992 at Vavuniya. She was sent to the Welikade Jail and I am in this prison. We are here without any case being filed. Lawyer contacted my sister and me was contacted by lawyer

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We are helpless and without any assistance whatsoever to see to our interests. I do not mind my being here but my sister too is undergoing the same fate. I am writing this letter with the expectation that you will do something to get us out of this misery. I have had the opportunity to read one of the letters sent by you to one of the inmates here. I was able to spot your telephone number, which I passed on to Mr There is no possibility even to obtain an aerogramme to write a letter to you. This aerogramme is on a loan from another inmate.

In this prison you can get anything done if you have money. Even food. But I have to be contended with what the prison authorities supply. If you can send some money to the lawyer it will be possible for the money to reach me. I am sending the telephone number of the lawyer. You may inquire from him the desperate position I am in. Our home people are also in a bad position. If they too take some interest we may be able to get redress soon. It is our fate that we are here. We have suffered enough during the interrogations that took place at various levels. We have hopes that with your perseverance we will be released very soon.

20th August 1999, Kalutara Prison, Kalutara North

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I write this letter to your organisation from Kalutara Prison in order to request your assistance. I am from Chinnapandivirichan in Mannar. I was married in 1993 to who is from Chettikulam in Vavuniya. I have three children. I worked as a driver and looked after my family. In order to get a driving job in a state-registered organisation, I went to the C.T.B office in Mannar for an interview in December 1997 and in the meantime I was doing business in Vavuniya waiting for the result of the interview to be published. On 4th May 1998 I was arrested by the Special Task Force (S.T.F) at the bus stop (Veppankulam to Vavuniya) and handed over to the Vavuniya C.S.U Police unit. Then I was unfairly accused of being a terrorist and detained and tortured for two months. On 3rd July 1998 I was taken to Vavuniya Magistrate's Court and issued an indefinite detention order and brought to Anuradhapura Prison. Later I was taken to Kalutara Prison.

Please kindly consider my situation. Sixteen months have elapsed since my arrest. I have no knowledge about what has happened to my wife and children and I have no one to help me. So far no decision has been taken regarding my case. Due to lack of financial assistance, I am unable to appoint a lawyer. Nevertheless I contacted human rights lawyers by letters and in person. But I did not receive any reply. So I am pleased that you have given me a chance to express my situation. I will pray for a useful reply from your organisation. If I got enough financial assistance I would arrange a lawyer. I already contacted lawyer MrBut he asked for a particular amount of money.

So I am writing this letter to you either to contact that lawyer regarding my case or arrange some financial assistance. I hope that the other detainees will also receive your assistance.

(I.C.E.C No:)

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20th August 1999, Kalutara Prison

I, am writing this appeal from Kalutara Prison. I am from the village Earlalai Chunnakam in Jaffna. The army in Chunnakam arrested me on 12th November 1998. I was detained at the KKS Detention Camp and was subjected to severe torture. They inserted metal pieces through my genitalia and interrogated me. After that the police produced me at Anuradhapura Court. No date was set for my hearing and I was sent to Kalutara prison and detained.

Sir, I have five sisters and I was the only male in my family. My father was very old and my mother is ill. Having studied up to GCE O' Level, due to my family situation, I got a job working in a small shop to earn money to support my family. I am now 21 years old. I sought the assistance of a lawyer named Mr to deal with my case. I have also explained to him about my family situation. I plead with you to consider my appeal sympathetically and contact Mr Kindly contact me with regard to this appeal.

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We are all in good health and hope that you and your friends are as well, I pray. Further, I was first arrested by the Lankan Army and was kept at Boosa Detention Centre for three years. That time my mother amidst difficulties, spent a lot of money to gain my freedom. I was again arrested and at present, I am at Kalutara camp for the last one year. I have not received any help from anyone so far. My mother raised loans to come and see me twice. My mother is not very well. There is no one to look after or support my mother. There is no one to fight my case in court. It is in the midst of such difficulties that I write to you. If possible try to help me. No sooner you receive this please reply immediately.

Please reply to:.....Amparai Road Akkaraipattu 7

My four children and I were residents at Kodakirankulam. We were displaced due to Operation Ranagosa in that area and moved to Kovilkulam as refugees. On 1st January 1999 I was arrested by the Sri Lankan Army during one of their search operations. I was then taken to the Omanthai Army Camp. From there I was handed over to the Vavuniya Police Station. On 2nd February 1999 I was taken to the T.I.D. Camp and there I went under severe torture and interrogation. I was forced to sign a statement that was in the Sinhala language and which I did not understand. I wanted them to translate the contents for me. They immediately retorted saying that they had typed what I had said and insisted that I should sign the document. I had to sign the document in order to avoid their further harassment. Later on 24th February 1999 I was produced before the Vavuniya Magistrate's where I was ordered to be on indefinite remand. I was taken to Anuradhapura Prison and later transferred to Kalutara Prison.

I am here an inmate for the past 10 months. Although I appealed to the Human Rights Organization, I have had no response whatsoever to date. However my

wife paid Rs.1, 000/- to Mr....., a lawyer, who visited me and gathered the required particulars. Later he informed me that the case was taken up and my file number was EER and has been received at the Attorney General's Department. But so far nothing has materialized out of this. I have no financial backing to pursue the case further. I supported my family by hard labour. Further Operation Ranagosa pushed my family into desperate straits and they have been left with their clothes as their only possessions. Having explained my plight I earnestly beg of you Sir to see that my case is being heard fairly and favour me with a release from this prison.

I am a father of four school-going children. Three of them are girls and one is a boy. The eldest is a grown-up girl in her teens and she is to sit for her O' level examination this year. I am really suffering from mental agony after hearing that they have no proper clothes nor food and the children do not have even their school things. My relatives are very poor and cannot give them any help. So Sir I shall be very much pleased if you can use your good offices to see that my children get their desired education rather than my release.

My Family Age Education (details deleted).

My address:Palamodai Vavuniya

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23th August 1999, Kalutara Prison, Kalutara

Sir, I am at present jailed at the above prison and humbly write to you as follows. I am from..... Periaporativu near Batticaloa, married and father of three children. I earned my living as a goldsmith. On 15th August 1998 when I went to make some purchases at the market, I was arrested by the Special Commandos. On the same day I was taken to Peliyagoda Police. Following this, on 18th August 1998 my wife..... was arrested at Velikulam Travellers' Camp near Vavuniya when she went to visit her relatives. On 29th August 1998 she was handed over to the (T.I.D) Terrorism Investigation Unit. On 8th December 1998,

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she was produced at Hultsdorf Court and ordered to be detained indefinitely and imprisoned at Welikade prison.

When my wife was arrested she was tortured and as a result she has suffered bodily and mentally. At present a case has been filed in the High Court. We have no means to engage a lawyer. When I was handed over to Peliyagoda Police, they and the TID hung me upside down and covered my head with a bag smelling of petrol. They lashed me with poles and wire and pricked me under my fingernails. Such was the torture under which I was interrogated I lost consciousness several times. One day I was forced to sign a document in Sinhala, which I am not conversant with. Following that, on 15th February 1999 I was produced at the court in Colombo 12 where I was ordered to be detained indefinitely and sent to this jail. To this day no case has been filed. My children are living in a mentally afflicted state and stay with my parents. We are deprived of being able to see our children. We are in a difficult situation, as both of us are imprisoned our three small children too are afflicted. We are not in a position to engage lawyers. We therefore humbly beseech you to arrange lawyers for us.

Family particulars: (Self)..... (29 years)
..... (wife 28 years)
..... (son 7 years)
..... (daughter 5 years)
..... (son 3 years)

Kalutara Prison, Kalutara

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Sir, I am from Mannar. When I was in my house I was taken into custody by the Sri Lankan Army on 9th March 1997. They tortured me in numerous ways and handed me over to the Navy at Kalpiti. They too tortured me and once again handed me over to the army at Anamaduva. They handed me over to the Puttalam Police on 14th March 1997 who too tortured me. On 30th March 1997 they

produced me before the Magistrate at M.C. Puttalam and I was transferred to Negambo Prison without a date set for a future hearing. I was detained there for sometime and transferred to Kalutara prison on 27th February 1999.

I am being detained here without a charge sheet being filed or a trial. I participated in a number of fasts in protest against this inhumane treatment. When we were fasting we were approached by a representative from the human rights organisation to give up the fast with the promise that he will contact the Attorney General and see that we were either released or a charge filed against us but these turned out to be false promises. My family is very poor and facing financial difficulties. I am married with two children. My family is without employment and finding it very difficult to survive. As a result they have not found any lawyer to represent me. Your letter was a great relief to a person like me in a helpless position. I am contacting you after reading its contents. I thank you for your help.

Sir, I appeal to you to get me released from prison taking into consideration my plight and my family's situation. Expecting your reply.

Here are the details regarding my arrest:

Date: 9/03/97 taken into custody by the army. Place: Mannar Court: Puttalam M.C.

Police Station: Puttalam Date produced in court: 30/03/97

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21st August 1999, Kalutara Prison, Kalutara

I am from Kaliyankadu. I am married and have three children. I was displaced due to the military operation Sunray and I was living in Puliyankulam, Vavuniya. I had to move from this place to Vavuniya town because of the Jeyasikuru Operation launched by the Sri Lankan Forces and had to live in a camp there for ten months. Later I moved to the house of a person known to me. I had to rough it out there due to over-crowding. I supported my family with three small children

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and my ageing parents from whatever I earned as wages from the work I managed to get. As I was finding it difficult with the meagre income, I thought of seeking employment in the Middle East. With this in mind I went to Colombo to obtain a passport.

While I was returning with the passport in Colombo the Kotahena Police in Colombo city on suspicion arrested me. I was detained and tortured by them at the police station and handed over to the TAD crime division of the Sri Lankan Police on 17th November 1997. They took me to the Sixth Floor, where I was beaten often and hanged head downward. My face was covered with a shopping bag filled with petrol tied round my neck. I was subjected to this type of torture for three months and then transferred to CRP prison on 10th February 1999. I was there for three months and then moved to Kalutara prison. I am still here under detention without any case being filed against me or any investigation. My family is unable to visit me in prison due to lack of money and means of transport. No one has seen me to date.

I have no support or financial assistance to take legal proceedings. The lawyers visiting me in prison are not willing to help me, as I do not have any support or money to talk to them and persuade them to help me. I am continuing to be a detainee at Kalutara prison without a charge sheet or trial. My parents and family who were dependent on me have no one to support them now. They are finding it difficult to get even their daily food. In the circumstances I appeal to you to do whatever possible to get me released from this prison. We have received a letter detailing the action taken by you to help us. I have described in details our present position. As a person aware of the position and circumstances of detainees in prison and taking action to help them, I am expecting a reply to my letter. I have spoken to lawyer Mrs..... who visited Kalutara prison about my case. You can contact her directly and ask about me. Awaiting your reply. Please could you send your reply to my home address or prison.

20th August 1999, Kalutara Prison

I am of Trincomalee. I am a fisherman and I had to travel to Mannar for my work. On 6th December 1996 I was arrested there by the army and tortured. I was then transferred to the Vavuniya Joseph Camp on 12th June 1996. Later on 1st August 1996 I was sent to Vavuniya CSU. I was tortured there and my statement was recorded. I was produced in Vavuniya Court on 13th October 1996 and after that taken to Kalutara Prison without any further date for a hearing being given.

My case was filed on 15th December 1996, since then I have contacted a number of lawyers none of them are willing to take up my case without a payment. Finally I contacted a human rights lawyer who sent a reply. However he has not visited me to date. My case was not taken up on the scheduled date.

I have now spoken to lawyer..... regarding my case. Even he did not appear for me on the date the case was taken up. As I did not pay him my case is being unduly delayed. My family is also undergoing difficulties. They are unable to see me in prison because of financial problems. In fact I have not had any letters to date. I have been told that you are helping people like me. I am very glad to hear about this. My lawyer's address is given below, so that you could contact him directly.

I am sure that you would be fully aware of my present position. I am confident that you would help me. This letter is being sent to you based on the confidence I have in you. I would also request you once again to please help me.

23rd August 1999, Kalutara Prison

Sir, I was arrested in Vavuniya on 5th May 1997 by the police and imprisoned on 11th June 1997. I am now being detained indefinitely. I have not been served

with a charge sheet; even a case has not been filed against me. I do not have the means to retain a lawyer to represent me. I am married and my wife is in Jaffna. She is unable to help me in anyway or even to visit me in prison due to financial difficulties. Since I was arrested no one has visited me in prison.

I have no money even to purchase essential items like soap and toothpaste. It's the detainees who are with me who help me to buy these things. Lawyers come to this prison but they do not see me. They only see those detainees in prison if someone known to them pays them. Since I have no one to pay for me they do not discuss my case with me. Sir if you help me with me case, my wife, my family and I would be indebted to you forever. We would remember you for our lives. I am expecting your reply. I am also fully confident that you would help me.

21st August 1999, Kalutara Prison, Kalutara North

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My name is..... I am 28 years of age. I am married with two children. My older son is 7 years old. He is attending school. My second child is 4 years old and she will have to be admitted to school soon. I am a native of Puthur in Jaffna. I was forced to move out of Jaffna with my family in 1995 because of the operation by the Sri Lankan Army and we went to Visvamadu in the Vanni. Life was very difficult there with out any prospect of employment. Living conditions in Visvamadu forced me to move with my family to Vavuniya in 1997.

When I was living in Veppamkulam Camp, Vavuniya, I was arrested by the Police Crime Investigation Division on 16th January 1997. They tortured me. After two months I was produced in court there and thereafter moved to prison in Anuradhapura. I was later transferred to the present prison at Kalutara, where I am being detained to date. I have no money to engage a lawyer to represent me. Even my wife and children have no income. She is finding difficult to send the children to school. Her life too is miserable without any proper income.

I intend to engage lawyer..... to appear for me. I have spent three years in Kalutara Prison facing numerous difficulties. No one has visited me in prison since I was transferred to Kalutara. The reason is that my wife and relatives are unable to travel from Vavuniya to Kalutara because of the civil war and due to lack of money. Under these circumstances I kindly request you to do whatever possible to meet the expenses to be incurred for engaging the attorney. I also appeal to you to support my family as much as you can.

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26th August 1999, Kalutara Prison

My name is I am from Villisidi, Thelippallai, Jaffna. We were displaced from there in 1991 and were living in Manipai, Jaffna. We were forced to move to Oddisuddan on 3rd December 1998 because of the military operation in Jaffna. When the area I was living in was surrounded and searched I was arrested by the army and handed over to the CID on 26th January 1998. I was interrogated by them till 31st January 1999 and sent to prison at Anuradhapura on the same date. Later I was transferred to Kalutara Prison on 27th February 1999. There is still no case against me. I have spoken to attorney regarding my release. He has been given a small sum of money as his fees. We have no means to pay him any more money. In this situation I listened to your IBC interview.

I am a farmer. My father died in 1986. I have two sisters. There is no one to look after my family. I was looking after them. Since I have been taken into custody, my family is facing severe difficulties. They are now in Vavuniya. We have lost most of our possessions in all three places due to my arrest and the family situation.

I have brought all this to your notice because of my present helpless position. Expecting your help. Please reply to me as soon as you receive this letter.

57

22nd August 1999, Kalutara Prison

73

This is..... writing from Kalutara Prison. I am from Sivakula Street, Urumpirai, Jaffna. I am a manual worker. While going to work I was arrested on 9th October 1998 by the army resident at Gnanam Hotel and detained there for a day. I was then handed over to K.K.S. Police on 16th October 1998. Later I was produced in court at Anuradhapura on 13th November 1998 and kept in custody there for three months. I was produced once again in court on 10th February 1999. I was to be released on Rs.1, 000 cash and Rs.100, 000 property bail. I could not find the required cash and property worth Rs 100,000. I come from a very poor family, depended on income from daily waged manual work to support my family. I have no mother and my father has lost his eyesight. I was looking after him. There is no one to help us. It was in this helpless position that your letter was read to me by my brother in the Prison. I am writing this letter with the hope that I would receive your help. The following details regarding me.

27th August 1999, Kalutara Prison, Kalutara

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I am I am 25 years of age and married. My wife gave birth to a baby after I was taken into custody by the army in Oddisuddan on 2nd December 1998 when they took control of the area. I am an innocent person suffering in detention without committing any offence. I came from very poor family and was managing with the daily wages I earned as a labourer. My parents are not in a position to help me. My mother and one of my sisters were shot dead by the army. My father has lost the use of his arms after being shot by the army. My wife also comes from a poor family. Three families including my family were dependent on my income. Since I was taken into custody they are in financial difficulties.

In view of this I am unable to retain an attorney to represent me. I have spoken to Mr., a lawyer, who visited the prison but I am not in a position to make any

payment to him. Sir, please take into consideration my pathetic plight and help me to get an early release. Can you help me? Expecting a favourable reply from you.

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21st August 1999, Kalutara Prison

Sir, I am from Trincomalee district. I come from a very poor family. My parents have four children. I am the only male child. We were affected by the 1983 racial riots and since then we have had no proper home to live in and my education was disrupted. I have been supporting my family finding odd jobs under difficult circumstances. In 1990 we had to leave Trincomalee and live in a camp in Mullaithivu. All my sisters married partners of their choice and left us. I was the only one living with my parents. Later I went to Jaffna and was working there. While I was in Jaffna I fell in love with a girl. Her parents were rich and did not approve of our love affair. For this reason we married on our own and lived separately.

We were displaced from Jaffna and moved to Udyarkattu in the Vanni area and lived in a camp for displaced persons. There we were depending on relief given to displaced persons. In the meantime we had a baby girl. I did not have proper work and therefore decided to start my own business. While I was doing business in Vavuniya and Mannar I was suddenly arrested and detained. I was told that I would be released after investigation. In spite of explaining all my difficulties I was not released. They took all my belongings and tortured me. I was subject to electric shocks, hanged face downwards and my face was covered with petrol fumes and also tortured in other ways. They obtained my signature and released me.

I was arrested again on 6th January 1998 and produced in court on 22nd January 1998. Later I was transferred to Anuradhapura Prison and from there to the prison at Kalutara. I did not receive any letters from my wife. Because of this I wrote to all organisations including the Human Rights Organisation, Family Rehabilitation

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Centre, Attorney General, I.G.P, President and some lawyers stating that my wife and child would be starving to death if I am not released but no one was willing to help me. I realised that I was in a helpless and hopeless position, shed tears and cried loud, yet I got no support. My wife and child or relatives did not visit me in prison for 20 months due to lack of money. When I think of my plight I had no alternative but to go on hunger strike until there was response.

There was a decision on 28th December 1998 but later I realised that I was cheated. This prompted me to fast once again in early 1999 and as a result a case was filed against me. The charge sheet given to me was with me for a month, as I could not find a lawyer. None of the lawyers was willing to take up my case. It is at this juncture that attorney agreed to handle my case. There is still no verdict. After your letter was read to me I obtained your address and am writing this letter to you. I have asked for help from everyone, yet my wife and child are undergoing tremendous hardship. I am therefore appealing to you to help me as much as possible. I am also begging for justice. Show me mercy. I did not have money even to send this letter. Someone gave me the money. I would therefore earnestly request you once again to help a poor detainee like me. If you are in a position to help or support me regarding my case please do so. I appeal to you to help my starving child and wife. I trust I will get a reply from you. My address is given below:.....

Kalutara Prison, Kalutara

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I am from Division 4 Eravur, Batticaloa. I am married and have two children. I am a goldsmith by profession. I moved to Puttalam in 1990. I had to move to Negombo because my income was declining due to lack of work. I was finding it difficult to pay even my house rent. I rented out a house in Negombo and started working in a jewellery shop there. One day the police came to the shop and wanted me to come to the police station for an inquiry. They interrogated me. They did not listen to whatever the explanation given by me and I was detained at

the police station for about four months. My wife and children came there and begged them and even cried asking them to release me. They made it clear to them that as I am the sole breadwinner of the family and that they would be starving if I were not released. Police went to assess the situation in my house. After their visit I explained to them that my brothers do not help my family and I had to support my wife parents and her four brothers. They refused to listen to me. Instead of being released I was transferred to Kalutara prison.

My family is in a very difficult position. You could imagine how the police conducted the investigation against me. I was unable to move for more than one and a half months. No one is willing to help my family or me. My oldest son is five. He is not going to school as there is no help forthcoming from anyone. My wife is not familiar with the place in Negombo. For the same reason neither she nor my relatives are able to visit me in prison. It is in these circumstances that I listened to your interview.

I was arrested on 8th November 1998. There is still no charge sheet or case against me. I do not know when a case will be filed against me. I want to bring all this to your notice. I am being detained for something which I have no connection. My worries about my family are causing me more stress than my detention. I feel that I will have a mental break down soon. I was produced in the Court at Negombo on 20th February 1999 and kept in custody at the prison there before being transferred to Kalutara prison. If they had detained me in the prison at Negombo it would have been possible for my wife and relations to visit me. I am praying God that even my enemy should not face a similar situation and the suffering I have been through. My wife's name is My sons' names are and I am revealing all my problems and difficulties as I consider you to be one of my brothers. I hope that you will be able to help me as much as possible. Expecting a favourable reply from you.

Part II

Extracts from the
Sri Lankan Monitor
and Sunday Leader

“COLOMBO JAILERS ATTACK TAMIL PRISONERS”

THE SRI
LANKAN
MONITOR
FEBRUARY
1996

“OVER 100 PRISON OFFICERS attacked Tamils in the Colombo Magazine in Borella on 19 February with metal rods, clubs and cricket bats injuring a number of detainees. There are currently over 140 Tamil prisoners in the Magazine prison including 63 year-old AP Ramiah who is unaware of the reasons for his detention.

Lingeswaran, an accused in the Lalith Athulathmudali murder, became unconscious when repeatedly beaten by the prison guards as he was held by another prisoner. Chandrasekaran, Parameswaran and Army headquarters bomb suspect S Segar suffered severe injuries and was removed from their cells. The four prisoners were later found in the prison hospital, following a complaint by lawyer Kumar Ponnambalam to the Colombo High Court.

K Suthakaran and K Yogadas say the attack was led by prison officer AK Chandrasiri and identified him in the High Court. Tamil prisoners staged a five-day hunger strike demanding adequate security.

The Justice Ministry appointed Additional Secretary MS Jayasinghe to conduct an inquiry. Mr Ponnambalam has denounced the inquiry which proceeded without a representative for the prisoners as an eye-wash. The detainees say their statements were recorded in the Sinhala language which they do not understand. A request by lawyers for an identification parade has been denied...

...Observers say the Magazine prison attack is reminiscent of the assault on Tamil detainees at the Colombo Welikade prison in July 1983 when 53 prisoners were

years, began a hunger strike in Magazine prison in early February.

In a letter to Justice minister GL Peiris, TULF leader M Sivasithamparam says that although prisoners arrested under Emergency regulations must be released if charges are not filed within 90 days, in the case of Tamil prisoners detention is prolonged by changing their cases to fall under the Prevention of Terrorism Act (PTA). Legal experts say these detentions are illegal. Under the PTA a person may be held in custody for up to 18 months without charge or access. Mr. Sivasithamparam has urged the appointment of a team of state lawyers to expedite the cases and release prisoners if there are no charges...

...Sri Lankan human rights agencies are concerned that President Kumaratunge's directive on procedures for arrests, such as issuing detention certificates to relatives, is rarely followed. Mechanisms to penalise security force officers flouting the directive are lacking. In early February the Mt Lavinia magistrate reprimanded the police for failing to record the arrest of a mother and child who were produced before the court...

...Human rights agencies also say that habeas corpus has ceased to be an effective remedy for detainees because of delays by the Attorney General's department, in some cases up to nine months. Torture continues to cause concern..."

**“TAMIL PRISONERS IN COLOMBO PROTEST FOUR-YEAR
DETENTION WITHOUT TRIAL
FAST FOR FREEDOM”**

“**TWENTY-THREE HILL** Country Tamil detainees at Colombo’s Magazine prison began a fast on 23 June demanding trial or release. Later in the month they were joined by over 400 prisoners in Magazine, Kalutara and Pelawatte prisons. The Plantation detainees include a 14 year-old boy and several persons above 60 years. Reports say a large number are also held in police stations in Nuwara Eliya District.

Tamil MP Joseph Pararajasingham estimates that over 1,100 Tamil youths are detained and 300 are in custody for over four years without a charge or trial. In a letter to President Chandrika the prisoners have called for her intervention. The fast was called off the following day after the Attorney General’s Department made several

promises including improved conditions and speedy trial...

...Forty-four Tamil prisoners in Magazine have filed for violation of fundamental rights. Kasipillai Kandumani of Batticaloa alleges that he was forcibly taken by Tamil militant group member Manian Sinnavan in November last year to an Army camp where he was severely tortured. He also says Mr. Sinnavan demanded Rs. 50,000 from his wife for his release.

S Kathirgamathamby from Eravur, who was arrested in September 1995 has not been informed of the reasons for his detention. Hill Country MP M Sivalingam says that Balakrishnan, a resident of Nuwara Eliya for the last twenty years has been detained following an anonymous petition alleging links with the LTTE.”

THE SRI
LANKAN
MONITOR
JUNE
1996

**“POLICE POWERS PROMOTE TORTURE SAYS COLOMBO JUDGE
DETENTION WITHOUT TRIAL”**

“**SUPREME COURT JUDGE** Ramanathan says despite judicial order against law-enforcement officers, torture in police stations continues unabated. Police have powers to record statements, investigate and prosecute offenders. The concentration of powers allow the police to take short cuts by torture in custody, says Mr Ramanathan.

Human rights agencies say prolonged detention also leads to ill-treatment. Currently there are over 1,100 Tamils in custody, 300 of whom are held for over two years. MPs who met detainees in Kalutara prison in early November say six Tamil youths are held for over five years and another six above the age of 50 are detained for over 18 months. Seven had been earlier released, arrested again and held for over two years.

Over 100 Tamil prisoners in Kalutara began a fast on 28 November demanding trials or release. Following a fast protest by detainees in June, the Defence Ministry promised to solve the issue within three months. Prisoners bitterly complain that the Ministry has failed to take any action. Lawyers say the Defence Ministry has failed to act on several recommendations for release made by the Attorney General’s Department.

Human rights agencies are concerned about illegal detentions. Some prisoners continue to languish in prison despite court orders for their release. In a habeas corpus application, Meenatchy Chitrasenan alleges that her daughter arrested in September is illegally detained in a police station without being produced before a court.”

THE SRI
LANKAN
MONITOR
NOVEMBER
1996



“JUDGE CONDEMNS ILLEGAL DETENTIONS COLOMBO’S INVISIBLE CASUALTIES”

THE SRI
LANKAN
MONITOR
DECEMBER
1996

“ALTHOUGH EMERGENCY regulations give wide powers to the security forces there must be adequate grounds for arrest. The Court says the Defence Secretary should have sufficient evidence before signing detention orders. Even those detained under Regulation 17 (i) as posing a threat to national security, should be informed of the reasons for arrest. According to the Human Rights Task Force (HRTF) over 900 people are held on detention orders in prisons and police stations.

Human rights agencies say safeguards in the law are being circumscribed by authorities. In the north-east arrested persons are held for 60 days under Emergency regulations and then under the Prevention of Terrorism Act (PTA) which provides for 18 months detention without being produced before a court.

In southern areas, including Colombo, suspects are generally detained for seven days under Emergency regulations and then under the PTA on the orders of a magistrate. Agencies say such prolonged detentions are illegal. Twenty-three prisoners in Kalutara prison for over two years allege that their detention is illegal and say they will fast unto death if they are not released before 19 January.

Batticaloa prison Superintendent A. Skantharajah says prison officers face difficulty in carrying out orders of the High Court for release of prisoners, while cases filed on the same charges in the Magistrates Court or detention orders by the Defence Ministry remain. Currently many Tamil youths continue to languish in prison even after orders for release...”

“POLICE FILE NEW CHARGES TO PROLONG DETENTION”

THE SRI
LANKAN
MONITOR
FEBRUARY
1997

“EIGHT HILL COUNTRY Tamil youths held in Kandy Bogambara prison say in a letter to President Chandrika Kumaratunge that they are in detention for several months without access to courts.

The youths, including father of five children Govindaraj Rajah of Ottery Estate in Dickoya allege that they had all been tortured and forced to sign confessions in the Sinhala language which they do not understand. They have not been informed of the reasons for the detention.

A large number of Plantation youth in the custody are bitterly disappointed that Hill Country politicians holding high office in government and the trade unions have largely disregarded their plight. After a tour of the plantations, Opposition leader Ranil Wickremasinghe says Hill Country youth are unable to travel outside their estates because of harassment in the

name of security...

...Batticaloa MP P Joseph raising a new concern with the Attorney General says the police are filing new charges against Tamil youths released by courts in order to detain them further. Currently a number of people remain in custody for over three years without trial.

Colombo Magazine prison detainee Nallathamby Balachandran says he was arrested in September 1991 in Valaichenai and severely tortured by the Batticaloa police Counter Subversive Unit, using gruesome methods including electric shocks. He was later forced to sign a confession in Sinhala and transferred to Magazine prison in August 1992. As he was about to be released following a court case in late 1994, three new charges were filed against him in August, September and December 1994 on the basis of the confession extracted under torture in 1991...”

“DE FACTO IMPUNITY FOR SECURITY FORCES”

“THE CASE RELATING TO the 1995 murder in custody of 21 Tamils, whose bodies were found in Bolgoda and other lakes around Colombo, was struck off the court roll by Colombo Chief Magistrate Munidasa Nanayakkara on 13 March as neither the accused nor the Attorney General’s representative were present. The 22 Special Task Force (STF) members arrested in connection with the killings

in September 1995 and released on bail three months later had allegedly returned to active duty...

...The Magistrate said that the absence of the Attorney General’s Department was an obstruction of justice. Human rights agencies say the manifest reluctance on the part of the state’s law enforcement authorities in such an important case encourages impunity...”

THE SRI
LANKAN
MONITOR
MARCH
1997

“COURTS CONFIRM TAMIL TORTURE CLAIM”

“THE SUPREME COURT AWARDED in October Rs. 100,000 compensation in a fundamental rights case of Tamil trader Ratnasabapathy Mohanadas who was detained and tortured by the security forces. The case illustrates the difficulties Tamils face in Colombo, NGOs say.

The Crimes Detection Bureau (CDB) arrested Mr Mohanadas in March 1996 and held him incommunicado for three months. He was neither informed of the reasons for the arrest nor a receipt issued to the relatives acknowledging detention as required by law.

Mr Mohanadas was hung by his legs and tortured. His eye sight was affected after his head was covered with a plastic

bag dipped in petrol. A confession had been obtained from him against his will written in the Sinhala language, which he does not understand. The police had filed several cases against him based on the confession.

Batticaloa farmer Parameswara Navaratnam alleges that soldiers tied him to a jeep and dragged him to the Kommathurai Army camp in Batticalo District, after shooting him in the leg. At the camp he suffered brutal torture for three days. Mullaitivu resident Kalimuthu Krishnaveni, currently at Colombo’s Welikade prison was arrested at Vavuniya on a visit to see her mother. She was produced before a Magistrate only after six months...”

THE SRI
LANKAN
MONITOR
OCTOBER
1997

“ARBITRARY ARRESTS”

THE SRI
LANKAN
MONITOR
OCTOBER
1997

“THE SUPREME COURT HAS noted the principle laid down in the Sri Lankan Constitution that ‘no person shall be arrested except according to procedures established by law’ and has ruled in cases of detention under Emergency regulations that there must be reasonable grounds for suspecting a person.

Human rights agencies have protested for several years about arbitrary arrests and degrading treatment of Tamils. Thousands of Tamils were taken into custody in March and April in Colombo and surrounding areas. The AG’s intervention came after a meeting with Tamil political parties and Hindu religious organisations who demanded that arrest and detention should be strictly in accordance with the law and presidential directives providing safeguards to detainees should be observed.

Tamil United Liberation Front (TULF) leaders M Sivasithamparam and Neelan Tiruchelvam, giving evidence before the Sri Lankan Human Rights Commission on 9 April, pointed out that fundamental rights of Tamils in Colombo were being violated with impunity and arrests take place, in

many instances, despite possessing all the necessary documents, solely on the basis of ethnicity.

Some 2,000 Tamils were arrested on 31 March in Kotahena, Pettah and Kochchikade suburbs, including over 500 women. In April, a large number of Tamils were taken into custody in Colombo, Dehiwala and Wattala. Those arrested in Dehiwala in early April say they were beaten up by the police and warned not to inform the ICRC about the assault. They were also paraded before *thalayattis* or masked informers. Kotahena suburb was searched on several occasions in the night and many were detained, including a number of people residing and working in the city...

...A Hill Country Tamil student from Liyangahawela in Badulla District was arrested in late April at Galaha in Kandy district while on a visit to attend a wedding. At the time of the arrest, the student had with him, his National Identity Card (NIC), an identity card issued by the National Youth Services Council and a school identity card. The police detained him for a week without informing his parents before producing him in court...”

“STUDENT TORTURE”

THE SRI
LANKAN
MONITOR
OCTOBER
1998

“BATTICALOA STUDENT Ehamparam Damayanthi, accused of failing to provide information about the LTTE to the authorities was released in late October by a high court, after evidence of the Government Judicial Medical Officer confirmed her torture in custody. Ms Damayanthi was arrested in Batticaloa in April 1996 and the case against her was based on a confession which the court said had not been made voluntarily. Human rights agencies visiting Sri Lanka in October found evidence of widespread torture.

Jaffna Chavakachcheri resident Kulasingham Vimala says in a fundamental rights application to the

Supreme Court that after her arrest in November 1996 in a Colombo Hindu temple, she was tortured by police at the Crimes Detection Bureau (CDB). Ms Vimala had arrived in Colombo after obtaining a travel permit from the military in Jaffna...

...In October, three Hill Country youths, currently detained in Badulla prison, filed cases in the Supreme Court claiming breach of their fundamental rights by the security forces. Kandapola resident Sinnathamby Thamilchelvan says that he was severely tortured by police following his arrest in January. A confession had been extracted from him in July under threat of torture.”

“KALUTARA DETAINEES ON HUNGER STRIKE AGAIN INDISCRIMINATE ARRESTS”

“THREE TAMIL DETAINEES in Kalutara prison, 25 miles south of Colombo, began a hunger strike on 7 May demanding trial or release. Kalutara prisoners have staged many protests against their prolonged detention. Batticaloa resident Sabaratnam Parameswaran, 26, arrested in 1996 remains in Kalutara prison for the last 29 months without trial.

Kalutara detainee Rev. Anthony Alexander says that he suffered torture at a police station after his arrest in March 1998 and a confession was extracted from him. Jaffna resident M Balendra, 25, who had been detained in Kalutara for several years without trial, died in Colombo hospital on 17 May. Prisons Commissioner P

Baskaralingam says an inquiry into his death is underway.

Jaffna resident and widow Satkunam Indrani, currently in Colombo's Welikada prison, says in a fundamental rights application to the Supreme Court that she was arrested on 26 March when she came to the capital for medical treatment. She has not been informed of the reasons for the arrest.

P Sivasubramaniam, arrested in Batticaloa in June 1997 was released by a High Court in late May. The Judicial Medical Officer, in his evidence said that Mr Sivasubramaniam had suffered torture. There are 30 torture scars on his body and a finger had been cut off.”

THE SRI
LANKAN
MONITOR
MAY
1999

“AMNESTY ALLEGES TORTURE OF DETAINEES”

“FIFTEEN TAMILS IN KALUTARA prison began a hunger strike on 14 September protesting against prolonged detention. Mannar resident Anthonipilla Jesudasan, currently held in Kalutara prison, says he was arrested on 9 June and held for 45 days in a Vavuniy police station. His head was covered with a plastic bag dipped in petrol and he was attacked with plastic pipes filled with concrete. The case will be heard in June 2000.

According to Amnesty International, three Tamils arrested in August suffered severe torture in police stations. Colombo lawyer N Srikanth says 50% of the 800 Tamil detainees in Kalutara under the Prevention of Terrorism Act (PTA) are held for over four years without trial. The protest fast ended on 21 September after lawyer

Kumar Ponnambalam was granted a interview with some judges.

Lawyers say cases where witnesses do not appear for several court hearings should be dismissed. Where a confession is rejected by court in one case, the other cases filed against the same person based on such confessions should be withdrawn. Where a detainee has several cases against him in different courts, all cases should be brought before one judge.

After the meeting on 26 September Mr Ponnambalam said that the judge had agreed to consider the factors causing delay and expedite the cases, which have already been filed. But the judges said they did not have the power to instruct the Attorney General's (AG) Department to file cases...”

THE SRI
LANKAN
MONITOR
SEPTEMBER
1999

**SUNDAY
LEADER
10 MARCH
1996**

“**BATTICALOA** district TULF MP, Joseph Pararajasingham has called upon Justice Minister Prof. G. L. Peiris to appoint an independent committee to visit Mahara prison and to report on its appalling conditions...

...The MP added condition at Mahara prison was deplorable. He also said there was an estimated 250 Tamils who were detained on suspicion in Mahara Prison.

The Memorandum states:

‘Although there is complaint about food and other basis facilities, the main complaint is about the insufficient toilet facilities and the scarcity of water, which makes life miserable for the Tamil detainees in this prison.

Besides, the cells are limited in this prison and more detainees are accommodated in each cell because of unlimited space. It is also reported that these Tamils detained on suspicion are kept with other Sinhalese prisoners of various crimes, which causes serious problems about the security of Tamil prisoners. Under the above circumstances, I appeal to you to appoint a Committee comprising independent personalities including one or two from various NGOs and ICRC to visit this prison so that an independent firsthand information could be obtained in regard to the appalling conditions prevailing in this prison.’”

The Tamil Detainees Support Group expresses its sincere thanks to those who helped in translating the letters into English, preparing this document and providing financial assistance to meet lawyers' fees. The Group also thanks IBC Tamil Radio, London for allocating airtime to highlight the plight of the detainees.

*Tamil
Detainees
Support
Group*

London

The group needs support from *you* to set the detainees free from prison. Please contact us for further information and copies of this document:

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