

Tamil Speaking Political Prisoners,
Tamil Ward, Welikada Prison,
Colombo, 9.

16th April, 1987

Dear Sir,

ONCE AGAIN ON OUR FAST UN-TO DEATH TO RELEASE US OR TO
BRING US TO TRIAL

We are well aware of the fullest Co-operation and support you are extending to our just struggle. We are ever grateful to you for this kind concern.

We wish to brief out the present position of our struggle to bring our miserable plight to your kind notice with great hope and humbly request you to exert all possible pressure on this Government to remedy this situation.

We think it is our duty to give you a clear picture our present position since the Prison administration is giving faults Nes Reports to the Press that could confuse the people, for example the erroneous Nes Reports appeared in "The Island of 11th instant".

ACTUAL POSITON

Demanding all those who have arrested under PTA and detained for over 18 months and all those who who have been remanded indefinitely should be released forthwith or should be indicted before a Court of Law immediately, we are launching our struggle in the following manner.

- I. 202 Tamil speaking Political Prisoners, out of the total 234 launched a one day token Hunger Strike on 25.3.87.
- II. The Fast was continued on a rotational basis for ten days from 26th March, 1987 to 4th April, 1987. Daily a batch of 10 persons took part in this Fast on the 1st 9 days and 30 persons on the 10th day.
- III. Since no actions had been taken even to this, five persons have begun a Fast - Unto - Death from 5.4.87. Their names and numbers are:-
 - a. P.1258 Paramasamy Somasundaram
 - P.11998 Kanagaiah Annamathan
 - U/C 1133 Nadarajah Varatharajah
 - 1845 Gopalapillai Shanmugasundaram
 - D.296 Sinnathanby Tharmalingam
- IV. On 10.4.87 another batch of five joined this Fast-Unto-Death Their names and numbers are :-
 - a. U/C 3955 Kathirkamathanby Pathmanathan
 - Q. 10466 Thangavel Subramaniam
 - U/C 2984 Veerabaku Kukaravinthiran
 - P. 16309 Ponniah Sathiyamorthy
 - D. 181 Rasathurai Rajakumar
- IV. As there was no response from the Govt. even to this, another batch of five persons joined the Fast Unto-Death on 15th April, 1987. Their names and numbers are :

PTO

- V. a. P.15475 Susal Fernando Joy Christy
P.13531 Mickiel Arokiyadas
P.13725 Thambiyah Sothilingam
B.304 Kathirkaman Balasingham
Q.8855 Kirishnapillai Suthakaran
- VI. On 14.4.87 the physical condition of Mr. K. Pathmanathan was deteriorating to a critical point and admitted at the Prison Hospital. His place was filled by Mr. Pararajasingham Sri Pathmalingam (P.15520)
- VII. The hunger strikers (16 in number) are continuing the ~~Fast-Unto-Death~~ firmly and resolutely. None of them ~~they~~ waver or given up the Fast. They have put-up Placards and Banners bearing slogans such as "JUSTICE DELAYED IS JUSTICE DENIED", "DON'T FAIL TO ~~ENGRAVE~~ ENGRAVE THE FOLLOWING LINE ON OUR TOMB-STONE, 'THE INNOCENTS WHO ESCAPED THE PREVENTION OF TERRORISM ACTS ~~REST~~ UNDER ~~HEAVEN~~ PEACEFULLY'" ETC.
- VIII. Although the prevailing severe drought make our Hunger Strikers very tired and weak, they obstinately refused to take any medical check-ups. One of the reasons for this refusal is to show their ~~this~~ dis-satisfaction against the approach of the Commissioner of Prisons Mr. G.T. Jansz. His approach had caused great dis-satisfaction among the Tamil speaking ~~hunger~~ prisoners here. For example :
- a. During our last hunger strike insupport of the just demands of the Boosa Detenuue, in October, 86, the Deputy Commissioner Mr. Dharmadasa who was then the Commissioner of Prisons, as Mr. G.T. Jansz had gone abroad, allowed the Humanitarian Organisations to function as the Liaison committee between the state and us. This Committee played a major role in bringing a quick settlement. But this time Mr. G.T. Jansz, the Commissioner of Prisons has refused to allow the same Volunteer Organisations to meet us.
- b. He is giving misleading News reports to the Mass Media regarding our ongoing Fast-Unto-Death, that could confused the people and cause adve rse effects/~~in~~ our struggle , e.g. The New report of the Island 11.4.87
- IX. In contrast to the Nes reports issued by the Prison authorities claiming that some of the Hunger Strikers had given-up their Fast, all the Hunger Strikers are resolutely continuing it with determination a large number of persons awaiting to join this Fast-Unto-Death in stages.
- X. We have sent already two comprehensive memoranda on this subject too H.E. The President, Minister of National Security, Human Rights Organisations, etc. the first one on 22.3.87 before commencing our struggle and the last one on 4.4.87 before ~~the~~ embarking our Fast-Unto-Death

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XI. In addition, we have sent our third memorandum to-day to the same Addresses. Along with the Memorandum we have attached a name list of 141 persons arrested under the PTA and kept under custody for over 18 months in various Army Camps and Prisons. These are some of the names we were able to collect and there are many others not included in this list languishing in the custody for over 18 months.

Herewith we annex a copy of the third Memorandum sent to the U.S. and others and humbly request you to kindly take Photostat copy of these memorandum and send them to other Mass Organisations and extend you full co-operation for the success of our just struggle.

We shall keep you informed of the developments as and when opportunities become available and we assure you that we will let you know immediately if we bring this struggle to a halt.

Thanking you,

Yours faithfully,

(ON BEHALF OF THE TAMIL SPEAKING POLITICAL PRISONERS)

Tamil Speaking Political Prisoners,
Tamil Ward, Welikade Prison, Colombo, - 9
16th April, 1987.

His Excellency The President,
Presidential Secretariat,
Colombo I.

Your Excellency,

DETENTION FOR LONG PERIODS AND OUR FAST - UNTO - DEATH

We have already sent you two Memoranda on the above subject. The Fast which commenced on 25th March, 1987 has developed into a Fast-UNTO-Death on 5th April, 1987. But it appears that no action seems to have been taken on this matter.

In contrast, The Ministry of Defence is giving various excuses. Rhetoric replies were given when various democratic forces raised this issue at different intervals and the following two are very famous :

- I. The Childish answer that no one is being detained for over 18 months under the PTA. They have been detained only under the Emergency Regulations.
- II. Idi Amin is said to have uttered as follows : "~~අපි කිසිදු පුද්ගලයෙකුට දණ්ඩනයක් නොදෙමු.~~" We don't hang any body in our country. Our Govt. does not do such uncivilized thing. We execute people by hitting them with a hammer on their skull! Your Govt. is also taking pride in a similar manner by saying that you don't detain people for over 18 months under PTA but you do so only under the Emergency Regulations.

On the one hand, this shows that your Govt. is unable to deny the fact that hundreds of persons are being detained without trials for long periods. On the other hand, this shows that your Govt. is trying to make this blatant violations of Human Rights as legal issue as you are unable to hide it.

- II. Another reason given by your Govt. is that these persons cannot be released in the interests of National Security.

If this ^{is} so why cannot you file indictments against these 'Great' terrorists and convict them? Why is your Govt. reluctant to bring them to Courts? We, who are affected by the injustice, well aware that there are reasons for this reluctance. That reason is that your Govt. cannot file indictment against any of them. We can give several examples. But we will confine with a few examples only.

- I. Six of such 'Great' Terrorists who are arrested by the Special Operations Unit, Kandy under the PTA and who were remanded indefinitely at the Bogambara Prison on the Order of the Mandy Magistrate, after completion of investigations, were released by the High Court consequent to Writ of Habeas Corpus. They were in custody for over two years. One of them was 56 years old. He was arrested as a hostage for his son. Another was 17 years old. A third person was 13 yrs old.

Their particulars as follows :-

| Name | Age | Date of Arrest | Date of Release | Period in Custody |
|--------------------|--------|----------------|-----------------|-------------------|
| 1. N. Ganeshan | 56 Yrs | 26.11.84 | 15.1.87 | 2 Yrs 1 mth 19 dy |
| 2. R. Arumugam | 13 Yrs | 23.12.84 | 15.1.87 | 2 Yrs - 22 dy |
| 3. A. Yogarajah | - | 20.12.84 | 15.1.87 | 2 Yrs - 19 dy |
| 4. R. Ravichandran | 17 Yrs | 26.11.84 | 15.1.87 | 2 Yrs 1 mth 19 dy |
| 5. S. Chandran | - | 26.11.84 | 15.1.87 | 2 Yrs 1 mth 19 dy |
| 6. S. Channugam | - | 26.11.84 | 15.1.87 | 2 Yrs 1 mth 19 dy |

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II. We understand from the Attorney-at-Law of H/S K. Salsingham (D.304) and P. Naganathan (D.309) of the Welikode Prison that the Attorney General had told him that indictments cannot be filed, against them. They have completed 36 months under detention.

III. Though Mr. Sallathurai Sritharan, another ~~detainee~~ detainee here, was arrested on 15.4.1984, his statement was recorded by an A.S.P. on 18.10.86 - after the expiry of 2 1/2 yrs of detention. His detention till such time was on the basis of a statement recorded by a Sub-Inspector of Police.

IV. All the six detainees who have completed approximately three years here were recommended for release by the Advisory Board. Similar innocent persons against whom no indictments can be filed are under detention for long periods. Hundred of persons are languishing in jails and Detention Camps in the similar manner.

We are requesting you to either release them or bring them to trial without giving lame excuses.

We re-iterate that our Fast Unto Death will continue till our demand is met.

We annex herewith the information known to us regarding persons in custody for over 18 months at various Prisons and Army Camps.

Thanking you,

We remain, Your Excellency,

Yours faithfully,

| | |
|-------------|-------------------|
| 1. A Ward | - T.A. Rajmohan |
| 2. B.1 Ward | S. Santhiralingam |
| 3. B.2 Ward | F. Sritharan |
| 4. C. Ward | G.A. Felix |
| 5. Cell | T. Kirupakaran |

(ON BEHALF OF THESE LACED POLITICAL PRISONERS)

202 prisoners signed

APPENDIX TO OUR LIST OF DATED 16TH APRIL, 1987

| Boosa Army Camp | | Name | District | Date of Arrest | No. of Months under custody. | |
|-----------------|------------|------------------------|-------------|----------------|------------------------------|--------|
| S/No. | Serial No. | | | | | |
| 1. | C.1/2 | Michael Ariyathurai | Jaffna | 7.10.84 | 30 | Months |
| 2. | J.3 | Judo | Jaffna | ? | 13 | -do- + |
| 3. | J.3 | Nagamajah Varatharajah | Jaffna | 0.7.84 | 21 | -do- + |
| 4. | D.3 | T. Mohmedas | Batticaloa | 25.10.84 | 30 | -do- + |
| 5. | D.5 | Z. Sureshalingam | -do- | 12.4.85 | 24 | -do- + |
| 6. | D.6 | K. Marayappillai | -do- | 8.5.85 | 23 | -do- + |
| 7. | B.7/OI | S. Arunagovindavel | -do- | ?3.85 | 25 | -do- + |
| 8. | B.8/3 | K. Gnanasolvan | -do- | 20.7.85 | 21 | -do- + |
| 9. | B.8 | Packiyarajah | -do- | | 13 | -do- + |
| 10. | B.8 | Mathivanan | -do- | | 13 | -do- + |
| 11. | D.8 | H. Nayutharan | -do- | 22.2.85 | 25 | -do- + |
| 12. | B1.8 | Jayaseena Alias Ganesh | -do- | 28.7.85 | 21 | -do- + |
| 13. | D.3 | Kandasamy | -do- | 22.7.85 | 21 | -do- + |
| 14. | D.3 | T. Dulles | -do- | 25.5.85 | 23 | -do- + |
| 15. | D.3 | Kulainathan | -do- | | 13 | -do- + |
| 16. | D.3 | Vidmeswaran | Jaffna | | 13 | -do- + |
| 17. | D.9 | Dayalaseelan | Batticaloa | -3.85 | 20 | -do- + |
| 18. | B.9 | Johnson Ramil | -do- | 3.8.85 | 25 | -do- + |
| 19. | D.9 | J. Mango | -do- | 28.3.85 | 25 | -do- + |
| 20. | B.9 | Rajesinghan | -do- | | 13 | -do- + |
| 21. | D.9 | Jri Kumar | -do- | | 13 | -do- + |
| 22. | D.10 | Koneswaramorthy | Ampanai | 19.85 | 13 | -do- + |
| 23. | D.10 | Gumaranan | Ampanai | 1.10.85 | 13 | -do- + |
| 24. | D.12 | P. Jeevajothy | Batticaloa | | 13 | -do- + |
| 25. | D.13 | V. Thillainpalam | -do- | 24.9.85 | 19 | -do- + |
| 26. | D.13 | K. Lingaswaran | -do- | 1.10.85 | 13 | -do- + |
| 27. | D.13 | N. Myuran | -do- | | 13 | -do- + |
| 28. | D.13 | Amitthalingan | -do- | | 13 | -do- + |
| 29. | D.13 | Dureppah | -do- | | 13 | -do- + |
| 30. | D.13 | Maniyam | -do- | | 13 | -do- + |
| 31. | D.13 | Proba | -do- | | 13 | -do- + |
| 32. | D.13 | Suntharamorthy | -do- | | 13 | -do- + |
| 33. | D.13 | R. Kufek | -do- | | 20 | -do- + |
| 34. | D.13 | H. Devanthirna | -do- | | 20 | -do- + |
| 35. | D.13 | K. Antharamoorthy | -do- | 15.9.85 | 19 | -do- + |
| 36. | D. | S. Thevarajah | -do- | .7.85 | 21 | -do- + |
| 37. | D. | J. Lakumathan | -do- | 11.9.85 | 19 | -do- + |
| 38. | D. | S. Karunakaran | -do- | 18.10.85 | 13 | -do- + |
| 39. | D.13/19 | A. Raju | -do- | | 13 | -do- + |
| 40. | D.16 | Vijayan | -do- | | 13 | -do- + |
| 41. | D.16 | Seswaran | -do- | | 13 | -do- + |
| 42. | D.16/56 | S. Sebastian | -do- | | 13 | -do- + |
| 43. | D.17 | H. Nagalingam | -do- | | 13 | -do- + |
| 44. | D.3/39 | T. Sauntharasajan | Trincomalee | 3.5.84 | 35 | -do- + |
| 45. | D.3/3 | K. Gnanasolvan | -do- | | 13 | -do- + |
| 46. | D.10 | N. Kathan | -do- | 23.6.85 | 22 | -do- + |
| 47. | D.11 | Joseph Lewis | -do- | | 13 | -do- + |
| 48. | D.11 | A. Amarasingham | -do- | | 13 | -do- + |
| 49. | D.11 | D. Jagenthiran | -do- | | 13 | -do- + |
| 50. | D.11 | Vadivel | -do- | | 13 | -do- + |
| 51. | D.11/16 | S. Mariyathas | -do- | | 13 | -do- + |
| 52. | D.12 | Chandrasegaram n | -do- | 20.9.85 | 19 | -do- + |
| 53. | D.12/21 | K. Mohanarajah | -do- | 18.10.85 | 13 | -do- + |
| 54. | D.12/2 | H. Anthony | -do- | 20.9.85 | 19 | -do- + |
| 55. | D.12/17 | K. Karunakaran | -do- | 16.9.85 | 19 | -do- + |
| 56. | D.16/41 | K. Parasasingham | -do- | 7.10.85 | 13 | -do- + |
| 57. | MF/1 | M. Manopathy | Mannar | 14.4.85 | 24 | -do- + |
| 58. | MF/4 | KRP. Jobarasa | -do- | 1.6.85 | 24 | -do- + |
| 59. | P.2 | Therumanathan | Polonnaruwa | 2.9.85 | 19 | -do- + |
| 60. | P.3 | Thillaiwaran | -do- | 22.1.85 | 19 | -do- + |

-3- ANNALS OF THE DISTRICT BOARD, MADRAS, 1937
PART I)

DEORA CAMP (continued)

| S/No. | No. | Name | District | Date of Arrest | No. of months under custody. | |
|-------|--------|-------------------------|--------------|----------------|------------------------------|---|
| 61. | P.3 | T. Jayakumar | Polanurawa | 22.9.35 | 19 months | + |
| 62. | P.3 | Uthiyakumar | -do- | 22.9.35 | 19 -do- | + |
| 63. | P.3 | G. Sathiyasoolan | -do- | 1.10.35 | 13 -do- | + |
| 64. | P.3 | M. Anjar Inam | -do- | 22.9.35 | 19 -do- | + |
| 65. | P.3 | R. Sarvasundaram | -do- | 22.9.35 | 19 -do- | + |
| 66. | P.3 | K. Koneswaranorthy | -do- | 22.9.35 | 19 -do- | + |
| 67. | P.3 | V. Subramaniam | -do- | 22.9.35 | 19 -do- | + |
| 68. | P.3 | K. Anjar Inam | -do- | 22.9.35 | 19 -do- | + |
| 69. | P.3 | S. Anandarajah | -do- | 22.9.35 | 19 -do- | + |
| 70. | P.3 | Kanagar Inam | -do- | 22.9.35 | 19 -do- | + |
| 71. | P.3 | Uthiyakumar | -do- | 22.9.35 | 19 -do- | + |
| 72. | | Khonthirarajah (P.3/) | -do- | 22.9.35 | 19 -do- | + |
| 73. | P.3 | V. Venkatarajah | -do- | 22.9.35 | 19 -do- | + |
| 74. | P.3 | K. Mangalasingam | -do- | 22.9.35 | 19 -do- | + |
| 75. | P.3 | K. Rajanayakam | -do- | 22.9.35 | 19 -do- | + |
| 76. | P.3 | M. Nimalan | -do- | 22.9.35 | 19 -do- | + |
| 77. | P.3 | K. Anandaram | -do- | 12.9.35 | 19 -do- | + |
| 78. | P.3 | S. Sivusubramanian | -do- | 22.9.35 | 19 -do- | + |
| 79. | P.3 | V. Srinivasalingam | -do- | 22.9.35 | 19 -do- | + |
| 80. | P.3 | V. Srinivasalingam | -do- | 22.9.35 | 19 -do- | + |
| 81. | P.3 | K. Vallappa | -do- | 22.9.35 | 19 -do- | + |
| 82. | P.3 | V. Uppathiana | -do- | 22.9.35 | 19 -do- | + |
| 83. | P.4 | V. Theodorarajan | -do- | 22.9.35 | 19 -do- | + |
| 84. | P.4 | V. Theodorarajah | -do- | 22.9.35 | 19 -do- | + |
| 85. | V.2 | Jaganathan | Madurai | _____ | 13 -do- | + |
| 86. | V.2 | Thevarasam | Trichinopoly | _____ | 13 -do- | + |
| 87. | V.3 | S. Thevarajah | Vavuniya | _____ | 13 -do- | + |
| 88. | V.3/22 | V. Thevarajah | Vavuniya | 2.3.35 | 20 -do- | + |
| 89. | V.3 | Thevaralingam | Vavuniya | _____ | 13 -do- | + |
| 90. | V.3/21 | H. Nimalanathan | Vavuniya | _____ | 13 -do- | + |
| 91. | V.3/20 | Thevarajah | Vavuniya | _____ | 13 -do- | + |
| 92. | V.3/2 | Judeon | Vavuniya | _____ | 13 -do- | + |
| 93. | V.3/7 | T. Natarajan | Vavuniya | _____ | 13 -do- | + |
| 94. | V.3/6 | S. Nalakan | Vavuniya | _____ | 13 -do- | + |
| 95. | V.3/3 | V. Thevarajah | -do- | 3.3.35 | 25 -do- | + |
| 96. | V.4/1 | Levia Arumugam | -do- | _____ | 13 -do- | + |
| 97. | V.4/5 | M. Jonis Dini | -do- | _____ | 13 -do- | + |
| 98. | V.5/15 | A. Srinatharan | -do- | _____ | 13 -do- | + |
| 99. | V.5/9 | S. Nagalingam | -do- | _____ | 13 -do- | + |

JAFNA DISTRICT

| | | | | | | |
|------|----|--------------------|--------|---------|---------|---|
| 100. | 1. | S. Srinivasalingam | Jaffna | 15.4.35 | 24 -do- | + |
| 101. | 2. | K. Jayasingham | -do- | 6.3.35 | 22 -do- | + |
| 102. | 3. | Sivakumarajah | -do- | _____ | 13 -do- | + |
| 103. | 4. | T. Natarajah | -do- | _____ | 24 -do- | + |
| 104. | 5. | D. Arumugam | -do- | _____ | 30 -do- | + |
| 106. | 6. | S. Mathanachandran | -do- | _____ | 20 -do- | + |

PALALY GATE CAMP

| | | | | | | |
|------|----|-----------------------|------|----------|---------|---|
| 107. | 1. | K. Rajendran | -do- | 22.6.35 | 20 -do- | + |
| 108. | 2. | S. Sathiyaraj | -do- | 11.12.34 | 29 -do- | + |
| 109. | 3. | Anton Rajagunawardena | -do- | 6.1.35 | 27 -do- | + |

TRINCO DISTRICT

| | | | | | | |
|------|-------|----------------|----------|---------|---------|---|
| 110. | D.106 | K. Thevarajah | Trinco | 12.9.34 | 43 -do- | + |
| 111. | D.181 | R. Rajakumar | Vavuniya | 20.2.34 | 38 -do- | + |
| 112. | D.270 | S. Srinatharan | Trinco | 15.4.34 | 36 -do- | + |

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NELIKADE PRISON (CON'TD)

| S/No. | Batch No. | Name | District | Date of Arrest | No. of Months under custody. |
|-------|-----------|-------------------|------------|----------------|------------------------------|
| II3. | D.296 | ST Tharmalingam | Jaffna | 28.2.84 | 38 months + |
| II4. | D.304 | K. Balasingham | Batticaloa | 3.3.84 | 37 -do- + |
| II5. | D.309 | P. Naganathan | -do- | 3.3.84 | 37 -do- + |
| II6. | D.400 | R. Srickandarajah | Colombo | 16.10.85 | 18 -do- + |

BOGANBARA PRISON - KANDY

| | | | | | |
|------|--|-------------------|-------------|----------|-----------|
| II7. | | M. Karlimuthu | Nuwaraeliya | 26.11.84 | 29 -do- + |
| II8. | | K. Subramaniam | -do- | 26.11.84 | 29 -do- + |
| II9. | | V. Pathmanathan | -do- | 26.11.84 | 29 -do- + |
| I20. | | P. Krishnanorthy | -do- | 28.11.84 | 29 -do- + |
| I21. | | R. Wijekumar | -do- | —,12.84 | 28 -do- + |
| I22. | | N. Thiruchelvam | -do- | —,1.85 | 27 -do- + |
| I23. | | A. Subramaniam | -do- | —,1.85 | 27 -do- + |
| I24. | | P. Seker | -do- | —,1.85 | 27 -do- + |
| I25. | | A. Varatharajah | -do- | —,6.85 | 22 -do- + |
| I26. | | K. Perumal | -do- | —,6.85 | 22 -do- + |
| I27. | | A. John Kennedy | -do- | —,6.85 | 22 -do- + |
| I28. | | A. Wilson | -do- | —,6.85 | 22 -do- + |
| I29. | | D. Rajaratnam | -do- | —,6.85 | 22 -do- + |
| I30. | | Devasahayam | -do- | —,6.85 | 22 -do- + |
| I31. | | Karlimuthu | -do- | —,6.85 | 22 -do- + |
| I32. | | Vigneswaran | -do- | —,6.85 | 22 -do- + |
| I33. | | J. Nisa Kumar | -do- | —,6.85 | 22 -do- + |
| I34. | | G.L.D. Govindaraj | -do- | —,6.85 | 22 -do- + |
| I35. | | S. Suhumar | -do- | —,6.85 | 22 -do- + |
| I36. | | Cotlier | -do- | —,6.85 | 22 -do- + |
| I37. | | S. Thurairajah | -do- | —,8.85 | 20 -do- + |
| I38. | | Sathivel | -do- | —,8.85 | 20 -do- + |

GALLE PRISON

| | | | | | |
|------|--|-----------------------|------------|---------|-----------|
| I39. | | K. Kanalanathan | Jaffna | 10.3.85 | 25 -do- + |
| I40. | | S. Karunakaran | -do- | 10.3.85 | 25 -do- + |
| I41. | | V. Rajeswary (Female) | Batticaloa | —,8.85 | 20 -do- + |

TANGALLE PRISON

| | | | | | |
|------|--|--------------|------------|--------|-----------|
| I42. | | M. Anobhathy | Batticaloa | 3.1.85 | 27 -do- + |
|------|--|--------------|------------|--------|-----------|

Tamil Speaking Political Prisoners,
Tamil Ward, Welikade Prison,
Colombo. 9.

4th April, 1987.

His Excellency The President,
Presidential Secretariat,
Colombo I.

Your Excellency,

OUR FAST UNTO DEATH IN CONNECTION WITH THE MATTER
MENTIONED IN OUR MEMORANDUM SENT TO YOU DATED
22ND MARCH, 1987.

We appealed to you once again by our Memorandum of 22nd March, 1987 to release immediately or bring to trial all those who were arrested under the PTA and detained for periods over 18 months or remanded indefinitely.

The Fast Unto death launched by us on 8th August, 1985 on this matter was broken by force. In our memorandum of 22nd March, 1987 referred to above, we pointed out, with great disappointment, that though we brought this matter to your notice several times since then, no relief had been given and requested your goodself to take immediate action.

Having been affected very badly due to severe tortures and distressed due to prolonged confinement, we staged a token Hunger Strike on 25th March, 1987 in order to show our sorrow and to request redress. We have continued this for ten days on a rotation basis with ten persons taking part daily, commencing from 26th March, 1987. Still, we have not been given any relief. Your Govt. has not tried at least to contact us and find out our grievances.

Hence, having lost all our hopes we have decided to launch on a Fast unto Death tomorrow. (5.4.1987)

When some Hon. Members of Parliament, who had some sympathies with us and who do not approve of this cruel Human Rights violations, raised this matter in the Parliament recently, your Govt. 'explained' that a person cannot be detained for over 18 months under the Prevention of Terrorism Act but it is possible under the Emergency Regulations.

This amply proves that your Govt. is looking for loopholes to justify and perpetrate this Human Rights violations instead of releasing all those who in detention without any trial for periods over 18 months and some, even for over 41 months.

Section 9 (I) of the PTA empowers the Minister of Defence to detain a suspect for a period of 18 months. But this section does not state that a suspect who completes 18 months should be released. Your Govt. is attempting to justify the most cruel Human Rights violations detaining a person, under the Emergency Regulations even after he had completed 18 months under the PTA, by using to your advantage ambiguous nature of this section.

This is how hundred of persons are being detained under the Emergency Regulations or remanded indefinitely for periods over 18 months, now. We do not wish to enter into a legal squabble as to what provision under which these persons are detained. We only appeal to you to give up this inhuman act.

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When we appeal, for the release of those who have completed over 18 months, it should not be construed that with condone or recognize as justifiable the Human Right violations of detaining persons on suspicion for 18 months under the guise of 'investigation'. There is no humanist who has failed to condemn this uncivilized piece of Legislation. What we request is to stop at the detention of persons exceeding the maximum limits of 18 months under various laws violating even the draconian Prevention of Terrorism Act.

Won't your Govt lend an ear at least to this request? If not, we shall go on a Hunger Strike until we die.

We remain, Yours Excellency,

A Ward - T.A. Rajmohan *T.A. Rajmohan*

B.1. Ward - S. Santhralaingan *S. Santhralaingan*

B.2 Ward - P. Sritharan *P. Sritharan*

C. Ward - G.A. Felix *G. Felix*

Cell - T. Kirupakaran *T. Kirupakaran*

(ON BEHALF OF TAMIL SPEAKING POLITICAL PRISONERS)

Tamil Ward,
Melikade Prisons,
Colombo 9,
Sri Lanka.

21st March, 1987.

Dear Sir,

FAST UNTO-DEATH DEMANDING THE IMMEDIATE RELEASE OF PERSONS
ARRESTED UNDER THE PREVENTION OF TERRORISM AT PTA AND
DETAINED AND REMANDED INDEFINITELY OVER A PERIOD OF 18 MONTHS.

We write to you as the Tamil Speaking Political Prisoners arrested under the Prevention of Terrorism Act, experienced severe tortures and are grieved behind bar.

Although, we have brought to the attention of this Government several times regarding the above subject, no actions taken so far to release our inmates who have been detained over a period from 34 months to 41 months without trial.

Similarly, considerable number of our brothers are either detained or remanded indefinitely for over 18 months without trial in the other prisons Army Camps, and Police Stations.

Our agitation has commenced as planned with one day token hunger strike on the 25th March, 1987. A large majority of the inmates here participated in this hunger strike from 25.3.87 till 05.4.87. We hope to continue this fast on a rotation basis accordingly, ten persons will continue this tomorrow. The rotational agitation will continue like this and if there is no rotation even to this, the fast unto death will commence on the 5th April, 1987.

A copy of the detailed memorandum sent to the President regarding this matter is attached herewith. We hope you will use all your influence to solve this problem as soon as possible.

It is very unreasonable to prolong this detention even according to the decision taken by the cabinet on 11.3.87. As a person who always advocate a political solution for the ethnic problem of this country. We hope you will perform your political obligation by contributing earnestly and whole heartly to put an end to this protracted violation of human right.

Thanking you,

Yours sincerely,

A ward T. RAJ MOHAN - T. Rajmohan

B₁ ward S. SANTHERALINGAM - S. Santharalingam

B₂ ward P. SATHARAN - P. Satharan

C ward G. A. FELIX - G. Felix

Cell T. KIRUPAKARAN - T. Kirupakaran

Thiru K.

His Excellency the President,
The Presidential Secretariat,
Colombo - I.

Tamil Ward,
Welikade Prison,
Colombo - 9.,
Sri Lanka.

21st March, 1987.

FAST UNTO DEATH DEMANDING THE IMMEDIATE RELEASE
OF PERSONS ARRESTED UNDER PTA AND DETAINED FOR LONG
PERIODS WITHOUT TRIAL AND PERSONS IN REMAND INDEFINITELY
=====

We, the Tamil speaking political prisoners arrested under PTA wished to bring once again to your notice, with deep dis-satisfaction and disappointment, the above matter.

Prevention of Terrorism (Temporary Provisions) Act was enacted in July 1979 with the approval of the Constitutional Court, on the understanding that it would be a temporary measure for only three years. But, this law was made permanent in 1982 without obtaining the concurrence of the Constitutional Court. This is the surreptitious manner in which this law, which was condemned by all the International Human Rights Organisations, entered the Statute Book. Section 9(I) of this oppressive act empowers the Minister of Defence to detain a person for a period upto 18 months for investigation on suspicion.

The following instances will show that this is not the first time that we bring to your notice and that of your Govt. the fact that several persons are being kept under detention for periods over 18 months, even violating the limitations of this Draconian law called the PTA.

1. A hunger-strike was launched from 8.8.1985 to 23.8.1985 with the demand that all those who have been detained and Welikade and Tangalle Prisons for periods over 18 months be released or brought to trial.
2. We stressed this matter when the CMCH visited Welikade on 6.12.1985. We also handed over a comprehensive memorandum to them.
3. Many agitations took place at the Boosa Camp as well. Several memoranda were submitted from there. Especially, this was the main demand when they undertook a hunger-strike on 4.9.1986. We also commenced a fast-unto-death on 7.9.1986 in support of their just demands and later it was brought to an end on an assurance given by Rev. Fr. Tissa Balasooriya, consequent to a meeting we had with a senior official of the Defence Ministry on 3.10.1986.
 - a) This was one of the main demands in the memorandum we sent to you and the Ministry of Defence during these strikes.
 - b) When we explained this matter in greater details to the senior officer of the Ministry, when he had discussions with us on 3.10.1986, he promised to take immediate action.
4. The committee that visited Welikade on 13.10.1986 under leadership of Mr. Sidney Soysa, a senior official in the Ministry of Defence, met the Detenues personally, obtained the relevant data and assured to take appropriate action.
5. Since there was no positive developments even after the above action, the detenues sent another memorandum and also explained their position to the Commissioner of Prisons. They also inform ~~him~~ him that the hunger-strike will be launched if this matter is not solved within 20 days.
6. Thereafter, the remand prisoners and convicted prisoners met the Commissioner of prisons and expressed their deep concern and sorrow and their support for this demand.

However, we inform you, with great dismay and disappointment, that this problem has still not been solved. Whatever the "promises" you may give us or outside world, there are still large number of persons detained under PTA having completed over 18 months. Some have even completed 41 months without any trials. They are either under detention without any indictment or under remand for indefinite periods. We give below some examples.

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- I. There are six persons in the Tamil Ward of the Welikade Prisons who are under detention without any indictment being served on them. One of them has completed over 41 months under detention, four persons have completed 36 months and the sixth person has completed 34 months. The details are as follows :-

| <u>FULL NAME</u> | <u>DATE OF ARREST</u> | <u>TOTAL MONTHS</u> |
|----------------------------------|-----------------------|---------------------|
| D 196 - Kandasamy Thavarajah | 12.09.1983 | 41 Months |
| D 181 - Rajathurai Rajakumar | 20.02.1984 | 36 Months |
| D 290 - Sellathurai Sritharan | 15.04.1984 | 34 Months |
| D 304 - Kathirgamar Balasingham | 03.03.1984 | 36 Months |
| D 296 - Sinnathanby Tharmalingam | 28.02.1984 | 36 Months |
| D 309 - Peethambaram Naganathan | 03.03.1984 | 36 Months |

Note - I. All these persons have appeared before several Advisory Board inquiries. They were told that they would be released but nothing happened so far.

2. Another person called Mr. Rajaratnam Sriskandarajah (D 400) has been detained for 18 months.

- II. Some have been detained at the Prison Hospital at Welikade, separated from other political prisoners and kept under solitary confinement.
- III. Several political prisoners are being detained at the Magazine prison for long periods.
- IV. Mr. Mahendran Ambigapathy, who was arrested on 3.1.1985, is under detention at the Tangalle Prison. He was produced before a Court on 28.2.1985 and the indictment has not been served yet. He is in indefinite remand and has already completed 22 months.
- V. Out of the 41 Tamil speaking political prisoners who are in remand at the Bogambara Prison, all have been produced before a Court of Law. They are under indefinite remand. 22 of them have completed 18 months under detention are remand but no indictments have been served to them.
- VI. A considerable number have completed 18 months under detention at the Boosa Camp.
- VII. Similarly, all the Tamil women political prisoners at the Galle and Negombo Prisons are under long detention.
- VIII. Political prisoners are being detained even at the other Army Camps and Police Stations for long periods.

For example, one Mr. Krishnapillai Selvaratnam is under detention at the Jaffna Fort Army Camp for over three years. There are several such cases there.

- IX. Several innocent persons against whom no indictments could be prepared are being detained at Pelawatte under the guise of 'rehabilitation'.

Sri Lanka is one of the signatories to the Charter of Human Rights. Article II of the Constitution of Sri Lanka does not permit tortures in any form. But the mental torture experienced by the prisoners under detention for long periods, which itself is a gross violation of Human Rights, is worse than the physical torture. There are severe restrictions in visits by relatives. They are being denied the right to prove their innocence.

The above examples amply testify to the fact that though you have made loud announcements frequently about the release of the political prisoners, in order to appease the increasing world opinion against your Government's crude Human Rights Violations, in practise they are being implemented very fraudulently.

Another evidence for your fraud is the way you dealt with the release of political prisoners during the Thimpu talks. After having given a 'promise' during these talks that you would release the political prisoners, you carried out a round-up operation in Trincomalle and thereafter released 643 innocent persons arrested during the round-up.

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Today, a majority of the over 3000 political prisoners under detentions without any trial are innocent persons arrested during round-up operations. Beggars, persons of unsound mind and disabled are included among these detainees.

But the problems faced by us who are under detention are not these alone. However we know that your Govt. has the capacity to cover up any charges unless they are placed before an independent Commission of inquiry. If not you will not get away with lies that there are no tortures or disappearances under your Govt. Hence, instead of placing all our problems before you, we only place one of the most important problems which you can not cover up.

Your Government's talk about law and democracy is meaningless if your human right abuses exceed even limitations placed by your own obnoxious PTA and your cruelties surpass even the harsh aspects of this law.

Because of the indifferent attitude of your Govt., we have been forced to take a firm stand with regard to these unresolved human rights violations, despite the fact that various humanitarian organisations and we have pointed them out to you by all possible manners.

Hence, we firmly demand that all those who have been arrested under the PTA and detained for over 18 months, particularly the six detainees here and all those who have been remanded indefinitely, should be released forthwith or they should be indicted before a Court of Law immediately.

We hereby inform that if this demand is not met with on or before 25th March, 1987 we shall launch on a hunger-strike.

We remain, Your Excellency,

Yours faithfully,

A Ward - T.A. Rajmohan *T.A. Rajmohan*

BI -do- - S. Santhiralingam *S. Santhiralingam*

B2 -d- - P. Sritharan *P. Sritharan* C Ward - G.A. Felix *G.A. Felix*

Cell - T. Kirupaharan *T. Kirupaharan*

(On behalf of the Tamil speaking Political Prisoners)

Tamil speaking political Prisoners
Tamil Ward ,
Welikada Prison,
Colombo -9,
Sri Lanka.

His Excellency,
Ambassador/ High Commissioner,

Your Excellency,

FAST UNTO DEATH IN PROTEST AGAINST THE HUMAN RIGHTS VIOLATION
OF DETENTION FOR LONG PERIODS WITHOUT TRIAL

We are well aware of the sympathetic concern shown by your country and people in finding a speedy and honourable solution to the ethnic conflict, which is intensifying in this country and also about the various Human Rights violations that occur in this country. We are ever grateful to you for this kind concern.

We have been forced to resort to non violent, fast unto death campaign demanding the immediate release of those who have been arrested under the draconian Prevention Of Terrorism Act and detained at the expiry of 18 months under the Emergency Regulations or having been produced before a court of law and remanded indefinitely thereafter. These are violations of fundamental Human Rights.

We bring our miserable plight to your kind notice and that of your Govt. and the people with great hope and humbly request ~~ka~~ you to exert all possible pressure on the Government of Sri Lanka to remedy the situation.

We annex herewith a copy of the comprehensive memorandum we sent to His Excellency the President of Sri Lanka.

~~Thanking~~ Thanking You,
We Remain Your Excellency

(On behalf of Tamil speaking political prisoners)

| | |
|---------------------|--------------------------------------|
| A ward | T. A. Rajmohan - T.A. Rajmohan |
| B ₁ ward | S. Santhiralingam & Sankaralingam |
| B ₂ ward | P. Sritheasan. Sritheasan |
| C ward | G. A. Felix H. Felix. |
| Cell | T. Kirupakaran. The Kiru |