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The Case Against Sisira Mendis

Summary

During the final phase of the civil war in Sri Lanka, from March 2008 until June 2009, Mr Sisira Mendis was the Deputy Inspector General (DIG) in charge of the Criminal Investigation Department (CID) in Sri Lanka with oversight over the Terrorism Investigation Division (TID) as well. These are the police units named by a UN investigation as responsible for torture and sexual violence during the period when Mr Mendis was in charge. Indeed the UN described routine and systematic sexual violence and torture during this period as “part of a deliberate policy” rather than isolated acts¹.

The UN in its 2015 investigation into Sri Lanka also named Mr. Mendis as the officer in charge of CID at the end of the war. In 2008-9 there were several high profile torture cases that cannot have escaped the notice of Mr. Mendis. For example, a journalist brought to court in 2008 alleged torture at the hands of TID, but neither Mr. Mendis nor the Government of Sri Lanka took any action at the time to investigate this or prevent its recurrence.

CID headquarters in police headquarters in Colombo has been repeatedly named in UN reports, human rights reports and the media as a detention facility where torture is routine. It is widely referred to as “the fourth floor” – a term Sri Lankans use as a euphemism for torture. The UN report describes interrogation rooms in CID headquarters that are set up for torture, equipped with “metal bars and poles used for beatings with barrels of water used for waterboarding as well as pulleys and other apparatus used for torture²”.

Torture was and remains a commonplace practice within the CID and TID despite the Sri Lankan police long being the recipients of internationally funded human rights training and assistance from countries such as the US, UK, Sweden and Australia³. Given that Mr. Mendis had his office in the

¹ A/HRC/30/CRP.2.

² A/HRC/30/CRP.2, Para 553.

³ Sweden: from Swedish SIDA which included assistance to CID, Page 15, Accessed at

CID headquarters, it is not probable that he would have been unaware of the torture widely perpetrated by his officers – in several cases actually in the police headquarters building where he sat. Moreover he failed to do anything to prevent, investigate or punish those responsible. It is impossible the use of torture could have escaped Mr. Mendis' attention in 2008-9 or during his three decade long career in CID.

For the last 17 months Mr Mendis has been director of the Centre for National Intelligence in the Ministry of Defence. Though information is hard to come by regarding the exact command structure of the intelligence agencies in Sri Lanka, his title suggests he would be in a position to be able to respond to credible allegations of ongoing and past abuse by intelligence officers, be they police or military. It is now well known that the UN Investigation found reasonable grounds to say that torture by CID, TID and military intelligence officers has been systematic. The UN report was published in September 2015. To our knowledge in the last 14 months, Mr Mendis has done nothing to investigate these credible reports and has therefore acquiesced in the continuation of violations⁴.

Mr Mendis in his capacity as the DIG of the CID was in command and control of his subordinates in these units. His officers inflicted severe physical and mental pain and suffering upon many victims, some of whom are mentioned in this document. The victims were clearly under his custody and control as the head of the CID and TID. The pain and suffering experienced by the victims were a direct consequence of the unlawful actions of his subordinates which he allegedly failed to take steps to prevent. In his position as head of the CID and TID he knew or must have known that members of these two units were perpetrating torture and sexual violence amounting to serious international crimes. Mr. Mendis allegedly failed to take the necessary and reasonable measures to prevent torture and sexual violence and to ensure that those responsible were held accountable. Mr. Mendis is responsible for the crimes committed by the CID and TID in failing to prevent ongoing torture in order to prevent further crimes and because of his alleged failure to hold accountable those who perpetrated torture and sexual violence once it came to his attention.

Background

The three-decade long Sri Lankan civil war ended in May 2009 with the decisive military victory by the Sri Lankan security forces over the Tamil Liberation Tigers of Tamil Eelam (LTTE). In the aftermath of the war, NGOs lobbied the UN Human Rights Council in Geneva to investigate allegations that all sides committed war crimes and crimes against humanity in the final phase of the conflict. In 2011, a UN Panel of Experts appointed by the UN Secretary General reported credible allegations of war crimes and crimes against humanity and said that the conduct of the war represented a grave assault on the entire regime of international law⁵. In 2012, a UN internal review of its own conduct in Sri Lanka during the final phase of the war was leaked and found the UN had committed grave failures in Sri Lanka failing to protect civilians or learn from the lessons of the genocide in Rwanda⁶. The Government of Sri Lanka over the years set up its own investigative bodies, such as the Lessons Learnt and Reconciliation Commission (LLRC, 2011), a military inquiry whose findings exonerating the military have never been made public, followed by the Paranagama Commission⁷. In 2014 member states at the UN Human Rights Council voted to

http://www.sida.se/contentassets/41bee49be24a486487d1c182ac21ec1f/0743-review-of-development-cooperation-between-sri-lanka-police-and-swedish-national-police-board_1966.pdf; From DFID, "The UK supported a project to promote community policing and provide Tamil language training for the Sri Lankan police" according to FCO Country of Concern report, 21 January 2015. "More than 3500 Sri Lankan police officers - including some senior commanders - have received training from the Scottish Police College (SPC) since 2007 through projects funded by the UK and Scottish governments". Revealed: how Scots police trained Sri Lankan cops linked to human rights abuse, The Herald Scotland, 8 September 2013; and US, 28 September 2004, Tamilnet, accessed at <https://www.tamilnet.com/art.html?catid=13&artid=13000> and also referenced in a Wikileaks cable: https://wikileaks.org/plusd/cables/06COLOMBO87_a.html;

From mid-2009 Australia gave CID equipment, software and training, AFP providing support to Sri Lankan government department accused of torture, Dylan Welch and Jodie Noyce, 3 August 2015, ABN News, Accessed at <http://www.abc.net.au/news/2015-08-03/afp-provide-support-to-sri-lankan-department-accused-of-torture/6669562>

⁴ ITJP has documented 36 cases of ongoing torture by a combination of police, army and military intelligence officers under the Sirisena government. For more see www.itjpsl.com

⁵ Report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka. March 2011.

⁶ Report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka, November 2012, Accessed at: http://www.un.org/News/dh/infocus/Sri_Lanka/The_Internal_Review_Panel_report_on_Sri_Lanka.pdf

⁷ LLRC Report accessed at: http://www.priu.gov.lk/news_update/Current_Affairs/ca201112/FINAL%20LLRC%20REPORT.pdf; Count of Inquiry: Sri Lankan army given clean chit by military court, Meera Srinivasan, The Hindu, 10 April 2013, Accessed at <http://www.thehindu.com/news/international/south-asia/sri-lankan-army-given-clean-chit-by-military-court/article4602557>; Paranagama

establish the OHCHR Investigation into Sri Lanka (OISL). When the OISL report was presented to the Human Rights Council in September 2015, the UN High Commissioner for Human Rights said the sheer number of allegations, their gravity and recurrence and the similarities in their modus operandi, as well as the consistent pattern of conduct they indicated, all pointed to system crimes⁸.

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The torture referred to in this report occurred in Sri Lanka in the context of the decades long internal armed conflict in Sri Lanka and in its aftermath as part of (a) a mopping up campaign of suspected former LTTE cadres and (b) ongoing persecution of Tamils involved in human rights campaigning or legitimate political activity. Torture is also routinely practiced in the context of interrogating criminal suspects in police stations but that is not the focus here⁹.

The UN Investigation into the war in Sri Lanka said the attacks by government forces on humanitarian facilities were not isolated incidents. Rather they were part of a pattern where the armed forces, “in some cases, may have deliberately targeted the facilities” which would be “a serious violation of international humanitarian law and, depending on the circumstances, may amount to a war crime”¹⁰. The report refers to “widespread, systematic and particularly brutal” use of torture by Government security forces in the final days and immediate aftermath of the armed conflict¹¹.

Police units such as the TID and CID worked closely with the military during the war and shared intelligence¹². The police came under the command of the Ministry of Defence until 2013. CID and TID units were active in the conflict areas both during the war and afterwards. Those who were tortured during the civil war were for the most part Tamil civilians or combatants who were hors de combat, having surrendered or been captured. Some sexual violence and torture occurred at the frontline or in the forward maintenance area on surrender but in most cases the violations occurred in army, navy, TID, CID and IDP camps or offices, jails and in secret sites around the country.

Mr Mendis’ Liability for Torture in 2008-9

Report of the OHCHR Investigation into Sri Lanka (OISL)

Standard of proof in UN Report

Like other United Nations fact-finding bodies, the OISL investigation adopted a “reasonable grounds to believe” standard of proof. Their findings are made on the basis that reasonable grounds exist to believe that an incident or pattern of violations or crimes occurred which is consistent with the evidence gathered and which constitutes a prima facie basis for a criminal investigation into serious international crimes with a view to an indictment.

Naming of Mr Mendis in UN Report

Mr. Mendis is mentioned by name in the OISL report as being the official with command responsibility for what the UN describes as a “particularly notorious” torture site:

“The CID is primarily responsible for investigating serious and organised crime, but also engaged with counter-terrorism activities. CID are plainclothes police and have surveillance, intelligence and analysis sections. Its “4th Floor” facility at Police HQ in Colombo is particularly notorious as a place where many detainees are taken for

Commission report, Accessed at <https://www.colombotelegraph.com/wp-content/uploads/2015/10/Paranagama-Report-.pdf>

⁸ Statement by UN High Commissioner for Human Rights Zeid Ra’ad Al Hussein via video link to the Human Rights Council, 30 September 2015, Accessed at: <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=16539&LangID=E#sthash.1gg725hd.dpuf>

⁹ Sri Lanka: Routine Police Torture Devastates Families, Human Rights Watch, 23 October 2015, Accessed at

<https://www.hrw.org/news/2015/10/23/sri-lanka-routine-police-torture-devastates-families>

¹⁰ OISL, Paragraphs 789 and 1152.

¹¹ OISL, Paragraph 542

¹² OISL, Paragraph 108.

interrogation (see later chapter on Torture). In April 2009, the Deputy Inspector General (DIG) of the CID was Sisira Mendis¹³.”

There is also a police organogram in the OISL report¹⁴ (see below), which puts Mr Mendis in charge of the Criminal Investigation Department (CID), the Terrorism Investigation Division (TID) and the Disappearances Investigation Unit (DIU)¹⁵. (See section below on his career for more details of Mr. Mendis’ role regarding TID).

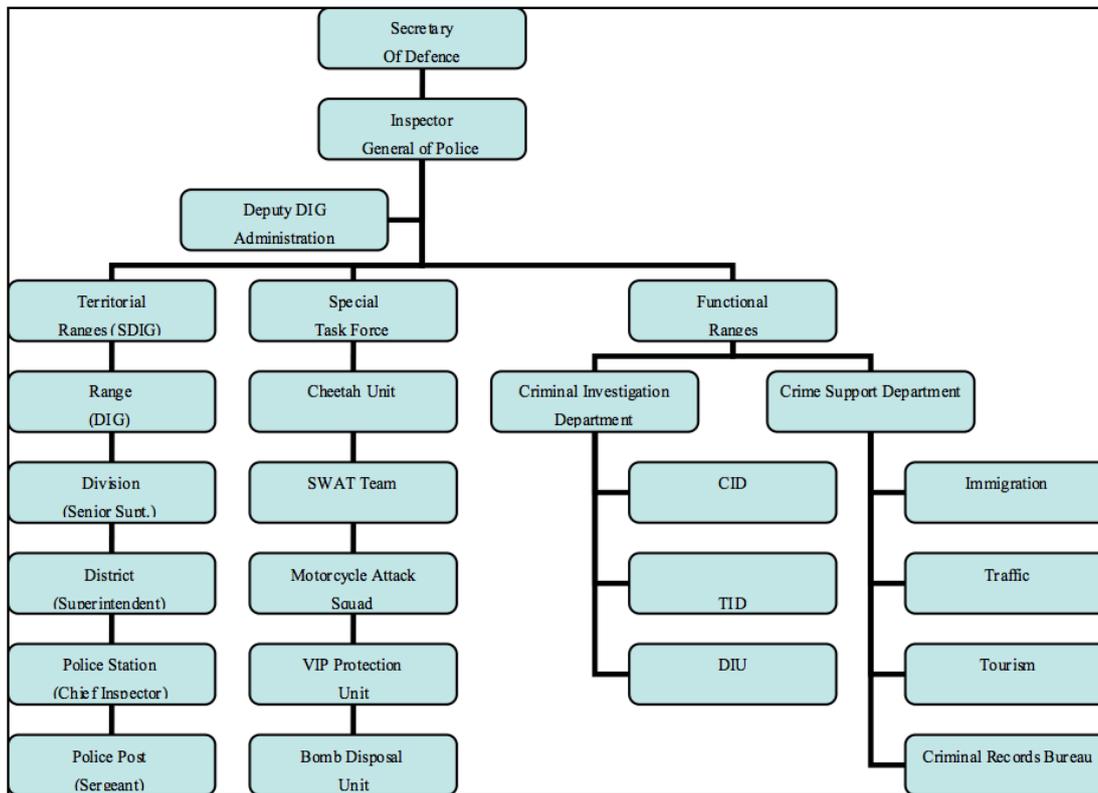


Figure 3: Organisational Structure of the Sri Lanka Police

Organogram from OISL Report

It is therefore surprising that Mr. Mendis is still serving as a very senior security official in the Government of Sri Lanka in spite of the commitment made by the Government in UN Resolution A/HRC/30/L.29 that it co-sponsored in October 2015 to undertake “the vetting of public employees and officials”¹⁶.

It is more astonishing that he has been sent to Geneva as part of the Government of Sri Lanka delegation to the United Nations Committee Against Torture.

¹³ A/HRC/30/CRP.2, Paragraph 134.

¹⁴ A/HRC/30/CRP.2, between Paragraphs 130 and 131.

¹⁵ The scale of enforced disappearances in Sri Lanka has long been exceptional. In its 2014 report, for example, the Working Group on Enforced or Involuntary Disappearances (WGEID) reported a total of 12,536 complaints of enforced disappearances registered over the years, the second highest number of disappearances on the list of the Working Group from any country in the world. *Report of the Working Group on Enforced or Involuntary Disappearances*, 4 August 2014, A/HRC/27/49

¹⁶ UN Resolution. A/HRC/30/L.29 said: “Emphasizing the importance of a comprehensive approach to dealing with the past, incorporating the full range of judicial and non-judicial measures, including, inter alia, individual prosecutions, reparations, truth-seeking, institutional reform, the vetting of public employees and officials, or an appropriately conceived combination thereof, in order to, inter alia, ensure accountability, serve justice, provide victims with remedies, promote healing and reconciliation, establish independent oversight of the security system, restore confidence in the institutions of the State and promote the rule of law in accordance with international human rights law with a view to preventing the recurrence of violations and abuses, and welcoming in this regard the expressed commitment of the Government to ensure dialogue and wide consultations with all stakeholders”. In addition the UN High Commissioner for Human Rights told the Human Rights Council that, “A full-fledged vetting process should be designed to remove from office security forces personnel and public officials suspected of involvement in human rights violations”, Statement by UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein via videolink to the Human Rights Council, 30 September 2015, speech accessed at <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=16539&LangID=E>

Relevant Findings of the UN report on Torture

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The OISL report documented widespread, systematic and particularly brutal use of torture by the Sri Lankan security forces in the final days and the aftermath of the armed conflict. The acts of torture throughout the period under investigation were premeditated and designed to inflict severe physical and/or mental pain or suffering on persons in the custody of the perpetrator, and were frequently used for the purpose of obtaining information or a confession from suspected LTTE cadres or supporters as part of interrogation. These suspected LTTE cadres were hors de combat at the time of detention.

The UN said methods of torture used included: suspending victims upside down and lowering their heads into barrels of water - or partially suffocating them with plastic bags soaked in petrol or dusted with chilli powder, being branded with heated metal rods, beaten with pipes filled with concrete or having their fingernails and toenails pulled out.

OISL said the acts of torture were perpetrated by State agents from the Sri Lankan Police (SLP), including the Special Task Force (STF), the Criminal Investigation Department (CID), and the Terrorism Investigation Department (TID), the Sri Lankan Army (SLA), particularly the 53rd, 55th and 58th brigades, the Military Police, the Military Intelligence, and the National Intelligence Bureau (NIB). In addition, a significant number of victims were tortured by agents of different security forces, who took turns to interrogate and torture them.

The OISL report concluded that there was “widespread, systematic and particularly brutal” use of torture by Government security forces at the end of the war and after the war. This is the period when Mr Mendis was in command of two of the units named in the UN report. Significantly OISL says these were not isolated acts, but part of a “deliberate policy” to inflict torture. OISL concluded there were reasonable grounds to believe that torture was committed on a widespread scale and could amount to war crimes and / or crimes against humanity.

The OISL report specifically mentions the “Fourth Floor” CID facility in Colombo where Mr. Mendis had his offices as having well equipped torture rooms:

“Some of the more commonly used centres, such as Joseph military camp in Vavuniya (Security Force Headquarters for Vavuniya) or the CID “Fourth Floor” detention facility in Colombo had rooms that were set up with torture equipment, illustrating the premeditated and systematic nature of the use of torture by units of the Sri Lankan security forces. These rooms contained objects including metal bars and poles used for beatings, barrels of water used for waterboarding, and pulleys and other apparatus from which victims were suspended. Victims described seeing bloodstains on the walls or floor of these rooms. In different locations used for torture, witnesses described either seeing or hearing other people being tortured” (Paragraph 553)

The UN report on Sri Lanka also specifically cites an incident of torture it says occurred in CID headquarters in 2009:

“Another victim described being kicked by officers in the “4th Floor” CID facility in Colombo in 2009 “as if I was a ball being kicked by 11 players”. The victim was repeatedly kicked and beaten with sticks and poles, including on the head, and was also partially suffocated with a plastic bag that had been soaked in petrol”. (Paragraph 512)

Relevant Findings of the UN report on Sexual Violence

The OISL Report said the prevalence of often extremely brutal sexual violence against men and women was one of its most shocking findings. The assaults followed similar patterns over a wide range of detention facilities, time periods and different branches of the security forces. This led to the conclusion that such practices were not isolated acts “part of an institutional policy within the security forces” and part of “a deliberate policy to inflict torture”.

The UN names CID and TID as being among those security force units involved in this institutionalised sexual violence.

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The UN report says sexual violence occurred in an army garrison where CID and TID also reportedly took part, as well as in “TID and CID facilities in Colombo and Veppankulam, Boosa Detention Centre, Omanthai Central College, Poonthoddaam Camp, Pulinerwa [Polonnaruwa] Camp, Welikanda Rehab centre” (Paragraph 589). The report also refers to a second victim who reported being subjected to sexual abuse and torture after his transfer to the 4th floor CID facility in Colombo (Paragraph 595).

The report also names the CID and TID as being among security force units involved in what are known in Sri Lanka as “white van” or illegal abductions. The UN said it interviewed 50 people who had been unlawfully detained in the context of the armed conflict:

“In most of the cases documented by OISL, unlawful and arbitrary arrests were carried out by members of the security forces, including CID, TID, STF, members of SLA (especially Military Intelligence) and SLN.” (Paragraph 346)

The UN also said the perpetrators when identified were “...often members of the SLA, TID or CID, sometimes with the support of SLA, especially Military Intelligence”. (Paragraph 352)

Specific Cases That Occurred when Mr Mendis was allegedly in Command

Sittampalam Tissainayagam

In 2009 US President Barack Obama singled out Mr. Tissainayagam's case in his World Press Freedom Day address as an emblematic example of journalists being imprisoned for doing their jobs¹⁷. Mr. Tissainayagam was detained by the Terrorist Investigation Division (TID) on 7 March 2008; Mr. Mendis was allegedly put in overall charge of the division two weeks later.

After being held for six months without charge, Mr. Tissainayagam was indicted on politically motivated charges under the draconian Prevention of Terrorism Act for intending to incite communal hatred through writing, and furthering terrorist acts through the collection of money from non-governmental organisations for his publication¹⁸. On 31 August 2009, he was convicted of the charges by the Colombo High Court and sentenced to 20 years of rigorous imprisonment. He was released in 2010 because of international pressure.

Sri Lankan media reports name the TID inspector who questioned the journalists and allege he laughed when Mr Tissainayagam requested access to a lawyer:

“Tissainayagam had at this point requested for a lawyer at which Janakantha had laughed. Afterwards OIC Prasanna De Alwis questioned him. Once again, he (Tissainayagam) had requested to have a lawyer to be present to which the OIC had replied ‘we are showing you respect by offering you a chair to sit on. Don’t take advantage of this treatment’. Director TID Nandana Munasinghe, while talking to Tissainayagam, referred to his friendship with the journalist Sivaram. Mr. Munasinghe specifically reminded of the way that Sivaram met his death – his body was later discovered in some bushes in close proximity to the Parliament premises. Further questioning was carried out by OIC Prasanna De Alwis and Zubair of the TID. At one point, Tissainayagam said Zubair had walked in while the questioning was going on and had stated that if he (Tissainayagam) continues to lie in this manner he would slap him across the face so that one ear would come out of the other side. Tissainayagam said on May 9th he was threatened by Sergeant Razik, telling him that what happened to

¹⁷ Statement by the President in honor of World Press Freedom Day, 1 May 2009, Accessed at <https://www.whitehouse.gov/the-press-office/statement-president-honor-world-press-freedom-day>

¹⁸ <http://tissa103.blogspot.com/2008/09/indictment.html>

Jasiharan that morning would happen to him. He said that he had seen Jasiharan crying in the OIC's room that morning and later seen him with a swollen face and bloodshot eyes.¹⁹

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Mr. Vettival Jasikaran and Ms. Valarmarathi Vadivelu

On the evening of 6th March 2008, E-Kwality printing press owner and writer V. Jasikaran was arrested by the Terrorist Investigations Department (TID) with his partner Ms. Valarmathi. They were among other journalists arrested²⁰. They were detained at the Terrorism Investigation Division, Chaithiya Road, Colombo 01, Sri Lanka²¹. The International Federation of Journalists expressed grave concern for Mr. Jasikaran's welfare²² as well as Frontline, CPJ and a wealth of media freedom organisations who issued statements about the case.

By 24 March 2008 Mr. Mendis had assumed his position of DIG of CID and therefore oversight of TID as well. On 13 June 2008, Mr. Jasikaran, Ms. Valarmathi and Mr Tissainayagam were brought to court, where Mr. Jasikaran made a statement in front of the magistrate alleging torture at the hands of TID:

"At this time, V. Jasikaran said he wanted to make a personal statement to the Magistrate, and a Tamil translator was summoned to help the court.

Mr. Jasikaran said that on the 10th of May when he was taken to the JMO²³ he was afraid to tell the JMO that he had been tortured. However, when the magistrate ordered that he be taken to the JMO again on the 27th of May he showed the JMO the wounds on his back and his hands where he had been tortured.

Jasikaran added that he also showed the JMO the scars on his feet where his legs were tied together, and then he was tortured. He said despite disclosing this to the JMO, the JMO had only given his report in Sinhala, so he did not know what it contained. He also said that the report was only given to the TID and not to his counsel.

That is why he wanted to make the magistrate aware that he had been tortured. The magistrate then ordered that the JMO report [be] handed over to Jasikaran's counsel.

V. Valarmathy then said that she also wanted to make a statement. She said that since her husband Jasikaran had publicly disclosed to the Magistrate of the torture he suffered, she feared for her and her husband's lives and asked for protection.

The magistrate said they were under police protection. Valarmathy responded that it was in police custody that her husband was tortured, and now that they had to go back there their lives were in danger. The magistrate disallowed her request.²⁴

On 23 June 2008, the journalist, Mr. Jasikaran, told the court that he had been assaulted by the police for telling the court ten days earlier about the torture he'd sustained at the hands of police, who would have been under the command of Mr. Mendis during this period:

"Meanwhile, Yaseeharan told in open court that he was assaulted by the officers of the Terrorism Investigation Division (TID) for revealing the extent of his injuries to the Judicial Medical Officer²⁵."

A media report described Mr Jasikaran as telling the court he was frightened of the TID after

¹⁹ "I was harrassed by TID"-Tissainayagam, T. Farook Thajudeen 10 November 2008, Free Media Sri Lanka.

²⁰ Number of journalists arrested; one journalist released after questioning, 9 March 2008, Free Media Movement, Accessed at <https://freemediasrilanka.wordpress.com/2008/03/09/number-of-journalists-arrested-one-journalist-released-after-questioning/>

²¹ AHRC, accessed at <http://www.ahrchk.net/pr/mainfile.php/2008mr/513/>

²² Media Release: Sri Lanka, June 24, 2008, IFJ, Accessed at <http://tissa104.blogspot.co.uk/2008/07/blog-post.html>

²³ Judicial Medical Officer.

²⁴ Accessed at blog rather than Sunday Times newspaper archive, Tissainayagam in wrongful custody, Jasikaran tortured, allege counsels, 15 June 2008, <http://tissa103.blogspot.co.uk/2008/07/monday-june-30-2008-court-overrules.html>

²⁵ Colombo court reserves order in Tissainayagam case, 24 June 2008, Tamilnet.

they'd tortured him again following his previous statement to the court regarding torture:

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"I'm frightened to go back to the TID,' the suspect Vettrivel Jesiheran said breaking into tears in open court. Jesiheran who is in remand for more than hundred days under TID detention wept when he was produced before the Colombo Magistrate and said he was assaulted on the very night he was produced before the JMO for examination. At this stage his counsel K. V. Thavarasha told court that on the direction of the Magistrate, Jesiheran was produced before the JMO on June 13 for examination of injuries alleged to have been caused by torture at the TID but on the same night he had been tortured again. The counsel further said he was compelled to complain to the Magistrate as the Supreme Court had directed to inform the Magistrate with regard to any torture in the TID and inform the Supreme Court by way of an affidavit. Chief Magistrate Nishantha Hapuarachchi at this stage ordered that Jesiheran be produced before the JMO again for examination and report.(daily Mirror- june 24 2008)²⁶"

TID Detainee Held in 2008

This is an excerpt from the testimony of a victim who fears for the life of his family members in Sri Lanka if he reveals his identity:

"Prasanna de Alwis had tailored his technique – he would pull your hand behind your back and almost break the arm and then handcuff you and the after that if anyone just touched one nerve you would have a killing pain – if a baton so much as hit you on that muscle you would scream and no marks would be left. I could hear the screams when they tortured people. When one man was tortured I could hear it the whole night – he was crying "aiyo amma" and I heard it and couldn't sleep. It was in my ears for days and days – his screaming and eventually I heard he couldn't scream any more. It went on all night till morning."

Dr. Thurairajah Varatharajah

A Tamil doctor working for the Ministry of Health in the war zone, Dr. Varatharajah was widely praised by the UN and human rights groups for his extraordinary bravery in treating civilians in the final phase of the war. He was detained by the military at the frontline on 15 May 2009 and denied medical treatment for serious war injuries that as a result turned septic and threatened permanent nerve damage to his arm. The doctor was detained in an unknown site in Kilinochchi for a week, then briefly in CID Vavuniya office and then from 23 May 2009 on the "fourth floor" by CID in Colombo. In Colombo he was denied proper and full medical treatment until after he gave false information at a press conference. In May 2009, while Mr Mendis was still in charge of CID, the doctor was sent to the prison ward of the national hospital for emergency treatment and guarded in his bed by two CID officers but denied the surgery he required to address the injuries he had sustained.

The following extracts are anonymous to protect the family members in Sri Lanka of witnesses who are abroad.

Extract from Medico Legal Report in UK: Tamil man detained and tortured in Colombo in April 2009 by CID and police:

"During the interrogations they slapped and punched him. They kicked him with their heavy boots. Sometimes he was stripped of his clothes and beaten with wooden batons. On two occasions plastic bag soaked in petrol was put over his head until he was asphyxiating. He felt his lungs were burning and passed out...He was told that the police knew where his family live and if he reported his detention and treatment to the media or any NGOs such as the Human Rights Commission or the United Nations they would find him and kill him."

²⁶ This blog entry is quoting the newspaper the Daily Mirror, Tissainayagam further detained, T. Farook Thajudeen , 23 june 2008, accessed at <http://tissa103.blogspot.co.uk/2008/07/monday-june-30-2008-court-overrules.html>

"He was slapped, punched and kicked His head was banged against the wall and he was beaten severely with wooden sticks, a petrol bag soaked in petrol was put over his head and he was forced to inhale the fumes - he struggled desperately to breath and felt he was suffocating. Even two days after he could still smell the fumes and felt dizzy".

Mr Mendis's Alleged Liability for Torture June 2015-present day

The **Annexure** below lists a variety of UN and human rights reports that show torture has long been a widespread practice of the CID and TID in Sri Lanka and remains so in 2016.

Mr. Mendis currently has a senior intelligence role as Director of the Centre for National Intelligence in the Ministry of Defence. He is also known to attend the weekly meetings of the National Security Council, which indicates he is a trusted member of the inner circle of top security officials. As such, credible allegations of torture must have been brought to his attention repeatedly and he has failed to take action to prevent this practice continuing.

Sisira Mendis Career History



- * January 2003 to March 2007 - Director CID (SSP rank)
- * March 2007 to March 2008 - SSP Vavuniya Division
- * March 2008 - Promoted to the DIG rank
- * March 2008 to June 2009 - DIG in charge of CID and TID
- * June 2009 to March 2011 - Chief of Police Narcotics Bureau
- * March 2011 - Retired from service
- * July 2015 - Appointed as the director of the Centre for National Intelligence.

Most of Mr Mendis' 36-year career was spent working for the Criminal Investigation Department (CID)²⁷. He rose to become deputy director of the CID department²⁸ and then director from 2003 for four years²⁹. Mendis was transferred to Vavuniya in March 2007³⁰. He was promoted to the DIG rank in March 2008 and was made the head of the CID on the 24th March 2008³¹. This made him one of the country's top and most powerful police officials³², answerable to the Inspector General of Police (IGP)³³. Notably Mendis held this very senior position during the last phase of the civil war (2008-9), which was included in the period investigated recently by the UN Report³⁴. Although he was a DIG and not a Senior DIG, he oversaw both TID and CID at a time when they were extremely active in the civil war and its related violations.

March 2008-June 2009: Mr Mendis had responsibility for both CID and TID

Mr Mendis had responsibility for both organisations. This is corroborated by numerous media reports³⁵. For example, the defence correspondent of a Sri Lankan newspaper [The Daily Mirror] quoting the police, wrote on the 21st of March 2008:

"According to the new orders, approved by the National Police Commission,.....DIG Sisira Mendis [is] appointed as the new CID Chief. DIG Mendis will be also in charge of the Terrorist Investigation Department and the Disappearance Investigation Unit."³⁶

In an interview published in the magazine Business Today, in April 2009, the country's then top police official, the Inspector General of Police (IGP), Jayantha Wickramaratna, commented on a case, confirming that Nimal Wakishta, who was Director TID at the time, carried out his 'duties' under the supervision of Mr Mendis:

²⁷ His friends have written in the media that he "was and always will be known as a 'CID person,' having spent around 35 years in that sphere of police work ", *Sisira Mendis leaves a blazing trail*, Krishantha Prasad Cooray, 7 March 2011, accessed at <http://www.ft.lk/article/21354/Sisira-Mendis-leaves-a-blazing-trail>

²⁸ "holding in turn the posts of Deputy Director, Director and Deputy Inspector General", Ibid.

²⁹ BALI PROCESS WORKSHOP ON OPERATIONALISING IMMIGRATION INTELLIGENCE Human Smuggling in Sri Lanka Presentation by Sisira Mendis Director Criminal Investigation, accessed at: <http://slideplayer.com/slide/4234350/> and this report in the state run newspaper has him as director CID in 2005 January, *IOM donates sophisticated equipment to CID*, Sarath Malalasekera, 24 January 2005, *Daily News*, accessed at: <http://archives.dailynews.lk/2005/01/24/sec01.html>

³⁰ Kulathunga takes over CID, *Norman Palihawadane*, *The Island*, 21 march 2007, accessed at <http://www.island.lk/2007/03/21/news4.html> & CID thrown open; top officers moved out, *Sunday Times*, 25 January 2007, accessed at <http://www.sundaytimes.lk/070225/News/101.1news.html>

³¹ Daily News (cached version), DIG Mendis assumes duties today, 24 March 2008, accessed at: <http://webcache.googleusercontent.com/search?q=cache:hhBAgp1jF8AJ:archives.dailynews.lk/2008/03/24/news60.asp+&cd=14&hl=en&ct=clnk&gl=ie>; also letter from Business Consultants addressed to Mr Mendis as DIG CID online dated 18 April 2009, accessed at <http://www.consultants21.com/pdf/DERIVATIVE%20ACTIONS%20IN%20LAW/123%20-%20Letters%20to%20IGP-CID.pdf>

³² THE RULE OF LAW IN DECLINE; STUDY ON PREVALENCE, DETERMINANTS AND CAUSES OF TORTURE AND OTHER FORMS OF CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (CIDTP) IN SRI LANKA, Kishali Pinto-Jayawardena, 2009 for the Rehabilitation and Research Centre for Torture Victims, accessed at <http://material.ahrchk.net/srilanka/AHRC-FST-024-2009-CIDTP.pdf> . At the time this paper was written in 2009, the number of people who held these Senior Gazetted Officer Ranks are: Inspector General of Police (1); Senior Deputy Inspector General of Police (6); Deputy Inspector General of Police (28).

³³ Business Today, THE EYE ON COLOMBO - INSPECTOR GENERAL OF POLICE JAYANTHA WICKRAMARATNA, April 2009, accessed at <http://businesstoday.lk/article.php?article=26>

³⁴ A/HRC/30/CRP.2

³⁵ Other media reports refer to "several probes handled by the CID and the Terrorist Investigation Division" that were spearheaded by a previous DIG of CID in 2007, LTTE assassinations: Cracking the network, Senpathy, 7 January 2007, *The Nation*, accessed at <http://www.nation.lk/2007/01/07/newsfe5.htm>

³⁶ <https://srilankanewsnet.wordpress.com/2008/03/21/stf-withdrawn-from-10-camps-in-east/>

“...The special significance in these recoveries is that all these have been done by only a handful of efficient Officers such as Senior Superintendents of Police Anura Senanayake, Director of Colombo Crimes Division, Nimal Wakishta, Director of Terrorist Investigation Division under the supervision of Sisira Mendis, Deputy Inspector General of Police In-Charge of Criminal Investigation Department³⁷.”

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Former Defence Secretary, Gotabaya Rajapaksa's interview with the same magazine, Business Today, in June 2009 shows how the CID and TID worked together closely during the final phase of the war³⁸:

“When you take the Police, terrorist investigations is very important. The Criminal Investigation Department (CID) and the Terrorist Investigation Department (TID) played a major role in conducting investigations into various incidents. The intelligence agencies did a better job this time; they were better coordinated and worked as a team. Further, all the military agencies and all the intelligence agencies worked together... Therefore, this time all the intelligence agencies worked together, sharing information amongst them. It was an important factor and they contributed heavily to this victory.”

June 2009-March 2011 Heads Police Narcotics Bureau

On the 14th June 2009, the state run Sinhala weekly “Silumina” reports that Mr. Mendis was transferred to head the Narcotics Bureau with immediate effect³⁹. Mr. Mendis headed the Narcotics Bureau until 2011. This period was known as the “war on crime⁴⁰” and the media alleged that violations were committed including abduction and killing of underworld gang leaders. These were alleged to have been the work of a group of persons simply known as the “unit” and were widely regarded to be the work of the law enforcement agencies.

Out of Retirement for Intelligence Role

In July 2015, Mr. Mendis was appointed by President Sirisena to a senior intelligence position. He assumed his new post on the 28th July 2015. Mr. Mendis' job description for the UN session says he is currently director, Centre of National Intelligence, Ministry of Defence. However there is no other reference online to a Centre of National Intelligence. Mr. Mendis attends the weekly National Security Council meetings that bring together the army, navy and air force commanders, police and intelligence officials and the President and Prime Minister. This means he is a trusted insider with access to other top security officials.

³⁷ THE EYE ON COLOMBO - INSPECTOR GENERAL OF POLICE JAYANTHA WICKRAMARATNA, Business Weekly, April 2009, Accessed at http://www.businesstoday.lk/cover_page.php?issue=206

³⁸ http://www.businesstoday.lk/cover_page.php?article=891&issue=206

³⁹ “Nandana Munasinghe has been appointed as the head of the CID while Sisira Mendis has been appointed to lead the Police Narcotics Bureau (PNB) with immediate effect”, 14 June 2009, Silumina, Accessed at <http://www.silumina.lk/2009/06/14/art.asp?fn=aa0906145>

⁴⁰ Full-scale, islandwide war on drugs mafia, Sunday Times, 31 October 2010, accessed at http://www.sundaytimes.lk/101031/News/nws_10.html and Sri Lankan government launches “war on the underworld”, Sarath Kumara, 3 August 2009, accessed at <https://www.wsws.org/en/articles/2009/08/slcr-a03.html>

Annexure: reports that show endemic torture by CID/TID over the years

A. UN Sources

(i) The UN report (OISL 2015) had access to reports given to Commissions of Inquiry in the past in Sri Lanka. As a result they commented on the investigations done by the Sri Lankan CID that were examined by these commissions:

“OISL has reviewed multiple CID investigation reports and police testimony given to the Commissions of Inquiry and notes that they contain inconsistent and unreliable accounts of events given in police reports and in statements by security forces present during several key incidents. Criminal investigations have been further undermined by the failure of the police to properly document crime scenes and record evidence. OISL has documented instances whereby crucial evidence had been lost or tampered with. In some cases, key evidence has not been sought, for example bullets and casings were not collected and phone records not requested. As noted in the unpublished 2009 report of the Udalgama Commission which OISL has reviewed: “investigations conducted by the local police as well as the Criminal Investigation Department were incomplete and superficial... the way the Police have conducted the initial investigations lacks professionalism.” (Paragraph 1236)

(ii) **The UN Special Rapporteur on Torture, Manfred Nowak:** In his February 2008 report⁴¹ Mr Nowak says, “...torture is widely practiced in Sri Lanka”. The Special Rapporteur visited the country from 1 to 8 October 2007⁴². He went to the Criminal Investigation Department (CID), the Terrorist Investigation Department (TID), and TID facility in Boosa in Galle. He reported that the authorities hid prisoners who had been tortured from him⁴³. His report states:

“The considerable number of clearly established cases of torture by TID and other security forces, together with various efforts by TID to hide evidence and to obstruct the investigations of the Special Rapporteur, leads him to the conclusion that torture has become a routine practice in the context of counter-terrorism operations, both by the police and the armed forces.”

He added that:

“Methods of torture reported included beating with various weapons, beating on the soles of the feet (falaqa), blows to the ears (telephono), positional abuse when handcuffed or bound, suspension in various positions, including strappado, “butchery”, “reversed butchery” and “parrot’s perch” (or dharma chakara), burning with metal objects and cigarettes, asphyxiation with plastic bags with chilli pepper or gasoline, and various forms of genital torture. This array of torture finds its fullest manifestation at the TID detention facility in Boosa.” (Paragraph 71).

In the Report’s Appendix on Individual Cases, the Rapporteur describes his October 2007 visit to TID in Colombo where he was met by the then Director of TID, SSP, Nandana Munasinghe:

“The Terrorist Investigation Department (TID) is located in the High Security Zone in Colombo, and is one of the two facilities in the capital (the other being the Criminal

⁴¹ PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS, INCLUDING THE RIGHT TO DEVELOPMENT - Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak. MISSION TO SRI LANKA*

⁴² <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G08/111/35/PDF/G0811135.pdf?OpenElement>

⁴³ “For example, 59 persons out of 110 had been transferred from the Boosa detention facilities on order of the director of the Terrorist Investigation Department in the days leading up to the Special Rapporteur’s visit. The situation was aggravated by the fact that the Special Rapporteur received the information from the remaining detainees that the transferred persons were those who had been most seriously tortured before and still bore marks of the ill-treatment”.

Investigation Department) where alleged terrorist suspects are transferred to for questioning following arrest. ... The male wing holds a cell block with eight tiled cells each approximately 1.5 x 2.5 metres. During the day, the detainees can leave their cells to stand or walk in the narrow corridor. During night time, they are locked in the cells, with up to four persons per cell. Some sleep in the corridor. The entire facility lacks natural light and ventilation is very poor; made worse in hot weather. Two washing facilities serve the 57 male detainees. The female wing is comprised of two small cells and a short corridor”.

(iii) March 2011, UN Report Of The Secretary-General’s Panel of Experts On Accountability in Sri Lanka⁴⁴: this report refers to CID’s role in investigating human rights organisations⁴⁵ and says rape of surrendered LTTE cadres occurred in the custody of CID and TID⁴⁶. It also says CID operated in the IDP camp in Manik Farm in Vavuniya in the immediate aftermath of the war, as well as interrogating patients in the nearby Vavuniya hospital⁴⁷.

The UN High Commissioner for Human Rights: At the UN Human Rights Council in 2015 the High Commissioner pointed to the lack of security sector reform post-war in Sri Lanka, saying:

“...the State’s security sector and justice system have been distorted and corrupted by decades of impunity... The security forces, police and intelligence services have enjoyed near total impunity and have not undergone any significant reform since the armed conflict.”⁴⁸

The UN Special Rapporteur on Torture, Juan Mendez in 2016

In his remarks after visiting Sri Lanka in 2016⁴⁹, Mr Juan Mendez said:

“I am persuaded that torture is a common practice carried out in relation to regular criminal investigations in a large majority of cases by the Criminal Investigation Department (CID) of the police. In cases where there is a real or perceived threat to national security there is a corresponding increase in acts of torture and ill-treatment during detention and interrogation in Terrorism Investigation Division (TID) facilities.”

He added that, “both old and new cases continue to be surrounded by total impunity”⁵⁰.

B. Non UN Sources

November 2016 Submission to the UN Commission Against Torture by the Sri Lankan Human Rights Commission:

“The Commission has received complaints of persons being held at detention centres that are not gazetted, which creates opportunity for torture, which the Commission brought to the

⁴⁴ http://www.un.org/News/dh/infocus/Sri_Lanka/POE_Report_Full.pdf

⁴⁵ Para 412 “Further, it is disturbing to read reports of human rights organizations being investigated by the CID”.

⁴⁶ Para 153 “Rapes of suspected LTTE cadre are also reported to have occurred, when they were in the custody of the Sri Lankan police (CID and TID) or the SLA.”

⁴⁷ Para 163 “The CID and TID maintained units inside the camps in Menik Farm and conducted regular interrogations. Other individuals were also detained and interrogated for potential links to the LTTE, including the doctors, the AGA and two United Nations staff heard from the interrogation tents. The UNHCR recorded at least nine cases of torture in detention. Some detainees were taken away and not returned.”

Para 147 “Vavuniya Hospital was overflowing with patients, leading to early discharges, and all patients were closely guarded by the SLA and subject to interrogation by police investigators (Criminal Investigation Department, CID, or Terrorist Investigation Department, TID). Some patients disappeared from the hospitals.

⁴⁸ <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=16539&LangID=E#sthash.tngHVerk.dpuf>

⁴⁹ Preliminary observations and recommendations of the Special Rapporteur on torture and other cruel, inhuman and degrading treatment or punishment, Mr. Juan E. Mendez* on the Official joint visit to Sri Lanka – 29 April to 7 May 2016

⁵⁰ - See more at: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=19943&LangID=E#sthash.scJqAokN.dpuf>

attention of all relevant authorities. Upon inquiry it was revealed the places at which persons were held for at least twelve hours were offices of the TID but not gazetted detention centres. The TID has only three gazetted places of detention - Boosa, TID Vavuniya and TID Colombo....The complaints received by the Commission illustrate that torture is routinely used in all parts of the country regardless of the nature of the suspected offence for which the person is arrested.⁵¹”

The national Human Rights Commission submission cites 628 complaints of torture reported to its offices since new government came to power in January 2015.



Office	2010	2011	2012	2013	2014	2015	2016**
Head Office	369	358	389	380	329	315	160
<u>Ampara</u>	15	17	07	15	06	02	02
Anuradhapura	59	58	40	69	53	40	14
<u>Badulla</u>	04	12	01	19	11	-	01
<u>Batticaloa</u>	-	03	03	04	-	07	05
<u>Kalmunai</u>	02	04	07	07	09	03	03
Jaffna	02	03	04	-	02	-	02
Kandy	29	35	28	28	28	18	04
<u>Matara</u>	75	81	59	63	28	23	10
<u>Trincomalee</u>	05	07	02	10	02	02	03
<u>Vavuniya</u>	06	01	02	05	21	10	04
Total	566	579	542	600	489	420	208

**From 01.01.2016 to 31.08.2016

Source: Sri Lankan Human Rights Commission

Human Rights Watch’s (HRW) 2015 report, “We Live in Constant fear - Lack of Accountability for Police Abuse in Sri Lanka⁵²” says, “The police responsible for most of the abuses examined in this report fall under the authority of the CID”. It says, “Human Rights Watch documented an appalling variety of torture methods used by the police, including severe beatings; electric shocks; use of stress positions, including suspending detainees from ropes and iron bars in painful positions; the rubbing of chili paste over the body, including the genitals; and disorienting detainees by rotating them while they are suspended from a pole, a torture technique known as a dharmachakra...The cases documented in this report reflect a longstanding pattern of procedural violations that has persisted despite promises of reform by successive Sri Lankan governments.....In 2005, prominent human rights advocate Radhika Coomaraswamy, then chairperson of the National Human Rights Commission, reported that police torture was not an issue stemming from a handful of rogue police officers but instead was rooted in “the routine use of torture as a method of investigation” and required “fundamental structural changes” to be eradicated. This led to little if any change. Since 2009, for example, the Asian Human Rights Commission, a Hong Kong-based nongovernmental organization, has filed 32 urgent appeal petitions regarding custodial deaths and 181 urgent appeals regarding torture.”

Human Rights Watch (HRW) report 2013, We will teach you a lesson⁵³ says: “Soldiers, police, and members of specialized units like the Criminal Investigation Department (CID) and the Terrorist Investigation Department (TID) were all involved...And former detainees told Human Rights Watch that they were abused at various official as well as secret detention sites in and around the Sri Lankan capital, Colombo, including Welikada prison, the fourth floor of the CID headquarters and the sixth floor of TID headquarters, and at Kotahena, Dehiwela, and Wellawatta

⁵¹ Accessed at

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCAT%2fNHS%2fLKA%2f25601&Lang=en

⁵² Accessed at <https://www.hrw.org/report/2015/10/23/we-live-constant-fear/lack-accountability-police-abuse-sri-lanka>

⁵³ Accessed at <https://www.hrw.org/report/2013/02/26/we-will-teach-you-lesson/sexual-violence-against-tamils-sri-lankan-security-forces>

police stations.” This report contains many references to CID torture that occurred in 2010, 2011, and 2012.

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In another document, HRW⁵⁴ also cites testimony from four victims who say they were tortured in CID headquarters in different years:

“I was taken to the CID fourth floor in a van. On the way, the officials started accusing me of working for the LTTE in London. They punched and kicked me in the van. The officials kept me in a single cell. They began questioning me about LTTE supporters in London and started beating and torturing me. I was whipped with electric wires and suspended upside down and beaten with sand-filled plastic pipes. They tried to suffocate me with a petrol-infused plastic bag. They said, “You took part in anti-government demonstrations in the UK.” They accused me of raising money to fund the LTTE. I was stripped naked during the interrogation. I was severely tortured during the time in detention. I could not bear the torture and told them I had participated in demonstrations against the Sri Lankan government in May 2009 in London. I signed a confession statement in Sinhala but I could not read this. The officials brought me photographs of LTTE suspects and I agreed to identify them”.

“I was picked up by CID officials as soon as I cleared immigration at the Colombo international airport. I was taken to the fourth floor CID headquarters where I was detained for two or three days before being transferred to the Joseph [army] camp in Vavuniya. I was kept handcuffed in a single cell in Colombo. For questioning, I was taken to another room. During questioning, I was beaten with batons and metal rods. The officials poured kerosene on the floor and threatened to set it alight. In another instance, they held a gun to my head and threatened to pull the trigger. I was hung upside down and beaten with truncheons and hot metal rods. I was stripped naked in both detention sites. I was sexually abused on two or three occasions in Vavuniya. The perpetrators were uniformed army personnel.”

“The officials introduced themselves as CID and told me they had to take me for questioning. I was taken to the fourth floor CID headquarters in Colombo. I did not know where I was being taken at the time. I was photographed once we reached the CID headquarters and then pushed up the stairs to a small dark room. The officials kept hitting me on the head as they pushed me up the stairs. I was kept in detention for more than a month. During this time, I was questioned and beaten up every day. They asked me about my activities with the LTTE in France, they brought pictures of my participating in anti-war protests in France and accused me of betraying the government. They asked me for the names of others who had organised the protests in France. I was locked in a dark room and my hands were tied in the position of a crucifix. I then was burnt all over my arms in this position. I was burnt with hot metal rods on my back and thighs. I was sometimes poked with the end of a hot poker and kicked on my head with metal-toed boots. I was raped at least four or five times. Two men would come to my room together and one would hold me down. They would take turns.”

“I was taken to the CID fourth floor and put in a cell. After some time, a group of officials in civilian clothes came and dragged me up the stairs to another floor. There I was beaten and questioned repeatedly. I was beaten with sand-filled pipes and batons. They asked me about my activities with the LTTE in France. They asked me for names of people who supported the LTTE in France. I was raped repeatedly in custody by four to five men. I fainted so I can’t remember how many times I was raped. They did it in turns. When I became conscious, I was bleeding heavily from my vagina, I was covered with wounds and injuries.”

Amnesty International, “Locked Away”, 2012⁵⁵: This report has many references to torture cases involving the CID. It says, “CID headquarters in Colombo, a place mentioned by several witnesses, has long been notorious for torture”. The report includes this witness testimony:

⁵⁴ SEPTEMBER 15, 2012 United Kingdom: Document containing cases of Sri Lankan deportees allegedly tortured on return, accessed at <https://www.hrw.org/news/2012/09/15/united-kingdom-document-containing-cases-sri-lankan-deportees-allegedly-tortured>

⁵⁵ <http://files.amnesty.org/archives/asa370032012eng.pdf>

“This move to Colombo this was the worst...this was the worst...this was total torture....there they had an electric chair...I can’t think about it...you know they have some sayings...the 2nd floor that is inquiry....4th Floor hard inquiry with torture....if you go to 6th Floor, torture... you don’t come back.”

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The report also quotes a man from Mullaitivu who told Amnesty International in January 2012 that his younger brother, a medic, had been detained by CID in Vavuniya after he fled the Vanni in May 2009:

“I’m not sure exactly where he was held. It was a school. My relatives say he was tortured – beaten severely – and that he was brought unconscious to the hospital. They only came to know that he had been arrested because he was hospitalized. He was in the hospital for three days and a friend, a Vavuniya resident who worked in the hospital, saw him there. CID never informed my family about his detention or his hospitalization” (Page 28)

The report also says:

“Torture was also described in TID detention both in Colombo and at the TID detention centre at Boosa. A handful of TID officers have been identified as perpetrators of torture, not only, apparently, to extract intelligence or punish non-cooperation, as posited by former detainees, but also to increase pressure on families to extract bribes. One of the officers named by a former detainee interviewed by Amnesty International in January 2012 also appears in UN Special Rapporteur on Torture Manfred Nowak’s report on his October 2007 visit to Sri Lanka...”

The Lessons Learned and Reconciliation Commission, Sri Lanka (LLRC) 2011⁵⁶ quotes a retired senior Government official who was functioning as the Chairman of the Prisons Visitors’ Board who said there were 700 prisoners in the TID (Terrorism Investigation Division), and another 600, or a little more, at Boosa. He said, “Some of them in the Remand Prisons have been taken on suspicion. Just picked up and taken...They are produced before Magistrates, and then the Police say ‘we have not finished the inquiry’ and they are locked up again.”

The LLRC report also quotes a religious leader in Mannar speaking on behalf of the detainees who said, “Some of those who are detained in Omanthai under the Terrorist Investigation Department have been denied access to lawyers, ICRC and National Human Rights Commission...”

ends

⁵⁶ Accessed at http://www.priu.gov.lk/news_update/Current_Affairs/ca201112/FINAL%20LLRC%20REPORT.pdf

