

## **Sri Lanka, the gulag island**

*Basil Fernando*

Russian novelist and Nobel laureate Aleksandr Solzhenitsyn added the word ‘gulag’—the former Soviet Union’s forced labor camp system—to the human rights vocabulary. Unfortunately, it now describes an experience that is being repeated in many parts of the world.

‘The Gulag Archipelago,’ Solzhenitsyn’s three-volume study of the system, described his own experience and that of others in the Soviet camps from 1918 to 1956. Today in Sri Lanka the entire population is experiencing the same horror.

The dreaded Cheka was the Soviet security organ serving as informers, police, interrogators, judges and executioners, all in complete secrecy, according to whatever procedures it chose.

Interpreting and implementing the law was almost completely left up to the Cheka, with the possibility of intervention only by the highest authority of the Communist Party—for the most part, Joseph Stalin himself. Decisions on life and liberty were made casually by individuals who answered to no one. There was neither transparency nor accountability.

The insurgencies that took place in Sri Lanka from 1971 allowed a similar authority to emerge in this country. Thousands of people were ‘disappeared’ by this security apparatus, which served as informer, as the arresting, interrogating and adjudicating authority, and finally as the executioner and gravedigger.

An earlier system of criminal procedure and judicial authority, which handled accused persons from the moment of arrest through all the stages of adjudication, was replaced by this new system with no controls. The way the judicial process was usurped by the Sri Lankan gulag is a long story. What it does is turn the normal judicial process into a phantom limb. Like many amputees who continue to feel the limbs they lost, most Sri Lankans believe that their justice system still exists.

But the gulag now uses its powers not only against insurgents, but anyone it chooses. A case in point is its recent investigation into a letter signed by 133 well-known Sri Lankan citizens, to protest a death threat against a critic of the government. The investigation into the solidarity letter should be an eye opener for everyone regarding justice in Sri Lanka.

President Mahinda Rajapaksa reportedly instructed the defense secretary to verify the facts stated in a petition published in several newspapers, condemning a death threat received by Dr P Saravanamuttu, a well-known civil society activist. Saravanamuttu received a letter threatening to kill him if the European Union withdrew the Generalized System of Preference Plus tariff concession granted to Sri Lanka. The defense secretary was asked to verify the threat and whether or not an international conspiracy existed against Sri Lanka.

Following the president’s instructions, officers from the Criminal Investigation Division (CID) visited and questioned many signatories to the advertisement. They were asked how they knew of Dr Saravanamuttu; whether there was any meeting for all signatories of the petition; had they seen the threatening letter, and who had sent it?

There is apprehension that another kind of political persecution may be on its way. Such visits by the CID and the questions asked have no basis in law and directly interfere with the basic rights of citizens to voice their support for whoever they like.

The defense secretary has no authority to direct inquiries into acts that are legal and within citizens' rights, and the CID officers have no obligation to carry out political work aimed at suppressing those that the government considers its political opponents.

CID officers are law enforcement officers; their activities must be defined within the framework of the law. It is the duty of the CID director to ensure that his officers are not used for political purposes or to intimidate people.

In the past, human rights organizations have warned that a political police and a political prosecution system are emerging in Sri Lanka. In several previous cases investigations and prosecutions have been conducted on criminal charges, when in fact the motives were entirely political.

This is even more alarming when the authorities refuse to investigate assassinations and threats of assassinations. In this instance, the letter containing the death threat was brought to the notice of the government and widely publicized. However, as with earlier cases of such death threats, no investigation was ordered. In fact, some who work for the propaganda machinery of repression tried to ridicule the complaint regarding the threat.

Instead of investigating who issued the threat, the authorities are investigating those who expressed concern and want protection for the threatened person. This is no different, for example, from conducting enquiries into the parents of the young men recently assassinated at the Angulana police station, instead of investigating the officers who carried out the killings. It was due only to a popular uproar that the actual perpetrators were finally investigated and prosecuted.

However, what happens most of the time is the actual perpetrators of the crime are protected while those who complain about harassment are suppressed.

In this column, the author has repeatedly warned that the entire legal process in Sri Lanka has been turned upside down and justice is being deliberately subverted for political purposes.

There must be an end to the harassment of Saravanamuttu and his organization and the persecution of Sri Lankan citizens who engage in acts of solidarity.

The director of the CID must inquire as to how officers working under him are used for political activities. He must issue instructions to his officers that they are under no obligation to obey illegal orders.

Civil society must be urged to follow the courageous lead of the signatories to the petition and act in solidarity for the defense of their rights.

The international community should support the Sri Lankan people in their struggle for a return to a society based on the rule of law and their attempt to prevent the continuation of a gulag in Sri Lanka.

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