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SRI LANKA: When law becomes comic - Part Seven

Two school boys murdered by police for teasing a girl

"It is time that the government appoints a team of Supreme Court Judges to inquire into police extrajudicial killings, the widespread practice of torture, the common practice of fabrication of charges on innocent persons, and the general breakdown of discipline within the police."

By Basil Fernando

(August 14, Colombo, Sri Lanka Guardian) Large crowds gathered around the Angulana police station today (13th of August) as the news spread of two schoolboys killed due to police assault. The bodies of the two boys, Dinesh Tharanga Fernando and Danushka Udaya, were found near the railway tracks. They had been arrested on the previous day, allegedly for teasing a girl.

The Officer in Charge (OIC) of the Angulana police station and six other police officers attached to this police force are reported to have been arrested for causing the deaths of these boys. It is also reported that the girl who is said to have been teased was known to the OIC.

The angry villagers attacked the police station and also angrily even stopped the trains. The army and anti-riot squads had to be brought in order to bring the situation under control and bring back the train service.

This senseless murder of two young boys is merely a reflection of the terrible breakdown of the police discipline in the country. Despite many interventions to the government by local civil society groups and international human rights organizations, the government has not taken any notice. Just last week, Nipuna Ramanayake, a technical college student, complained of kidnapping and torture by a group of policemen attached to the Colombo Criminal Investigation Division (CCD) at the house of CCD director Vaas Gunawardene. The director's son and wife were accused of arranging the kidnapping and the assault. Despite the complaints of the parents and the coverage received by the media, no one has been arrested and no disciplinary process has been initiated.

Teasing a girl is no criminal offence. There was no reason at all to arrest the two boys. Even if they were arrested, they should have been released within the shortest possible time. Instead, the parents and the villagers allege, that the two boys were kept at the police station and were severely beaten by the OIC and six police officers. When the two boys died, their bodies were taken out of the police station and dumped on a section of railway track. The idea, of course, would have been to create the impression of the deaths having taken place outside the police station.

The police spokesman, SSP Ranjith Gunasekara, is reported to have said that the boys were involved in drug peddling. The same police spokesman was reported to have said that the CCD director's son was not involved in the assault of Nipuna Ramanayake. He also said at a press conference that the underground elements should be ready to die, when questioned about the extrajudicial killings of alleged criminals while in police custody. The Inspector General of Police and high-ranking police officers continue to tolerate this kind of public pronouncements by the official spokesman for the police.

The complete responsibility for the murder of these boys should be borne by the Inspector General of Police and the other Deputy Inspector Generals, who hold the leadership of the police. The ASP, the SP, the SSP and the DIG responsible for the Angulana area are also directly responsible for this gross abuse of police authority and the resulting murder. The government is also responsible for the murder because of continuous neglect in dealing with police criminality, which constantly perpetrates extrajudicial killings, gruesome torture, gross abuse of power by fabrication of cases, and complete insensitivity to public opinion and public interest.

Though the OIC and six police officers are said to be arrested, there is no real guarantee that there will be a proper inquiry into these murders. If left to the police superiors of the same area, it is most likely that after the heat of the moment dies down, this crime will be hushed up the same way that many hundreds of other crimes have been hushed up. If there is to be a credible inquiry, the inquiry should be handed over to a Special Inquiry Unit (SIU) of the Criminal Investigation Division (CID).

It is time that the government appoints a team of Supreme Court Judges to inquire into police extrajudicial killings, the widespread practice of torture, the common practice of fabrication of charges on innocent persons, and the general breakdown of discipline within the police. The revolt of the local people of Angulana is only symbolic of the revolt that exists throughout the country against the policing system that takes to crime so easily, and carelessly and ruthlessly abuses the rights of the people.

It is time for the parliament to take notice of this tremendous collapse of the country's prime law enforcement agency. In 2001, Parliament almost unanimously recognized the collapse of this public institution and wanted to remedy this by taking steps to regulate appointments, promotions, transfers and the disciplinary controls of the police. For this purpose the Constitutional Council and a National Police Commission was created by way of a constitutional amendment, the 17th Amendment to the constitution. Even this inadequate remedial measure was abandoned later by the government. The present state of lawlessness is a result of all this neglect. It is time that the government, opposition and the civil society take stock and take a decisive step in order to bring the country's law enforcement agency within the framework of rule of law.

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About AHRC: The Asian Human Rights Commission is a regional non-governmental organisation monitoring and lobbying human rights issues in Asia. The Hong Kong-based group was founded in 1984. The above statement has only been forwarded by the AHRC.

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