

17th December 2019

To: **C. D. Wickramaratne**
Acting Inspector General of Police
Police Head Quarters, Colombo-1, Sri Lanka.

Dear Sir,

Peoples' Rights Group (PRG), a rights based advocacy and lobbying group based in the United Kingdom with particular focus on Sri Lanka, is extremely perturbed about the death of Jainul Abdeen Jaseel under Police custody. He was reportedly taken in on alleged suspicion, in the aftermath of the Easter Sunday attacks. It was really alarming that he, along with many others, has still been in Police custody after more than 6 months, without being duly charged under the law. As per the information reaching PRG, there have been serious breaches of human rights of this suspect in custody.

Some human rights questions arise include:

1. Was he allowed family visits during his period in custody?
2. Was he allowed legal representation or lawyers allowed to see him?
3. What was his medical condition at the time of arrest? Was he subjected to any medical examination? The rules require arrested persons to be medically examined after being taken into custody, with the doctor listing any pre-existing injuries—any new injuries or aggravations will point to police abuse or negligence in custody.
4. Did he suffer any trauma, or was he diagnosed with any other medical issues during the period of his custody?
5. If there were any charges against him, why was he not brought before courts during the period in custody?
6. What is the outcome of the post-mortem/JMO examination?
7. Were there any allegations of torture and illegal interrogation methods employed in respect of terror suspects?
8. What action is taken by the Police and law enforcement authorities to prevent torture while in detention?
9. Was an independent investigation held to inquire into this death in custody? If so, what was the outcome?
10. Were there any act/s of negligence which led to this unfortunate death?

PRG views this case in the backdrop of many allegations of torture, illegal interrogation methods employed and ill-treatment of arrested persons by the law enforcement authorities in Sri Lanka under many draconian laws like the PTA, on the premise of preventing terror, in the past specially during the course of the 30 year civil war.

Ultimately, police abuse reflects a failure by the Government of Sri Lanka to implement accountability mechanisms. Despite strict guidelines, it is observed that the authorities routinely fail to conduct rigorous investigations and prosecute police officers implicated in torture and ill-treatment of arrested persons.

Sri Lanka has ratified the International Covenant on Civil and Political Rights and signed the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment, both of which prohibit torture and cruel, inhuman, and degrading treatment or punishment. They also provide for the authorities to prosecute the officials responsible. These commitments are reflected in Sri Lanka's laws that condemn torture, and provide some procedural safeguards against it.

We therefore call upon you as the Head of the law enforcement authorities to take this matter very seriously and provide answers to the questions posed above and also ensure an independent investigation into this death as a matter of urgency and punish those who are found guilty if any.

Yours faithfully,

People's Rights Group
secretary@prgsrilanka.org

CC: Dr. N. Deepika Udagama, Chairperson, Human Rights Commission of Sri Lanka