

EXTRA 39/00

Fear of safety

14 April 2000

SRI LANKAW M Sunil Shantha

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Amnesty International is concerned for the safety of W M Sunil Shantha, a key witness in a trial against a police officer and a civilian charged in connection with the "disappearance" of six young men in December 1989.

The police officer, K Chandra Karunaratna, an assistant superintendent of police (ASP), reportedly threatened W M Sunil Shantha on the first day of the trial in mid-1999, telling him that he would be killed if he gave evidence. The trial is due to resume on 27 April 2000 and fears are mounting for Sunil Shantha's safety.

W M Sunil Shantha was among seven young men abducted on 21 December 1989 at Ratanapitiya, Boralesgamuwa, Colombo district. He was later released. The others, all members of his family attending a religious ceremony, subsequently "disappeared". The ASP and the civilian have both been charged with 'abduction in order to murder', the maximum penalty for which is 20 years' imprisonment.

ASP Karunaratna continues to serve as a police officer despite charges having been brought against him. The judge of the High Court in Colombo has warned him not to interfere with the witness after he was informed of the threat. ASP Karunaratna has since filed a complaint against two police officers involved in the investigation of the crimes for which he is charged, accusing them of insulting a superior officer. These two police officers were witnesses to the threats made by ASP Karunaratna against W M Sunil Shantha.

#### **BACKGROUND INFORMATION**

This trial is one of approximately 200 cases before various high courts in the country against members of the security forces alleged to have been responsible for tens of thousands of "disappearances" in the period 1987 - 1990 in the south of the country during counter-insurgency operations against members of the *Janatha Vimukthi Peramuna* (JVP), People's Liberation Front. These cases are a result of work by the commissions of inquiry into past human rights violations, including "disappearances", set up in late 1994. A separate unit in the police, the Disappearances Investigation Unit (DIU), and in the Attorney General's Department, the Missing Persons Unit (MPU), are currently processing those cases recommended by the commissions for further investigation with a view to prosecuting those responsible.

There have been reports that the DIU is understaffed, under-resourced and has been subjected to pressure from politicians and senior members of the security forces. Other witnesses in other trials have also reported receiving death threats but it has also been reported that the DIU does not have the resources to provide adequate security for witnesses.

#### **RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:**

- expressing concern for the safety of W M Sunil Shantha, who has been threatened by ASP Karunaratna not to give evidence in a trial before the Colombo High Court in which the ASP is being charged for his involvement in six "disappearances";

- urging that all necessary measures are taken to provide adequate protection to W M Sunil Shantha;
- urging that other witnesses in trials against security forces personnel are provided with effective protection and guarantees for their safety;
- urging that those members of the security forces who have been charged in connection with serious crimes such as "disappearances" would be suspended from duty while investigations against them are proceeding.

**APPEALS TO:**

President Chandrika Bandaranaike Kumaratunga

Presidential Residence, "Temple Trees", Colombo 3, SRI LANKA

**Telegrams: President Kumaratunga, Colombo, Sri Lanka**

**Faxes: + 94 1 33 37 03**

**Salutation: Your Excellency**

Inspector General of Police Lakshman Kodituwaku

Police Headquarters, New Secretariat, Colombo 1, SRI LANKA

**Telegrams: Inspector General Police, Colombo, Sri Lanka**

**Faxes: + 94 1 43 89 15**

**Salutation: Dear Inspector General**

**COPIES TO:** diplomatic representatives of Sri Lanka accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 27 April 2000