

PUBLIC

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Possible enforced disappearance/ fear for safety

02 March 2007

SRI LANKA

Sothiraja Mokanaganth (m), aged 21
Kandasamy Sasiskanna (m), aged 31
Thiravianathan Thiraviaventhana, (m), aged 20

On 24 January, soldiers abducted the three men named above from the house where they were staying in Jaffna, northern Sri Lanka. There has been no further news of their whereabouts, leading to fears that they may have been the victims of enforced disappearance. There are increasing concerns for their safety.

At 1.15am on 24 January, five soldiers, armed and wearing the uniform of the Sri Lankan army, demanded to be let in to the house, where the men, all part of the same extended family, were staying along with other family members. The armed men insisted that the three should come with them for questioning, but did not say what they were to be questioned about, or produce any official arrest documents. They beat the three men and forced them to leave the house. The three have not been seen since.

It is feared that the men may have been abducted by army personnel in reprisal for an incident which took place a few days before they were taken. Another relative was stopped by soldiers while shopping in Jaffna town. He was told to report to a nearby army camp with his identification papers, and was taken in for questioning. In fear for his safety, he left the army camp, leaving his papers behind, and went to seek advice at the office of the National Human Rights Commission in Jaffna. Having been told it was safe to retrieve his identification papers, he returned to the army camp. The Commander of the camp threatened the man that he would 'get back at him' and that he 'would not get away with it', apparently referring to the man's contact with the National Human Rights Commission.

BACKGROUND INFORMATION

The human rights situation in Sri Lanka has deteriorated dramatically in recent months. Fighting between the security forces and the armed group, the Liberation Tigers of Tamil Eelam (LTTE), has increased since April 2006. This has led to scores of civilians being killed or injured, and forced more than 215,000 people to flee their homes. Neither the security forces nor the LTTE appear to be taking adequate precautions to ensure that civilians are not killed or injured by military and paramilitary actions. According to the Consortium of Humanitarian Agencies (CHA) more than 2,000 relief workers have left the Northern and Eastern provinces due to the killing and frequent abductions. Despite the escalating violence, both sides maintain that they are committed to a 2002 ceasefire agreement. Over two decades of conflict in Sri Lanka have claimed the lives of more than 70,000 people, the majority of whom were civilians.

In recent months in areas in the north and east of Sri Lanka, there have been reports of a number of people "disappearing" after being abducted by the security forces or armed groups. Such people are often called or taken in "for questioning" and held incommunicado. No receipts or records of their detention are made available, and the official mechanisms for reporting such events, such as through the National Human Rights Commission, are often unable to find where the missing people are. Anyone held this way is in clear danger of torture or ill treatment.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- calling on the authorities to take all necessary action immediately to locate Sothiraja Mokanaganth, Kandasamy Sasiskanna and Thiravianathan Thiraviaventhana, who have not been seen since they were taken by force by Sri Lankan army personnel on 24 January;

- if Sothiraja Mokanaganth, Kandasamy Sasiskanna and Thiravianathan Thiraviaventhan are found to be in custody, calling on the authorities to release them immediately and unconditionally unless they are to be charged with a recognizably criminal offence;
- calling on the authorities to ensure that if the three are in custody, they are not tortured or ill-treated, and that they are allowed immediate access to their family, a lawyer of their choice and any medical treatment they may require;
- urging the authorities to conduct a prompt, independent and impartial investigation into the possible enforced disappearance of Sothiraja Mokanaganth, Kandasamy Sasiskanna and Thiravianathan Thiraviaventhan, to make the findings public and to promptly bring those responsible to justice in a free and fair trial.

APPEALS TO:

President Mahinda Rajapakse
Presidential Secretariat, Colombo 1, Sri Lanka
Fax: +94 11 2446657, +94 11 2472100
Salutation: Dear President Rajapakse

Lt Gen Sarath Fonseka
Army Commander, Army Headquarters, Flagstaff Street, Colombo 1, Sri Lanka
Fax: +94 11 2855 018
+94 11 2434 862
+94 11 2338 653
+94 11 2421 374
Salutation: Dear Lt General

Gotabhaya Rajapaksa
Secretary, Ministry of Defence, Public Security, Law and Order
15/5 Baladaksha Mawatha, Colombo 3, Sri Lanka
Fax: +94 11 2446 300
+94 11 2541 529
Salutation: Dear Secretary of Defence Public Security, Law and Order

COPIES TO:

Mahinda Samarasinghe
Minister of Disaster Management and Human Rights, 383, Department of Meteorology, Bauddhaloka
Mawatha, Colombo 7, Sri Lanka
Fax: +94 11 2681978
+94 11 2881982
Salutation: Dear Minister

and 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 13 April 2007.