

## **Death threats against the human rights centre "Right to Life"**

**LKA 003 / 0209 / OBS 022**

### **Death threats**

#### **Sri Lanka**

February 3, 2009

The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), requests your urgent intervention in the following situation in Sri Lanka.

### **Brief description of the situation:**

The Observatory has been informed by reliable sources about death threats against staff members of the human rights centre "Right to Life", in Negombo, Katunayake.

According to the information received, on January 24, 2009, around 6 pm, the human rights centre "Right to Life" received a phone call from the number 011 2260156. The phone call was taken by a staff member, to whom the caller, a male, asked in Sinhalese, "Is your big fellow there?". The staff member then asked to whom the caller wanted to speak and who he were. Then the caller angrily said: "Who am I? Who am I? That will be told when you all have to pay with your lives. One fellow paid the price already... do you know? [...]". The caller then added: "[...] I am talking to you for the second time now. No matter how many times you are told, you don't stop? [...] How many times have you been told, but you don't listen. You fellows have not learned a lesson yet". The staff member replied he did not understand what the caller was talking about, and that he might have dialed a wrong phone number. The caller answered that: "When two or three of your lives are lost, you will know who I am... you have your women and children, get ready and wait... if you don't stop this...", "you all get ready for a sacrifice... are you licensed thugs, you all go on the roads, let us see. Be ready and wait". Then the call was disconnected.

On January 26, 2009, Mr. John Britto Fernando, President of "Right to Life", lodged a complaint to the Inspector General of Police of Colombo about these death threats.

In September 2008, the "Right to Life" centre and its lawyers had already received death threats. Subsequent to the complaint lodged by the centre, the Criminal Investigation Division informed them that inquiries had been opened and were ongoing.

These calls started after the assassination, on September 20, 2008, of Mr. Sugath Nishanta Fernando, who was a complainant in a bribery case and received death threats before his death. Ever since his death, Mr. Fernando's widow has also been receiving death threats and her calls for protection have not led to any action on the part of the police or any other Government agencies.

Furthermore, on January 27, 2009, Mr. **Amitha Ariyaratne**, Attorney-at-Law, was threatened three times with death at the Negombo Police Station by police officers. Mr. Ariyaratne was the lawyer for Mr. Sugath Nishanta Fernando, and also represents Mr. Sugath's family in a complaint of torture, where police officers from Negombo police station are accused of having tortured Mr. Sugath[1]. On that day, when Mr. Ariyaratne arrived at the Negombo Police Station and parked his car near the police station, an officer spoke to him in abusive language. Mr. Ariyaratne complained to a superior officer at the station. As he was leaving the station another officer, Mr. Bandara, confronted him and threatened him with death. Mr. Bandara also assaulted Mr. Ariyaratne on his shoulder. Mr. Ariyaratne had already been threatened in September 2008 following Mr. Sugath's death. However, no police officers were arrested or questioned on these death threats.

The Observatory condemns the death treats against staff members of the human rights centre “Right to Life” and Mr. Amitha Ariyaratne, and urges the authorities of Sri Lanka to guarantee in all circumstances their physical and psychological integrity.

### **Actions requested:**

Please write to the authorities of Sri Lanka asking them to:

0. Guarantee in all circumstances the physical and psychological integrity of all staff members of the human rights centre “Right to Life” and Mr. Amitha Ariyaratne in particular;
0. Order a thorough and impartial investigation into the above-mentioned death threats, in order to identify all those responsible, bring them before a civil competent and impartial tribunal and apply to them the penal sanctions provided by the law;
0. Put an end to all acts of harassment against all human rights defenders and humanitarian workers in Sri Lanka;
0. Conform with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially its Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels”, and Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;
0. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by the Democratic Socialist Republic of Sri Lanka.

## Addresses:

- President Mahinda Rajapakse, Office of the President, Temple Trees, 150, Galle Road, Colombo 3, Sri Lanka, Fax: + 94 11 2446657 / +94 11 2472100 / +94 11 2430 590. Email: secretary@presidentsoffice.lk
- Mr. Jayantha Wickramaratne, Inspector General of Police (IGP), New Secretariat, Colombo 1, Sri Lanka. Fax: +94 11 2 440440 / 27877. E-mail: igp@police.lk
- Mr. Amarasiri Dodangoda, Minister, Ministry of Justice and Law Reforms, Superior Courts Complex, Colombo 12, Sri Lanka. Fax : (94) 1 2320785. Email: justiceminist@sltnet.lk
- Mr. Gotabaya 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. Email: gotabaya@defence.lk
- National Police Commission, 3rd Floor, Rotunda Towers, 109 Galle Road, Colombo 03, Sri Lanka, Fax: +94 11 2 395867 / +94 11-2395866. E-mail: npcgen@sltnet.lk / polcom@sltnet.lk
- Human Rights Commission of Sri Lanka, No. 36, Kynsey Road, Colombo 8, Sri Lanka. Tel: +94 11 2 694 925 / 673 806. Fax: +94 11 2 694 924 / 696 470. E-mail: sechrc@sltnet.lk
- His Excellency Mr. Dayan Jayatilleka, Ambassador, Permanent Mission of Sri Lanka to the United Nations in Sri Lanka, 56 rue De Moillebeau, 5th Floor, 12119 Geneva 19, Switzerland, Fax: + 41-22 734 90 84, E-mail: mission.srilanka@ties.itu.int
- Embassy of Sri Lanka in Brussels, 27 rue Jules Lejeune, 1050 Ixelles, Belgium. Tel: + 32 2 344 53 94/ + 32 2 344 55 85. Fax : + 32 2 344 67 37.

Please also write to the diplomatic mission or embassy of Sri Lanka in your respective country as well as to the EU diplomatic missions or embassies in Sri Lanka.

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Geneva - Paris, February 3, 2009

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory, a FIDH and OMCT venture, is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need. The Observatory was the winner of the 1998 Human Rights Prize of the French Republic.

To contact the Observatory, call the emergency line:

**E-mail: Appeals@fidh-omct.org**

**Tel and fax FIDH + 33 (0) 1 43 55 20 11 / +33 1 43 55 18 80**

Tel and fax OMCT + 41 (0) 22 809 49 39 / + 41 22 809 49 29

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[1] A former officer in charge of the police has been charged under the Bribery Act for seeking and obtaining bribe from Mr. Sugath. In order to force him and his wife from giving evidence in that case, Mr. Sugath, his wife and their two children were severely assaulted by a large number of policemen. Subsequently, Mr. Sugath lodged a complaint about torture. Mr. Sugath had also filed a fundamental rights petition and the Supreme Court granted leave to proceed.

L'OMCT a son siège à Genève, en Suisse. Elle coordonne le réseau SOS-Torture composé de 282 organisations régionales et internationales dans 93 pays sur cinq continents.

Contact : [omct@omct.org](mailto:omct@omct.org)