

PUBLIC

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18 May 2009

UA 129/09 Fear for Safety / Incommunicado detention

SRI LANKA **Dr.T.Sathiyamoorthy (m) medical doctor**
Dr.Varatharajah (m) medical doctor
Dr.Shanmugarajah (m) medical doctor

Amnesty International is concerned for the safety of three government employed doctors who had been working in the conflict zone in North eastern Sri Lanka until 15 May. Dr T. Sathiyamoorthy, Dr T. Varatharajah and Dr. Shanmugarajah were treating the sick and wounded until they reportedly travelled out of the 'No Fire Zone' with approximately 5,000 other civilians.

According to reports received by Amnesty International, Dr. Shanmugarajah and Dr. Sathiyamoorthy, the regional director of health services in Kilinochchi, may be currently held at the Terrorist Investigation Division (T.I.D) in the capital Colombo. However, a detention order has not yet been issued so their relatives remain unsure of their whereabouts and they do not have access to a lawyer. Dr T. Varatharajah, the regional director of health services in Mullaitivu, was seriously injured and is reported to have been airlifted from the Omanthai crossing point to an unknown destination by the Sri Lankan Air Forces (SLAF).

According to reports, the three doctors were last seen on the morning of 15 May at a holding area at Omanthai checking point.

Amnesty International fears that they may be held in reprisal for providing information about civilians in the conflict zone. The doctors provided eyewitness reports to the media and the international community from hospitals and makeshift medical centres in the conflict zone. Their reports detailed the suffering of ordinary civilians, many of whom died from war-related injuries. Their reports also highlighted continuous shelling of areas with large concentrations of non-combatants.

BACKGROUND INFORMATION

The armed conflict between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE) has been ongoing for decades. Fighting intensified in north eastern Sri Lanka from July 2008 and developed into a high intensity conflict marked by grave violations of human rights law and international humanitarian law. In early 2009, up to quarter of a million people were trapped between government security forces and the LTTE. The Sri Lankan government has restricted independent journalists or monitors from reporting on the situation. As a result an almost total blackout of information has prevented the population of Sri Lanka and the world from knowing the full scale of the humanitarian crisis in the Wannu region of north east Sri Lanka. In September 2008 the government forced the withdrawal of all humanitarian agencies with the exception of the International Committee of the Red Cross (ICRC) from the Wannu.

In April 2009, as fighting intensified and international pressure grew for a temporary humanitarian ceasefire, tens of thousands of civilians escaped to government held areas. There are now over 200,000 displaced people in over 20 transit camps across Vavuniya District.

In 2007, following a visit to Sri Lanka, the Special Rapporteur on Torture, Manfred Nowak reported that "safeguards against torture either do not apply or are simply disregarded [...] and leads to a situation in which torture becomes a routine practice in the context of counter-terrorism operations."

At checkpoints and in transitional areas for the newly displaced, the government is reported to be screening the civilian population in order to identify suspected LTTE fighters. There is currently no standard registration process for the displaced coming out of the Wanni.

Away from the frontlines, freedom of expression is under severe threat in the country. As a result the conflict is not fully reported within Sri Lanka and those who attempt to do so have frequently found themselves targeted by government authority.

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

- expressing concern for the safety of Dr.T.Sathiyamoorthy, Dr.Varatharajah and Dr.Shanmugarajah who are believed to be held incommunicado after being detained by the security forces on 15 May 2009;
- calling for them to be given immediate and unrestricted access to lawyers of their choice and be promptly brought before an independent court where they may challenge their detention;
- calling for them to have immediate access to any medical treatment they may require, and be allowed family visits;
- calling on the authorities to release them immediately, unless they are to be charged with recognisably criminal offences and remanded by an independent court;
- asking the authorities to allow immediate access to independent observers at holding areas for screening/registration such as Omanthai to safeguard against human rights violations.

APPEALS TO:

His Excellency the President Mahinda Rajapaksa
Presidential Secretariat
Colombo 1
Sri Lanka

Fax: + 94 11 2446657
Salutation: Your Excellency

Hon. Sarath N. Silva
Chief Justice
Supreme Court of Sri Lanka
Superior Courts Complex
Colombo 12
Sri Lanka

Fax: + 94 11 243 5446
Salutation: Dear Chief Justice

Gotabhaya Rajapaksa
Ministry of Defence
Ministry of Defence, Public Security, Law and Order
15/5, Bauddhaloka Mawatha,
Colombo 03,
Sri Lanka

Fax: + 94 11 254 1529
Salutation: Dear Minister

Jayantha Wickramaratne
Inspector General of Police
Sri Lanka Police
Headquarters
101/1 Kew Road
Colombo 2
Sri Lanka

Fax: + 94 11 244 6174
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 29 June 2009.