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Prime Minister Ranil Wickremesinghe  
Prime Minister's Office  
No. 58, Sir Ernest De Silva Mawatha,  
Colombo 07.  
Sri Lanka.

*Honorable Prime Minister Wickremesinghe*

I write to you regarding the investigations into the enforced disappearance of cartoonist and journalist Prageeth Ekmaligoda on January 24, 2010, nine years ago.

Amnesty International notes with disappointment that very little information has been made available to investigators from the Criminal Investigation Department (CID) in the last four years. The court case is currently proceeding, but in the absence of full disclosure by the military on details of the investigation requested by the Criminal Investigation Department (CID) of the Sri Lanka Police.

To recap the case briefly: Prageeth was last seen in the evening of 24 January 2010, the day of his disappearance. His wife, Sandhya Ekmaligoda complained to the Homagama police the following day that her husband is missing and that she suspects that his criticism of the former President Mahinda Rajapaksa was the reason for his abduction, as he was supportive of the opposition candidate MP Field Marshal Sarath Fonseka.

According to media reports<sup>1</sup>, since 2015, the CID has pieced together that after the abduction, Prageeth was taken to Giritale Army camp and then to Akkaraipattu. The CID has since requested information of mobile phone numbers issued for army personnel, vehicle assignments and leave approvals to proceed with the investigation. Furthermore, the CID also discovered that the Sri Lanka Army pays the mobile bills that are under inquiry, relating to Prageeth's case. However, for the better part of a year, the Sri Lanka Army has been refusing to release this information to court on national security grounds, paralyzing the investigation. Sandhya Ekmaligoda has repeatedly commented that she feels that the Army and military intelligence is not supporting the investigations in this case.

The Office on Missing Persons (OMP) in its interim report too noted that 'The OMP notes with concern patterns of behavior by state actors which enable enforced disappearances to be met with persistent impunity. Previous commissions of inquiry as well as the CTF have reported that such practices include the recording of incorrect information or the withholding of relevant information, as well as the systemic inability and unwillingness to investigate and prosecute cases, particularly where credible evidence of violations exist.'

<sup>1</sup> <http://www.sundayobserver.lk/2019/01/20/news-features/prageeth-%E2%80%9C-politically-motivated-crime%E2%80%9D>

The government's approach to prosecutions and investigations in cases involving allegations against the military has been mixed. For example, in May 2015, the cases where the CID has requested information from the military are not only in relation to Prageeth's case, but also in the assassination of Lasantha Wickrematunga and abduction of Keith Noyahr. Amnesty International considers these delays as hampering the commitments made in UN Resolution 30/1 in 2015.

According to Amnesty International, there are estimated to be between 60,000-100,000 enforced disappearances in Sri Lanka since the 1980s<sup>2</sup>. Furthermore, the Presidential Commission established under former High Court Judge Maxwell Paranagama, recorded 20,000 cases including more than 5,000 which were related to security service members.

While Amnesty International appreciates the progress made on other counts of the transitional justice process in the last three years, it is imperative that justice, truth and reparation for crimes under international law and human rights violations is a priority for governmental authorities, if Sri Lanka's obligations under international human rights laws are to be respected and fulfilled. For investigations to be completed and prosecutions to effectively take place, the co-operation of all state actors, institutions and authorities is critical, without which, some positive steps taken by the government would amount next to nothing in practice.

Considering these facts, Amnesty International calls on the Government of Sri Lanka to:

- Urge the Sri Lanka Army and any other state agencies to comply fully with all court requests, cooperate with the CID investigation and release the relevant information immediately;
- Call on the CID to expedite the investigations;
- Expeditiously investigate all those suspected of criminal responsibility for the enforced disappearance of Prageeth Eknaligoda and, if there is sufficient admissible evidence, prosecute them in a fair trial before an ordinary civilian court;
- Guarantee truth, justice and reparations to the family of Prageeth Eknaligoda;
- Promptly recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims (Article 31, CPED).

Thank you.

Sincerely,  
Biraj Patnaik

CC

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<sup>2</sup> <https://www.amnesty.org/en/latest/news/2017/04/sri-lanka-victims-of-disappearance-cannot-wait-any-longer-for-justice/>

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