

PUBLIC

AI Index: ASA 37/008/2007  
29 March 2007

**Further Information on UA 47/07 (ASA 37/003/2007, 27 February 2007) Incommunicado detention/Fear of torture or ill-treatment/Detention without charge**

**SRI LANKA**            **Dushyantha Basnayake (m), aged 40, newspaper director**  
                         **Munusamy Parameshawary (f), journalist**  
                         **16 other journalists**

Journalist Munusamy Parameshawary was released on 22 March following a Supreme Court ruling that there was insufficient evidence against her and she should therefore be released. A number of other journalists are still in custody, as is Dushyantha Basnayake, director of the Sinhalese-language weekly newspaper *Mawbima*. He has not had access to his lawyer since he was arrested on 26 February. He is in danger of torture or ill-treatment. The government froze *Mawbima's* bank accounts on 13 March.

Munusamy Parameshawary had been held without charge for four months by the police Terrorist Investigation Division (TID). On 26 January she filed a Fundamental Rights application in the Supreme Court against her arrest and detention under the Prevention of Terrorism Act (PTA) stating that her arrest was illegal and a violation of her fundamental rights. In response, the Supreme Court ruled on 21 March that she should be released.

**BACKGROUND INFORMATION**

Emergency (Prevention of Terrorism and Specified Terrorist Activities) Regulations introduced in December 2006 appear to reactivate sections of the Prevention of Terrorism (Temporary Provisions) Act of 1979, which was suspended under the ceasefire agreement between the government and the Liberation Tigers of Tamil Eelam (LTTE) in February 2002. Amnesty International has a number of concerns about the use of the Emergency Regulations as they are incompatible with basic international human rights law, and were used to intimidate and harass political opponents, thus fostering a culture of impunity.

Since early 2006 there has been a clampdown on press freedom in Sri Lanka. The newspaper *Mawbima* had reported on human rights violations. The arrest of its staff, and the freezing of its bank accounts, is one example of this.

A number of people have recently been reported as "disappearing" or 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 locate the missing people.

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

- welcoming the release of Munusamy Parameshawary on 22 March;
- expressing concern for Dushyantha Basnayake, who is held incommunicado by the TID in Colombo;
- calling on the authorities to ensure that Dushyantha Basnayake and other journalists being held by the TID are not tortured or ill-treated, and that they are allowed immediate and unrestricted access to their families, lawyers of their choice and any medical treatment they may require;
- calling on the authorities to release Dushyantha Basnayake and other journalists held by the TID immediately and unconditionally, unless they are to be charged with recognizably criminal offences;
- calling on the authorities to immediately stop the misuse of the emergency security laws introduced in December 2006, and to ensure that official procedures for recording and reporting detentions are adhered to.

**APPEALS TO:**

President Mahinda Rajapakse

Presidential Secretariat, Colombo 1, Sri Lanka

**Fax:** +94 11 2446657  
+94 11 2472100

**Salutation: Dear President Rajapakse**

Gotabaya Rajapaksa

Secretary, Ministry of Defence, 15/5 Baladaksha Mawatha, Colombo 3, Sri Lanka

**Fax:** +94 11 2446 300  
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**Salutation: Dear Secretary of Defence**

**COPIES TO:**

Mahinda Samarasinghe

Minister of Disaster Management and Human Rights, 383, Department of Meteorology, Baudhaloka  
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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 10 May 2007.\*\*\*\*\*