

PUBLIC

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UA 65/08 Fear for safety/ Possible enforced disappearance

SRI LANKA Shenthilvel Mahendrarajah (m), former lecturer at Eastern University of Sri Lanka

According to witnesses, Shenthilvel Mahendrarajah was abducted by unidentified armed men on 19 December 2007 from the village of Vinayakapuram in eastern Sri Lanka. He may have been the victim of an enforced disappearance.

Witnesses reported that six armed men in civilian clothes arrived in Vinayakapuram in a white van with no registration plates. The witnesses stated that the men dragged Shenthilvel Mahendrarajah from his home at around 3am into the van and drove away.

In August 2007 Shenthilvel Mahendrarajah left his post as a lecturer in the Faculty of Science at the Eastern University of Sri Lanka and went into hiding, following threats from the *Pillaiyan* faction of a Tamil armed group that had split from the Liberation Tigers of Tamil Eelam (LTTE). The group is believed to be acting with the complicity of the state security forces. The *Pillaiyan* faction reportedly wanted Shenthilvel Mahendrarajah to agree to stand as a candidate for their political wing, the TMVP, in upcoming local elections in Batticaloa District.

Shenthilvel Mahendrarajah has said that he was tortured during previous periods of detention, including at the Palaly military base in 1996, while he was detained in connection with his membership of the University of Jaffna's Student Union; and in 2001, when he was held at the Jaffna Fort army base reportedly in connection with his role in organising the committee for Pongu Thamil, a Tamil event organised by the Jaffna University Committee.

BACKGROUND INFORMATION

The human rights situation in Sri Lanka has deteriorated in recent months. Fighting between the security forces and the armed group, the Liberation Tigers of Tamil Eelam (LTTE), increasing since April 2006, has intensified since the government formally withdrew from the 2002 ceasefire agreement on 16 January 2008.

There have been increasing reports of people suffering enforced disappearance after being abducted by the security forces or armed groups in the North and East. Information about their fate and whereabouts is very difficult to establish. Some are called or taken in "for questioning" and held incommunicado and no receipts or records of their detention are made available. Official mechanisms for reporting such events, such as the National Human Rights Commission, are often unable to help locate the missing people. Those abducted or subjected to enforced disappearance are at high risk of torture or other ill-treatment.

Over two decades of conflict in Sri Lanka have claimed the lives of more than 70,000 people, the majority of whom were civilians. More than 215,000 people have fled their homes. Neither the security forces nor the LTTE are taking adequate precautions to ensure that civilians are not killed or injured by military and paramilitary **forces**. According to the Sri Lankan Consortium of Humanitarian Agencies (CHA), more than 2,000 relief workers have fled the country's northern and eastern provinces due to the killing and frequent abductions.

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 Shenthilvel Mahendrarajah, who has not been seen since he was taken by force by unidentified armed men on 19 December 2007;
- if Shenthilvel Mahendrarajah is found to be in custody, calling on the authorities to release him immediately and unconditionally unless he is to be charged with a recognizably criminal offence;
- calling on the authorities to ensure that if Shenthilvel Mahendrarajah is in custody, that he is not tortured or ill-treated, and that he is allowed immediate access to his family, a lawyer of his choice and any medical treatment he may require;
- urging the authorities to conduct a prompt, independent and impartial investigation into the possible enforced disappearance of Shenthilvel Mahendrarajah, 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

Salutation: Dear President Rajapakse

Mr. Victor Perera
Inspector General of Police
Sri Lanka Police Headquarters
101/1 Kew Road
Colombo 2, SRI LANKA

Fax: + 94 11 2390433

Salutation: Dear Inspector General

COPIES TO:

Mahinda Samarasinghe
Minister of Disaster Management and Human Rights,
2 Wijerama Mawatha, Colombo 7, Sri Lanka

Fax: +94 11 268 1980/ +94 11 268 1985

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 18 April 2008.