

2007

27 February

UA 47/07 Incommunicado detention/ fear of torture or ill-treatment/ detention without charge

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

Dushyantha Basnayake, Director of Sinhala newspaper *Mawbima*, was detained in the capital, Colombo, on 26 February by officials from the Terrorist Investigation Division (TID). Another journalist from the same newspaper, Munusamy Parameshawary, has been held without charge by the TID for the last three months. Amnesty International has received reports of an additional 16 journalists held by the TID since 5 February 2006. The journalists are being held incommunicado and are at risk of torture or ill-treatment.

Dushyantha Basnayake was reportedly detained under the Prevention of Terrorism Act (PTA) after being questioned in his office by TID officials. The PTA allows for people to be held incommunicado for up to three months. It is thought his detention may be connected to recent articles published in *Mawbima* about human rights violations in Sri Lanka. *Mawbima* has carried articles that criticized President Mahinda Rajapakse's support for a military solution to the ongoing conflict between government security forces and the armed group, the Liberation Tigers of Tamil Eelam (LTTE).

Munusamy Parameshawary, also a journalist for *Mawbima*, has been detained under the PTA since 22 November 2006, on suspicion of having links with the LTTE. She had written articles concerning the alleged perpetration of "disappearances" by security force personnel. She has not been charged with any offence. For the first month of her detention, she was denied access to lawyers, and all journalists, including the editor of *Mawbima*.

BACKGROUND INFORMATION

The PTA, introduced in 1979 despite widespread opposition, is incompatible with basic international human rights laws and practices. It was used to intimidate and harass political opponents, and fostered a culture of impunity. A moratorium was placed on the use of the PTA after the signing of the ceasefire agreement in Sri Lanka in 2002. However, new security laws which came into force in December 2006 appear to condone the use of the PTA.

In recent months there has been a clampdown on press freedom in Sri Lanka. The "disappearance" of journalist Subramaniam Ramachandran on 15 February is an example of acts of violence and intimidation against journalists and human rights activists taking place in areas controlled by the Sri Lankan government.

There have been recent reports of a number of people "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:

- expressing concern for Dushyantha Basnayake, who is held incommunicado by the TID in Colombo;
- calling on the authorities to ensure that Dushyantha Basnayake, Munusamy Parameshawary 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, a lawyer of their choice and any medical treatment they may require;
- calling on the authorities to release Dushyantha Basnayake, Munusamy Parameshawary and other journalists held by the TID immediately and unconditionally, unless they are charged with a recognizably criminal offence;
- 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/ 2472100

Salutation: Dear President Rajapakse

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

Fax: + 94 11 2446 300/ 2541 529
Salutation: Dear Secretary of Defence

COPIES TO:

Mahinda Samarasinghe
Minister of Disaster Management and Human Rights, 383, Department of Meteorology, Bauddhaloka Mawatha,
Colombo 7, Sri Lanka
Fax: +94 11 2681978 / 2881982

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 April 2007.
