

**EXTERNAL (for general distribution)**

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*Limited action: Please organize up to 20 appeals per section.*

**UA 130/92    Death threats**

**27 April 1992**

**SRI LANKA:    W C Neal Rajapakse  
                  W Charles**

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Amnesty International is concerned about continuing reports of intimidation and threats against a number of witnesses currently appearing before the Anuradhapura magistrate's court, which is hearing evidence about the alleged rape and extrajudicial execution of a young woman, W Chandrawathie, by police officers in September 1990.

The relatives of W Chandrawathie of Eppawala, Anuradhapura district, have received several threats since the opening of the magisterial inquiry into her death. Her brother, W C Neal Rajapakse, was arrested on the first day of the inquiry at the end of February 1992 by officers of the Anuradhapura police and held at Anuradhapura police station for twelve days. He was unconditionally released, apparently after several officials, including the Attorney General, intervened in his case. He claims he was beaten during his detention and questioned about the inquiry. He has since received threatening phone calls at his place of work. Apparently, the caller has repeatedly urged him "not to go to court or face the consequences".

W Chandrawathie's father, W Charles, one of several people who identified a subinspector of police and a constable of the Eppawala police as being responsible for her rape, has also been repeatedly threatened. On 2 April 1992, a group of six men, believed to be members of the Anuradhapura police, came to his home at Eppawala and threatened him. They also asked for W C Neal Rajapakse. In mid-March, the judge hearing the evidence about the alleged rape and killing, had instructed "the officers-in-charge of Anuradhapura and Eppawala police stations to warn officers there not to intimidate or influence the witnesses in this case" (Daily News, Colombo of 17 March 1992). Complaints about the intimidation have also been made to the Inspector General of Police, but to date no investigation into its continuation has taken place.

W Chandrawathie was reportedly forcibly taken from her home at Eppawala on the night of 26 September 1990 by a subinspector of police accompanied by other officers of the Eppawala police station. Her father and other relatives allege she was dragged into the nearby jungle and raped by the subinspector, who subsequently shot her. They also allege that her body was later burnt on tyres at a nearby quarry. When they tried to register a complaint, officials at the local police station refused to assist them. They then contacted the Deputy Inspector General of Police of the area, who initiated investigations, the results of which are presently being presented to the magistrate's court.

Amnesty International understands that the subinspector and a constable

suspected of the rape and killing of W Chandrawathie surrendered to the court in early 1992 and are presently held at Anuradhapura prison.

#### **BACKGROUND INFORMATION**

In recent years, witnesses and victims who have testified against the security forces at inquiries into human rights violations or who have initiated other legal remedies, as well as lawyers appearing on their behalf, have been threatened and sometimes killed, apparently to intimidate **page 2 of UA 130/92...**

them or prevent them from testifying in court. These threats and killings represent a direct threat to the rule of law and deprive victims of human rights violations access to legal remedy, thereby enabling security forces personnel to act with impunity.

The government has repeatedly announced that relevant authorities have been asked to expedite court cases against members of the security forces suspected of human rights violations. To date, little progress has been reported in those few cases which have been brought to court. Amnesty International believes that the government's lack of action over the years to curb human rights violations has created the impression that the government condones these violations of human rights in certain situations, contributing to the climate of impunity.

#### **RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters:**

- expressing concern for the safety of W Charles and W C Neal Rajapakse, who have been threatened with death if they continue to give evidence at the inquiry into the death of W Chandrawathie, presently before the Anuradhapura magistrate's court;
- asking the government to guarantee their physical safety;
- urging that all necessary steps are taken to immediately halt these threats, identify those responsible and bring them to justice.

#### **APPEALS TO:**

1. His Excellency President Ranasinghe Premadasa  
Presidential Secretariat  
Republic Square  
Colombo 1, Sri Lanka

**Telegrams: President Premadasa, Colombo, Sri Lanka**  
**Telexes: 22650 PRESEC CE**  
**Faxes: + 94 1 44 6657**  
**[Salutation: Dear President]**

2. The Hon D B Wijetunga  
Prime Minister and Minister of State for Defence  
Ministry of Defence  
Republic Square  
Colombo 2, Sri Lanka

**Telegrams: Prime Minister, Colombo, Sri Lanka**  
**Telexes: 22229 MINDEF CE**  
**Faxes: + 94 1 44 6091**

[Salutation: Dear Prime Minister]

**COPIES OF YOUR APPEALS TO:** diplomatic representatives of Sri Lanka in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 8 June 1992.