

PUBLIC

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12 September 2006

Further Information on UA 230/06 (ASA 37/023/2006, 29 August 2006) Fear for Safety/ Possible "disappearance"

SRI LANKA

**Reverend Fr. Thiruchchelvan Nihal Jim Brown (m)
Wenceslaus Vinces Vimalathas (m)**

An eyewitness has alleged that they saw Reverend Fr. Thiruchchelvan Nihal Jim Brown and Wenceslaus Vinces Vimalathas in the village of Allaipiddy on Kayts Island off the northern peninsula of Jaffna, at about 2:15pm on 20 August, being followed by armed men on motorbikes. This last confirmed sighting of the two men greatly heightens fears for their safety.

On the day they went missing, Reverend Fr. Thiruchchelvan Nihal Jim Brown, a parish priest in Allaipiddy, and Wenceslaus Vinces Vimalathas were travelling by motorbike to Allaipiddy, when they met a friend who accompanied them to the Allaipiddy Sri Lankan Navy (SLN) checkpoint. The friend left the two men standing at the checkpoint at approximately 2.10pm. An eyewitness has confirmed that they saw the two men shortly after this, travelling through Allaipiddy on a motorbike. The eyewitness then saw two motorbikes each carrying three armed men wearing bulletproof vests, following Reverend Fr. Thiruchchelvan Nihal Jim Brown and Wenceslaus Vinces Vimalathas along the road. The six armed men then stopped outside St. Mary's Church in Allaipiddy and following some discussion, one of the motorbikes turned back in the direction of the SLN Allaipiddy checkpoint.

When the eyewitness reached the SLN Navy checkpoint in order to leave Allaipiddy, they saw the same three armed men who had turned back from St. Mary's Church talking to the SLN personnel and pointing in the direction of Allaipiddy. The armed men then allegedly rode back to Allaipiddy village, taking a different route than they had before.

Inquiries about the whereabouts of Reverend Fr. Thiruchchelvan Nihal Jim Brown and Wenceslaus Vinces Vimalathas have been made at a number of churches across the Jaffna peninsula and in surrounding areas. As Kayts Island is strictly controlled by the SLN, there are suspicions that the two men may have been taken into custody. Rear Admiral Upali Ranaweera, Commander of the SLN's Northern Region, has denied that the two men were arrested. Navy personnel at the Allaipiddy checkpoint have stated that Father Jim Brown and Wenceslaus Vinces Vimalathas passed through the Allaipiddy checkpoint and returned soon after, travelling in the direction of Jaffna town. However, when police requested that they produce the evidence of their passing through the checkpoint on their return from Allaipiddy, they refused.

Father Jim Brown had assisted a number of civilians in moving from Allaipiddy to the town of Kayts following armed conflict in Allaipiddy between the SLN and the Liberation Tigers of Tamil Eelam (LTTE) on 13 August, during which at least 15 civilians were killed and 54 injured. In the days following this incident, he allegedly received a number of death threats from the Commanding Officer of the Allaipiddy Naval Camp, accusing him and other civilians of assisting the LTTE to dig bunkers.

BACKGROUND INFORMATION

The human rights situation in Sri Lanka has deteriorated dramatically in recent months, as escalating violence has resulted in widespread human rights abuses and a climate of fear and insecurity. Increased fighting between the government security forces and the Liberation Tigers of Tamil Eelam (LTTE) since April 2006 has resulted in the death and injury of scores of civilians, the displacement of more than 200,000 people, and the destruction of homes, schools, and places of worship. Neither the government security forces nor the LTTE appear to be taking adequate precautions to protect civilian lives. The two parties to the

conflict say they remain committed to the 2002 ceasefire agreement; however analysts refer to the situation on the ground as an undeclared war. Over two decades of conflict in Sri Lanka have claimed the lives of more than 65,000 people, the majority of them civilians.

There are fears that a pattern of "disappearances" by state agents is re-emerging in Sri Lanka following the introduction of new Emergency Regulations in August 2005 that granted sweeping powers to the security forces. Sixty-two cases of "disappearance" in the north of the country have been registered by the Human Rights Commission of Sri Lanka over the past year. The Commission is also investigating the status of 183 other individuals who are still missing under unknown circumstances.

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

- expressing concern at an eyewitness statement alleging that Rev. Fr. Thiruchchelvan Nihal Jim Brown and Wenceslaus Vincés Vimalathas were followed by armed men on 20 August, and that some of these men were later seen speaking to SLN personnel;
- noting that this latest eyewitness statement, combined with a lack of evidence of the two men's return from Allaipiddy on the day they went missing, heightens fears that they have "disappeared";
- urging the authorities to conduct an independent and impartial investigation into the fate and whereabouts of Rev. Fr. Thiruchchelvan Nihal Jim Brown and Wenceslaus Vincés Vimalathas and to make the findings public;
- calling upon the authorities, if the two men are found to be in custody, to allow them access to their relatives, a lawyer and any medical treatment they may require, and urging that they be immediately and unconditionally released unless they are to be charged with a recognizably criminal offence;
- expressing concern at reports that a pattern of "disappearances" appears to be emerging again in northern Sri Lanka, and calling on the authorities to put a halt to this practice immediately.

APPEALS TO:

President Mahinda Rajapakse
Presidential Secretariat, Colombo 1, Sri Lanka

Fax: +94 11 2472100/ 244 6657

Salutation: Dear President

Major General Asoka K Jayawardhana
Secretary, Ministry of Defence
15/5 Baladaksha Mawatha, Colombo 3, Sri Lanka

Fax: + 94 11 2446 300 / 2541 529

Email: modadm@sltnet.lk

Salutation: Dear Secretary of Defence

Vice Admiral Wasantha Karannagoda
Navy Commander
Navy Headquarters
PO Box 593
Colombo, Sri Lanka

Fax: +94112542430/ +94 11 2433 896

Email: cofn@navy.lk

Salutation: Dear Vice Admiral

COPIES TO:

Rear Admiral Upali Ranaweera
Northern Naval Area Commander

Email: comnorth@navy.lk

Salutation: Dear Rear Admiral

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 24 October 2006.