

PUBLIC

AI Index: ASA 37/028/2006

09 October 2006

UA 270/06 "Disappearance"/abduction

**SRI LANKA Balasingham Sugumar (m), aged about 50, Dean of the Faculty of Arts and Culture,
Eastern University, Batticaloa Town, Batticaloa District**

Balasingham Sugumar, Dean of the Faculty of Arts and Culture at Eastern University, Batticaloa Town, Batticaloa District, was reportedly abducted at 7.30pm on 30 September by two unidentified armed men in civilian clothes. His whereabouts remain unknown and he may have "disappeared". There are grave concerns for his safety.

According to reports, Balasingham Sugumar's abductors arrived at his house in Batticaloa town and said they wished to take Balasingham Sugumar away to question him. They threatened the family not to inform anyone of their visit, and said they would release Balasingham Sugumar once they had finished their inquiry. They put him into a white van with tinted windows and took him away to an unknown destination. He has not been seen since.

Amnesty International is concerned that since he was abducted in a government-controlled area, he may have been taken away by an armed group with the knowledge, or at least the tacit support, of the security forces.

The Batticaloa police, the International Committee of the Red Cross (ICRC) and the Sri Lanka Monitoring Mission (SLMM) (a team of experts from Norway and Iceland charged with monitoring compliance with the 2002 ceasefire agreement) have been informed about the abduction. Members of Balasingham Sugumar's family have also informed Sri Lanka's President, Mahinda Rajapakse, about the abduction, and the President has promised to send a team to investigate his fate and whereabouts.

In recent months in Batticaloa District and other areas in the north and east of Sri Lanka, there have been reports of ongoing "disappearances" and abductions by security forces and unidentified armed groups. Such persons are often called or taken in "for inquiry" and held incommunicado without access to their families or legal assistance. No receipts or records of detention are made available and mechanisms for reporting such events, such as through the National Human Rights Commission, are often unable to clarify the whereabouts of the missing persons.

BACKGROUND INFORMATION

The human rights situation in Sri Lanka has deteriorated dramatically in recent months. 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.

Between 13 and 20 June 2006, 48 civilians, including 25 children, were reportedly abducted by an armed Tamil group in government-controlled territory in Batticaloa District. A petition was filed by the families concerned with the Chief Justice of the Supreme Court and the Minister for Human Rights and Disaster Management on 11 July 2006. The Minister forwarded the petition to the Inspector General of Police for further inquiry. No known action has been taken to date to secure their release.

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

- urging the authorities to conduct an independent and impartial investigation into the fate and whereabouts of Balasingham Sugumar and to make the findings public;
- in appeals to the President, urging the President to make public the actions undertaken to investigate the reported abduction of Balasingham Sugumar and make public the report on the findings;
- if Balasingham Sugumar is found to be in custody, calling on the authorities to allow him access to his relatives, a lawyer and any medical treatment he may require;
- urging that he be immediately and unconditionally released unless they are to be charged with a recognizably criminal offence;
- calling for the authorities to adhere to presidential directives requiring detainees arrested by the security forces to be handed over to the police within 24 hours of their arrest;
- 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 2446657/ 2472100
Salutation: Dear President Rajapakse

Lt Gen Sarath Fonseka
Army Commander, Army Headquarters, Flagstaff Street, Colombo 1, Sri Lanka
Fax: + 94 11 2855 018/ 2434 862/ 2338 653/ 2421 374
Salutation: Dear Lt General

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

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

COPIES 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 20 November 2006.