

PRESS RELEASE - THE OBSERVATORY

SRI LANKA: 42 human rights defenders and political activists detained to prevent them from participating in a peaceful protest in Jaffna on Human Rights Day

Geneva-Paris, December 15, 2011. The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), strongly condemns the detention of 42 defenders and political activists to prevent them from participating in a peaceful protest in Jaffna on Human Rights Day, as well as the violent dispersal of the protest.

On December 10, 2011, 42 human rights defenders and opposition activists from the southern part of Sri Lanka were detained by the police in the northern town of Jaffna as they were about to attend a protest to mark the international human rights day.

The protest was organised by a collective of Tamil and Sinhala civil society groups and activists including Right to Life, the International Movement against Discrimination and Racism (IMADR), the Committee to Investigate Disappearances (CID), families of the disappeared, and opposition political parties including the Tamil National Alliance (TNA), the Trotskyite Nava Sama Samaja Patshaya (NSSP), the Socialist Party of Sri Lanka and the Ceylon Communist Party of Sri Lanka (Maoist). The objective was to highlight key human rights issues and ongoing violations, in particular in the north of Sri Lanka.

Events to mark Human Rights Day including protests in other parts of Sri Lanka such as in Colombo, Kandy and Kurunegela were allowed without disruption. However, in Jaffna the police detained human rights defenders travelling to the protest and also attempted to disperse those who had gathered at the main protest venue in Jaffna town. In addition, on the day of the protest, unusual heavy security and military presence was observed in Jaffna. All buses entering the city were checked by police, and riot police were seen on the streets while army officers were seen inside the Jaffna main police station.

At around 9.00 am on December 10, a bus carrying 42 human rights defenders, journalists and political activists from Colombo and other parts of the country was stopped at a police sentry in Navathkuli, an entry point to Jaffna. A policeman stepped in the bus and seized a copy of *Puthiya Samathanamam*, a Tamil newspaper published by the NSSP. Although none of the police officers at the sentry point spoke Tamil and appeared not to be able to read Tamil, they claimed that the newspaper was illegal and contained anti-Government material. Following a brief discussion, the police allowed the bus to proceed at around 9.45 am.

The group finally reached Jaffna but at around 10.30 am, it was stopped by about 20 police officers led by a Sub-Inspector at the Vembaddi Junction opposite the Nurses Training College (NTC) in Jaffna. The police ordered the group to get down from the bus, and searched everyone as well as the bus, confiscating material worth around Rs.30,000 (about 203 €) including 99 copies of *Puthiya Samathanamam*, around 500-600 leaflets calling for investigations into disappearances, several placards and posters including photographs of disappeared persons, and two banners of the NSSP and the CID. The materials were thrown out of the bus and later loaded into a police vehicle. No receipt was given for the material confiscated by the police.

The group was then detained for over two and a half hours on the road opposite the NTC, being surrounded by around 15 policemen. Later, around 10 armed army officers joined the police cordon. No one was allowed to leave the place and the police refused to allow anyone to attend the protest. No reason or justification was given for such a treatment. The police told the group that any gathering of more than five people could not take place in Jaffna without prior police permission, although there is no particular law providing that you require

police permission to conduct an event or protest in Jaffna. The police added that any member of the group who tried to leave the place of detention would be remanded. The Sub-Inspector and an Assistant Superintendent of Police (ASP) who was present at the scene accused the defenders of trying to provoke ethnic tensions and undoing what the military had achieved after years of struggle against so-called terrorism. He said that they would be answerable to the nation for their actions. All were released at 12.45 pm and finally allowed to join the protest. As they were leaving Vembaddi Junction, the ASP said in Sinhala that "when you come to our area you must behave in a manner that is suitable to us", adding "this is not Colombo, this is Jaffna".

Meanwhile, the police tried to disperse the protest that was taking place at the central bus stand. Several activists were forced by the police to leave the venue, who threatened to hit those who remained there. According to reports, the police would also have hit and pushed some women to the ground, mostly mothers and relatives of the disappeared. Yet, the protest at the central bus stand continued, despite police controls and attempts to disperse or disrupt the protest. Demonstrators were crowded into a small space of around 20 yards by the police, who prevented the protest from expanding.

On December 13, 2011, Messrs. Mahindran from the CID, Ajith Rupesignhe from the Ceylon Communist Party (Maoist), Mahinda Devage from the Socialist Party of Sri Lanka and Janaka Silva, Janagan and Perumal Koominathanan from the NSSP filed a complaint with the Inspector General of Police (IGP) against the treatment by the police and asked the IGP to conduct an inquiry into the incident and to return the confiscated materials, particularly the photographs of disappeared persons to the group. The Officer in Charge of the Special Investigation Unit recorded the complaint and told the group that he had informed the IGP by telephone and obtained a special order from the IGP to the area Deputy IGP to investigate into the incident. The same group also plans to complain to the Sri Lanka's National Human Rights Commission regarding the incident.

The Observatory expresses its deep concern about the above-mentioned attempts to hinder the freedom of peaceful assembly of human rights defenders in Jaffna, and calls upon the Sri Lankan authorities to put an end to all acts of harassment against all human rights defenders in Sri Lanka, and ensure in all circumstances that they are able to carry out their legitimate activities without any hindrance and fear of reprisals, in line with the United Nations Declaration on Human Rights Defenders adopted by the General Assembly on December 9, 1998.

For further information, please contact:

- **OMCT: Delphine Reculeau : + 41 22 809 49 39**
- **FIDH: Karine Appy / Arthur Manet: + 33 1 43 55 25 18**