

URGENT APPEAL - THE OBSERVATORY

LKA 001 / 1011 / OBS 115
Smear campaign / Death threats
Sri Lanka
October 6, 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), requests your urgent intervention in the following situation.

Brief description of the situation:

The Observatory has been informed by reliable sources about the false allegations and death threats made against Mr. **Sunanda Deshapriya**, a human rights defender, press freedom campaigner and a journalist from Sri Lanka who was the Head of the Free Media Movement before going into exile in 2009¹.

According to the information received, on September 12, 2011, Mr. Sunanda Deshapriya attended a side event at the 18th session of the UN Human Rights Council organised by the Sri Lankan Government. H.E. Mohamed Nasheed, President of the Maldives, a number of Ministers and senior Government officials from Sri Lanka, as well as representatives from a number of diplomatic missions in Geneva, from international human rights organisations and some Sri Lankan human rights defenders participated in the event.

A few days later, several Sri Lankan media outlets controlled by the State or sympathetic to the Sri Lankan Government, including televisions, radios, newspapers and websites, published an inaccurate account of the event. They falsely claimed that the President of the Maldives accused Mr. Sunanda Deshapriya of having acted "against his country" by supporting the Liberation Tigers of Tamil Eelam (LTTE) at the Human Rights Council and thus betraying his country's interests².

However, according to those who attended the event, these accounts were not accurate and they recounted that the Maldivian President had in fact engaged in a cordial conversation with Mr. Sunanda Deshapriya and other Sri Lankan human rights defenders after the meeting. Furthermore, on September 27, the President of the Maldives made a statement in which he expressed his good wishes to all Tamil people and his desire for all people to live peacefully together³.

Since these false allegations were made in the media, Mr. Sunanda Deshapriya has been receiving death threats through phone calls from hidden numbers and comments made in on line media. The Observatory recalls that Mr. Deshapriya has already been subjected to smear campaigns in the past. In May 2009, following his participation and oral intervention during the 11th Special Session on Sri Lanka at the UN Human Rights Council, he was also subjected to threats, forcing him to go into exile.

The Observatory expresses its deep concern about those false allegations and threats against Mr. Sunanda Deshapriya, and in particular fears for the physical and psychological integrity of Mr. Deshapriya's family who remains in Sri Lanka.

¹ Mr. Deshapriya is the author of a weekly column in which he often focuses on human rights issues for the Sinhalese newspaper *Ravaya*, edits the "Sri Lanka Brief", a website about human rights in Sri Lanka, and maintains a blog site that gathers information about human rights violations, with a particular focus on freedom of expression.

² See *Dinamina*, September 13, 2011 or *Divaina*, September 15, 2011.

³ See President's Office website, <http://www.presidencymaldives.gov.mv/Index.aspx?lid=11&dcid=6001>.

The Observatory further fears that this campaign of defamation against Mr. Deshapriya is not only carried out in retaliation of his human rights activities but also aims at deterring other human rights defenders from engaging with UN mechanisms and participating in sessions of the UN Human Rights Council and therefore hinder them from carrying out their legitimate human rights work.

Actions requested:

Please write to the authorities of Sri Lanka urging them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Mr. Sunanda Deshapriya's family who may be exposed, and of all human rights defenders in Sri Lanka;
- ii. Put an end to all acts harassment against Mr. Sunanda Deshapriya and, more generally, against all human rights defenders in Sri Lanka;
- iii. Conform with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, in particular :
 - its Article 1, which provides that "everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels",
 - Article 11, which states that "everyone has the right, individually and in association with others, to the lawful exercise of his or her occupation or profession",
 - Article 12(1) that provides "everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms",
 - as well as Article 12.2, which provides that "the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually or in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration";
- iv. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Sri Lanka.

Addresses:

- President Mahinda Rajapakse, Presidential Secretariat, C/- Office of the President, Temple Trees 150, Galle Road, Colombo 3, Sri Lanka, Fax: +94 11 472100 / +94 11 2446657, Email: secretary@presidentsoffice.lk
- Mr. Mohan Peiris, Attorney General, Attorney General's Department, Colombo 12, Sri Lanka, Fax: +94 11 2 436421
- Ms. Chandra Ellawala, Secretary, Human Rights Commission of Sri Lanka, 118, Barnes Place, Colombo 07, Sri Lanka. Fax +94 2694924, Hotline +94 2689064.
- Mr. Mahinda Balasuriya, Inspector General Of Police (IGP), New Secretariat, Colombo 1, Sri Lanka. Fax no. +94 11 2 440440, Email: igp@police.lk
- National Police Commission, 3rd Floor, Rotunda Towers, 109 Galle Road, Colombo 03, Sri Lanka, Fax: +94 11 2 395867 / +94 11-2395866. E-mail: npcgen@sltnet.lk / polcom@sltnet.lk
- Her Excellency Ms. Kshenuka Senewiratne, Ambassador, Permanent Mission of Sri Lanka to the United Nations in Geneva, 56 rue De Moillebeau, 5th Floor, 1211 Geneva 19, Switzerland, Fax: + 41-22 734 90 84, E-mail: mission@lankamission.org



The Observatory
for the Protection
of Human Rights Defenders

- Embassy of Sri Lanka in Brussels, 27 rue Jules Lejeune, 1050 Ixelles, Belgium. Tel: + 32 2 344 53 94/ + 32 2 344 55 85. Fax: + 32 2 344 67 37. Email: secretariat@srilankaembassy.be

Please also write to the diplomatic mission or embassy of Sri Lanka in your respective country.

Geneva-Paris, October 6, 2011

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

To contact the Observatory, call the emergency line:

- Email: Appeals@fidh-omct.org
- Tel and fax OMCT: + 41 22 809 49 39 / 41 22 809 49 29
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