

January 8, 2012

*Statement by Sonali Samarasinghe Journalist in Exile and Widow of Sri Lankan editor Lasantha Wickrematunge on his third death anniversary*

### **Sri Lanka's democratic institutions have metastasized into something dangerous**

Today (January 8) marks the third death anniversary of Lasantha Wickrematunge a human rights journalist from Sri Lanka who fought fearlessly for the freedom of the press and relentlessly pursued what he believed was right. On January 8, 2009 he was brutally murdered by the Sri Lankan authorities for his journalism.

Three years after Lasantha's brutal murder despite the vapid assurances of the Rajapakse regime to the international community, Sri Lanka has turned into a lawless state of abductions, rape and murder with at least two of these incidents taking place in the New Year.

#### **Concentration of power and finances**

Even as there is an overwhelming concentration of power and finances in the ruling family, every one of Sri Lanka's democratic institutions has metastasized into something dangerous and poisonous.

Christmas day was marred by the brutal murder in the South of Sri Lanka, of a British tourist Kuram Shaikah Zaman – a prosthetics expert who had worked for the ICRC in the Gaza strip. His friend a 23-year-old Russian woman was raped with one witness telling the local media that four men “stripped and raped her mercilessly although she was bleeding from her head.” The main suspect in the case is ruling party politician and well-known thug Sampath Vidanapathirana a close friend of the Rajapakse family.

#### **Refuge for criminals and rascallions**

Clearly the ruling regime has become a refuge for criminals and rascallions as the Sri Lankan government fails to maintain law and order and encourages lawlessness and criminal behaviour instead.

Local media has also reported that the suspect Vidanapathirana had earlier been arrested for the murder of an elderly woman in the run-up to the 2010 Presidential elections but had been released on the basis of a mental disability report filed by the police on his behalf. Despite this he continues in active politics under the protection of the Rajapakse family.

Though the police are conducting preliminary investigations into these gruesome crimes, hopes of justice remain slim as with every other bogus murder investigation commenced for public and international consumption under the watch of the Rajapakse regime.

#### **The name of the game**

Inexplicably the police did not even arrest Vidanapathirana and waited instead for him to surrender a few days later. Here's what the Asian Human Rights Commission – a staunch human rights defender based in Hong Kong, said regarding the surrender. "Due to the publicity this incident has attracted Chairman Vidanapathirana surrendered to the police. On assurance of anonymity, a policeman explained that such surrenders are nothing but a game. All the conditions of how to deal with the situation and the manner in which the surrendering suspects are to be released are all prearranged, he said. The whole process of criminal investigations is so manipulated by the government politicians that in many similar incidents the suspects have escaped any criminal punishment."

Yet tourism authorities and hoteliers in the country have preferred to call this a random act and have advised the media to sweep the incident under the carpet for fear it would hurt the expected tourist boom.

Surely material surplus and economic progress cannot make up for the erosion of our society and the destruction of our moral compass.

### Killings

If this were not enough, a 25 year old man Dinesh Buddhika Charitanda was abducted on January 3 this year and his body bearing head injuries was found near the Keleni river close to Grand Pass in Colombo. A week earlier, the body of a fish vender who had been abducted by an unknown group was found dead in the same manner at Mutuwal, Colombo.

On 2nd January a man named Mohammad Nistar, was abducted by a group in a white van as he was traveling in a three-wheeler. Sometime later his body was found with bullet wounds to the head. The Asian Human Rights Commission says Mr. Nistar was engaged in the rehabilitation of drug addicts. No one has been arrested for his abduction and murder.

### Abduction after abduction

In early December of last year two young men, Lalith Kumar Weeraju and Kugan Murugan, were abducted and have since disappeared. According to human rights groups these two young men were activists campaigning for the International Day for Human Rights on December 10.

On October 27, 2011 a well-known astrologer Mohamed Sali Mohamed Niyas was abducted by a group of armed men and several days later his body was found on the shores of Akkaraipattu in the East of Sri Lanka.

Even the worst scoundrel is entitled to due process of the law and labels in the media of alleged drug dealing as in the case of young Dinesh Buddhika does not absolve the government from its responsibility to uphold the rule of law.

With a total lack of accountability for the war, a disappointing LLRC report that failed to recognize the importance of accountability and justice, and the failure to properly investigate the murders of journalists like Lasantha Wickrematunge, little wonder the commonly held belief that these continued abductions and murders are taking place with the direct or indirect knowledge of the police and with the tacit approval of ruling party politicians.

### Powerful friends

Another example is that of Duminda Silva, a Member of Parliament and a close confidant of Defence Secretary Gotabaya Rajapakse. Mr. Silva allegedly a drug dealer was responsible for the attack that led to Baratha Lakshman Premachandra and several others being killed. Yet Duminda Silva remains under the careful protective wing of his powerful friend.

These countless murders, abductions and assaults are not random acts or accidental killings. These are acts of violence that have become emblematic of the current leadership, the erosion of society and the impunity with which the regime now operates.

Any kind of political dissent has been crushed as was demonstrated recently when opposition parliamentarians were assaulted inside parliament itself. Despite death threats and other forms of intimidation of the media no serious investigations into these complaints are ever conducted.

### **Demonic repetition**

When my husband was brutally murdered in 2009, when journalist Prageeth Ekneliyagoda was disappeared in 2010, civil society, the media and human rights organizations said enough was enough. But we have seen that these acts of violence still continue to take place with demonic repetition.

### **Despite overwhelming evidence, still no investigation**

In the 36 months that have elapsed since Lasantha's murder, there has been virtually no investigation into this crime.

Police had earlier succeeded in taking into custody five mobile phones, which on the day Lasantha was killed, moved in the same pattern as his phone. Police say the phones that passed through 11 cellular phone towers that day have not been used before or since the day of the killing. However, they have not been disconnected either. According to police, one of the five phones appears to have been used to monitor and control the entire operation. A track path of the calls made between the five telephones indicates that they communicated regularly with each other, constantly calling one particular mobile.

One of the five phone numbers indicated on the mobile path shows a call having been made from the spot Lasantha was attacked. According to witnesses, the assassins all rode a uniform make and type of motorcycle. A motorcycle allegedly used in the attack had been recovered the government claimed.

### **Soldiers arrested and released**

During the course of 2010 seven soldiers belonging to the Sri Lankan army's Military Intelligence Directorate--a unit headed by a close confidant of former Army Commander General Fonseka--were detained for questioning by the Terrorist Investigations Department (TID) and the Criminal Investigations Department (CID). The seven soldiers were separated from an original 17 who were taken into police custody. All 17 have since been released.

### **Suspect mysteriously dies**

In October 2011 the only suspect remaining in custody Pitchai Jesudasan mysteriously died. According to the B Report submitted by the Terrorist Investigations Department dated March 30, 2010, Pitchai Jesudasan was arrested for the murder of Lasantha Wickrematunge and attempted murder of the then Editor of the Rivira newspaper Upali Tennakoon and previous attack on Deputy Editor for the Nation newspaper Keith Noyahr. With relation to the murder of Wickrematunge police charged that Jesudasan's national ID had been used to obtain the five SIM cards which were later believed to have been used by the five man hit squad who trailed and murdered my husband on January 8, 2009.

### **Should be investigated**

Jesudasan may have died of natural causes but the circumstances of his death in custody give rise to questions and therefore must be independently investigated.

Moreover, despite the existence of numerous witnesses, no accurate description of the attack on my husband was ever made public by the police. Had there been even the slightest political will to solve this murder the apprehension of his murderers would have been child's play.

Certainly taken together, all this can leave little doubt in a rational mind that Lasantha's murder has been the focus of an extensive—if clumsy—cover up.

### **International Community must act**

As we remember Lasantha and his work and other journalists and activists around the world who have paid the supreme price in the line of duty, I call upon the international community to urge Sri Lanka's government to hold a proper independent investigation into Lasantha's murder, to bring back the rule of law rather than the rule of one family, to delink the police from the defence establishment, to properly disengage the army from civil administration, to restore the Seventeenth Amendment in order to ensure independent commissions for the Police, Judiciary, Bribery, Finance, Elections and Human Rights Commissions and to sincerely effectively and meaningfully deal with issues of accountability that now plague our nation.

Thank you

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