



No. 283/2013

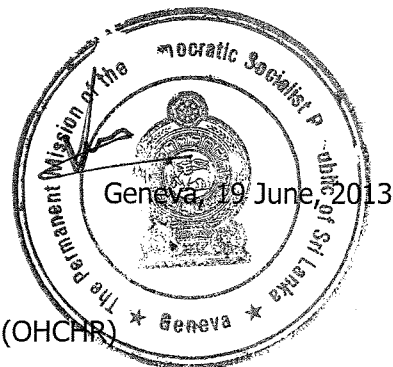
HR/50

The Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the United Nations Office in Geneva and Other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights (Special Procedures Branch) and has the honour to refer to a Joint Urgent Appeal dated 12 September 2012 addressed to H.E. Mr. Ravinatha Aryasinha, the Ambassador / Permanent Representative of the Permanent Mission Sri Lanka to the United Nations in Geneva, by Mr. Frank La Rue, Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, Mr. Maina Kiai, Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association and Ms. Margaret Sekaggya, Special Rapporteur on the Situation of Human Rights Defenders.

The Permanent Mission of Sri Lanka has the honour to attach herewith, the information received from the Government of Sri Lanka with regard to the alleged surveillance and intimidation of Dr. Nirmal Dewasiri and the attempted abduction of Mr. Shantha P. Wijesooriya.

The Permanent Mission of Sri Lanka would appreciate acknowledgement of receipt of this communication by the Special Procedures Branch.

The Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the United Nations Office in Geneva and Other International Organizations in Switzerland avails itself of this opportunity to renew to Office of the High Commissioner for Human Rights (Special Procedures Branch), the assurances of its highest consideration.



Office of the High Commissioner for Human Rights (OHCHR)
(Special Procedures Branch)
52, Palais Wilson
Rue de Paquis
CH-1201 Geneva

Annex

Alleged surveillance & intimidation of Dr. Nirmal Dewasiri & the attempted abduction of Mr. Shantha P. Wijesooriya

Mr. Shantha P Wijesooriya

Criminal Investigation Department (CID) conducted an investigation into the activities of Lanka E-News web site relating to cyber and computer crimes as well as offences relating to inciting feelings of ill will among different classes of people. In the course of the investigation a search was carried out of its office at no.71 Ferry road Ethulkotte and placed eight persons under arrest and were released on bail. The facts relating to the impugned investigations have been reported to the Magistrate's court of Colombo under case number B/836/04/12. Advice of the Attorney General has been sought in relation to the legal action to be taken against the suspects. Advice of the Attorney General is pending.

A complaint also had been made in 2011 by an organisation named " Peoples Watch" based in Tamil Nadu, India on behalf of Mr. Wijesooriya that he is being threatened and intimidated by unknown persons. This matter was investigated fully by the CID, however there was no evidence available to establish the identities of the persons alleged to have intimidated Mr. Wijesooriya.

The reference made in your communiqué with regard the arrest of Mr. Wjesooriya by the Kirindiwela police, was initiated by the Magistrate of Pugoda in connection with contempt of court matter arising from and concerning the proceedings of the said court.

Subsequently being charged for contempt of court before the Pugoda magistrate, (case number 12829), Mr Wijesooriya had tendered an unqualified plea of guilt for the said charge, and the magistrate, had recorded the plea of guilt and Mr Wijesooriya had been handed down a warning by court to refrain from indulging in such conduct in the future. Mr Wijesooriya has not made any allegation against the officials of the Kirindiwela police in this regard.

There is no record of Mr Wijesooriya having made any complaint against prison officials in relation to the alleged assault referred to in the communiqué, by Mr. Wijesooriya, which he had the liberty and the opportunity to do.

Dr. Nirmal Dewasiri

Dr. Nirmal Dewasiri has made a complaint on 21.06.2012 at Maharagama Police stating that two unidentified persons have roamed in the vicinity of his residence in a suspicious manner.

Police have conducted investigations into the complaint and was not successful in tracing the persons referred to by the complaint. However when the Maharagam Police conducted further inquiries into this matter, the complainant has requested that no further investigation is required in this regard.

Dr. Nirmal Dewasiri has also made a complaint at the Cinnamon Garden Police Station on 3.07.2012 with regard to the threatening telephone call that he received from an unknown person on his mobile phone from an unknown telephone number. Police conducted investigations with regard to the telephone numbers given by him and found it was Public Telephone Booth 'Tri Tell' Telephone Company, which is fixed at Angulana, Ratmalana. No additional material has come to light in this connection.