

## Call for urgent interventions to ensure security of Lanka-e-News staff

24<sup>th</sup> March 2011

*In view of insecurity created by a series of incidents in the aftermath of the arson attack of Lanka e-News, staff of Lanka e-News, concerned media and human rights organizations in Sri Lanka is calling for urgent and immediate intervention from local and international bodies to ensure the security of Lanka e-News staff.*

Following the arson attack on the Lanka-e-News office on 31<sup>st</sup> January 2011, journalists and staff are concerned about the manner in which the police investigation is being conducted. Lanka-e-News believes that the attack was politically motivated and is a further example of the continuous suppression of dissent and media freedom by the current government. However, no attempt has been made to identify the real perpetrators of the attack so far. Recent state media reports and police statements on the progress of the investigation have led to fears that the Lanka-e-News staff may be further targeted and falsely implicated in the attack on their office.

Lanka-e News is an independent news portal in Sri Lanka which has been openly critical of the Government and its policies since its inception in 2005. The website is known for exposing governmental corruption and malpractices and has supported a negotiated settlement to the ethnic conflict in the past few years. Threats against Lanka-e-News and its staff increased significantly in the run up to the January 2010 Presidential Election due to its support for the Common Opposition Candidate, General Sarath Fonseka over the incumbent President Rajapakse.

Journalists attached to Lanka-e-News were threatened and harassed during and after the Presidential Election. Cartoonist and journalist, Prageeth Ekneligoda was disappeared on 24<sup>th</sup> January 2010 (two days prior to the election) and has not been heard from since. Chief Editor, Mr. Sandaruwan Senadheera was forced to leave Sri Lanka in March 2010 following repeated threats against his life. Lanka-e-News staff currently includes Mr. Sandaruwan Senadheera (Chief Editor – receiving protection in the UK), Mr. Bennette Rupasinghe (News Editor) and journalists, Mr. Sanjaya Dassanayake, Mr. Shantha Wijesooriya and Mr. K.M. Asanka.

In the latest attack, the Lanka-e-News office in Daham Mawatha, Malabe, was burned down by unidentified arsonists on 31<sup>st</sup> January 2011 at or around 2 am. The men, who broken in through the front entrance, had doused the computer room, library and newspaper archive in petrol and set fire to the premises. No one was present at the time of the attack. The fire was put out by neighbours who were alerted to the fire by the sound of exploding computers. Two policemen on patrol in the area were also present at the scene but no attempt had been made to contact the fire brigade or emergency services.

At around 2.30 am the same day, a short while after the attack, Mr. Bennette Rupasinghe received an anonymous call threatening to kill him if he did not stop his work. At around 3 am, Mr. Rupasinghe was informed by the owner of the building (a US resident) that the Lanka-e-News office was on fire. Mr. Rupasinghe immediately informed his staff and the General Secretary of the Free Media Movement, Mr. Sunil Jayasekera about the incident. The staff was advised not to visit the site or to make a police complaint regarding the incident, out of fear that they may be falsely implicated in the attack.

In June 2009, Mr. Rupesinghe and Mr. Senadheera were falsely accused of being involved in the attack against Poddala Jayantha, a fellow journalist, when they alerted the Inspector General of Police about the abduction. Mr. Senadheera and Mr. Rupesinghe were arrested and detained shortly after the abduction and made suspects in the navigation. The police B report submitted to the Magistrates Court accused Mr. Senadheera and Mr. Rupesinghe of hiding the truth behind Poddala Jayantha's abduction. The journalists were released on bail the following day and the criminal case has been laid by in the Magistrates Court, but may be taken up at any future date.

At five am on 31<sup>st</sup> January, journalist Sanjaya Dasanayake and Tudor Gunawardhane (office assistant) visited the site and photographed the damage. Several neighbours also entered and examined the building with them. At around 6 am the Thalahena police arrived at the scene. The police recorded the statements of the Lanka-e-News staff and cordoned off the area, following which nobody was permitted to enter the building. The Government forensic team did not arrive until 1 pm the following day (1<sup>st</sup> February) by which time heavy rain had washed away much of the evidence. The premises were handed back to Lanka-e-News on 2<sup>nd</sup> February.

On 1<sup>st</sup> February, the Dinamina newspaper, a State owned newspaper, reported that the police had found several pornographic films, women's underwear, empty bottles of alcohol and used condoms inside the Lanka-e-News premises. The police deny having provided such misinformation to the press and in fact asked the Lanka-e-News staff for evidence or material to support such a statement. When the building was handed back on 2<sup>nd</sup> February, eNews staff noticed several used condoms displayed prominently on the office lunch table. Mr. Dasanayake states that these articles were not present when he photographed the damage on 31<sup>st</sup> January. Significantly none of these items had been gathered as evidence by the forensic team on its inspection of the site.

In the meantime the police claim to have arrested a suspect H.P.H. Susantha (also known as Soosa) from near the Lanka-e-News office shortly after the attack on 31<sup>st</sup> January. A second suspect, Sisira Jayalath (also known as Bhoothaya) was purportedly arrested from the Beruwela area on 10<sup>th</sup> February. This suspect's mother however states that she handed her son over to the Thalahena police as a result of continuous harassment by the police who repeatedly visited her house in search of her son.

On 2<sup>nd</sup> February, the Dinamina newspaper carried an article claiming that Susantha had confessed to carrying out a contract attack on Lanka-e-News based on orders received from a person abroad. Susantha had allegedly been promised Rs.50,000 for the contract and had been paid Rs.10,000 in advance. According to the report, the attackers had thrown petrol at the doors and windows and set fire to the building. This version contradicts the photographic evidence of the incident, which indicates clearly that the rooms and equipment had been set on fire from inside the building.

On 12<sup>th</sup> February 2011, Dinamina carried a further article stating that the Mulleriyawa Police were conducting an investigation into allegations by the families of the two suspects that two men on a bike, who identified themselves as Lanka-e-News staff, had attempted to influence their statements in court by offering to pay them a sum of Rs.25,000 to cover their legal expenses. The Lanka-e-News staff strongly deny any involvement in offering money to either of the suspects families and also state that they have so far not been contacted by the Mulleriyawa police in this regard.

On 18<sup>th</sup> February, the suspects were produced before the Kaduwela Magistrate, where they vehemently denied any involvement in the attack on Lanka-e-News. The men told Court that they did not even know the location of the Lanka-e-News office. No evidence was submitted by the police in support of their

guilt. The suspects were released on bail on the same day by the Kaduwela Magistrate. Lawyer for Lanka-e-News, Mr. Manjula Pathiraja, did not object to their release since he does not believe that the suspects are responsible for the attacks. Mr. Pathiraja submitted that his client had no confidence in any investigation conducted by the police and appealed to the Magistrate to take over the investigation. Lanka-e-News believes that the police have deliberately misled the court and diverted the focus of the investigation in order to avoid apprehending the real culprits responsible for the attack. The case has been postponed to April 20<sup>th</sup> 2011.

On 14<sup>th</sup> March, the Dinamina newspaper, reported that the families of the suspects had been threatened with the aim of pressuring them to deny their involvement in the arson attack before court. In one incident, a family member had been assaulted by a man, armed with a gun, on a motorbike clad in a black jacket and helmet. The article also states that the police have identified the mastermind behind the attack and plan to arrest him shortly.

Through March, Lanka-e-News staff, have received credible information from sources within the Rajapakse Government, of the Government's intention to falsely implicate the Lanka-e-News staff in the arson attack on their office. The staff, has been warned that they are likely to be arrested on false charges, possibly following the Local Government Elections which took place on 17<sup>th</sup> March 2011. Journalists Sanjaya Dasanayake and Shantha Wijesooriya believe that they have been followed on several occasions on their way to work. Threats have also been made against the e-News lawyer, Mr. Manjula Pathiraja following the attack.

Following the arson attack, the Lanka-e-News office was shifted to Rajagiriya (a Colombo suburb) to premises owned by United National Party (UNP) Western Provincial Councillor, Mr. Shiral Lakthilake. The office of the 'Colombo School of Politics' run by Mr. Lakthilake and CAFFE an election monitoring body ([www.caffesrilanka.org](http://www.caffesrilanka.org)) are situated at the same premises. In an article published in Dinamina on 17<sup>th</sup> March, the paper claims that Lanka-e-News is engaged in anti-state activities together with Mr. Lakthilake and CAFFE.

Between 9.30am – 10.00am on 24<sup>th</sup> March 2011, a man called Mr. Rupasinghe on his mobile phone (number +94-71-8428024) and asked who is speaking. When Mr. Rupasinghe in turn questioned who the caller was, the caller had identified himself as the Officer in Charge (OIC) of the Wellampitiya Police station. (located in the Colombo district). The caller had told Mr. Rupasinghe that they the Police had received a complaint regarding threats made to a person using Mr. Rupasinghe's mobile phone and asked Mr. Rupasinghe to report to the Wellampitiya Police station to make a statement in this regard. When Mr. Rupasinghe asked the caller for more details of the complaint and the name of the complainant, the caller had refused to divulge the information. Mr. Rupasinghe had subsequently informed the OIC that he is unable to go to the Police station today (24<sup>th</sup> March) and the caller had then informed Mr. Rupasinghe that he will be contacted again regarding this. Subsequently, today afternoon, we had heard of unconfirmed reports that Police had already obtained a arrest warrant for Mr. Rupasinghe.

Lanka-e-News staff remaining in Colombo work under extremely vulnerable and insecure conditions and believe that they may be subjected attacked or abducted. Based on the latest call made to Mr. Rupasinghe, past experiences of arrest and detention of those who had visited Police to give statements and information (including Mr. Rupasinghe himself and Lanka e-News Chief Editor who is now in exile), and the negative propaganda of the state media, the staff believe that they could also be arrested and detained for prolonged periods using the Prevention of Terrorism Act and even be subjected to torture while in detention.

*Lanka e-News staff, FMM, INFORM and LST call on all local and international media and human rights organizations to intervene urgently to safeguard security of Lanka e-News staff and address the insecure and negative environment created by the state controlled media.*

*We also call on the authorities to ensure independent investigations into the arson attack of 31<sup>st</sup> January 2011 on Lanka e-News and arrest, prosecute and convict those responsible, without attempting to implicate Lanka e-news staff as being responsible for this incident through state controlled media.*

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