## Sri Lanka<sup>9</sup>

Number of outstanding	Cases transmitted to during the period ur	_	Cases clarified under review b	Number of outstanding		
cases at the beginning of the period under review	Cases sent under the urgent action procedure	Cases sent under the standard procedure	Government	Non-governmental sources	cases at the end of the year under review	
5 516	43	169	0	1	5 727	

Number of cases on which the	Multiple replies on some cases	Number of cases of possible clarification
Government has replied		by Government (6-month rule)
4	No	2

General allegation	N/A	Government response	N/A
Prompt intervention letter	Yes (3)	Government response	Yes (1)
Working Group request for a visit	Yes	Government response	Under consideration

## **Urgent actions**

351. The Working Group sent 43 cases under its urgent action procedure to the Government, concerning 39 men and 4 women disappeared between February and October 2008. The majority of disappearances took place in Trincomalee and are attributed to the military, the police, security forces and paramilitary groups working with the Government.

#### Standard cases

352. The Working Group transmitted 169 newly-reported cases to the Government. The alleged disappearances took place mainly between 2006 and 2008, mainly in Colombo, Trincomalee and Jaffna. The military, police, criminal investigation department and paramilitary groups working with the Government are allegedly responsible for these disappearances, which include one woman and one minor. Other cases concern men who disappeared in Jaffna.

#### **Information from the Government**

353. The Working Group received three communications from the Government, dated 3 October 2007, 28 August and 2 September 2008, concerning four outstanding cases. Concerning two cases, the Government stated that no complaints of disappearances had been reported to the police and that the national identification card numbers did not correspond with their records. The information was insufficient to clarify the outstanding cases. For two cases, the Government provided the address of the victims. As a result, the Working Group applied the six-month rule.

#### **Information from sources**

354. The Working Group received one communication from a source regarding an urgent action, indicating that the person had been released.

<sup>&</sup>lt;sup>9</sup> See Annex 5 for the list of names of the newly-reported cases of disappeared persons.

#### Clarification

355. Following the information received by the source, the Working Group decided to clarify one case.

#### **Meetings**

356. Representatives of the Government of Sri Lanka met with the Working Group at its eighty-fourth session to discuss developments connected to its outstanding cases and the request for a visit.

#### **Prompt intervention**

- 357. On 15 July 2008, the Working Group sent a prompt intervention letter to the Government of Sri Lanka, together with the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the situation of human rights defenders. It concerned human rights defenders who were questioned by the Colombo Crime Division on the history, objectives and details of their work, after they distributed two leaflets during a public demonstration. Further questioning took place at the Colombo Crime Division Office, and information about the staff members and their families was also recorded.
- 358. On 12 September 2008, the Working Group sent a second prompt intervention letter, together with the Special Rapporteur on the situation of human rights defenders (listed as an urgent appeal under the mandate's records). It concerned the prolonged interrogation of a human rights defender working on enforced disappearances, as well as a reported defamation campaign against him.
- 359. On 6 October, the Working Group sent a third prompt intervention letter, together with the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on the situation of human rights defenders. It concerned the bombing of a human rights lawyer's premises. He had reportedly been taking cases of enforced disappearance to court.
- 360. On 4 September 2008, the Government responded to the first letter. The Government indicated that investigations were launched based on information received concerning the distribution of pamphlets "attempting to excite feelings of disaffection amongst public in contempt of the administration of justice. [...] The material contained in the pamphlet was reportedly "provocative in nature, would have aroused feelings of hatred towards security forces and the police [...]" and "could have possibly influenced the public to precipitate an inimical situation. [...] In the pamphlet in question, certain statements were made against armed forces and the police and their activities in the performance of their duties. [...] Therefore, it was necessary to investigate the nature of the publication and to seek legal advice from the Attorney General".
- 361. In addition, the Government stated that in the course of the investigations, no arrests or detentions were made and that there were no threats or intimidations on those who were subjected to questioning.

362. No response was received from the Government regarding the other two letters.

#### Press release

363. On 11 June 2008, the Working Group issued a press release deploring the large number of cases of disappearances in Sri Lanka. The Working Group called upon the Sri Lankan authorities to take effective measures to prevent and terminate acts of enforced disappearances, carry out thorough investigations and bring the perpetrators to justice. Finally, the Working Group reiterated its request to conduct a country visit.

## Request for a visit

364. On 16 October 2006, the Working Group requested to undertake a mission to Sri Lanka. The Government replied stating that it would not be possible to schedule a visit during the proposed dates, and that the interest of the Working Group would be given due consideration. Notwithstanding several reminders, no dates have yet been set.

## Total cases transmitted, clarified and outstanding

365. Since its establishment, the Working Group transmitted 12,675 cases to the Government. It clarified 6,570 cases, 6,530 on the basis of information provided by the Government and 40 on the basis of information provided by the source; 378 were found to be duplications and were therefore deleted; 5,727 remain outstanding.

#### **Observations**

- 366. The Working Group remains gravely concerned at the increase in reported cases of enforced disappearances in the country, which led to the issuance of a related press release. The Working Group is alarmed that 212 cases were reported during 2008.
- 367. The Working Group is concerned that many other cases may be occurring in the country and are not being reported because of fear of reprisals.
- 368. In light of the increasing number of cases, the Working Group would like to reiterate its request to conduct a mission to Sri Lanka as soon as possible.
- 369. The Working Group encourages the Government to report on the further implementation of the recommendations emanating from the Working Group visits in 1991, 1992 and 1999.
- 370. The Working Group reminds the Government of Sri Lanka of its obligations under the Declaration to "take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance in any territory under its jurisdiction" (art. 3).

Annex 3
STATISTICAL SUMMARY: CASES OF ENFORCED OR INVOLUNTARY DISAPPEARANCE REPORTED TO THE WORKING GROUP BETWEEN 1980 AND 2008

Countries/entities	Cases t	ransmitted	to the Gove	rnment	Clari	fication by:	Status	of person a		Discontinued cases
	To	tal	Outsta	ınding	Government	Non-governmental	At	In	Dead	
	Cases	Female	Cases	Female		sources	liberty	detention		
Afghanistan	3	-	3	-	-	-	-	-	-	-
Algeria*	2 728	19	2 704	18	9	15	9	7	8	-
Angola	10	1	3	i	7	-	-	-	7	-
Argentina	3 445	772	3 286	738	107	52	28	5	126	-
Bahrain	2	-	-	-	-	2	-	1	-	
Bangladesh	3	3	3	3	-	-	-	-	-	-
Belarus	3	-	3	ı	-	-	1	-	-	-
Bhutan	5	-	5	ı	-	-	1	-	-	-
Bolivia	48	3	28	3	19	1	19	-	1	-
Brazil	63	4	13	-	46	4	1	-	49	-
Bulgaria	3	-	1	İ	3	-	ı	-	3	-
Burkina Faso	3	-	1	-	3	-	-	-	3	-
Burundi	53	-	52	1	-	1	1	-	-	-
Cambodia	2	-	1	1	-	-	1	-	-	2
Cameroon	19	-	15	1	4	-	4	-	-	-
Chad	32	-	29	1	3	-	2	-	1	-
Chile	908	65	816	64	69	23	2	-	90	-
China	114	13	29	6	74	11	48	35	2	-
Colombia	1 227	122	955	92	205	67	157	24	91	-
Congo	114	3	114	3	-	-	-	-	-	-
Democratic People's Republic of Korea	9	5	9	5	-	-	-	-	-	-

Countries/entities	Cases transmitted to the Government			Clarification by:		of person a clarificatio	Discontinued cases			
	To	otal		anding	Government	Non-governmental	At	In	Dead	
	Cases	Female	Cases	Female		sources	liberty	detention		
Seychelles	3	-	3	-	-	-	-	-	-	-
South Africa	11	1	-	-	3	2	1	1	3	6
Spain	3	-	3	-	-	-	-	-	ı	-
Sri Lanka*	12 297	155	5 727	87	6 530	40	101	24	6 445	-
Sudan	382	37	173	5	205	4	208	-	ı	-
Switzerland	1	-	1	-	-	-	-	-	ı	-
Syrian Arab	44	3	18	3	12	14	17	5	4	-
Republic										
Tajikistan	8	-	6	-	-	2	1	-	1	-
Thailand	58	5	55	5	1	-	1	-	-	2
Timor-Leste	504	36	428	28	58	18	50	23	2	-
Togo	11	2	10	2	-	1	1	-	-	-
Tunisia	17	1	1	-	12	5	1	16	-	-
Turkey	182	11	63	3	69	49	68	24	26	1
Turkmenistan	2	-	-	-	2	-	-	2	-	-
Uganda	22	4	15	2	2	5	2	5	-	-
Ukraine	4	2	3	2	1	-	-	-	1	-
United Arab	2	-	1	-	1	-	1	-	-	-
Emirates										
United Kingdom of	1	-	-	-	-	-	-	-	-	-
Great Britain and										
Northern Ireland										
United Republic of	2	-	-	-	2	-	2	-	-	-
Tanzania										
United States of	1	-	-	-	1	-	-	-	-	-
America										
Uruguay	31	7	22	3	8	1	4	4	-	-

Countries/entities	Cases transmitted to the Government		Clarification by:		Status of person at date of clarification			Discontinued cases		
	То	tal	Outsta	nding	Government	Non-governmental	At	In	Dead	
	Cases	Female	Cases	Female		sources	liberty	detention		
Uzbekistan	19	-	7	-	11	1	2	10	-	-
Venezuela	14	2	10	1	4	-	1	-	3	-
Viet Nam	1	-	1	-	-	-	-	-	-	-
Yemen	151	-	1	-	135	1	63	-	73	14
Zambia	1	1	-	-	-	1	-	1	-	-
Zimbabwe	5	1	4	1	1	-	-	-	1	-
Palestinian Authority	3	-	3	-	-	-	-	-	-	-

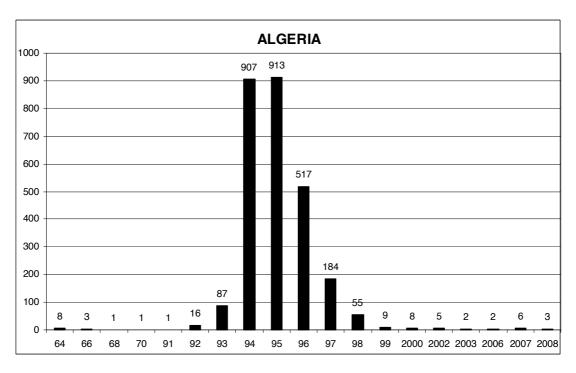
<sup>\*</sup> In addition, the Working Group determined that 15 outstanding cases were duplicates and were subsequently eliminated from its records.

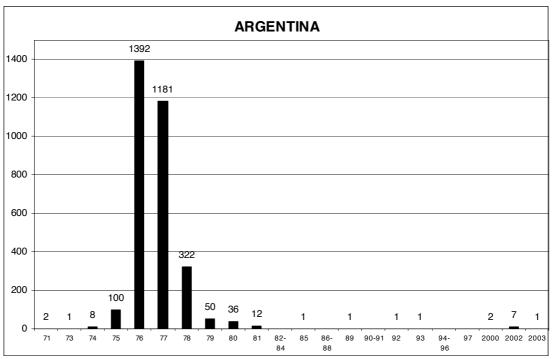
<sup>•</sup> In addition, the Working Group decided that one case was erroneously reported and was subsequently eliminated from its records.

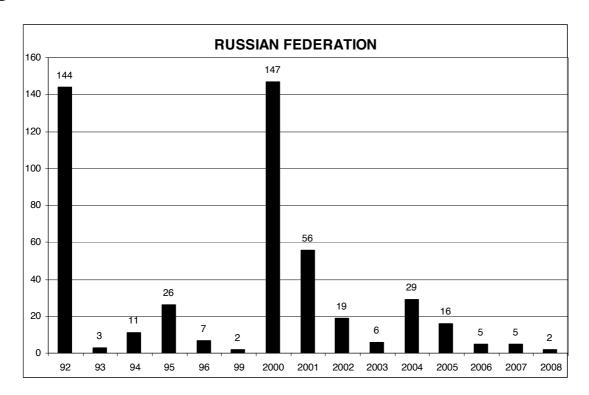
<sup>•</sup> In addition, the Working Group determined that 378 were found to be duplications and were subsequently eliminated from its records.

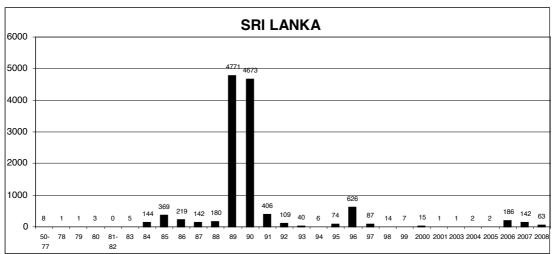
Annex 4

GRAPHS SHOWING THE DEVELOPMENT OF DISAPPEARANCES IN COUNTRIES WITH MORE THAN 100 TRANSMITTED CASES DURING THE PERIOD 1980-2008









Annex 5

# LISTS OF NAMES OF NEWLY-REPORTED CASES, FROM COUNTRIES WHERE THERE WERE MORE THAN 10 NEWLY TRANSMITTED CASES DURING THE REPORTING PERIOD

	Algeria	
Case No.	First name	Family name
10001651	Abdelkrim	ABDELLAOUI
10001652	Djelloul	ABDELLAOUI
10001653	Mokhtar	ABDELLAOUI
10001300	Bouabdellah	ABDENACER
10001697	Moussa	ABDESSELAM
10001698	Abdelkader	ACEM
10001614	Merzak	ACHOUR
10001654	Ali	ACHOUR
10001655	Abdelkader	ADDAOUI
10001656	Cherif	ADJROUD
10001911	Ahmed	AFFAN
10001699	Abdelkader	AHMANE
10001700	Hocine	ALIOUCHE
10001701	Nourredine	ALIOUCHE
10001702	Mohamed Samir	AMARA
10001657	Larbi	AMARI
10001658	Allaoua	AMIOUR
10001703	Daoud	AMIRET
10001704	Toufik	AMMARI
10001615	Djamel	AMRANE
10001659	Azzedine	AMRANI
10001910	Rabah	AMRI
10001912	Mouloud	AMROUCHE
10001913	Yassine	ANNAB
10002036	Brahim	AOUABDIA
10001660	Yahia	AOUABDIA
10001616	Mohamed	AOUICHA
10001048	Mohamed Salah	ARAMI
10001617	Abdallah	ASBAR
10001914	Ahmed	ASNOUN
10001063	Abd El Malek	ASSILA
10001064	Youcef	ATHMANE
10001065	Redha	ATIK
10001066	Ryad	ATIK
10001068	Tarek	ATIK
10001069	Abdelaziz	ATOUI

Nepal (continued)						
Case No.	First name	Family name				
10001859	Chhunuwa	THARU				
10001860	Dhaniram	THARU				
10001861	Fakhla	THARU				
10001862	Hari Ram	THARU				
10001863	Jeulal	THARU				
10001864	Krishna Prasad	THARU				
10001865	Kula Prasad	THARU				
10001868	Keshar Kumar	THARU				
10001869	Kalpatti	THARU				
10001893	Hari Charan	THARU				
10001993	Palta	THAU				
10001838	Dil Raj	YOGI				
10001839	Nil Prasad	YOGI				
10001841	Pushpa Raj	YOGI				

	Sri Lanka					
Case No.	First name	Family name				
10001143	Kobalasingam	ACHSUDAN				
10002186	Thurai	AJANTHAN				
10001764	Rajan	ALEXSANDER				
10002179	Sivagnanam	ANPALAKAN				
10002187	Vigneswaran	ANPUTHASAN				
10002188	Rasenthiram	ANTHONY RANJAN				
10001710	Kamalanathan	APPUTHURAI				
10001736	Vijajathas	ARAVINTHAN				
10001726	Mary Delcia	ARTHUR RAJARATNAM				
10002189	Thevamany	ARUL				
10002191	Saravanamuthu	ARUMUGANAVALAR				
10001144	Irasasekaram	BALAKRISHNAN				
10001149	Sritharan	BALAKRISHNAN				
10002192	Iniyavan	BALASINGAM				
10001151	Fernando	BALENDRAN				
10001755	Walter Edward	BARNES				
10002190	Kiddinapillai	CHANDRAMOHAN				
10001765	Sandanam	CHANDRAN				
10002266	Thevananthan	CHANDRASEGARAM				
10002193	Sivajinathan	CHANTIRASEKARAN				
10001766	Selvaraj	CHITRAVEL				
10001897	Chandralingam	CHITRAVEL				
10001152	Nicholas Annesteen	CROOS				
10002194	Velayutham	EMIL PREMITTAN				

	Sri Lanka (co	ontinued)
Case No.	First name	Family name
10001153	Nadarajah	ESWARANATHAN
10001154	Alex Besil	FERNANDO
10001909	Joseph	GNANASEGARAM
10001720	Sebastian	GOODFELLOW
10002195	Soosaithasan	HAMILTAN
		MARINTHIRAN
10002196	Francis Sekar	HAMILTON
10002197	Vettivelu	JEAYAPALU
10001715	Jegan	JEGARASA
10002198	Arumugan	JEGATHESWARAN
10002199	Punniyamoorthy	JEYASHANKAR
10002200	Jeya	JEYATHILEEPAN
10001155	Selvaraja	KAJANATHANAN
10001741	Sivasupramanijam	KAJENTHRAN
10002201	Suriyapraba	KALIRASA
10002202	Indiran	KAMALATHEEPAN
10001768	Muthulingam	KAMALRAJ
10002203	Loheswaran	KANAGASINGAM
10001769	Tharmeshvaran	KANAPATHIPILLAI
10002204	Arumugam	KANDAIH
10001156	Rajaratnam	KANDEEPAN
10002176	Varatharasa	KANESAMOORTHY
10001742	Mohanathas	KANNATHAS
10002205	Mohanaraj	KANTHASAMY
10001725	Muralitharan	KANTHASAMY
10001737	Shankar	KANTHASAMY
10002206	Yoganathan	KAPILAN
10002177	Ponnaih	KARALASINGAM
10002207	Rajkumar	KARUNAKARAN
10001770	Vairamuththu	KESAVAN
10002208	Govintharasa	KIRUBAHARAN
10001721	Jeyakanthan	KOPALAPILLAI
10002209	Gopalasamy	KOSALAN
10002210	Kanapathipillai	KRISHNABAVAN
10002211	Velayutham	KRISHNAMOHAN
10001157	Victor Kanicias	KULAS (CULAS)
	(Victor Kanicius)	
10001158	Ramakrishnan Ramesh	KUMAR
10001773	Murugaiah Ashok	KUMAR
10001744	Ratnasingam	KUMARASAMY
10001745	Charles Kumar	KUNASINGAM
10001898	Prakashkumar	KUPPASAMY
10001159	Sivapatham Niththiya	LAXMI
10002182	Vanatharasan	LAZARU

	Sri Lanka (con	ntinued)
Case No.	First name	Family name
10002212	Vaithilingam	MAHENTHIRAN
10002213	Perinbarasa	MAHESWARAN
10002214	Muthulingam	MALARAVAN
10002215	Balasubramanium	MATHANASEELAN
10001774	Paratheepan	MATHIYAPARANAM
10001775	Kumutharaj	MAYALAKU
10002216	Nirmalanathan	MAYOORAN
10002217	Rasenthiram	MERISTALIN
10001160	Laxman Suress Fernando	MIHINDUKULASSOORIYA
10002218	AshoKumar	MURUGAIAH
10002219	Navaneethan	MURUGAIAH
10001738	Sivagurunathan	MURUGUPPILLAI
10002221	Kalikkudi	MUTHAIH
10001161	Gobinath Nalathiru	NADANASABA
10001723	Pradeepan	NAGENDRAN
10002223	Govinthan	NAHARAJA
10002224	Newton	NICHOLAS
10001162	Sachchithanandam	NIRANJAN
10001739	Appuththurai	NISHANTH
10002226	Ramanaruben	PAKIYARASA
10001714	Kajendran	PAKIYARASA
10002225	Selvanayagam	PALANIVEL
10002220	Subramanium	PARAMESWARAN
10001740	Janahan	PARANJOTI
10002180	Jegatheeswaran	PASUPATHY
10001163	Mutthukkumar	PATHMANATHAN
10001164	Sena Jegagothiswaran	PERIES
10001792	Ramajeyam	PERUMAL
10002227	Sebastiampillai	PHILIP RUBAN
10002228	Muruhananthan	PIRAPANANTHAN
10002229	Perumal	PIRASANTH
10001790	Kumar	POOBALASINGAM
10001165	Thirulogarasa	PRABAHARAN
10002230	Anton	PRABANANTH
10001166	Veerasingam	PRAGANTHAN
10002232	Vimalraj	PRAKASARASA
10002231	Pathinathar	PRASANNA
10001167	Subramaniam	PUTHTHIMAN
10001168	Denis	RAJ
10002233	Thavaraj	RAJAJI
10001746	Sriharan	RAJAKAJAN
10001776	Kabalamuthu	RAJAPANDI
10001727	Nagaratnam	RAJENDRAM
10002234	Balasooriyan	RAJI

	Sri Lanka (co	ntinued)
Case No.	First name	Family name
10002236	Poopalasingam	RAMESHKUMAR
10002237	Thilikumar	RANJITHKUMAR
10001728	Somalingam	RASIKARAN
10002238	Premaraj	RATHINASINGAM
10001908	Premaraj	RATHINASINGAM
10001169	Kumarasamy	RATNARAJA
10001717	Satheeskumar	RATNARAJA
10002239	Gnanaseelan	RAVI
10001729	Muralitharan	RAVISHANKAR
10002241	Thavarasa	RAVIVARMAN
10002240	Soosaipillai	REGINALD YOGANANTH
10001767	Gnanasegaram	ROBERT
10001777	Joseph Anthony	RUBITA
10001170	Kathiravel	SAKTHIVEL
10001718	Yoganantham	SAMITHAMBY
10001778	Sangarapillai	SANDRAKUMAR
		(KUMAR AIYA)
10002243	Santhirasekaram	SANKAR
10002250	Subaskaran	SANMUGARASA
10002244	Thevarasa	SANTHAKUMAR
10002174	Prabaharan	SANTHARASA
10002178	Mahenthirarasa	SARANGAN
10002184	Shanmugarasa	SARAVANAMUTHU
10001712	Thenmoli	SASHIKUMAR
10002222	Kanthasamy	SASIKKUMAR
10002245	Arulvasakam	SASIKUMAR
10001716	Nishanthan	SATHANANTHARASA
10001757	Arul Seelan	SATHANANTHARASA
10002246	Ananthamoorthy	SATHIYASEELAN
10002247	Jeyarajan	SEBAMALAI PIERIS
10001747	Berchmans	SEBASTIAN
10001791	Surenthiranathan	SEENITHAMBY
10001748	Manokaran	SELLAMUTHU
10001171	Thillainathan	SELVANATHAN
10001896	Milroy	SELVANAYAGAM
10002248	Umasuthan	SELVARATNAM
10002249	Selvarasa	SENTHAN
10001788	Prabha	SHANMUGAM
10001172	Vinayaga Moorthy	SHUDAKAR
10002251	Ariyaratnam Yunith Rex	SIMPSON
10002252	Sivachelvan	SINNARASA
10002253	Chitravelayutham	SINNATHURAI
10001173	Sivathas	SINTHAN
10001174	Sivapatham	SIROJAN

Sri Lanka (continued)		
Case No.	First name	Family name
10001749	Pulenthiran	SITTAMPALAM
10001730	Manikkapodi	SIVALINGAM
10002254	Nithiyananthan	SIVAN AANDY
10002255	Prabaharan	SIVANANTHAM
10001711	Chandradevi	SIVAPRAGASAN
10002256	Sivasuthan	SIVARAJAH S.
10002257	Nadarasa	SIVARUBAN
10001175	Tharmaratnam	SIVASOORIYAKUMAR
10002258	Kajenthiran	SIVASUBRAMANIAM
10001779	Arulampalam	SIVASUBRAMANIAM
10001724	Theepakumar	SOORIYALINGAM
10001780	Mayooran	SOUNDERARAJAN
10001750	Piraisoodi	SUBAHARAN
10002235	Ramachandran	SUBRAMANIUM
10001176	Subramaniam	SUDAGARAN
10002259	Kanthasamy	SUNTHARARASAN
10001751	Sithamparanadarasa	SURESH
10001177	Muniyandi	SURESHKUMAR
10002260	Arunakirinathan	SUTHAN
10001178	Arunagirinathan	SUTHAN
10002261	Vijayakumar	SUTHARSAN
10001731	Ganesh	SUVENTHERAN
10001772	Suntharan	SWENDRAN
10002172	Rajamohan	THAMBIMUTHTHU
10002173	Thamotharam	THAMBIRAJA
10002181	Samithamby	THANARAJ
10001756	Muhinthan	THANGAVADIVEL
10001781	Kirupakaran	THANGAVAL
10002175	Vijayaraj	THANGAVEL
10002242	T. Subendran	THARMALINGAM
10002262	Vijayakumar	THARMALINGAM
10001782	Uthayakumar	THARMARAJA
10001771	Sinnathamby	THAVACHELVAN
10001743	Rajaji	THAVARAI
10002263	Rasenthiram	THAVASEELAN
10002264	Nagenthitam	THAYALAM
10001752	Thavaprasath	THEVARAJAH
10001783	Selvakumar	THIAGARAJAH
10001713	Kirubaharan	THILAIAMPALAM
10001753	Chandran Premapalan	THILEPAN
10001732	Ranjithkumar	THILIKUMAR
10001733	Subash Chandrabos	THISSAVEERASINGAM
10002183	Jegan	THIYAGARAJA
10001179	Tharmaraja	UDAYAKUMAR

Sri Lanka (continued)		
Case No.	First name	Family name
10001784	Nithiyanantan	ULAKANAATHAN
10001754	Achchuthan	VAIKUNTHAN
10001180	Tharmalingam	VASANTHARAJAN
10001758	Santhiralingam	VEERAKUDDY
10001734	Paskaralingam	VELAYUTHAN
10001735	Rasanayagam	VETHANAYAGAM
10002265	Kobiraj	VIJAYARAJA
10001785	Vijayarajaseagr	VIJAYARAJA
10001786	Gajabalan	VIJAYARAJAN
10001722	Vilvaraj	VIMALARASA
10001763	Amalan Raviraj	VISUVASAM
10001142	Dharmaratnam	WANIDARAJAH
10001787	Jonas	WESLY GNANASEELAN
10002185	Vannamany	YOGESWARAN

\_\_\_\_