

## **SRI LANKA: Newspaper editor arrested and ill-treated**

**BACKGROUND:** According to PEN Canada's information, Nadesapillai Vithyatharan, editor-in-chief of the Tamil-language dailies *Sudar Oli* and *Uthayan*, was arrested on February 27, 2009 while attending a funeral in Colombo. A defence ministry spokesman said Vithyatharan was being held in connection with his reporting on a Liberation Tigers of Tamil Eelam (LTTE) air-raid on the capital on February 20, 2009 — in which three people were killed and 43 wounded — but no formal charges have yet been made known. A police spokesman confirmed that Vithyatharan had been arrested under Sri Lanka's emergency regulations by the Colombo Crimes Division and is currently being detained at the unit's headquarters. Vithyatharan's brother-in-law, told Human Rights Watch that after his arrest "Vithyatharan was blindfolded and beaten severely on the legs and head. [He was beaten] so much that the police had to take him to a hospital to get his head X-rayed."

PEN Canada is deeply disturbed by this report of Vithyatharan's ill-treatment in custody and seeks assurances of his well-being as a matter of urgency. It also fears that Vithyatharan may be held solely for his legitimate reporting and therefore in denial of his right to freedom of expression as guaranteed by Article 19 of the International Covenant on Civil and Political Rights (ICCPR). If so it calls for his immediate and unconditional release. PEN Canada continues to be alarmed at the rising number of journalists in Sri Lanka who are threatened and assaulted with apparent impunity. It calls upon the government of Sri Lanka to take immediate steps to ensure that all journalists are able to report on the current conflict freely and without fear of attack.

**Human Rights Watch press release:**

<http://www.hrw.org/en/news/2008/03/01/sri-lanka-editor-arrested-and-beaten>

**CPJ special report on Sri Lanka:**

<http://cpj.org/reports/2009/02/failure-to-investigate-sri-lankan-journalists-unde.php>

**The Editors Guild of Sri Lanka statement**

[http://www.dailymirror.lk/DM\\_BLOG/Sections/frmNewsDetailView.aspx?ARTID=42008](http://www.dailymirror.lk/DM_BLOG/Sections/frmNewsDetailView.aspx?ARTID=42008)

## **Appeal letter**

March 6, 2009

His Excellency the President Mahinda Rajapaksa  
Presidential Secretariat  
Colombo 1  
Sri Lanka  
Fax: + 94 11 2446657

Your Excellency:

As a member of PEN Canada, the Canadian centre of International PEN, the writers' organization with 145 centres in more than 100 countries worldwide, I am writing to share with you my concerns about the recent arrest and alleged mistreatment of Nadesapillai Vithyatharan.

According to PEN's information, Vithyatharan was arrested by the Colombo Crimes Division on February 27 under Sri Lanka's emergency regulations, but he has not been charged with any crime. We believe he may have been detained for exercising his right to free expression, a right guaranteed by article 19 of the International Covenant on Civil and Political Rights (ICCPR) to which Sri Lanka is a signatory.

PEN is deeply concerned that independent journalism in Sri Lanka's is being stifled by an atmosphere of intimidation and impunity. The Committee to Protect Journalists (CPJ) reports that "10 journalists have been killed by premeditated murder since 1999, with no prosecutions or convictions." The CPJ also estimates that at least seven well-known journalists have stopped writing after being publicly targeted for their criticism of the government.

My PEN colleagues and I urge you to release Mr. Vithyatharan immediately and without conditions, and we call upon the government of Sri Lanka to take urgent steps to ensure that all journalists are able to report on the current conflict freely and without fear of attack

Sincerely,

[your name and signature]

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**Please fax or email copies of your appeal to the following:**

**His Excellency the President Mahinda Rajapaksa**  
Presidential Secretariat  
Colombo 1  
Sri Lanka

Fax: + 94 11 2446657  
Salutation: Your Excellency

**Hon. Amarasiri Dodangoda**  
Minister of Justice and Law Reforms  
Superior Courts Complex,  
Colombo 12  
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Salutation: Dear Minister

**H. M. G. S. Palihakkara**  
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