

Appendix: Letter from Human Rights Watch to Attorney-General Dappula De Livera

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January 12, 2021

Dappula De Livera
Attorney-General
Government of Sri Lanka
Colombo

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Re: Investigations and prosecutions of human rights cases in Sri Lanka

Dear Attorney-General,

I write on behalf of Human Rights Watch concerning the government's progress investigating and prosecuting several cases of alleged violations of international human rights and humanitarian law in Sri Lanka, as well as current obstacles to the administration of justice, which will be the subject of a forthcoming report.

Human Rights Watch monitors human rights issues involving state and non-state actors in over 100 countries. We have worked on human rights in Sri Lanka for over 30 years, including police reform, freedom of expression, and the rights of children and LGBT people. For many years we documented abuses during the armed conflict between the Liberation Tigers of Tamil Eelam (LTTE) and the Sri Lanka government, and violations that continued after the LTTE's defeat.

In order to ensure the accuracy and fairness of our reporting, we would appreciate your responses to the following questions and any supporting material you can provide. Responses received by **January 22, 2021** will be reflected in our report.



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1. What is the legal status of the Presidential Commission to Investigate Political Victimization? Has its report affected the functioning of your office? Have actions by the commission had an impact on legal proceedings, including by intimidating or threatening investigators and witnesses in any case?
2. What is the status of proceedings relating to the enforced disappearance of Prageeth Ekneligoda after the intervention of the Presidential Commission to Investigate Political Victimization?
3. Has your office conducted any investigations of alleged enforced disappearances related to the armed conflict with the LTTE that would support President Gotabaya Rajapaksa's assertion that those who went missing at the end of the war in 2009 are no longer alive? If so, what is the current status of those investigations?
4. What is the current status of the case relating to the killing of 17 aid workers of Action Contre la Faim in Muttur in 2006?
5. What is the current status of the case relating to the abduction and torture of Keith Noyahr, which was reportedly ready to go to trial in 2019?
6. What is current status of the proceedings in the case of Lasantha Wickrematunge?
7. Is there currently litigation to resume the trial of 14 naval officers in relation to the abduction of 11 men between 2008-9, which the Court of Appeal had suspended?
8. What is the current status of the 2006 "Trinco Five" case since a magistrate in 2019 acquitted 12 members of the police Special Task Force and a police officer due to a "lack of evidence"?
9. What actions, if any, is your office taking with respect to the detention of lawyer Hejaaz Hizbullah and poet Ahnaf Jazeem under the Prevention of Terrorism Act?

Thank you for your attention to these matters.

As noted, to reflect your comments in our report, we will need your response by **January 22, 2021**. Please do not hesitate to contact to me through my colleague Seashia Vang on vangs@hrw.org.

Yours sincerely,

Brad Adams
Asia Executive Director