

**A Safer World For The Truth**



**PEOPLE'S TRIBUNAL ON THE  
MURDER OF JOURNALISTS**

**CASE FILE**

**CASE HEARING  
SRI LANKA  
12 AND 13 MAY 2022**

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# 1. INTRODUCTION

1. This case file contains the materials presented to the Panel of Judges of the Permanent Peoples' Tribunal (PPT) in the context of the third hearing of the PPT's 50th Session: the People's Tribunal on the Murder of Journalists. This hearing takes place in the Hague on 12 and 13 May 2022. The hearing is organized by Free Press Unlimited (FPU), Reporters without Borders (RSF) and the Committee to Protect Journalists (CPJ) in partnership with the Center for Justice and Accountability (CJA).

2. **The first day of the hearing** starts with the testimony of various experts and overview witnesses to set out the background and the context of impunity for crimes against journalists in Sri Lanka. They will present the different types of attacks on journalists, specific groups of journalists at risk, and the role of the State in failing to prevent and investigate these crimes. **The second day of the Sri Lanka hearing** will focus on the emblematic case of journalist Lasantha Wickrematunge, who was assassinated on 8 January 2009. Lasantha Wickrematunge's death, and the subsequent impunity in his case in proceedings both in- and outside Sri Lanka, are reflective of systemic attacks on members of the press.

3. This case file includes an outline of the evidence to be presented during the hearing. Sections 1.1 and 1.2 contain an overview of the submitted materials ([list of annexes](#)) and witnesses ([witnesses](#)) who will testify during the hearing. This overview connects these materials and testimonies to the points made in the indictment concerning the context of crimes against journalists in Sri Lanka and the case of journalist Lasantha Wickrematunge. After the hearing, this case file will be expanded with the testimonies delivered during the hearing.

## 1.1 Programme of the Sri Lanka Hearing

### 12 May 2022: Impunity for crimes against journalists in Sri Lanka (2005-present)

8:30 - 9:00	REGISTRATION	
9:00 – 9:30	<p>OPENING CEREMONY</p> <p><i>Welcome words</i></p> <ul style="list-style-type: none"> <li>• Leon Willems, Free Press Unlimited</li> <li>• Nushin Sarkarati, Center for Justice and Accountability</li> </ul> <p><i>Introduction PPT and judges</i></p> <ul style="list-style-type: none"> <li>• Gianni Tognoni, Permanent Peoples' Tribunal</li> </ul>	
9:30- 10:30	<b>WITNESS TESTIMONY</b>	Dr. Paikasothy Saravanamuttu
10:30-10:45	<i>Questions from judges to the witness</i>	
10:45-11:15	<i>COFFEE BREAK</i>	
11:15-12:00	<b>EXPERT WITNESS TESTIMONY</b>	Bashana Abeywardane, Journalists for Democracy in Sri Lanka (JDS)
12:00 - 12:15	<i>Questions from judges to the witness</i>	
12:15 - 13:15	<i>LUNCH BREAK</i>	
13:15-14:00	<b>WITNESS TESTIMONY III</b> Crimes against journalists	Steven Butler, Coordinator Asia Program at the Committee to Protect Journalists
14:00 - 14:15	<i>Questions from judges to the witness</i>	
14:15-14:45	<b>WITNESS TESTIMONY</b>	Juan Mendez, former UN Special Rapporteur on torture and other cruel,

		inhuman or degrading treatment or punishment (2010-2016)
14:45-15:00	<i>Questions from judges to the witness</i>	
15:00 - 15:30	COFFEE BREAK	
15:30 - 16:00	<b>WITNESS TESTIMONY</b>	Catherine Amirfar, High Level Panel of Legal Experts on Media Freedom
16:00 - 16:15	<i>Questions from judges to the witness</i>	
16:15 - 16:30	<b>Closing statement of the Prosecution</b>	Almudena Bernabeu
16:30 - 16:45	<b>Closing statement of the Permanent Peoples' Tribunal</b>	Gianni Tognoni Panel of the 50th session of the PPT

### 13 May 2022: The case of journalist Lasantha Wickrematunge (1958 - 2009)

9:00 - 9:30	<b>INTRODUCTION TO THE CASE AND INDICTMENT</b> Lead Prosecutor	Almudena Bernabeu
9:30- 10:15	<b>WITNESS TESTIMONY</b> Crimes against journalists in Sri Lanka around 2009: the disappearance of Prageeth Eknaligoda	Sandhya Eknaligoda
10:15- 10:30	<i>Questions from judges to the witness</i>	
10:30- 11:00	COFFEE BREAK	
11:00 - 11:45	<b>WITNESS TESTIMONY</b> Journalism in Sri Lanka around 2009 and the Sunday Leader	Dilrukshi Handunnetti
11:45 - 12:00	<i>Questions from judges to the witness</i>	
12:00 - 12:45	LUNCH BREAK	
12:45- 14:15	<b>WITNESS TESTIMONY</b>	Nishantha Silva

	The investigation of the murder of Lasantha Wickrematunge	
14:15-14:30	<i>Questions from the judges</i>	
14:30-15:15	<b>WITNESS TESTIMONY</b> Cell-tower analysis	Robert Knight, Footprint Investigations
15:15-15:30	<i>Questions from the judges</i>	
15:30- 16:00	<i>COFFEE BREAK</i>	
16:00-16:30	<b>WITNESS TESTIMONY</b> Civil litigation in the U.S. and head of state immunity	Nushin Sarkarati, Center for Justice and Accountability
16:30 - 16:45	<i>Questions from the judges</i>	
16:45 - 17:15	Declaration by the defense	
17:15 - 17:30	<b>Closing statement by the Prosecutor</b>	Almudena Bernabeu
17:30 - 17:45	<b>Closing statement by the PPT</b>	Gianni Tognoni

## 1.2 Contextual Background of Crimes against Journalists in Sri Lanka

### 1.2.1 Targeted crimes against journalists (2005 - present)

4. According to Reporters without Borders, at least 44 Sri Lankan media professionals have been killed or disappeared since 2000.<sup>1</sup> These cases all occurred between 2004 and 2010.<sup>2</sup> This period coincides with the final years of Sri Lanka's decades-long civil war between the government and the Liberation Tigers of Tamil Eelam (the 'LTTE'). The Sri Lankan civil war ended amid allegations that the government had committed serious violations of international humanitarian law and engaged in severe repression of journalists. International observers, including the United Nations, documented grave human rights violations committed by government forces, especially in the final months of the war, including torture, extrajudicial killing, and failure to investigate gross human rights violations committed by State actors.<sup>3</sup>

5. During this hearing, the evidence presented on the systematic targeting of journalists will focus on the period 2005-present. In particular from November 2005 to January 2015, the brothers Mahinda Rajapaksa (then President of Sri Lanka) and Gotabaya Rajapaksa (Secretary of Defence) played a key role in the crackdown on journalists.<sup>4</sup> Following a government led by Maithripala Sirisena (January 2015 - November 2019), the Rajapaksa brothers returned to office. They currently fulfill the positions of President (Gotabaya Rajapaksa) and Prime Minister (Mahina Rajapaksa). The situation for journalists and other dissenting voices since their return to power has been documented by Amnesty International in the report included in **Annex D**.

6. During the first day of the hearing, witness [dr. Paikasothy Saravanamuttu](#), the founder and Executive Director of the Centre for Policy Alternatives (CPA) who is a leading expert on the situation in Sri Lanka will provide contextual background on the Sri Lankan civil war, the current political situation, focussing specifically on the succession of governments and the evolution of the nature of the repression against journalists. A chronological overview of political overviews relevant to the context of this hearing has also been included in **Annex B**.

7. The period 2005-2015 saw an increase in the attacks against journalists, as documented in the chronological overview included in **Annex C**. Then-Sec. Rajapaksa directed investigations

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<sup>1</sup> RSF. Sri Lanka. 2022. <https://rsf.org/en/country/sri-lanka>

<sup>2</sup> JDS. Media workers killed in Sri Lanka (2004-2010). Retrieved 2 May 2022. <http://www.jdslanka.org/index.php/killed-media-workers>

<sup>3</sup> See e.g. Annex E and Annex M

<sup>4</sup> See Annex C, par. 1-14

involving ‘national security’ and ‘terrorism’, which he expansively applied to investigate media workers, humanitarian aid workers, human rights activists, and individuals the government deemed ‘Tiger sympathizers’.<sup>5</sup> A number of wartime measures, including the 1979 Prevention of Terrorism Act and the 2005 Emergency Regulations under the Public Security Ordinance, gave sweeping powers to the government when acting to protect ‘national security’. Under the 2005 Emergency Regulations, the Secretary of Defence could order arrests and detention if he ‘is of [the] opinion’ that the individual is acting ‘in any manner prejudicial to the national security or to the maintenance of public order’.<sup>6</sup> The Prevention of Terrorism Act was broadly worded to criminalize a wide array of conduct, such as any act causing ‘communal disharmony or feelings of ill-will’ between different communities.<sup>7</sup> That Act also granted government officials broad immunity for actions undertaken ‘in good faith’ for the protection of national security.<sup>8</sup>

8. Sensitive to criticism of its war effort and allegations of corruption, the Rajapaksa regime invoked these laws to justify an assault on the free press, routinely harassing journalists, editors, and other media workers. Although the Rajapaksa regime often denied playing any role in the attacks against journalists—including abductions, assaults, torture, and killings—investigators have traced many attacks to the government security forces reporting to the Secretary of Defence.<sup>9</sup> More publicly, the Rajapaksa regime arrested, deported, and sued journalists and attempted to enact laws and regulations limiting the free press.<sup>10</sup>

9. Since their return to power in 2019, a new campaign of attacks on journalists has started, as documented in the chronological overview in **Annex C**. Tamil journalists were, and continue to be, specifically and disproportionately targeted in reprisal of their work.<sup>11</sup> While Lasantha’s case, who was ethnically Sinhalese, is most well-known internationally, in nine

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<sup>5</sup> See Report of the Secretary-General’s Panel of Experts on Accountability in Sri Lanka (2011), p. 8, 17, <https://perma.cc/WNL4-7B58>

<sup>6</sup> Emergency (Miscellaneous Provisions and Powers) Regulations No. 1 of 2005, Part 4, par. 18, <https://perma.cc/9SAA-DYZH>; see also Sri Lanka: Practice Relating to Rule 99: Deprivation of Liberty, INTERNATIONAL COMMITTEE OF THE RED CROSS, <https://perma.cc/M4FZ-2DEH> (quoting Sri Lanka’s Emergency (Miscellaneous Provisions and Powers) Regulations No. 1 of 2005, Part 4, par. 18)

<sup>7</sup> Prevention of Terrorism Act (1979), § 2(1)(h), <https://perma.cc/CGT6-R6W8>

<sup>8</sup> Prevention of Terrorism Act (1979), § 2(1)(h), <https://perma.cc/CGT6-R6W8>

<sup>9</sup> See, e.g., Report of the Secretary-General’s Panel of Experts on Accountability in Sri Lanka (2011), p. 17, <https://perma.cc/WNL4-7B58>

<sup>10</sup> See Journalists Attacked in Sri Lanka since 1992, COMMITTEE TO PROTECT JOURNALISTS, <https://perma.cc/H3SW-SFVZ>

<sup>11</sup> See, e.g., Sri Lanka: Tamil newspapers curtail distribution after threats, COMM. TO PROTECT JOURNALISTS (31 July 2006), <https://cpj.org/2006/07/sri-lanka-tamil-newspapers-curtail-distribution-af/>; Tamil journalist bound, shot, during Sri Lankan civil war, COMM. TO PROTECT JOURNALISTS (20 June 2011), <https://cpj.org/2011/06/tamiljournalist-bound-shot-during-sri-lankan-civi/>.

out of the ten cases involving the murders of a journalist in Sri Lanka (as documented by CPJ between 2000 and 2009), the victim was a Tamil journalist.<sup>12</sup> This data reflects the overall marginalization and discrimination of, and often indiscriminate attacks against, the Tamil and Muslim minorities in Sri Lanka, as recorded by, among others, OHCHR.<sup>13</sup>

10. Expert witness [Bashana Abeywardane](#), coordinator of the organization Journalists for Democracy in Sri Lanka (JDS), will testify about the range of attacks on journalists under the aforementioned governments, the specific and grave targeting of Tamil journalists, the situation of journalists in exile, and the current situation for journalists in Sri Lanka. In the first months of 2022, several Sri Lankan journalists have been arrested, intimidated and physically attacked by police officers while covering protests in the country.<sup>14</sup>

11. Expert witness [Steve Butler](#), CPJ Asia Program Coordinator, will build on this testimony by describing several cases concerning several emblematic cases of crimes against journalists since 2005 in further detail. These cases include the attacks on journalist Iqbal Athas, the abduction of journalist Namal Perera, and the arrest of journalist J.S. Tissainayagam. Steve Butler will also speak on the impact of these crimes, and the subsequent impunity, on access to information in Sri Lanka.

### **3.2 Sri Lanka's continuing culture of impunity for civil-war era abuses**

12. None of the perpetrators of the aforementioned 44 murders of journalists have been brought to justice to date.<sup>15</sup> Overall, the impunity enjoyed by Sri Lankan officials for crimes they committed during the civil war is notorious. U.N. experts and agencies have documented

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<sup>12</sup> Annex N, Testimony Steve Butler, p. 3

<sup>13</sup> Annex E, p. 14

<sup>14</sup> RSF. At least nine journalists injured during Sri Lanka protests. 2022 . <https://rsf.org/en/least-nine-journalists-injured-during-sri-lanka-protests>; IFJ. Sri Lanka: High profile journalist attacked by armed gunmen. 21 Feb 2022. <https://www.ifj.org/media-centre/news/detail/category/press-releases/article/sri-lanka-high-profile-journalist-attacked-by-armed-gunmen.html#:~:text=The%20residence%20of%20prominent%20television,of%20Colombo%20on%20February%202014.>

<sup>15</sup> CPJ. JDS. Media workers killed in Sri Lanka (2004-2010). Retrieved 2 May 2022. <http://www.jdslanka.org/index.php/killed-media-workers>

the government's intentional failure to follow basic standards for official accountability in a dozen reports since the end of the civil war in 2009.<sup>16</sup>

13. In addition to increasing threats and surveillance, the current administration of Gotabaya Rajapaksa, the President of Sri Lanka has acted to consolidate power and block efforts to secure accountability for past abuses. In January 2020, the President Gotabaya Rajapaksa established a Presidential Commission of Inquiry to investigate alleged "political victimization" of government officials named as perpetrators of human rights violations. The Commission has intervened in and undermined investigations into human rights abuses, and its final report recommends exoneration of individuals accused of human rights abuses and the prosecution of police and prosecutors investigating those perpetrators.<sup>17</sup> In February 2020, Sri Lanka announced that it would withdraw from the Human Rights Council Resolutions promoting accountability and human rights.<sup>18</sup> In October 2020, Parliament – controlled by Gotabaya Rajapaksa's party – passed the Twentieth Amendment to the Sri Lankan Constitution, consolidating the President's power over the judiciary and the Attorney General and removing the rule-of-law measures implemented under the prior administration.<sup>19</sup>

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<sup>16</sup> See Declaration of Steven R. Ratner in Support of Plaintiff's Opposition to Defendant's Motion to Dismiss, *Wickrematunge v. Rajapaksa*, No. 2:19-cv-02577 (C.D. Cal. 4 April 2019) ('Ratner Declaration'), para 11; Report of the Office of the United Nations High Commissioner for Human Rights, 'Promoting reconciliation, accountability and human rights in Sri Lanka,' U.N. Doc. A/HRC/43/19 (26 February 2020); Report of the Office of the United Nations High Commissioner for Human Rights on Sri Lanka, U.N. Doc. A/HRC/46/20 (12 January 2021). See Declaration of Steven R. Ratner in Support of Plaintiff's Opposition to Defendant's Motion to Dismiss, *Wickrematunge v. Rajapaksa*, No. 2:19-cv-02577 (C.D. Cal. 4 April 2019) ('Ratner Declaration'), para 11; Report of the Office of the United Nations High Commissioner for Human Rights, 'Promoting reconciliation, accountability and human rights in Sri Lanka,' U.N. Doc. A/HRC/43/19 (26 February 2020); Report of the Office of the United Nations High Commissioner for Human Rights on Sri Lanka, U.N. Doc. A/HRC/46/20 (12 January 2021).

<sup>17</sup> Center for Policy Alternatives, Short Note on the Resolution Seeking Parliamentary Approval to Implement the Recommendations of the CoI on Political Victimization (19 April 2021), <https://www.cpalanka.org/short-note-on-the-resolution-seeking-parliamentary-approval-to-implement-the-recommendations-of-the-coi-on-political-victimization/>;

<sup>18</sup> See Sri Lanka: Withdrawal from UN Commitments Requires Robust Response by Human Rights Council, Amnesty International (27 February 2020), <https://www.amnesty.org/en/latest/news/2020/02/sri-lanka-withdrawal-from-un-commitments-requires-robust-response-by-human-rights-council/>.

<sup>19</sup> See Sri Lanka: Newly Adopted 20th Amendment to the Constitution Is Blow to the Rule of Law, INT'L COMMISSION OF JURISTS (27 October 2020), <https://www.icj.org/sri-lanka-newly-adopted-20th-amendment-to-the-constitution-is-blow-to-the-rule-of-law>.

14. In her latest report on Sri Lanka released January 2021, the UN High Commissioner for Human Rights concluded ‘[t]he Government has now demonstrated its inability and unwillingness to pursue a meaningful path towards accountability for international crimes and serious human rights violations.’<sup>20</sup> In a joint assessment released in February 2021, ten UN Special Procedures mandates similarly concluded “[t]here is little hope that any domestic accountability measures will progress or achieve any degree of credibility.”<sup>21</sup>

15. [Juan Méndez](#), the former United Nations Special Rapporteur on Torture and Other Cruel, Inhuman, and Degrading Treatment of Punishment - described Sri Lanka’s ‘significant failures in protecting victims’ rights to justice’, including delays in investigations and criminal cases, lack of independence of the Sri Lankan judiciary, and lack of independence of the investigative mechanisms in Sri Lanka in a witness testimony included in **Annex L**. The report of his mission to Sri Lanka is included in **Annex M**.

16. [Catherina Amirfar](#), Deputy Chair of the High Level Panel of Legal Experts on Media Freedom, will testify on the main obstacles to justice in Sri Lanka, sharing the observations of the High Level Panel from a regional perspective and outlining the remaining opportunities for justice.

### 1.3 The case of Lasantha Wickrematunge (1958 - 2009)

17. Lasantha Wickrematunge was one of the co-founders and editor-in-chief of the English weekly The Sunday Leader. He was one of the most prominent journalists who dared to report critically on senior officials during the civil war, and as a result, he became a government target.

18. After reporting for years with a target on his back and a weeks-long period of intensified threats, Lasantha was violently attacked on his way to work by black-clad masked commandos on 8 January 2009. He died several hours later in the hospital. To date, no one has been convicted for the murder.

19. Lasantha’s assassination is part of a wider pattern of notorious impunity for attacks on journalists, as well as for human rights violations committed during the Sri Lankan civil

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<sup>20</sup> **Annex E**, par. 56

<sup>21</sup> Sri Lanka: Experts dismayed by regressive steps, call for renewed UN scrutiny and efforts to ensure accountability”, Office of the High Commissioner for Human Rights (5 February 2021), available at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26725&LangID=E>

war.<sup>22</sup> As Lasantha described himself in an editorial published after his death, attacks on journalists increased in the preceding years (**Annex I**), and his murder was followed by the disappearance, arrest and killing of several journalists.<sup>23</sup> One of them was the cartoonist and columnist Prageeth Eknaligoda, who disappeared a year after the murder of Lasantha after leaving his own office. During the second day of the hearing, his widow [Sandhya Eknaligoda](#) will testify about the disappearance of Prageeth, her pursuit of justice for her husband, and the patterns observed in the cases of Prageeth and Lasantha.

### **2.3.1 Lasantha Wickrematunge's work as a journalist, threats, and attacks on Lasantha and the Sunday Leader**

20. Lasantha Wickrematunge founded the Sunday Leader together with his brother Lal in 1994.<sup>24</sup> His reporting, and that of his colleagues at the Leader, brought him on a collision course with then-President Rajapaksa and then-Secretary Rajapaksa in 2006. On 24 December, his publication The Sunday Leader published an article detailing an approximately US\$4 million government construction project to create a bunker for the Sri Lankan elite. Lasantha's accompanying editorial criticized the creation of a Rajapaksa 'dynasty'.<sup>25</sup> Shortly after publication, then-Secretary Rajapaksa ordered the national police's Criminal Investigation Division (the 'CID') to arrest Lasantha, despite a lack of support from the CID and Attorney General. The Secretary to the President revoked the arrest order minutes before the CID was about to execute it.<sup>26</sup>

21. Between July and September 2007, The Sunday Leader published a series of articles alleging that then-Secretary Rajapaksa was involved in a scheme to embezzle millions of dollars in a 2006 contract to purchase MiG fighter jets from Ukraine.<sup>27</sup> Then-Sec. Gotabaya stated in a video interview soon after that the media in Sri Lanka 'can criticize the President and the Defence Secretary by writing lies and after writing these things, they can nicely drive

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<sup>22</sup> **Annex C**

<sup>23</sup> **Annex H**, par. 27

<sup>24</sup> IPI Media. 11 Years later: Sri Lanka Fails to Investigate Journalist Murder. 2020. <https://ipi.media/11-years-later-sri-lanka-fails-to-investigate-journalist-murder/>

<sup>25</sup> See No Place for a Rajapakse Dynasty, THE SUNDAY LEADER (24 December 2006), <https://perma.cc/JCJ5-BRR3>

<sup>26</sup> See Vimukthi Yapa, Unbowed and Unafraid, THE SUNDAY LEADER (25 November 2007), <https://perma.cc/9ZWL-UCBB>; see also Sunday Leader Editor Faces Arrest, TAMIL NET (28 December 2006), <https://perma.cc/62DA-HEMF>

<sup>27</sup> See, e.g., MiG Deal Crash Lands on Defence Ministry, THE SUNDAY LEADER (2 September 2007), <https://perma.cc/KYY3-5E56>; Who Profited from the MiG Deal?, THE SUNDAY LEADER (5 August 2007)

<https://perma.cc/MKJ9-2HM9>; see also The Anatomy of the MiG Deal, SUNDAY OBSERVER (6 January 2019), <https://perma.cc/N8JU-Y97A>

their cars by themselves alone and go around', while mimicking holding a steering wheel.<sup>28</sup> He was clearly alluding to Lasantha, the only reporter widely known to be critical of the government and who drove his own vehicle without a private security escort. In October 2007, Gotabaya threatened to bring a defamation case against Lasantha and his newspaper for their reporting on the MiG deal, a suit he eventually filed in February 2008.<sup>29</sup>

22. On 21 November 2007, black-clad commandos bearing automatic weapons stormed the premises of The Sunday Leader, held staff at gunpoint, and set the printing press machinery on fire. The police never carried out a proper investigation into the arson attack and never charged or prosecuted anyone for the attack.<sup>30</sup>

23. Around September 2008, the State Intelligence Service began intercepting Lasantha's mobile phone communications, purportedly for 'national security' reasons.<sup>31</sup> And in October 2008, then-President Mahinda Rajapaksa called Lasantha a 'terrorist journalist' in a public interview with Reporters Without Borders.<sup>32</sup> This label was a well-known dog whistle during the civil war, during which the government had deployed that label to justify attacks against those it deemed as critics and political opponents.

24. Threats against Lasantha intensified in the weeks before his assassination: he told his family he thought he was being followed; a funeral wreath was delivered to his office; he received a newspaper dipped in red paint bearing the bearing a chilling missive - 'if you write, you will be killed'.<sup>33</sup> Two days before his killing, the MTV/MBC Media Network - which operated the country's main independent TV station, Sirasa TV, on which Lasantha presented a weekly current affairs program—was stormed by black-clad commandos armed with automatic weapons, grenades, and claymore mines. The pattern of the attack, including

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<sup>28</sup> See Anurangi Singh, CID Wants Custody of 2007 Interview with Gota on MiG Deal, Lasantha, SUNDAY OBSERVER (13 January 2019), <https://perma.cc/AA9F-GM7X>

<sup>29</sup> Ahimsa Wickrematunge, What They Did to My Father and Why They Did It, COLOMBO TELEGRAPH (8 January 2019), <https://perma.cc/3QLB-S4KK>; Defence Secretary sues Sunday Leader, SUNDAY OBSERVER (24 February 2008), <https://perma.cc/BF36-SWXS>

<sup>30</sup> Ahimsa Wickrematunge, What They Did to My Father and Why They Did It, COLOMBO TELEGRAPH (8 January 2019), <https://perma.cc/3QLB-S4KK>

<sup>31</sup> Exclusive: SIS Document Shows Gota Ordered Lasantha's Phone to Be Tapped Just Weeks Before He Was Killed, COLOMBO TELEGRAPH (2 November 2016), <https://perma.cc/ZXB6-RCPY>

<sup>32</sup> See Outrage at Fatal Shooting of Newspaper Editor in Colombo, REPORTERS WITHOUT BORDERS (8 January 2009), <https://perma.cc/SL5M-P6CQ>

<sup>33</sup> See Seth Bodine, Project Exile: Editor Escapes Sri Lanka After Husband's Murder, GLOBAL JOURNALIST (5 June 2019), <https://perma.cc/4PEZ-6JG4>; see also Amelia Gentleman, If You Write You'll Be Killed, THE GUARDIAN (17 January 2009), <https://perma.cc/Z2LP-BM85>

the use of military-grade weapons, indicates the government's connection to the attack.<sup>34</sup> A recording of Lasantha's public response to the attack - his last recorded words - can be found in the Reveal-report included in **Annex L**.

25. Lasantha's colleague, investigative journalist [Dilrukshi Handunnetti](#), will testify about this period at the Sunday Leader, her memories of Lasantha and their joint reporting in Sri Lanka. An editorial written by Lasantha before his death, was published after the murder. It is included in full in **Annex I**. In the letter Lasantha concludes:

*"As for the readers of The Sunday Leader, what can I say but Thank You for supporting our mission. We have espoused unpopular causes, stood up for those too feeble to stand up for themselves, locked horns with the high and mighty so swollen with power that they have forgotten their roots, exposed corruption and the waste of your hard-earned tax rupees, and made sure that whatever the propaganda of the day, you were allowed to hear a contrary view. For this I - and my family - have now paid the price I have long know I would have to pay. I am - and have always been - ready for that. I have done nothing to prevent this outcome: no security, no precautions.*

*I want my murderer to know that I am not a coward like he is, hiding behind human shields while condemning thousands of innocents to death. What am I among so many? It has long been written that my life would be taken, and by whom. All that remains to be written is when. That The Sunday Leader will continue fighting the good fight, too, is written. For I did not fight this fight alone. Many more of us have to be - and will be - killed before The Leader is laid to rest. I hope my assassination will be seen not as a defeat of freedom but an inspiration for those who survive to step up their efforts. Indeed, I hope that it will help galvanise forces that will usher in a new era of human liberty in our beloved motherland. I also hope it will open the eyes of your President to the fact that however many are slaughtered in the name of patriotism, the human spirit will endure and flourish. **Not all the Rajapakses combined can kill that.**"*

### **2.3.2 The assassination of Lasantha Wickrematunge**

26. As he drove to work on the morning of 8 January 2009, a few days before he was to testify in then-Secretary Rajapaksa's defamation case against him, Lasantha noticed black-clad men on motorcycles circling nearby his home and following his car.<sup>35</sup> He called friends and family members to say that he feared he was being followed. As mobile telephone tower logs later

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<sup>34</sup> See Sri Lanka Special Report: Failure to Investigate, COMMITTEE TO PROTECT JOURNALISTS (23 February 2009), <https://perma.cc/7TCX-HVLV>; see also Gunmen Raid Sri Lanka TV Station, BBC NEWS (6 January 2009), <https://perma.cc/NP3A-ACHC>

<sup>35</sup> See Remembering Lasantha Wickrematunge on the 10th Anniversary of His Assassination, DAILY FT (5 January 2019), <https://perma.cc/9A6M-2VK5>

showed, the group of motorcycle riders had been following Lasantha for several weeks and were members of the Ministry of Defence's Tripoli Platoon.<sup>36</sup>

27. While he stopped at a busy intersection less than 200 meters from a secured military checkpoint, black-clad masked commandos drove up on motorcycles, battering Lasantha and smashing his car windows. After punching a hole in his skull using a sharp instrument, the motorcyclists sped off and entered a 'High Security Zone' under the exclusive control of the Sri Lanka Air Force. Onlookers rushed him to the Colombo South Teaching Hospital, where he died hours later despite emergency surgery.<sup>37</sup>

### 2.3.3 The investigation of the murder of Lasantha Wickrematunge

28. In the immediate aftermath of Lasantha's killing, Sri Lankan law enforcement agencies failed to conduct a credible investigation into the killing and actively interfered with attempts to conduct a credible investigation. The OHCHR has documented how the government's investigation was flawed from the start:

- Shortly after the killing, the Judicial Medical Officer assigned to the case issued a false autopsy report indicating that Lasantha was killed by a firearm, despite crime-scene evidence and notes from the emergency surgeon to the contrary;
- Lasantha's notebook - in which he had scrawled two license plate numbers on the day of the attack and which the police had collected at the scene of the crime - disappeared;
- A police investigator later admitted to removing pages of the police logbook mentioning the notebook at the order of his superiors and giving his supervisors Lasantha's notebook, after which point it disappeared.<sup>38</sup>

29. Then-Secretary Rajapaksa dismissed Lasantha's killing and concerns surrounding the investigation. He told the BBC that Lasantha's assassination was 'just another murder',

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<sup>36</sup> See Cell Site Report in Annex J and the **CONFIDENTIAL** testimony in Annex O

<sup>37</sup> See Sri Lanka Special Report: Failure to Investigate, COMMITTEE TO PROTECT JOURNALISTS (23 February 2009), <https://perma.cc/7TCX-HVLV>; see also Ex-Leader's Brother "Led Death Squad" in Sri Lanka, AL JAZEERA (20 March 2017), <https://perma.cc/D74C-L8D7>

<sup>38</sup> Annex E.2, para. 37; OIC Gave Lasantha's Notebook to DIG, SRI LANKA MIRROR (23 February 2018), <https://perma.cc/PCZ7-DAQF>; see also Center for Policy Alternatives, The Need for Accountability in Sri Lanka's Criminal Justice System at 52-53 (March 2019), <https://www.cpalanka.org/wp-content/uploads/2019/03/FINAL-A-Glance-at-Seven-Emblematic-cases-.pdf>

insisting that he was ‘not concerned about that’. He asked the interviewer ‘why are you so worried about one man?’<sup>39</sup>

30. The Sri Lankan police acted on then-Secretary Rajapaksa’s indifference by blocking the inquiry into Lasantha’s death. Confidential witness testimony confirms this interference at several points of the inquiry.<sup>40</sup> The investigating officers failed to make any progress for nearly a year following the killing, prompting the family’s attorneys to petition the relevant magistrate court to transfer responsibility for the investigation to the CID. The court granted that request in December 2009.<sup>41</sup>

31. Later that month, a military intelligence officer abducted one of Lasantha’s former household employees, demanding he remain silent if questioned by investigators about Lasantha’s death. The employee went into hiding following his release. In a line-up conducted in 2016, the employee identified his abductor as the same officer who attacked Upali Tenakoon, editor of the Sinhala language newspaper Rivira, several weeks after Lasantha’s killing.<sup>42</sup>

32. In 2010, shortly after the CID investigators identified members of the Tripoli Platoon for interviews concerning Lasantha’s killing, the Inspector General of Police ordered the CID to halt its investigation and to transfer the case to the Terrorist Investigation Division (the ‘TID’), a detachment of the Sri Lanka police.<sup>43</sup> Around the same time, then-Secretary Rajapaksa issued a letter to the Ministry of Foreign Affairs, instructing that, within 13 days, the Ministry must recall an official serving in the Sri Lankan Embassy to Thailand and assign the commanding officer of the Tripoli Platoon in his place.<sup>44</sup>

33. In February 2010, the TID arrested 17 military intelligence officers on suspicion of Lasantha’s killing and other abductions and assaults on journalists. But the TID released all 17 officers without charging them or even presenting them to witnesses for identification.<sup>45</sup>

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<sup>39</sup> See Sri Lankan President Promises “Media Freedom” Under His Government, *TAMIL GUARDIAN* (13 December 2009), <https://perma.cc/9JBH-9VNR>.

<sup>40</sup> Confidential testimony submitted to the judges

<sup>41</sup> Annex O, **CONFIDENTIAL**, par. 11

<sup>42</sup> Exclusive: The Inside Story of Lasantha’s Driver’s Abduction, *COLOMBO TELEGRAPH* (28 July 2016), <https://perma.cc/Y9ZT-6K3N>;

<sup>43</sup> See Manoj Colambage, The Bulathwatte Bewilderment, *SUNDAY OBSERVER* (19 May 2019), <https://perma.cc/U8ZD-HCUY>

<sup>44</sup> See Manoj Colambage, The Bulathwatte Bewilderment, *SUNDAY OBSERVER* (19 May 2019), <https://perma.cc/U8ZD-HCUY>

<sup>45</sup> See Sonali Samarasinghe, Sri Lanka’s Democratic Institutions Have Metastasized into Something Dangerous, *COMMITTEE TO PROTECT JOURNALISTS* (8 January 2012), <https://perma.cc/M6WX-66B7>

That same month, the TID took into custody one member of the Tripoli Platoon whom the CID had sought to question. While he was in custody, the military promoted him, continued to pay his salary, and issued him loans—all in violation of applicable regulations. The TID later released him without thorough questioning or charge, after his accuser died while in police custody.<sup>46</sup>

34. The investigation languished until 2015, when then-President Mahinda Rajapaksa lost the general election, forcing him and then-Secretary Gotabaya Rajapaksa out of office. Judicial independence began to improve in the first few years of the Sirisena administration, which committed to engaging with U.N. human rights bodies and experts.<sup>47</sup> Under President Sirisena, the Sri Lankan police re-activated its investigation into Lasantha's killing and re-assigned the investigation to the CID, providing some hope to Lasantha's family that justice in Sri Lanka would be possible. The CID made some progress with the investigation, including by conducting a second autopsy on Lasantha's body, analyzing cell phone records to identify perpetrators, interviewing eye witnesses and suspects, indicting investigators for concealing evidence in Lasantha's case and the officer who assaulted Lasantha's driver, and linking Lasantha's killing to the attacks on the other journalists, Keith Noyahr and Upali Tennakoon.<sup>48</sup>

35. During the second day of the hearing, the CID officer who led the CID investigation between 2015 and 2019, [Nishantha Silva](#), will testify. Mr Silva will testify about his own investigation into the murder as well as his analysis of the three aforementioned previous investigations.

36. The phone records obtained by Mr Silva during his investigation have been submitted to a cell site analysis to corroborate the linkage between the individuals who followed Lasantha and fled from the crime scene with the uncovered SIM cards. This cell site analysis is included in **Annex J**. During the hearing, the author of this report, Mr [Robert Knight](#), will provide an introduction to cell site analysis and explain his findings.

37. The election of Gotabaya Rajapaksa to the Presidency in November 2019 was effectively a death knell for the investigation into Lasantha's death. Just days after President Gotabaya

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<sup>46</sup> Vimukthi Yapa, Military Intelligence Coddles Remanded Murder Suspects, SUNDAY LEADER (21 August 2016), <https://perma.cc/Q669-LWCX>

<sup>47</sup> **Annex L**, par. 14

<sup>48</sup> **Annex E.2**, para. 37; Center for Policy Alternatives, The Need for Accountability in Sri Lanka's Criminal Justice System at 47-54 (March 2019), <https://www.cpalanka.org/wp-content/uploads/2019/03/FINAL-A-Glance-at-Seven-Emblematic-cases-.pdf>.

was elected, Shani Abeysekera, the director of the CID who oversaw the investigation into Lasantha's killing and other investigations implicating military personnel, was demoted and transferred out of the CID to serve as the personal assistant to the Southern Province Deputy Inspector General.<sup>49</sup> Days later, Nishantha Silva fled Sri Lanka for fear of retribution, seeking asylum in Europe. De Silva's flight prompted the government to adopt rules to prevent all other CID officers from leaving the country.<sup>50</sup>

38. With Silva and other investigators out of the way, the CID's efforts have focused on covering up, rather than investigating, Lasantha's killing: in July 2020, CID investigators interrogated Srilal Priyantha, the editor of the monthly news magazine Eethalaya, for several hours over a 2017 article on Lasantha's killing. He was asked to reveal his sources.<sup>51</sup> Also in July 2020, the Colombo Crimes Division (the 'CCD') arrested former CID director Abeysekera for allegedly concealing evidence in a case. But, according to press reports, a police sub-inspector testified in court that CCD officers threatened him with arrest unless he made a false statement against Abeysekera.<sup>52</sup> Abeysekera remains in custody, and his wife has written letters to senior officers expressing concern that he may be killed while in custody because of his involvement in the investigations into Lasantha's killing and other cases involving human rights violations committed by State actors.<sup>53</sup>

39. With the lead investigators removed and the serious threat of retaliation against witnesses, meaningful progress on the investigation into Lasantha's killing is unlikely, if not impossible. The regular judicial hearing into the progress of the investigations into Lasantha's murder, set for December 2020 before Mount Lavinia Magistrate Udesh Ranatunga, was postponed until June 2021. No representations on the status of the investigation have been made by the Attorney General's Department for over one year, since the previous investigation team was dismissed and arrested and President Gotabaya Rajapaksa assumed office.<sup>54</sup>

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<sup>49</sup> ID Director Overseeing High Profile Cases Demoted, TAMIL GUARDIAN (23 November 2019), <https://perma.cc/GG9R-8XGW>

<sup>50</sup> Top Detective Who Investigated High-Profile Cases Flees Sri Lanka, AL JAZEERA (26 November 2019), <https://perma.cc/GD78-LZMX>.

<sup>51</sup> Journalist Interrogated by CID About 2017 Article on Lasantha Wickrematunge Murder, COLOMBO TELEGRAPH (15 July 2020), <https://perma.cc/Y7TP-F3EN>

<sup>52</sup> See Urgent Action: Former Police Investigator Jailed with COVID-19, AMNESTY INTERNATIONAL (27 November 2020), <https://perma.cc/F4QD-GX52>.

<sup>53</sup> Urgent Action: Former Police Investigator Jailed with COVID-19, AMNESTY INTERNATIONAL (27 November 2020), <https://perma.cc/F4QD-GX52>; Shani Abeysekera and two others remanded against until May 19, Colombo Page (5 May 2021), [http://www.colombopage.com/archive\\_21A/May05\\_1620230548CH.php](http://www.colombopage.com/archive_21A/May05_1620230548CH.php).

<sup>54</sup> Zulfick Farzan, Lasantha Wickrematunge Homicide Cases Postponed, NEWS FIRST (4 December 2020), <https://perma.cc/J3GP-HF8H>

40. Lasantha's family has sought justice outside Sri Lanka by filing a civil suit against Gotabaya Rajapaksa in the United States, where he holds citizenship.<sup>55</sup> After his return to office, this case has not progressed due to Gotabaya Rajapaksa's head of state immunity.<sup>56</sup> During the hearing, [Nushin Sarkarati](#), Senior Staff Attorney at the Center for Justice and Accountability, will testify about this litigation process and the obstacles to justice outside Sri Lanka. A journalistic report on this lawsuit and the complications encountered during this pursuit for justice outside Sri Lanka has been created by Reveal News, included in **Annex L**.

41. In conclusion, and following the indictment submitted to the Permanent Peoples' Tribunal, it is alleged that:

- **The government of Sri Lanka did not take action to protect Lasantha** from the repeated public death threats he received. Senior Sri Lankan officials earmarked him and incited attacks on Lasantha in public statements.
- Both prior and after the murder of Lasantha, **the State failed to address systematic patterns of violence against independent journalists**, through precautionary measures.
- The cell site analysis and confidential witness testimony in **Annex O** strongly support the conclusion that **the State, including through then-Secretary Rajapaksa, directed or ordered the threats and attacks against Lasantha—including his assassination—as retaliation for his independent journalism** and that State-aligned security forces carried them out:
  - The then-Secretary Gotabaya Rajapaksa and then-President Mahinda Rajapaksa had publicly threatened Lasantha and brought a court case against him after Lasantha had published the results of his investigative reporting into then-Secretary Rajapaksa's role in the MiG deal;
  - The then-Secretary and current President Gotabaya Rajapaksa personally directed Sri Lanka's military and intelligence apparatus;
  - Individuals within the Ministry of Defence's Tripoli Platoon followed Lasantha and spied on him in the weeks leading up to the attack;
  - Armed men carrying weapons that only State security forces can lawfully purchase and possess then attacked Lasantha's place of work two days before his assassination by men in the same all-black tactical outfits;

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<sup>55</sup> Pleadings Wickrematunge v. Rajapaksa, CJA, 2019.

<https://cja.org/wp-content/uploads/2019/04/Complaint-Wickrematunge-v-Rajapaksa.pdf>

<sup>56</sup> Order Granting Appellant's Motion to Dismiss, Wickrematunge v. Rajapaksa, No. 19-56312 (9th Cir. 27 February 2020)

- These black-clad commandos surrounded his vehicle and executed the fatal blow to Lasantha's skull before driving off to a high-security military zone.
- **This evidence indicates that Lasantha's death was a political assassination,** resulting from law enforcement officials' intentional use of lethal force against a civilian without meeting the requirements of necessity, proportionality, or precaution, constituting an extrajudicial killing.
- **The State systematically and repeatedly failed to conduct a thorough investigation into Lasantha's killing and actively interfered with efforts to hold those responsible to account.**

### 3. WITNESS BIOGRAPHIES

#### 3.1 Day 1 - Systematic targeting of journalists in Sri Lanka

##### 3.1.1 Dr. Paikasothy Saravanamuttu

*Executive Director of the Centre for Policy Alternatives (CPA)*

Dr. Paikasothy Saravanamuttu is the founder and Executive Director of the Centre for Policy Alternatives (CPA) and is currently a member of the Board and Bureau of South Asians for Human Rights and a member of the Board of the South Asia Regional Office of Amnesty International. He has presented papers on governance and peace in Sri Lanka at a number of international conferences and is widely quoted in the international and local media. Dr. Saravanamuttu was awarded the inaugural Citizens Peace Award (2010) by the National Peace Council of Sri Lanka and was invited by President Obama to attend his "High Level Event On Civil Society", in New York. He was appointed Secretary of the Task Force on Consultations on Mechanisms for Reconciliation (2016).

##### 3.1.2 Bashana Abeywardane

*Coordinator of Journalists for Democracy in Sri Lanka (JDS)*

Rohitha Bashana Abeywardane is a founder and later editor-in-chief of the alternative weekly newspaper *Hiru*, which was managed autonomously by the editors. In 2003, he organized the Sinhala-Tamil Art Festival. As a result of his critical newspaper columns, he had to leave the country after massive threats. He continues to publish in various online journals and is currently coordinator of Journalists for Democracy in Sri Lanka, an organization founded by Sri Lankan journalists in exile. Following a stay in the Heinrich Böll House, Langenbroich, Rohitha Bashana Abeywardane took part in the PEN Writers in Exile Program from September 2007 to August 2010.

### 3.1.3 Steve Butler

*Asia Program Coordinator at the Committee to Protect Journalists*

Steven Butler is Asia Program Coordinator at the Committee to Protect Journalists. He has worked as a journalist throughout Asia, writing for the *Financial Times* and *The Christian Science Monitor* in the 1980s. He lived in Tokyo for a decade, later joining U.S. News & World Report, and returning to Washington, where he served as foreign editor at Knight Ridder's Washington bureau during the U.S. wars in Afghanistan and Iraq. He was Executive Director at the Institute of Current world Affairs, joining CPJ in 2016. He holds a Ph.D. in political science from Columbia University.

### 3.1.4 Juan Mendez

*Former UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (2010-2016)*

Juan Méndez has dedicated his legal career to the defense of human rights, primarily in the Americas. He was the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment between November 2010 and October 2016. In early 2017 Professor Méndez was elected Commissioner of the International Commission of Jurists, Geneva, Switzerland. In February 2017, he was named a member of the Selection Committee to appoint magistrates of the Special Jurisdiction for Peace and members of the Truth Commission set up as part of the Colombian Peace Accords. He was an advisor on crime prevention to the Prosecutor, International Criminal Court from 2009 to 2011 and Co-Chair of the Human Rights Institute of the International Bar Association in 2010 and 2011. Until May 2009 he was the President of the International Center for Transitional Justice (ICTJ). Currently he works as a Professor of Human Rights Law in residence at the American University – Washington College of Law.<sup>57</sup>

### 3.1.5 Catherine Amirfar

*Deputy Chair of the High Level Panel of Legal Experts on Media Freedom*

Catherine Amirfar is Co-Chair of Debevoise's International Dispute Resolution Group and the Public International Law Group, and a member of the firm's Management Committee. Her practice focuses on public international law, international commercial and treaty arbitration, and complex international commercial litigation. With over twenty years of experience, Ms. Amirfar has argued before federal and state courts throughout the United States, the International Court of Justice (ICJ) and arbitration tribunals sitting around the world. She has deep expertise representing states, international organizations, nongovernmental

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<sup>57</sup> <https://www.wcl.american.edu/community/faculty/profile/jmendez/bio>

organizations and multinational companies. In 2020, Ms. Amirfar was appointed as President of the American Society of International Law.

## **3.2 Day 2 - The Case of Journalist Lasantha Wickrematunge (1958-2009)**

### **3.2.1 Sandhya Eknaligoda**

*Human rights activist*

Sandhya Eknaligoda is a Sri Lankan human rights activist. Her husband Prageeth Eknaligoda, cartoonist and columnist for the opposition website 'Lanka eNews', disappeared in 2010. Over the years, Eknaligoda has emerged as a compelling spokeswoman for Sri Lanka's disappeared people. Abductions, not just of journalists, have apparently become endemic in the country.<sup>58</sup> In 2017, she received the U.S. Secretary of State's International Women of Courage award for her tireless pursuit of justice for her husband, and on behalf of missing families from across Sri Lanka's diverse ethnic and religious communities.<sup>59</sup>

### **3.2.2 Dilrukshi Handunnetti**

*Investigative journalist and lawyer*

Currently works as Executive Director Center for Investigative Reporting Sri Lanka. She served as the Consulting Editor of the Daily and Weekend Express, Sri Lanka's first international newspapers. Dilrukshi is a Gender Focal Point for the International Federation of Journalists (IFJ) -the Asia Pacific, Co-convenor of South Asian Women in Media – Sri Lanka Chapter and the Executive Trustee of the Center for Investigative Journalism – Sri Lanka. Dilrukshi has worked across South Asia as a reporter, trainer and media researcher. She spends considerable time supporting media solidarity initiatives in South Asia. Much of her work focuses on governance, gender and media rights.<sup>60</sup>

### **3.2.3 Nishantha Silva**

*Former CID investigator*

Nishantha Silva was an officer of the Sri Lanka Police since 1993. In 1997, he joined the Criminal Investigation Department (CID) of the Police and served there until 2019. He was involved in the investigation into the murder of journalist Lasantha Wickrematunga. At this time, he served as Inspector of Police (IP) and Officer in Charge (OIC) of the Gang Robberies Branch of the CID. After the election of Gotabaya Rapaksa as the President of Sri Lanka in

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<sup>58</sup> <https://cpi.org/2012/09/sandhya-eknelygoda-speaks-for-sri-lankas-disappear/>

<sup>59</sup> <https://lk.usembassy.gov/sandya-eknelygoda-international-woman-courage/>

<sup>60</sup> <https://sawmsisters.com/author/dhandunnetti/>

November 2019, he fled Sri Lanka and currently remains in exile. He will testify remotely from a secure location during the hearing.

### 3.2.3 Robert Knight

*Cell site specialist, Footprint Investigations*

Robert Knight has been a cell-tower analysis expert since 2002. He is a technical member of the Institute of Engineering and Technology (IET), formally the Institute of Electrical Engineers (IEE). He has previously been employed at: British Telecommunications and Cellnet (now known as O 2 , between 1979 – 1999); T-Mobile (now known as EE); Ericsson UK, Forensic Telecommunications Services; The Home Office agency, Forensic Science Service; the Metropolitan Police Service as a Forensic Engineer (specialising in cell site); The College of Policing as Radio Frequency Propagation Engineer and Investigative Trainer; and Footprint Investigations as a Cell Site Engineer/Expert Witness.

### 3.2.4 Nushin Sarkarati

*Senior Staff Attorney*

Nushin Sarkarati is a U.S. lawyer based in San Francisco, California. Ms. Sarkarati represents victims and survivors of mass atrocities and severe human rights abuses in U.S. courts and before international and regional bodies. Her work is focused on survivor-centered investigation and litigation, and she partners directly with survivor communities to achieve justice and redress against perpetrators responsible for violations of international law. Ms. Sarkarati litigates impact cases on behalf of survivors of torture and other severe human rights abuses from Cambodia, Somalia, and Latin America. Ms. Sarkarati has worked on CJA investigations in Africa, Asia, Latin America, and the MENA region. She is admitted to practice law in California and before the Extraordinary Chambers in the Courts of Cambodia.

## 4. LIST OF ANNEXES

ANNEX	TITLE	YEAR	AUTHOR
<b>4.1 General materials</b>			
A	Indictment People’s Tribunal on the Murder of Journalists	2021	SWFTT
B	Chronology of Conflict and Politics	2021	CJA

C	Chronology of Attacks on Journalists 2005-2020	2021	CJA
D	Old Ghosts in new Garb; Sri Lanka's Return to Fear	2021	Amnesty International
E	Report of the Office of the United Nations High Commissioner for Human Rights, 'Promoting reconciliation, accountability and human rights in Sri Lanka,' U.N. Doc. A/HRC/43/19	2021	Office of the United Nations High Commissioner for Human Rights
E.2	Report of the Office of the United Nations High Commissioner for Human Rights, 'Promoting reconciliation, accountability and human rights in Sri Lanka,' A/HRC/37/23	2018	Office of the United Nations High Commissioner for Human Rights
<b>4.2 Materials corresponding to the case of Lasantha Wickrematunge</b>			
F	Chronology - Lasantha's case	2021	CJA
G	Chronology - Government corruption	2021	CJA
H	UN Communication to the Human Rights Committee Submitted Pursuant to the Optional Protocol to the International Covenant on Civil and Political Rights on behalf of Ahimsa Wickrematunge	2021	CJA/Debevoise & Plimpton
I	Posthumous publication Lasantha Wickrematunge	2009	Lasantha Wickrematunge
J	Cell Site Analysis Report	2022	Footprint Investigations
K	Explanation of Cell Site Analysis	2022	Footprint Investigations
L	Investigation "My Neighbor the Suspected War Criminal"	2022	Reveal News

	<a href="https://revealnews.org/podcast/my-neighbor-the-suspected-war-criminal/">https://revealnews.org/podcast/my-neighbor-the-suspected-war-criminal/</a>		
<b>4.3 Materials written or produced by witnesses who provide testimony during the hearing</b>			
L	Expert witness statement introduced in U.S. Civil litigation by Mr Juan Mendez, former UN Special Rapporteur for Freedom of Expression	2019	Mr Juan Mendez
M	Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment on his mission to Sri Lanka, A/HRC/34/54/Add.2	2017	Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment
N	Written testimony Steve Butler	2022	Steve Butler
O	[confidential]	2022	
P	[confidential]	2022	
Q	Brief witness statement by Robert Knight accompanying Annex I	2022	Robert Knight
R	List of Journalists - documented by Journalists for Democracy Sri Lanka	2022	Bashana Abeywardane