

H. Thomas Wells, Jr.
President

AMERICAN BAR ASSOCIATION

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November 3, 2008

President Mahinda Rajapakse
Democratic Socialist Republic of Sri Lanka
Presidential Secretariat
Colombo 1, Sri Lanka

Re: Grenade Attacks against JC Weliamuna

Mr. President:

The American Bar Association (ABA) is an independent, voluntary, non-governmental organization of lawyers and judges with more than 410,000 members worldwide. It regards human rights and the rule of law as cornerstones of a free and fair society and is committed to strengthening them in the United States and abroad.

The ABA is concerned about the grenade attacks against JC Weliamuna's residence in Kohuwela, Colombo, on September 27, 2008. We urge your government to ensure protection of Weliamuna and other human rights lawyers and activists in Sri Lanka and to impartially investigate and punish the attacks.

The nature of the attacks has been widely reported. Mr. Weliamuna is executive director of the Sri Lanka office of Transparency International, a non-governmental organization that investigates and exposes governmental corruption. He also is a well known lawyer involved in several politically sensitive legal cases in Sri Lanka involving alleged torture and other human rights abuses, and is a leading advocate for governmental reform. The indicators suggest that the attacks were most likely related to his human rights advocacy. Fortunately, they did not cause direct injury to Weliamuna or his family, but only to their home.

The International Covenant on Civil and Political Rights, to which Sri Lanka is a State Party, prohibits the use of torture, unlawful detention, and other forms of human rights abuse by a state against its own citizens. Attacks on lawyers, human rights defenders, and peaceful political activists working to uphold these principles undermine the rule of law, as these advocates often are the last line of defense against the overwhelming power of the state. Further, under the United Nations Declaration on Human Rights Defenders, adopted by the General Assembly in 1998, everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels, including the rights to meet or assemble peacefully; to form, join and participate in non-governmental organizations, associations or groups; and to communicate with non-governmental or intergovernmental organizations.

President Mahinda Rajapakse

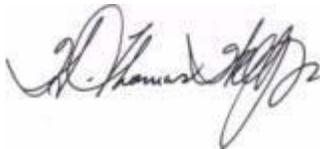
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While we do not attribute responsibility for the Weliamuna attacks pending an impartial and thorough investigation, we nevertheless respectfully urge your government and its representatives to ensure that no state official or agent engages in any action to violate the rights of any persons advocating for human rights and governmental reform in Sri Lanka. We further request that your government do what is necessary to provide appropriate protections for the full, impartial and independent operations of the judicial system, including key participants therein. The ABA stands ready to assist in ensuring a just rule of law is observed in Sri Lanka and will continue to monitor this case.

Thank you for your attention to our concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Thomas Wells, Jr.", written in a cursive style.

H. Thomas Wells, Jr.

cc: Mr. Amarasiri Dodangoda
Minister of Justice and Law Reforms

Mr. Gotabaya Rajapaksa
Secretary, Ministry of Defence

Amb. Jaliya Wickramasuriya
Embassy of the Democratic Socialist Republic of Sri Lanka

Hon. Condoleezza Rice
U.S. Secretary of State

Hon. Robert Blake
U.S. Ambassador to Sri Lanka

Mr. W. Dayaratne
President, Bar Association of Sri Lanka