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Tissainayagam sentenced to 20 years: Democracy in chains in Sri Lanka

Journalists for Democracy in Sri Lanka condemns the sentencing of journalist J.S. Tissainayagam to twenty years rigorous imprisonment under the Prevention of Terrorism Act (PTA) on August 31, 2009.

Tissainayagam's sentence is based on a 'confession' that he has refuted and two articles written and published by him in 2006. The judgment also states that the two articles written by Tissainayagam that are the subject of this investigation contain material that causes 'communal disharmony', and this too is considered a basis for his sentence. Tissainayagam has never engaged in, or promoted, violence of any kind, and we have always known him to be committed to co-existence and inter-ethnic justice.

Since Tissainayagam was first taken into custody in March 2008, we have continuously appealed for his release on the basis that the allegations against him were unfounded. In addition, we protested against his conditions of detention and the failure to comply with minimum humanitarian standards including providing Tissainayagam with the medical treatment that he needs.

As a community of Sri Lankan journalists and media persons in exile, we express our solidarity with our colleague Tissa on this occasion and commit ourselves to appeal against this sentence and draw the attention of the world to this flagrant violation of the freedom of thought, opinion and expression in Sri Lanka.

In addition, having followed the developments in this case with grave concern, we wish to highlight the following issues with regard to the Prevention of Terrorism Act which defies principles of natural justice and is in violation of established human rights norms.

According to the judgment, writing or publishing any article that can be defined as being against the Prevention of Terrorism Act can merit a sentence of twenty years rigorous imprisonment under the terms of this Act. No journalist in Sri Lanka has ever received this type of sentence, which is a flagrant violation of media freedom. Thus, this judgment once again highlights the need to repeal the Prevention of Terrorism Act which violates human rights including the rights of the freedom of expression and opinion.

Journalists for Democracy in Sri Lanka consider this judgment to represent a critical turning point in terms of restriction of media freedom through the law in Sri Lanka. We call on all democratic forces in Sri Lanka and outside to take all possible steps to ensure a reversal of this decision.

We feel that initiating a campaign for the repeal of the PTA in Sri Lanka must be a first step in this direction. We call on all democratic nations that enter into bilateral agreements with the government of Sri Lanka and on all donors to ensure that the repeal of the PTA is placed high on their list of critical concerns in negotiations with the government.

We wish to point out that every political party that has been involved in the creation and perpetuation of the PTA is complicit in the judgment against Tissainayagam. We appeal to all political parties and organizations committed to democratic principles to come forward to build the broadest possible platform to challenge the PTA. The repeal of the PTA is essential if we are to move towards disarmament in Sri Lanka.

We commit ourselves to work for the release of Tissainayagam and his colleagues V.Jesiharan and Valarmathy in the interests of justice and peace in Sri Lanka.

**Executive Committee
Journalists for Democracy in Sri Lanka**

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