

SPUR (Society for Peace, Unity and Human Rights for Sri Lanka Inc)

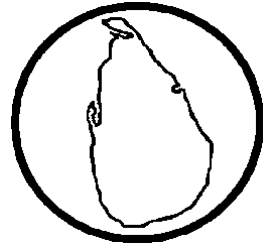
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Media Release

False complaint made by the Swiss embassy in Sri Lanka to tarnish the image of the government and the people of Sri Lanka.

We refer to a recent statement made by the Swiss Federal Department of Foreign Affairs alleging that due process was not followed by the Sri Lankan law enforcement authorities when investigating the alleged abduction of an employee of the Swiss embassy, Garnier Banister Francis aka Sriyalatha Perera. If the accusation is about not “following due process” let us remind the Swiss Federal Department of Foreign Affairs about what the Good Book says “**You hypocrite, first remove the beam out of your own eye, and then you can see clearly to remove the speck out of your brother's eye**” What the Swiss government defines as “due process” is clearly not what we define to be the same. There definitely is a problem regarding “due process” here!!

Continuing on the above topic, was “due process” followed when the Swiss government granted asylum to a criminal Nishantha de Silva Candappa, wanted by our government for smuggling sensitive information which compromises national security of our country? The answer clearly is NO. The “abduction” drama was crafted by the Swiss embassy as a smoke screen to divert attention from this illegal and hostile act by the Swiss Government. Now that this entire “Mock Drama” has blown up in the face of the Swiss government, just stay silent rather than damaging the credibility of the Swiss authorities, if there is any left at all.

The allegations are in relation to the interrogation of the alleged victim for 30 hours over 3 days which the Swiss allege was done when she was not well and to statements made by officials while the investigation was in progress.

The Swiss government needs to be reminded that it was the Swiss embassy and the Swiss Foreign Office who (A) didn't follow due process by not making a formal complaint to the Sri Lanka Police, (B) by not co-operating with the Sri Lanka Police until a court order was issued asking for the alleged victim to make a statement to the Sri Lanka Police. It is also alleged that the Swiss Ambassador to Sri Lanka has not surrendered the alleged victim's mobile phone to the Sri Lanka police.

The Swiss government also wanted to use an air ambulance to evacuate the alleged victim to Switzerland stating that the alleged victim's health was deteriorating. They "concluded" that as her health was deteriorating hence that she was not in a fit state to give a statement

to the police. According to the Swiss government, a Swiss doctor had made an assessment by examining the alleged victim via a video link. This action too was highly irregular and cannot be considered as being one that was in accordance with due process as it is only a Sri Lankan judicial medical officer who is legally empowered to determine the fitness of a person to participate in a judicial process. In this instance the Swiss government has arrogated to itself powers that are vested in the government of Sri Lanka.

Subsequently it was determined by a Sri Lankan judicial medical officer that she was in a fit state to be interviewed by the police.

In complete contrast to the Swiss government, the Sri Lankan government strictly followed due process and desisted from commenting on a recent judgement by a Swiss court where the court determined that the LTTE couldn't be categorised as a criminal organisation. This is despite the judgement which is highly questionable as the LTTE is a banned terrorist organization worldwide and is viewed as very detrimental to the national interests of Sri Lanka.

The Swiss government should take note that the best way for them to ensure that due process is followed is by not acting like an imperial power and by stopping their interference in the internal affairs of Sri Lanka and by respecting the sovereignty of Sri Lanka, by abiding by the laws of Sri Lanka and by fully co-operating with the Sri Lankan law enforcement and judicial authorities.

In short, the Swiss authorities should allow the Sri Lankan law to take its natural course without attempting to subvert it as they are attempting to do currently. State Secretary Pascale Baeriswyl has said Switzerland takes its responsibilities to its staff very seriously. Then we suggest you replace the present staff members who were involved in this "comedy of errors" with more sensible people.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ranjith Soysa', with a stylized flourish underneath.

Ranjith Soysa
Spokesperson – SPUR , Victoria