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☛ SRI LANKA: INTERNAL MOVEMENT OF TAMILS DISPLACED BY THE CONFLICT IN THE NORTHERN AND EASTERN REGIONS

All the sources of information contained in this document are identified and are publicly available.

RESEARCH DIRECTORATE IMMIGRATION AND REFUGEE BOARD OTTAWA, CANADA

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This paper was prepared by the Research Directorate of the Immigration and Refugee Board on the basis of publicly available information, analysis and comment. All sources are cited. This paper is not, and does not purport to be, either exhaustive with regard to conditions in the country surveyed or conclusive as to the merit of any particular claim to refugee status or asylum. For further information on current developments, please contact the Research Directorate.

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Source: United States. Central Intelligence Agency. 2000.
<http://www.lib.utexas.edu/Libs/PCL/Map_collection/middle_east_and_asia/sri_lanka_rel00.jpg

✦ 1. INTRODUCTION

✦ This Issue Paper will explore the opportunities for Tamils fleeing the conflicts in the northern and eastern regions to move to other areas of Sri Lanka by examining major reports on the movement of persons displaced by the conflicts in those regions since 1999. The paper is arranged in three sections. The first identifies the location of Tamil communities, other than those in Colombo and the northern and eastern regions and includes sub-sections on Hill Tamils, as well as Tamils and internally displaced persons (IDPs) in Puttalam. The second section looks at the movement of Tamils from the northern and eastern areas of the country; while the third concerns the return of Tamils, voluntary or forced, from Colombo to their home areas in the northern and eastern regions.

The paper does not discuss the migration flows or their relation to specific military campaigns, specific checkpoints or roadblocks, nor the procedures followed by security forces with respect to the examination of documents. It does not look at the camps/centres for displaced persons set up by the government and by non-governmental organizations, the return from the camps of internally displaced persons to their homes in the regions of conflict, nor the possibilities for travel within the northern and eastern regions themselves. The scope and nature of security, or emergency, regulations are only examined when they directly affect the movement of Tamils.

✦ 2. LOCATION OF TAMIL COMMUNITIES

✦ The last census conducted in Sri Lanka was in 1981 (Sri Lankan High Commission 20 Nov. 2000; MRG 1996, 7). MRG stated that in 1981 there was representation of all ethnic groups in all districts of Sri Lanka (ibid.). In commenting on the number of Tamils living in Sinhalese areas, as reflected in the 1981 census, Dr. Lakshman Marasinghe wrote, in 1995 in "A Study of the Refugees of Sri Lanka", that the number had likely increased since 1984 as a consequence of the reduced number of Tamils in "contested areas" (1995, 8). Please consult Appendices A-F, for maps indicating the location of Tamils in Sri Lanka.

Later sources reported that there were "substantial" Tamil communities living in minority situations throughout Sri Lanka (UNHCHR 12 Mar. 1998; UNHCR 18 Mar. 1999, 4). In July 1999, the Danish Immigration Service (DIS), citing the Centre for the Study of Human Rights, reported that 55 per cent of Tamils in Sri Lanka lived outside of the northern and eastern regions of the country. Hiram Ruiz, a Senior Policy Analyst with the U.S. Committee for Refugees, said that there are Tamils living in the south but that they are "very limited groups" (25 Oct. 2000).

Other sources also reference Tamils living outside of the northern and eastern regions of Sri

Lanka. ECOSOC and the UNHCR referred to "Tamil refugees living in the south," (ECOSOC 9 Sept. 1998) and a "sizeable Tamil minority" present in the southern population (UNHCR 18 Mar. 1999, 4). In a 12 May 2000 press release, Amnesty International mentioned steps taken by the government to protect Tamils living in the south from possible "backlash." A 3 June 1995 report of the burning of Tamil shops in the southern port town of Galle, makes reference to Tamils from the northeast provinces then "living in isolated places in the Galle district" (Japan Economic Newswire). The Co-ordinator of the Sri Lanka Project, M. Vije, wrote that "arbitrary arrests" of Tamils were a continuing source of concern and that they had occurred in southern areas that included Polonnaruwa, Galle and Hambantota (7 Nov. 2000). *The Sri Lanka Monitor* reported in November 1998 the arrests of Tamils "in several areas of southern Sri Lanka" including Kalutara.

Several sources consulted by the Research Directorate stated that Tamils fleeing the conflicts in the northern and eastern regions of the country face significant problems in trying to establish themselves in new communities in southern Sri Lanka (Abeysekera 21 Oct. 2000; Perera 7 Nov. 2000; Vije 7 Nov. 2000; Rev. Fr. Yogeswaran 1 Nov. 2000; UNHCR 18 Mar. 1999, 7; Ruiz 25 Oct. 2000). Reverend Father Yogeswaran, of the Jesuit Refugee Service in Sri Lanka, opined that Tamils from these areas are looked upon with "suspicion" by others and though there may be other Tamils living in the area of relocation, "there is no safety assured for a Tamil person." He stated that there are no places in Sri Lanka that could be described as "safe" for Tamils (1 Nov. 2000).

Jehan Perera, the Media Director of the National Peace Council of Sri Lanka, stated that Tamils fleeing the conflict migrate toward neighbourhoods in Colombo that are Tamil-inhabited (7 Nov. 2000). He said they would not face difficulty integrating with these communities because of their Tamil nature, but that they would "face many problems, such as being searched (and harassed) by the security forces and at check points. Their lives are filled with uncertainty about their security" (ibid.). Perera stated that his views were his own general perceptions and added that he is Sinhalese and has not worked directly with Tamils fleeing the northern and eastern regions (ibid.). Vije agreed that Tamils fleeing the conflicts are likely to go to Colombo and that they face difficulties registering with the police, "round-ups" and extortion by members of the security forces, detention, torture if detained, as well as problems/difficulties in accommodation and employment (7 Nov. 2000).

In its 28 July 2000 report on Sri Lanka the Dutch Ministry of Foreign Affairs provided the following information:

Tamils who are fleeing the war may find a settlement alternative in regions controlled by the government, including Colombo. The following comments can be made in this connection:

In government-controlled areas, Tamils are regularly subjected to personal checks, particularly around holidays, following attacks, and when the military situation worsens for the government troops. Tamils who cannot identify themselves on the spot or who come from the northern and eastern parts of Sri Lanka may be arrested. After their identity and their record have been checked and established, most Tamils are released again within 48 to 72 hours.

In Colombo it sometimes happens that Tamils suspected of having links with the LTTE are tortured during interrogation. As far as is known, a few such cases occur per annum.

It sometimes happens that, because of their ethnic affiliation, Tamils are harassed by Sinhalese in Colombo; but in general it does not appear that Tamils face any repressive measures from Sinhalese in Colombo due to the war blazing in the northern and eastern parts of Sri Lanka. As far as is known, only isolated incidents have occurred [so far]. President Kumaratunga has stated several times that the Tamil population residing in government-controlled territory would be protected against any reprisals from the Buddhist Sinhalese (Sec. 4.1).

Other sources wrote about the problems Tamils face in gaining access to employment and housing in southern areas (DIS July 1999, Sec. B.6; Abeysekera 21 Oct. 2000; see also UNHCR 18 Mar. 1999, 7). The Executive Director of INFORM, Sunila Abeysekera, wrote that Tamils go to Colombo and its surroundings because they "have traditionally lived in these parts of the country" (ibid.). Abeysekera added that Tamils relocating to these areas face problems finding employment, or places to stay, "because of the distrust of Tamils in the Sinhala community in general" (ibid.). The Danish Immigration Service also reported sources, including INFORM, as stating that Tamils face problems of access to employment and housing in Colombo (July 1999, Sec. B.6).

Concerning the difficulties of Tamils in Sinhalese areas, a May 2000 report from the *Sri Lanka Monitor* stated that President Chandrika Kumaratunga, in late May, struck the Inter-Racial Committee on Ethnic Harmony headed by Justice Minister G.L. Peiris and with a mandate of "ensur[ing] the safety of Tamils in southern Sri Lanka." This nine-member committee, in turn, formed a sub-committee in order to develop an action plan (ibid.). No further information on this committee could be found among the sources consulted by the Research Directorate. Several sources did not know of the existence of this committee (Abeysekera 7 Dec. 2000; Chandralal 7 Dec. 2000; Perera 5 Dec. 2000; Yogeswaran 20 Dec. 2000). However, according to Abeysekera:

there was a Committee consisting of MPs from different political parties set up in 1998 which was mandated to monitor the actual safety and security of Tamils living in Colombo. It was popularly known as the anti-Harassment Committee. However since the creation of the National Human Rights Commission this Committee has not been active. After the election of a new Parliament this has not been reconstituted. ...

However, the President is well-known to set up multifarious Task Forces, most of which have little effect. [The Inter-Racial Committee on Ethnic Harmony] may be one of them (ibid.).

Perera stated that he was critical of government appointed committees, claiming that they suffer from a lack of resources, power, and qualified staff with a notable exception being the Anti Harassment Committee, constituted approximately a year previously (5 Dec. 2000). He wrote that it "comprises several top government ministers and police officers, and is a body to which Tamils who are arrested can complain to for redress. I have heard that when this committee makes a recommendation it is followed up" (ibid.). Rev. Fr. Yogeswaran said that he is aware of the "President's Committee on Unlawful Arrests and Harassment" which he describes as "functioning satisfactorily. They have entertained complaints and given remedies" (20 Dec. 2000).

✚ 2.1 Puttalam

✚ The Immigration and Nationality Directorate (IND) of the United Kingdom Home Office referred to a 1997 report by the Dutch Ministry of Foreign Affairs, which reported that there are large numbers of Tamils living in "the Puttalam district north of Negombo," as well as in Matala (Apr. 2000, Sec. 5.2.3)¹. The Danish Immigration Service, in describing an office set up by the government in 1997 to help persons from the conflict areas obtain proper documentation, reported that it extends its services to "persons who were originally resident" in particular administrative districts that included Puttalam (July 1999).

Other sources reported that there are Tamils living in Puttalam (Young 5 Dec. 2000; Xavier 4 Dec. 2000; Sachitanandam 4 Dec. 2000; TamilCanadian Services n.d.; Kandasamy 4 Dec. 2000). Mr. Kandasamy - Co-ordinator and Executive Secretary of the Centre for Human Rights and Development - wrote that their numbers are considerable but when the police suspect the LTTE has become active in the region then "security is tightened leading to arrest and detention of Tamils and other restrictions on their movements" (ibid.). Ms. Sherine Xavier - Executive Director

of Home for Human Rights - wrote that there are Tamils "who have been living there for generations" but that it would be "difficult but not impossible" for Tamils from northern and/or eastern regions to relocate there (4 Dec. 2000). She added that in Puttalam there are "arrests and detentions and other forms of human rights violations" (ibid.). Jeevan Thiagarajah, Executive Director of the Consortium of Humanitarian Agencies, in response to a question about the possibility to relocate to Puttalam for Tamils fleeing the conflicts in the northern and eastern regions, wrote that "a significant number of displaced Muslims and Sinhalese reside in Puttalam but not necessarily Tamils. It may not be necessarily a welcome area for Tamils" (12 Dec. 2000). Young stated that the LTTE is not in control of Puttalam but said that it is a traditional Tamil area (5 Dec. 2000).

Ms. Sachitanandam, a representative of the National Peace Council of Sri Lanka, wrote that Tamils do live in the Puttalam district and that:

There is actually no problem in Tamils living anywhere in the South ... But they are generally reluctant to go and live in an area where there are not many Tamils as they feel vulnerable and not safe. Sometimes localised violence and intimidation occurs in Sinhala dominated areas. Although these incidences are far and few in-between, the Tamils are nevertheless scared. The local Sinhala neighbourhood also does a bit of "policing". If there is a solitary Tamil home in the middle of Sinhalas, then they keep a tab on who comes and goes and inform the local police station if they find anyone who visits the home as "suspicious". You are in much more peace of mind if you live among Tamils as no one attempts to inform on others. This is another important reason for Tamils to flock together. So most probably Tamils would not like to live in Puttalam (4 Dec. 2000)

While not specific to Tamils, Appendix G provides information from the Global IDP Project of the Norwegian Refugee Council on the location and number of internally displaced persons (IDPs) in Sri Lanka (Apr. 2000, 41-42). The tables are based on January 2000 data from the Commissioner General of Essential Services (ibid.). The UNHCR referred to figures provided by the Sri Lankan government that indicated there were 800,000 IDPs² in 1999 with 20 per cent living in the districts of Anuradhapura, Puttalam, Trincomalee, and other areas; as well as 40 per cent in Jaffna and 40 per cent in the districts of Kilinochchi, Mannar, Mullaitivu, and Vavuniya (n.d. a, 235). The UN Office for the Coordination of Humanitarian Affairs (UN OCHA) reported that the primary concentrations of IDPs included "the North Western Province ... and the Western Province including the capital city Colombo (Tamil and Muslim IDPs)" (6 July 2000). According to the UNHCR Sri Lankan Branch Office, the 65,738 displaced persons in Puttalam represent the second largest group "outside UNHCR's Area of Responsibility" (Nov. 2000). Several sources reported that the IDPs in Puttalam are predominantly Muslim (UN OCHA 6 July 2000, 102; WFP July 1999, 42; FORUT 31 Oct. 2000; DRC May 2000, 8). According to the Danish Refugee Council (DRC) "in Puttalam District there are no direct military confrontations but a large concentration of IDPs. Some of the IDPs live in welfare centres, while others have now settled down - either in resettlement villages or privately" (ibid., 14-15). The DRC reports that occupational backgrounds "have been very influential in determining the level of rehabilitation and integration" of persons from Mannar and Jaffna who went to Puttalam (ibid., 19). Farmers have had difficulties because of the lack of land; many fishermen have met "considerable resistance from the local fishing community," while others who had experience in cooperatives have used that experience to build new businesses; traders and businessmen have been the most successful by using existing networks or finding new employment (ibid., 19-20).

In July 1999, the Commissioner General of Essential Services indicated that Puttalam District had 44,612 displaced persons living in 113 centres and 21,212 living outside the centres (WFP July 1999, 42). According to the WFP:

These people have few prospects of returning to their homes in Mannar in the near future. Without

adequate infrastructure to cope with the influx of people, the displaced were initially living in abysmal conditions. Pressure was put on the government to improve their conditions and a number of families have been relocated to village settlements. Their situation has improved. However, economic opportunities remain scarce (ibid., 42-43).

WFP described the displaced in Puttalam as a "marginalized group who try to supplement their income by working as casual labourers and fishermen" and that they "tend to be resented by local people because they undercut wage rates and further weaken an almost decimated fishing industry" (ibid., 43). Many "have lost all motivation to work" after being on food rations for nine years and according to WFP, they "expect the government to continue to improve their conditions" because there are no opportunities in Puttalam (ibid.). In Puttalam District the WFP projected in September 1999 a total of 117 welfare centres at Puttalam, Mundel, Kalpitiya, and Wanathavilluwa that would provide assistance to 47,895 "general ration beneficiaries" in 2000 (30 Sept. 1999). Please consult Appendix H for the WFP "Summary of Situation in Puttalam District" (July 1999).

Programs of FORUT - a Norwegian non-governmental organization - include assistance to Muslims who have fled to Puttalam; the organization describes the situation in the area as "uneasy" and "traumatic to the local groups" because of military operations in the north and east and the movement of people (31 Oct. 2000).

The UNHCR notes that IDPs in Puttalam have experienced "prolonged stays" of over 10 years (Nov. 2000, 7) and reports that their prospects for return to Mannar and Jaffna are "blurred, inter alia due to the current property law which in principle entails that title deeds expire after 10 years of not exerting usufruct of property" (Nov. 2000, 9-10). It also notes that human rights organizations plan to challenge the law's validity (ibid.).

❖ 2.2 Hill (Plantation/Indian/Tea/Up-Country) Tamils

❖ For background information on Hill Tamils please consult LKA32774.E of 6 October 1999 available at IRB Regional Documentation Centres and the IRB Website at <www.irb.gc.ca>. The International Centre for Ethnic Studies Sri Lanka reported that "the highest concentration of up-country Tamils is in the district of Nuwara Eliya and that they are also present in the districts of Matale, Kegalle, Kandy, Badulla, Ratnapura, Moneragala, Galle and Matara" (IND Apr. 2000, Sec. 5.6.1).

Sources stated their belief that regions of Sri Lanka in which Hill Tamils reside would not be likely locations of resettlement for Tamils fleeing the conflict in the northern and eastern regions of the country (Perera 7 Nov. 2000; Abeysekera 21 Oct. 2000; Vije 7 Nov. 2000). Vije wrote that "only a few" persons from the north-east go to the hill country (ibid.). Jehan Perera wrote that fleeing Tamils would not "generally" go to the hill country despite it being an area where there is a Tamil majority, because of the differences in heritage, community, and political leadership (7 Nov. 2000). He added that Tamils from the north-east "would be targets of suspicion in the hill country, especially with the police, and the opportunities for a livelihood are also limited, unlike in Colombo" (ibid.).

Abeysekera described a "historical separation" between hill Tamils and those from the northern and eastern regions of Sri Lanka (21 Oct. 2000). According to her there are "very distinct social, cultural (including caste) and economic differences between the communities" which prevent the area from becoming a place of "sanctuary" for those fleeing the conflict (ibid.).

Both the Reverend Father Yogeswaran, and Vije, referred to the October 2000 killings of Tamils at Bandarawela in the hill country to illustrate their contention that there are no safe areas in Sri Lanka for Tamils³ (Yogeswaran 1 Nov. 2000; Vije 7 Nov. 2000). However, sources had

claimed earlier that Tamils from the northern and eastern regions could find relative safety in other areas of the country (DIS July 1999, Sec. I B; IND Apr. 2000, Sec. 5.2; CIS 18 Feb. 1999). A representative of the Australian Department of Foreign Affairs and Trade (DFAT) was of the opinion that a Tamil male from Batticaloa could relocate to the hill country, Trincomalee or other Tamil areas (ibid.). "The Centre for the Study of Human Rights said that Tamils were generally safer in Colombo than in any other place in the country and that they were safer in any places not in northern Sri Lanka. The same source said that Tamils in the south were vulnerable owing to ethnic conflicts but that they had no security problems in Colombo" (DIS July 1999, sec I B). Referring to a July 1997 report from the Dutch government, the IND of the UK Home Office reported that "Tamils fleeing persecution or the war in the north east can generally find a safe haven in areas under government control" (Apr. 2000, Sec. 5.2).

✦ 3. MOVEMENT OF TAMILS

✦ The conflict in Sri Lanka between the government security forces and the Liberation Tigers of Tamil Eelam (LTTE) continues. Since the beginning of 1999 there have been military offensives by both sides which have triggered new displacements of persons from the areas of conflict (Global IDP Project Apr. 2000, 16; HRW Dec. 2000; USCR 2000).

✦ 3.1 From Northern Areas

✦ Sources describe barriers to Tamils wanting to travel from northern areas of conflict. As noted by *Country Reports 1999*:

the Government generally respects the right to domestic and foreign travel; however, the war with the LTTE prompted the Government to impose more stringent checks on travellers from the north and the east and on movement in Colombo, particularly after dark. Tamils must obtain police passes in order to move freely in the north and east and frequently are harassed at checkpoints around the country (see Section 1.c.). These security measures have the effect of restricting the movement of Tamils, especially young males (2000, 2448).

Tamils fleeing Jaffna or the Vanni region and who end up in Vavuniya must first obtain permission and passes from Sri Lankan authorities before going further south (Perera 7 Nov. 2000; Vije 7 Nov. 2000; Ruiz 25 Oct. 2000; Young 25 Oct. 2000; Abeysekera 21 Oct. 2000; Global IDP Project Apr. 2000, 48; *Country Reports 1999 2000*, 2448; DIS July 1999, Sec. III 2; UNHCHR 12 Mar. 1998; Dutch Ministry of Foreign Affairs 28 July 2000, Sec. 3.2.3). The Dutch Ministry of Foreign Affairs, in reporting on freedom of movement around Vavuniya, wrote that "since the end of January 2000, in order to prevent infiltration by the LTTE, the army has been trying to limit the number of people moving from LTTE territory into areas under government control" (ibid.).

In order to obtain permission to move beyond Vavuniya, applicants must have a verifiable reason for wanting to go south, such as commerce/business, a need for medical services, schooling, family, or departure from Sri Lanka (DIS July 1999, Sec. III 2; UNHCR 18 Mar. 1999, 21; Ruiz 25 Oct. 2000; Young 25 Oct. 2000). Applicants must generally wait in the camps for internally displaced persons while their application is processed and their reason for travel to the south is checked with authorities in the area to which the person has applied (ibid.; Vije 7 Nov. 2000; Abeysekera 21 Oct. 2000). Abeysekera described the restrictions as "severe" and stated that Tamils wanting to go further south must first receive a "security clearance from Colombo" which causes problems for Tamils who want to go to Colombo for "travel and work purposes" (7 Dec. 2000). There are conflicting reports regarding the time needed to obtain this clearance: between two and four months (*Country Reports 1999 2000*, 2448), a few days to a year (DIS July 1999, Sec. III 1), several years (Vije 7 Nov. 2000), and months (Abeysekera 21 Oct. 2000).

The Dutch Ministry of Foreign Affairs wrote:

Refugees who are living in the camps in Vavuniya are barely able to obtain permission to settle in other parts of Vavuniya or Sri Lanka. Although they may submit an application to do so, they have to fill out an application form more than 14 pages long and containing about 200 questions. Inhabitants of the Vavuniya district must possess a pass showing that they are registered as living in Vavuniya. In February, the passes in use at that time were replaced and each inhabitant had to apply for a new pass. The pass has to be renewed every three months (28 July 2000, Sec. 3.2.3).

Rev. Fr. Yogeswaran wrote that it is difficult for persons from the north to obtain permission to travel to Colombo and that

reasons have to be given and also the duration of the stay. The police do check on the persons after arrival. One of the important elements is that before granting a pass to travel, another person from the area has to stand surety for the return of this person. He will have to surrender his residence permit to the Police over there in assurance. This makes the people to stand surety for those whom they really trust and as well imposes moral obligations on the traveller to get back. If not, the surety will suffer consequences. (20 Dec. 2000).

Country Reports 1999 notes that the government seeks to control the movement of persons fleeing the conflict areas in part because of a concern that IDPs moving to Colombo would add to unemployment and other social problems (2000, 2449). This is corroborated by a statement from the Ministry of Defence that, if permitted, 90 per cent of persons fleeing the conflict would go to Colombo which would be "untenable" (DIS July 1999, Sec. II B). The Ministry of Defence claimed that Tamils with a permanent address in areas controlled by the government are free to move anywhere in Sri Lanka without restriction and that the restrictions only applied to IDPs (ibid.). However, the Danish Immigration Service noted that other sources believed that, in general, there was no freedom of movement within Sri Lanka as the government severely restricted the southward movement of persons fleeing the conflict in northern areas (ibid., Sec. III. 2). According to the Danish report, published in July 1999:

Anyone wishing to travel to or to stay in Colombo must apply for [permission] to the authorities in Vavuniya and in the first instance to the police. There are clear guidelines laying down in which cases an application can be met. ... Where the police has doubts whether an application should or should not be met the issue is settled by a committee specially set up for that purpose. The committee consists of members of parliament, politicians, representatives of the army, the police and of the civil administration (ibid., Sec. III 2).

The UNHCR also reported in 1999 that:

A Release Committee processes applications from individuals who wish to leave the Centres [welfare camps]. The processing is based on restrictive criteria and could take time. In particular, those applying to move to the southern part of the country, including to Colombo, have to satisfy some onerous pre-conditions, including securing a surety who is a permanent resident in Vavuniya and who leaves his/her security pass with the authorities for the duration of the time the applicant is away (18 Mar. 1999, 21).

In an undated report published sometime after March 1999, the UNHCR reported that, with its encouragement, there had been a simplification of the pass system which had contributed to improved freedom of movement, although the procedures were still complicated for persons coming from areas held by the LTTE (n.d. b, 162).

According to Hiram Ruiz, only those with "exceptional circumstances" (family, medical, etc.) are permitted to go south with official permission. He said that persons do go south without this permission, but that it is very difficult to avoid government controls and the series of checkpoints along the way to Colombo where travellers' papers are checked (ibid.). Others also reported checks on travellers (Yogeswaran 1 Nov. 2000; Young 20 Nov. 2000; *Country Reports 1999 2000*, 2448).

Miriam Young, the Executive Director of both the US NGO Forum on Sri Lanka and the Asia Pacific Center for Justice and Peace, said that persons fleeing areas that have not been cleared by government forces, and who cannot return, find themselves "stuck" at the welfare camps unless they have someone in the south who can vouch for them (25 Oct. 2000). She said that Tamils are always subject to checks by security forces and that there are many checkpoints where they must show their identity cards and travel permits. Tamils have to show greater evidence of "what they're up to" and young people are under the greatest suspicion. If a person has documentation as well as a verified reason to go south, then they can travel south, but without these they are not permitted to move beyond Vavuniya (ibid.). A January 1999 report from *The Sri Lanka Monitor* stated that two men with false identity cards were arrested that month while attempting to go to Colombo.

Ms Sachitanandam wrote:

there are severe restrictions for Tamils to come to Colombo from the North. There they have to endure long delays, bribe officials so that they can obtain the necessary surety from any local resident (guaranteeing that he or she is not a terrorist and that they will return to the North after finishing whatever the business) in getting the pass. Even if you are going for medical reasons or to face a job interview or visit your dying mother, the procedure is the same (4 Dec. 2000).

Kandasamy wrote that Tamils do go to Colombo from the northern and eastern areas "for various reasons" and added:

Before they depart from their homes in the north, they have to obtain the pass from the Civil Affairs Office in their respective areas.

When they apply for the pass, there are many constraints that are imposed. Duration of the stay in Colombo is one of the prime restrictions. When the Civil Affairs Office issues the pass, they stipulate the number of days that the bearer can stay in Colombo (4 Dec. 2000).

While not specific to the north, there is some information about LTTE controls on persons leaving areas under its control. The Dutch Ministry of Foreign Affairs reported in July 1997 that Tamils from Jaffna had to carry a travel pass issued by the LTTE and that these were issued to Tamil businessmen "regarded as reliable," as well as to other persons for family visits or medical treatment in Colombo (IND Apr. 2000, Sec. 5.1.17). These persons could be warned by the LTTE that their family members would face punishment if they did not return (ibid.). The Danish Immigration Service wrote that all the sources it contacted in November - December 1998 had said that persons wanting to leave LTTE-controlled territory had to first get their permission, with many of the sources stating that this always required those leaving to pay money to the LTTE for the permission: "All those interviewed stated that it would be particularly hard to leave the area without the knowledge and permission of the LTTE" (July 1999, Sec. III 1.). According to the Danish Immigration Service, several sources were reported as saying that the LTTE had required that "at least one family member" stay in the area in order to ensure the return of those leaving (ibid.). However, *Country Reports 1999* reported that while the LTTE had charged a tax to leave its territory prior to 1996, it now generally allows people to move into government controlled areas, although there are occasional disruptions to movement through checkpoints (2000, 2449). Human Rights Watch reported in December 2000 that the LTTE "imposed restrictions on civilians

wishing to leave areas it controlled," but did not elaborate further.

✚ 3.2 From Eastern Areas

✚ The UNHCR described as "strict" the controls placed by government authorities on the movements of people from both the northern and eastern regions of Sri Lanka while *Country Reports 1999* referred to them as "stringent" (UNHCR n.d. b, 162; *Country Reports 1999 2000*, 2448). In late 1998, the Ministry of Defence claimed that persons could travel to the eastern areas without permission and specified between Colombo and Batticaloa, as well as between Colombo and Trincomalee (DIS July 1999, Sec. III 2). A 4 January 1999 report by the Australian Department of Foreign Affairs and Trade (DFAT) said that people were able to travel to and from Batticaloa without significant restrictions (CIS 18 Feb. 1999). According to the report, while civilians were still subjected to security checks, "buses continue to run, and people continue to travel back and forth" and bus tickets for Batticaloa could be purchased in Colombo (ibid.). The report also said that restrictions on the movement of trucks and the "crossloading" of goods coming from Batticaloa and going to Colombo had been implemented following a series of Colombo bombs which were traced to Batticaloa (ibid.).

In January 2000 media sources reported plans by security forces to introduce travel restrictions on eastern districts of Batticaloa and Ampara in mid-February 2000 (IPS 31 Jan. 2000; Reuters 29 Jan. 2000). On 28 January 2000 *The Hindu* reported that the government was considering new restrictions on the movement of people from Batticaloa, Jaffna, Vavuniya and Trincomalee which could include the issuing of travel permits and permanent resident certificates to persons residing in the north-east. Security forces reported that they had evidence linking recent suicide bombings in Colombo to persons from Batticaloa (Reuters 29 Jan. 2000; IPS 31 Jan. 2000). IPS reported that the travel restrictions would apply to persons from Batticaloa and Ampara and quoted a police superintendent as saying that persons wanting to travel outside of the region would have to submit an application with a photograph, a fortnight in advance, and would not be allowed to leave the region without prior government approval (ibid.). Ms Young was aware of these proposed restrictions but stated that the government did not introduce them (5 Dec. 2000). She said the proposals had sparked a lot of opposition, as well as speculation that the actual implementation of the restrictions would be very costly in terms of finances and resources (ibid.). Other sources also wrote that the government had planned on introducing these restrictions but had "shelved" them because of protests (Perera 5 Dec. 2000; Abeysekera 7 Dec. 2000; Yogeswsaran 20 Dec. 2000; Dutch Ministry of Foreign Affairs 28 July 2000, Sec. 3.2.3).

Young and Ruiz both described the movement of persons from the eastern districts of Sri Lanka as different than that of persons from the north although Ruiz was unaware of whether there was a system of controls similar to those affecting Tamils wanting to travel from the north (Young 25 Oct. 2000; Ruiz 25 Oct. 2000). However, Young said there are still checkpoints on roads from the east to Colombo and that at these checkpoints Tamils must prove they are going to Colombo for legitimate reasons (ibid.).

Young provided further information on 5 December 2000 following a recent two week trip to Sri Lanka. While in Sri Lanka, in addition to Colombo, she visited Trincomalee and Vavuniya. Neither she, nor Sri Lankans, needed official permission from the government to travel to Trincomalee. She said, however, that the atmosphere was "very tense" in that area as a consequence of a high level of LTTE activity. She said that the Sri Lankan navy was very active and involved in detentions and that there are many checkpoints on the road from Trincomalee to Colombo which the army controls during the daytime (ibid.).

Young confirmed her 25 October 2000 statements whereby the travel restrictions differ from the northern and eastern areas. To begin with, there are no transit centres in the east where people

live, or wait for permission to travel further on. On the route from Batticaloa to Colombo there is a major checkpoint at Welikande (5 Dec. 2000.), which is approximately two thirds of the way between Batticaloa and Polonnaruwa (Falling Rain Genomics 5 Aug. 2000). Young stated that she was not permitted to travel beyond Welikande to Batticaloa because, as a foreigner, she did not have authorization to do so (5 Dec. 2000). She said that she is "ninety per cent sure that express permission is not required" for Tamils to travel from Batticaloa to Colombo, although they do need to explain verbally their reasons for travel. At the Welikande checkpoint the identification papers of all travellers are checked and many questions asked of Tamils. There is a very large parking lot where all vehicles are inspected. Young stated that "everything" in Tamil vehicles is checked in detail. Buses are completely unloaded and all passengers are subjected to body searches. Young does not know what happens to persons who raise the authorities' suspicions (ibid.).

According to Young, there may be one or two other checkpoints between Batticaloa and Colombo but that Welikande is the major one (ibid.). She said that there is also a southern route to Colombo but she does not know how often it is used. She acknowledged that it might not be too difficult for LTTE members to avoid the Welikande checkpoint given its size and renown. However, she said that within the eastern area itself there are many and multiple checkpoints. This is because the LTTE and the government security forces control different "pockets." Persons who live in one pocket might have to travel through other pockets in order to go to work, thus passing through different checkpoints along the way. She said that the areas the two forces control are not as clearly defined as in the north (ibid.).

Abeysekera wrote that "Tamils in fact are technically 'free' to travel outside the East" but added that there are many check-points where Tamils are closely questioned about their reasons for travel and that Tamils find this "humiliating and a negation of their right to mobility within the island" (7 Dec. 2000).

Perera wrote that he was unaware of any specific restrictions on Tamils travelling to Colombo from the east (7 Dec. 2000). He wrote that "They don't need to get passes to come to Colombo or go to any part of the country. But they need to have their proper identification, and they need to register with the police if they go outside their homes to stay overnight" (ibid.).

❖ 4. TAMILS IN COLOMBO AND THE POSSIBILITY OF THEIR RETURN TO NORTHERN AND EASTERN AREAS

❖ According to a 28 August 2000 report by the Asylum and Migration Affairs Division of the Dutch Ministry of Foreign Affairs: "to date the UNHCR is not aware of any people who are actually being returned to the northeast."

In a 22 August 2000 report The Netherlands provided information on registration requirements for Tamils in Colombo. According to the report it is the responsibility of "a residence's principal occupant" to report new occupants at the residence to the local police station for registration (ibid.). The report states once registered a person is able to "lawfully" stay in Colombo but that failing to register could result in arrest on suspicion of involvement with the LTTE (ibid.). "There are no set rules on establishing the duration of a registration," but the period is generally from one to three months, with the date upon which a person took up residence in Colombo and the place of residence always indicated on the registration form. Upon expiry the registration can be renewed (ibid.).

The registration form is issued to the residence's principal occupant. While there is no legal requirement for a person to carry a copy of the form

it is strongly recommended that it be carried (in addition to the NIC) for identification purposes. During a routine check, authorities might verify if an individual has a valid reason for being in Colombo and if he or she is registered. If he or she is unable to produce a police registration certificate during a routine check, authorities must conduct an investigation at the local police station and might detain the individual until the registration issue is resolved (ibid.).

According to the report, acceptable reasons for residing in Colombo include employment, a job interview, visiting friends or family, medical treatment, studying, and leaving or returning to Sri Lanka (ibid.). The report states:

The person concerned must make a reasonable case for his or her normal stay in Colombo and show that he or she is not residing there to conduct LTTE activities. If an individual is unable to give acceptable/credible reasons for residing in Colombo, he or she might be suspected of LTTE activities and ... may be detained for longer than 48 to 72 hours ...

There is no indication that Tamils who have been issued a police registration certificate by a specific police district in Colombo are not permitted to be in another district, or that their freedom of movement is otherwise restricted (ibid.).

In its 28 August 2000 report the Asylum and Migration Affairs Division wrote: "It is possible that an individual is initially refused registration and that he or she may be registered after paying 2000 to 3000 rupees. There are no other reasons. Money is the only issue. To date, the UNHCR has received no reports of refused registration."

Concerning the possible consequences to a person who does not have a copy of the police registration certificate, the UNHCR has reportedly denied reports that every person without a police registration certificate is arrested: "An arrest may be avoided in some circumstances. This largely depends on which police station one is dealing with" (ibid.). The Asylum and Migration Affairs Division indicated that the duration of detention for an individual without a copy of the police registration is normally 72 hours and that "the duration is usually less than a week if there are no further indications that an individual is involved in the LTTE" (ibid.).

With respect to "required documents" the Asylum and Migration Affairs reported:

Individuals must have their identity card on them at all times so that they may present it during identity checks. If an individual's identity card is no longer valid, he or she must obtain a new one as soon as possible. In addition, a Tamil who did not reside in Colombo prior to 1983, must make a reasonable case for why he or she is residing in Colombo. A copy of his or her police registration certificate is useful. A certificate that gives a valid reason for residence may not always be issued. Such a certificate is useful if one has it, but is not a necessity. An individual must make a reasonable case for being in Colombo. If no credible reason can be given, the police will ask the person concerned about the purpose of his or her stay. ... If the people are from Jaffna, Mannar and Vavuniya - not repatriated persons - they must indeed show their passes when they register with the police in Colombo; a copy is made and the original is returned. Repatriated persons have no passes, because they resided abroad (usually for a long period of time). Therefore, it is necessary for them to carry the above-mentioned police registration certificate.

Additional information concerning the return, voluntary or forced, of Tamils from Colombo to the northern and eastern areas is limited. According to Sherine Xavier, Executive Director of the Sri Lankan-based human rights NGO, Home for Human Rights:

The existing pass system in Colombo requires every one to register with the police upon their arrival. The length of the pass will not be the same for every one. If they are within the age group of 17-35 they will be given a one-week pass and this will require them to visit the police station periodically. After a few visits they will be given a 2-3 week pass and this will again become a three-month pass. If they are older it will start off as 2-month pass and will be renewed if they have all required documents. (4 Dec. 2000).

She provided an example in which a Tamil colleague had to renew the yearly pass she had been granted because of her employment (ibid.). Her request for renewal was at first refused and she was asked to return to Mannar to get a "clearance certificate from the Police of Mannar" (ibid.). Only after the intervention of a Sinhalese lawyer were they successful in having her pass renewed without her return to Mannar (ibid.). According to Xavier "the process is very tedious and full of corruption. We have known people whose passes are not renewed which resulted in them going back to the East" (ibid.).

The Danish Immigration Service provided further information on authorized stays in Colombo, based on a November-December 1998 fact-finding mission to Sri Lanka (DIS July 1999, Sec. I B 2). The duration of a residence permit was dependent upon the reason for being in Colombo and "on expiry of the residence permit, the person concerned must in principle return to his region of origin unless the residence permit is extended" (ibid.). The report noted, however, that Lawyers for Human Rights had said that it was not necessary to re-register when a residence permit expired but that the police should be informed that the person was remaining (ibid.). In the DIS report, the Inspector-General of Police was reported as saying that residence permits were for specific periods and reasons, but that they "could be extended if there were good reasons" (ibid.). Also in the report, INFORM corroborated this information from the Inspector-General of Police and added that persons who had problems in having their permits extended "might be able to ensure that they could remain in Colombo if they moved to another district," or paid a bribe (ibid.). With reference to the requirement for Tamil visitors to Colombo to register with the authorities, the UNHCR told the fact-finding mission that this "should be seen as a consequence of the authorities' attempts to make people return to their regions of origin when their residence permits expired" (ibid.). When writing about the need for an extension of registration, the Danish Immigration Service cited INFORM as saying that Tamils residing in Colombo for a "considerable time" are required to register only once, while the Movement for Inter-Racial Justice and Equality (MIRJE) said that

"people usually registered for a year or a year and half at a time, after which it was necessary to contact a police station if they wanted to remain in Colombo" (July 1999, Sec. I B 2). The Law and Society Trust⁴ stated that persons who delayed their registration risked detention (ibid.).

Xavier stated that Tamils from the northern and eastern regions are at risk of arrest if they are present in Colombo with expired permits (5 Dec. 2000). While unable to refer to any specific examples of persons being taken out of Colombo by force because of an expired permit, in her words persons whose permits have expired "are made to leave" by the authorities (ibid.). She elaborated that the permit is comparable to a visa and, as such, someone who does not renew their permit is typically viewed by security forces as having broken the law and therefore capable of being involved in other security infractions (ibid.). If caught in one of the security force sweeps that occur in Colombo, or at one of the security checkpoints present in the city, these persons would be detained and be under suspicion by security forces. These people would more likely than other Tamils, be detained for an extended period of time with their release occurring when authorities were satisfied that they were not a threat (ibid.). While not mentioning any prescribed punishment for persons being present in Colombo with an expired permit, Xavier suggested that the possible consequences are well known to Tamils (ibid.). She said that people fear not only detention, but the possibility of torture that may go along with it. She acknowledged that Tamils are present in Colombo with expired permits, but said that they generally try to move around and change their location in order to avoid detection, or use bribes to lengthen their stay. She said that what she described was true for Tamils from the northern region as well as those from the eastern region (ibid.).

Sachitanandam wrote that her comments applied to Tamils from the northern region (4 Dec. 2000). While also unaware of any persons being sent back to their home regions by the authorities, she wrote that "when the period of stay ends in Colombo, the home police usually visits the [original] home of the concerned citizen to find out whether he/she has returned" (ibid.).

According to Kandasamy:

As soon as the visitor arrives in Colombo, he/she has to register at the police station nearest to where they are residing. During the registration process the applicants are instructed on the duration of stay in Colombo.

On the day previous to the expiry of the pass, the police officer attached to the nearest police station, visits the place where the visitor has taken up residence and instructs him/her to leave Colombo before the expiry date stipulated in the form (4 Dec. 2000).

Abeysekera corroborated the above information with respect to the problems faced by Tamils in Colombo in having their authorized stay extended (7 Dec. 2000). She wrote: ...

they are required to furnish documentary proof of their reason for staying on. The whole process of registration at the nearest Police Station and then the requirement for regular up-dating of the registration creates many difficulties for Tamils living temporarily in Colombo. While the Police are not able to keep track of persons who are authorized to reside in Colombo for a limited period, when such persons are apprehended in one of the many regular cordon and search operations in Colombo, the consequences are severe (ibid.).

Chandralal noted that police are reluctant to extend passes and "Tamils who come from Northern and Eastern provinces of Sri Lanka face problems if they do not possess a valid pass to stay in Colombo" (7 Dec. 2000). He did not provide any detail on the nature of the problems faced (ibid.).

Thiagarajah, of the Consortium of Humanitarian Agencies, wrote that in general Tamils from the "North east" have no time limits on their residence in Colombo, excepting those Tamils who "have specifically come on permits from Jaffna or Vavuniya Districts inclusive of Vanni Districts" (12 Dec. 2000). If they exceed their permits "action may be taken" (ibid.).

According to the Danish Immigration Service:

A number of interviewees, including the Inspector-General of Police, the UNHCR and INFORM, said that the police did check whether the expiry date for authorised residence had been overstepped. The UNHCR stated that it was not a case of the person being sought by the police on expiry of the permit but that there was a risk of a person who had stayed beyond the expiry date being arrested and detained or being informed that he must return to his region of origin. ...

The Netherlands Embassy said that the police did not have the resources to check that the duration of permits for a limited period of residence had not been overstepped. ... Regarding possible problems with registration, the Embassy said that the police only registered people on the basis of an identity card and were not interested in refusing to extend a residence permit or refusing to register people since they would then to some extent lose control over who was living in Colombo. The Embassy added that there might of course be exceptions to this rule and there had been mention of cases where people had paid bribes in order to have their residence permits extended.

All the interviewees consulted - with a single exception - said that they had not heard of the police forcing people to leave Colombo, even if their residence permits had expired. INFORM noted that some people "chose" to leave Colombo because of the harassment to which they were subjected and some people had been forced to leave Colombo on expiry of their residence permits, but there were no further details on this (July 1999, Sec. I B 2.).

IPS reported on 31 January 2000 that Tamils in Colombo who were not permanent residents must carry a registration from the police and that the pass must be renewed if they want to stay longer.

Perera wrote that he had read newspaper "reports" that Tamils who have returned from abroad, or who are not permanent residents of Colombo, and who do not "immediately" register with the police risk being detained for questioning (11 Nov. 2000). He also wrote: "As for overstaying, I suppose it won't be serious, but can get you into trouble, depending on the police officer, and whether he wants to give you trouble or make a fast buck" (ibid.).

Young, of the US NGO Forum on Sri Lanka, stated that she was unaware of what happens to Tamils who are picked up without documentation in Colombo (25 Oct. 2000). She stated that she was not aware of anyone who had been forced by authorities to return to their home areas and could not confirm whether the authorities actually search out people whose residence permits had expired, but said that if they were detected at a checkpoint they would likely be regarded with suspicion by the security forces (5 Dec. 2000).

Australia's Department of Foreign Affairs and Trade (DFAT) reported in late 1998 that

if a Tamil, particularly one who arrives from the northeast, fails to register with the police, he is liable to be arrested under the PTA [Prevention of Terrorism Act] or emergency regulations. He could be arrested during a security check at the person's home or at a checkpoint on the road or during an ad hoc search of a vehicle. ...

Most Tamils arrested for not possessing registration documents are released within two days after

establishing their bona fides, but they are warned to register immediately (CIS 9 Dec. 1998).

Those unable to establish their identity could be detained by order of the secretary to the Ministry of Defence, 3 months at a time, to a maximum of 18 months under Regulation 17 of the emergency regulations, which is known as "preventive detention" (ibid.). Amnesty International reported that the emergency regulations were amended in May 2000 and expressed its concern that the amendments expanded the power of authorities to detain persons and, more specifically, could remove judicial review of detentions, deny detainees the opportunity to challenge their detention before the Supreme Court, and permit detention orders to "be made in an even more arbitrary and capricious manner" (1 July 2000). *Sri Lanka Monitor* described the new regulations as "widening the powers of the President and the security forces" (June 2000). However, government ministers claim that the changes were intended "to protect Tamils living outside the north-east war zone from an ethnic backlash. But observers say Emergency regulations have been used in the past as an instrument of repression against the Tamils. The new regulations have heightened fears of Tamils in Colombo and other southern areas" (ibid.). In September 2000, DFAT reported

Recent security and military developments, and the promulgation of emergency regulations, have not yet resulted in a notable change to the treatment of Tamils and patterns of arrest and detention in Colombo and the rest of Sri Lanka. Cordon and search operations occur after security incidents, as they always have. Most people are generally released after their identity has been verified. People fitting the high risk profile - young Tamils from the north and the east who cannot explain their presence in Colombo and who are suspected of having links with the LTTE - run a higher risk of being persecuted than other Tamils (CIS 25 Sept. 2000).

In further information, related to Tamils returning to Sri Lanka from abroad, the Danish Immigration Service reported that none of the sources consulted by it were able to report any instances in which persons originating in the northern and eastern regions had been forced to return to those areas (July 1999 Sec. IV 3.). However, according to a December 1999 report from the *Sri Lanka Monitor* Ravi Shanker, a failed asylum seeker in The Netherlands who had been returned to Sri Lanka in February 1998, "was granted a permit to reside in the capital, but the police made it clear that he must return to Jaffna." The publication reported that he was arrested on two different occasions in March and July 1998 and claimed that he had been interrogated and tortured by police (ibid.). He went before a magistrate after 10 days in detention in July 1998, but was only released on bail in July 1999 after appearing before the Magistrate's Court on 18 occasions (ibid.). The Research Directorate was unable to corroborate this report.

Chandralal provided the text of a letter from the Secretary of the Forum for Human Dignity and addressed to The Secretary of the President's Committee on Unlawful Arrests and Harassment (7 Dec. 200). The letter describes the situation of another Sri Lankan, Mr. Nadarajah Thevadas, whose claim for asylum was also rejected in The Netherlands. Following his deportation from that country to Sri Lanka he registered his name and address with the Colombo police. The letter states that he renewed this registration twice following its initial expiry at the end of three months. According to the letter his authorized stay was to expire in October 2000 and the police had "warned him that they will not renew his police registration after the 17th October 2000 and had asked him to go to Jaffna, his native place. They have also threatened him that he will be arrested after the 17th October 2000 if he stays in Colombo" (ibid.). The letter goes on to ask the Secretary of this committee what law provided the police with the authority to "ask the people to vacate a particular area and go elsewhere" (ibid.).

The Danish Immigration Service reported that "the UNHCR stated that from a legal point of view there were no restrictions on staying in Colombo for anyone coming from abroad" and that it was unaware of anyone being forced to leave the city, although it acknowledged that persons in such a situation would be more likely to contact a non-governmental organization for assistance

than the UNHCR (July 1999, Sec. IV 3.). The Danish Immigration Service wrote that a lawyer said that he was unaware of the forced return of persons "and stressed that the reason was that the authorities could not send those concerned back to the northern and eastern areas, as there was no civilian traffic to these areas" (ibid.).

With respect to civilian traffic to northern and eastern areas, the Danish Immigration Service reports the Ministry of Defence as saying that permission was not needed for civilians travelling to eastern regions and that while permission was required from the military for travel to Jaffna, "anyone with good grounds [e.g. family and religious reasons] could receive such permission" (July 1999, sec III 2.). While not referring to a requirement for permission from military authorities, on 9 April 1998 TamilNet claimed that those persons wanting to return to Jaffna from Colombo had to get a certificate from "the Grama Seveka"⁵ in order to receive "security clearance."

Other sources have reported difficulties in travelling to the north. The World Food Program reported in July 1999 that "military operations and security considerations prohibit return to village of origin," (25) and the Consortium of Humanitarian Agencies said in 1999 that government policy was to return displaced persons to their villages of origin, but that this was often not possible due to military operations (Global IDP Project Apr. 2000, 74-75). Other sources have also reported problems with travel between northern areas and elsewhere in Sri Lanka (Xinhua 5 Apr. 2000; HRW 2 Aug. 1999; AFP 8 Aug. 1999; IPS 20 Nov. 1998; ICRC 10 Dec. 1999; UNHCR 18 Mar. 1999, 7). A 19 July 2000 UPI report referred to observations by two Members of the European Parliament, who were visiting Sri Lanka, that "the authorities [were]... restricting travel to the north."

There are conflicting reports regarding air travel to Jaffna. In September 1998, there was a crash (DIS July 1999, Sec. III 2) of a Lionair plane; according to UNHCR, Lionair was the only company providing air services between Colombo and Jaffna (18 Mar. 1999, 7). The UNHCR reported that the government suspended all flights to Jaffna following the crash (ibid.). The Dutch Ministry of Foreign Affairs reported that civilian air traffic between Jaffna and Colombo resumed in January 1999 but "to make use of this flight, one must first obtain permission from the Ministry of Defence" (28 July 2000, Sec. 3.2.3). However, the Dutch report also stated that some time since January 1999 civilian flights had been suspended "as a result of the fighting taking place in the vicinity of Jaffna airport" (ibid.). In a 2 April 2000 article *The Hindu* reported that Lionair was providing air services between Colombo and Jaffna, as well as charter services to the military.

The International Committee of the Red Cross charts a ship to carry patients, and their relatives, to and from Colombo and Jaffna (ICRC 13 July 2000; Global IDP Project Apr. 2000, 99). It makes weekly voyages which have been prevented at times due to disagreements between government and LTTE forces as to which northern port to use (ICRC 31 May 2000). The Global IDP Project reported that the ICRC had an agreement with the government and the LTTE to move the seriously ill by boat from Jaffna to Colombo and that the boat "also transports ICRC, government, NGO and UN personnel, supplies and medical items sent to Jaffna by the government," as well as mail (Apr. 2000, 99). A September 2000 report from the *Sri Lanka Monitor* stated that a ship service between Trincomalee and Jaffna, which uses different ships to carry passengers between the two locations, "is the only mode available to the people for travel outside Jaffna."

For further information on travel opportunities for displaced Tamils from the northern and eastern regions of Sri Lanka, as well as on registration requirements in Colombo for these persons, please consult: LKA34427.E of 19 May 2000, LKA34116.E of 3 April 2000, LKA33140.E of 22 November 1999, LKA32665.E of 1 September 1999, LKA31542.E of 30 March 1999,

LKA30142.E of 23 September 1998, LKA29262.E of 30 April 1998, and LKA29240.E of 6 May 1998 available at IRB Regional Documentation Centres and the IRB Website at <www.irb.gc.ca>.

✦ NOTES ON SELECTED SOURCES

✦ **Abeysekera, Sunila - Executive Director, INFORM, Colombo, Sri Lanka.**

According to its Website "INFORM is a Sri Lankan human rights organization that has been active since 1989 and that has a special focus on three main areas of activity: monitoring, documentation and training." It is based in Sri Lanka.

Chandralal, M.K.P. - Forum for Human Dignity, Colombo, Sri Lanka

Sources describe this organization as a non-governmental human rights agency (Sri Lanka Monitor July 1999; TamilNet 6 June 1999; *The Independent* 8 June 2000). Its work includes providing "legal services for victims of unlawful arrest and torture and for relatives of the disappeared; facilitation of regional efforts for the release of Indian fishermen detained in Sri Lanka and Sri Lankan fishermen detained in India" (Asia Foundation n.d.).

Country Information Service (CIS), Department of Immigration and Multicultural Affairs (DIMA) Australia.

The Country Information Service (CIS) was established in 1992 to help ensure that applicants for protection visas are assessed by decision-makers with access to information about political, social and human rights conditions in the applicants' countries of reference. Almost all of the information collected by CIS is from publicly accessible sources such as periodicals, newspapers, books, news services (e.g., Reuters), Internet Websites, etc. Information from community groups and protection visa applicants is welcome and academics and non-government organisations are approached for advice when appropriate. The Department of Foreign Affairs and Trade (DFAT) is the main non-publicly accessible source used by CIS.

Danish Immigration Service (DIS).

The Danish Immigration Service collects information regarding the countries of origin of asylum seekers. One of the ways in which it fulfills this task is through fact-finding missions. With respect to the report cited in this Issue Paper, "The aim of the [fact-finding] mission was ... to investigate the influence of the most recent political and military developments in Sri Lanka on the security and human-rights situation in general and the situation of Tamils in particular. The mission was limited to a visit to Colombo and paid particular attention to the conditions for Tamils in Colombo. Information was obtained from a series of meetings both with representatives of the Sri Lankan authorities and with independent sources, including international organisations and Sri Lankan NGOs" (DIS July 1999)

Kandasamy, N. - Coordinator and Executive Secretary, Centre for Human Rights and Development (CHRD), Colombo, Sri Lanka.

According to information provided by its Secretary and Coordinator, the CHRD "is a human rights non-governmental organization, which was set up in 1997, by a group of human rights lawyers and activists. ... The main activities of the CHRD are legal aid and training programme on human rights awareness and the documentation; campaigning for human rights and good governance. CHRD also organizes series of seminars, consultation meetings, lectures and press conferences on human rights and good governance, CHRD also publishes a quarterly journal called the *Sentinal*."

Perera, Jehan. Colombo, Sri Lanka.

According to his resume Mr. Perera has been the Media Director of the National Peace Council of Sri Lanka (NPCSL) since 1995, was appointed in May 2000 as a member of the Presidential Task Force on Ethnic Affairs and National Integration, and has served since 1999 as the Secretary of the People's Action for Free and Fair Elections which is "an independent election monitoring body" (5

Dec. 2000). In addition to editing in 1996 "The Health of Children in Conflict Zones in Sri Lanka," "a joint local-foreign study with McMaster University, Canada," as well as "A Gateway to Justice Through Public Interest Law" that was published in 1995 by Sarvodaya Legal Aid Services," Mr. Perera has contributed chapters to various books and international publications, and has been a social and political columnist since 1990 for the *Island* and *Lankadipa* newspapers. Mr. Perera wrote that his "views are not researched ones, and are general perceptions due to my being a Sinhalese and also not being involved in working with Tamils fleeing the NE" (7 Nov. 2000).

Ruiz, Hiram - Senior Policy Analyst, U.S. Committee for Refugees (USCR), Washington DC.

According to the USCR Website: "Mr. Ruiz has been a Policy Analyst with USCR since 1989. Currently, he focuses on Asia and Latin America. Prior to joining USCR, Mr. Ruiz worked for the U.N. High Commissioner for Refugees (UNHCR) in Somalia and Sudan, Refugee Action in England, and the District of Columbia's Office of Refugee Resettlement."

Sachitanandam, Ms Shanti - Representative of the National Peace Council of Sri Lanka (NPCSL), Colombo, Sri Lanka.

The NPCSL was formed as an "inter-religious group" in 1995 and, according to its Media Director, "The NPC's position then and now is that 1) the only way of ending the war is through negotiations, 2) that peace without the LTTE being brought into the process is not possible, and 3) that the negotiated political settlement should address the national aspirations of the Tamil people." (Perera 11 Nov. 2000). He describes it as "a civil society based conflict resolution organisation with the twin objectives of building a peoples movement for peace and creating the environment for a negotiated settlement to the conflict in Sri Lanka. Its programmes are geared to: [a] building political will & consensus among national and local political elites for negotiations [b] Building awareness among and giving public expression to peoples desire for peace" (ibid.). He writes that the NPCSL engages in networking, skills training, consensus building, visits to conflict areas, as well as rallies, peace marches, and cultural events related to peace (ibid.).

Sri Lanka Monitor

According to its Website this publication "is part of an information processing service set up by the British Refugee Council in 1987 to keep Sri Lankan refugees and NGOs worldwide, informed about the situation in the island."

TamilCanadian Services.

According to its Website: "TamilCanadian was designed to provide information about the culture and history of the Tamil people from the island of Sri Lanka (Ceylon), specifically in regard to those Tamils who are currently living abroad in Canada. ... Our humble attempt is to broadcast to the world our struggle to preserve and save our culture from the Sri Lankan government's campaign of genocide against the Tamil people."

Tamilnation.

According to the organization's Website, this group advocates on behalf of Tamils living in Sri Lanka and abroad. The Website highlights statements from Tamil Eelam Leader, Velupillai Pirabakaran; an "indictment against Sri Lanka"; news on "the armed struggle for Tamil Eelam"; as well as justifications for the "armed struggle."

Tamils Rehabilitation Organisation (TRO).

According to a Canadian Security Intelligence Service report this organization is one of several "fronts" for the LTTE (*National Post* 9 Dec. 2000). According to the organization's Website, the TRO has offices in Jaffna and Kilinochchi, as well as in several western nations and Australia. Its "mission is to provide much-needed relief and long-term rehabilitation for the displaced Tamil people from the North and East of Sri Lanka. [It] was formed in 1985 primarily as a self help

organisation by Tamil refugees from Sri Lanka taking refuge in South India, at that time." Its aims and projects include relief efforts directed at the displaced, channeling funds and expertise to development projects among the displaced, as well as training, housing, income generation, health services, etc..

Thiagarajah, Jeevan - Executive Director. Consortium of Humanitarian Agencies, Colombo, Sri Lanka.

According to information on its Website, this organization "is an association of agencies working in, and supporting work in, areas affected by conflict. The Consortium aims to enhance the quality, effectiveness, professionalism and transparency of its members so that they may better realise their objectives." Its "Articles of Association" were adopted in May 1997 and its member groups include international non-governmental organizations (NGOs) such as CARE International, Oxfam UK/Ireland, Plan International, Save the Children (UK and Norway), and World University Service of Canada (WUSC), while its local NGO members include: the Family Rehabilitation Centre, All Ceylon Hindu Congress, the Institute of Human Rights, and Lanka Jathika Sarvodaya Shramadana Sangamaya.

Vije, M. - Coordinator, Sri Lanka Project, British Refugee Council, London, U.K.

According to its Website "the Refugee Council is a membership organisation. Refugee community organisations, interested individuals, trusts and other aid agencies such as Action Aid, Amnesty International and Oxfam are all members of the Refugee Council." The Sri Lanka Project, publishes *The Sri Lanka Monitor*.

Yogeswaran, Reverend Father V. - Attorney at Law, Jesuit Refugee Service (JRS), Sri Lanka.

"The Jesuit Refugee Service is an international Catholic organisation, at work in over 40 countries, with a mission to accompany, serve and defend the rights of refugees and forcibly displaced people. The mission given to JRS embraces all who are driven from their homes by conflict, humanitarian disaster or violation of human rights, following Catholic social teaching which applies the expression 'de facto refugee' to many related categories of people" (JRS n.d.).

Young, Miriam A. Executive Director - US NGO Forum on Sri Lanka; Executive Director - Asia Pacific Center for Justice and Peace, Washington DC.

"Ms. Young holds a B.A. from Wellesley College and a Master of International Affairs degree from Columbia University with specializations in Economic and Political Development in South and Southeast Asia. Prior to graduate studies, she spent five years with the United Nations International Atomic Energy Agency in Vienna, Austria. Ms Young has lived and worked in Asia, where her experience includes managing projects with the Afghanistan Vaccination Immunization Center in Peshawar, Pakistan, teaching college-level international relations at the Site 2 Refugee Camp on the Thai-Cambodian border, and extensive visits to Sri Lanka as coordinator of the US NGO Forum on Sri Lanka. In the US, Ms. Young has focused on such issues as ending child prostitution in Asian tourism, banning land mines and promoting human rights in East Timor and Burma" (Asia Pacific Center for Justice and Peace n.d.).

Xavier, Sherine. Executive Director, Home for Human Rights (HHR), Colombo.

According to its Executive Director, this non-governmental human rights organization has offices in Colombo and Batticaloa as well as a small one in Jaffna. Its mission is the protection and promotion of human rights and it provides legal aid and legal services related to general human rights concerns, as well as women's rights and domestic violence. Its work also involves educational services.

❖ **APPENDIX A: MAP OF SRI LANKA POPULATION DISTRIBUTION (1981 CENSUS)**

✚ See original

Source: 1981 Census, Sri Lanka Department of Census and Statistics. Published in: Minority Rights Group International (MRG). 1996. Elizabeth Nissan. *Sri Lanka: A Bitter Harvest*. London: Minority Rights Group.

✚ APPENDIX B: MAP OF SRI LANKA POPULATION DISTRIBUTION (MRG))

✚ See original

Source: Minority Rights Group International (MRG). 1986. Walter Schwarz. *The Tamils of Sri Lanka*. London: Minority Rights Group

✚ APPENDIX C: MAP OF TAMIL EELAM; STATES AND CITIES

✚ See original

Source: Tamilnation. November 1993. Nadesan Satyendra. "Boundaries of Tamil Eelam." <<http://www.tamilnation.org/boundaries/index.htm>> [Accessed 3 Oct. 2000]

✚ APPENDIX D: MAP OF TRADITIONAL AREAS INHABITED BY TAMILS OF SRI LANKA

✚ See original

Source: Tamils Rehabilitation Organisation, Knox City, Australia. 19 September 1998b. "Traditional Areas Inhabited by Tamils of Sri Lanka." <<http://www.tro.org.au/Displ-Trad/Tamilareas.html>> [Accessed 10 Oct. 2000]

✚ APPENDIX E: TAMIL POPULATION DISTRIBUTION

✚ See original

Source: TamilCanadian Services. (*Arjuna's Atlas of Sri Lanka*. August 1997. Dehiwala, Sri Lanka: Arjuna Consulting Co Ltd.)

✚ APPENDIX F: MAP OF INTERNALLY DISPLACED POPULATION - OCTOBER 1996

✚ See original

Source: Tamils Rehabilitation Organisation, Knox City, Australia. 19 September 1998a. "Internally Displaced Persons as at October 1996." <<http://www.tro.org.au/Displ-1996/refugees1996.html>> [Accessed 10 Oct. 2000]

✚ APPENDIX G: INTERNALLY DISPLACED PERSONS IN AND OUTSIDE WELFARE CENTRES (JANUARY 2000)

✚ District Welfare Centres	No. of Welfare Centres Families	In Welfare Centres Persons	In Welfare Friends/Relatives: Families	Staying with Friends/Relatives: Persons	Staying with Friends/Relatives: Persons

Jaffna	56	1,695	6,191	85,221	258,232
Kilinochchi	40	5,972	24,868	8,594	34,061
Mullaitivu	73	7,939	32,642	14,440	59,152
Mannar	7	5,645	22,757	6,429	21,049
Vavuniya	14	4,649	18,337	7,634	29,622
Trincomalee	13	1,056	3,953	6,402	25,350
Batticaloa	2	408	1,540	5,417	22,596
Ampara	4	989	4,020	49	129
Puttalam*	81	9,320	44,612	5,021	21,283
Anuradhapura*	39	2,388	9,273	1,284	5,818
Kurunegala	12	245	1,160	506	2,020
Polonnaruwa*	6	682	2,879	472	2,657
Colombo	1	96	450	803	4,231
Matale	1	9	46	158	729
Gampaha			1,140	4,673	
Kalulara			356	1,452	
Badulla			26	110	
Moneragala					
Ratnapura			17	93	
Kegalle			51	232	
Xandy			167	879	
NuwaraEliya			64	325	
Matara			67	317	
Hambantota			24	119	
Galle			10	49	
Total	349	41,093	172,7287	144,352	495,978

*** Families Assisted by World Food Program (WFP):**

Families	Persons	
Puttalam	9,324	38,232
Anuradhapura	1,875	7,689
Polonnaruwa	163	671
Ampara	864	3,543
Vavuniya	1,622	6,651
Mannar	468	1,922
Trincomalee	846	3,469

Source: Commissioner General of Essential Services, "Issue of Dr Ration/Cash and WFP Assistance as at 01/01/2000." This table is only an excerpt and was published by the Global IDP Project of the Norwegian Refugee Council, *Internally Displaced Persons in Sri Lanka*, April 2000, pp. 41-42.

✚ APPENDIX H: SUMMARY OF SITUATION IN PUTTALAM DISTRICT

✚ See original

Source: World Food Programme. July 1999. WFP Assistance to Internally Displaced Persons, Country Case Study on Internal Displacement, Sri Lanka: Displacement in the North and East.

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