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FACSIMILE MESSAGE

Just modtaget 24/9!

To: Ms. Mette Honore, Asylum Department, Danish Refugee Council	Destination fax number:
From: C. Soderbergh, Refugee Law Training Officer, UNHCR Regional Office Stockholm	Email: soderber@unhcr.ch
Date: 27 July 1998	No. of pages including this page: 2

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Subject: Situation in Colombo for Tamils

Dear Ms. Honore,

We with to take this opportunity to reply to your queries regarding the above-mentioned subject, contained in your fax dated 26 June 1998. The following information is based on a reply sent to us by our Headquarters in Geneva.

General Security Situation in Colombo for Tamils: No improvement nor serious deterioration has been reported. The situation remains precarious, however. This is mainly because of a series of bombing attacks in 1997 and a subsequent increase of security measures in Colombo. Security has been tightened up in general, but UNHCR has not received any specific reports of cases of ill-treatment in Colombo of Tamils from the North by the authorities. Kindly note, in this connection, that those Tamils who come to Colombo from North have already gone through security clearance, and thus in principle they should not encounter any serious problems in Colombo. Cases involving asylum-seekers claiming serious harassment in Colombo prior to their departure from Sri Lanka should be treated with caution. In principle, such groups should not have any major problems either, as going abroad or going to Colombo in relation to their overseas trip are one of the legitimate reasons for the authorities to allow their southward trip from the North. There are still a large number of

seasonal migrants travelling to the central sections of the country; many of them are from the North. In summary, the situation in Colombo has not changed to an extent which would require a review on UNHCR's position.

LTTE-related issues: According to UNHCR's assessment, the situation varies among individuals. Those Tamils who lived in LTTE-controlled areas have in principle had some sort of contact or involvement with the organization through their daily and routine life. Prior to the fall of Jaffna to the government forces in December 1995, LTTE oversaw its own administrative system including taxation and etc. in their area of control. Under these circumstances, it would be difficult to find anyone who has had no connection at all with the organization. Categories of those who may have genuine fear of persecution cannot be immediately determined by their level of involvement with LTTE; this depends on their own individual circumstances. The key element should be how the individuals concerned are viewed or suspected by the authorities of their involvement with LTTE, in particular, whether they are considered as a threat to the national security. If someone with no LTTE background (or no significant LTTE background) is for some reason suspected as a LTTE activist involved with armed conflict or terrorist attack, he or she may risk persecution. On the contrary, some highly active and militant members of LTTE may have little to fear if they are not suspected. While many others may claim some or minor involvement with LTTE and use this in relation to their alleged fear of persecution, their credibility has to be carefully assessed on a case-by-case basis.

Relatives of LTTE activists: In general, we do not believe that a kinship to active LTTE members would result in treatment serious enough to be considered persecution, although there may be some exceptions. One should be careful in examining asylum-seekers whose alleged fear of persecution may be based on their kinship to an activist. From our own experience, some of these claims have been exaggerated.

Return of unaccompanied minors: We do not have any specific position on this subject. Although we do not have detailed information on the minor in question [in our query, we had mentioned that a case is currently being considered by the Danish 2nd instance] and therefore find it difficult to comment further, generally speaking it should not be too difficult for the UAM to obtain assistance from his/her family members or relatives upon return to Sri Lanka.

Finally, our colleagues in Headquarters have asked us whether we can see any tendency in the Danish decision-making on Tamil asylum claims towards group determination, based on general country of origin information and due to the difficulties in assessing credibility on a case-by-case basis. We would be grateful for your own views which we can pass on to Headquarters.

With best regards,

