

Flygtningenævnets baggrundsmateriale

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Kilde:	Immigration and Refugee Board of Canada
Titel:	Sri Lanka: Registration in Colombo for Tamil and Sinhalese citizens who migrate from Jaffna or other regions of the country (2017 - August 2020)
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IRB – Immigration and Refugee Board of Canada

Sri Lanka: Registration requirements in Colombo for Tamil and Sinhalese citizens who migrate from Jaffna or other regions of the country (2017-July 2020) [LKA200302.E]

Research Directorate, Immigration and Refugee Board of Canada

1. Legislation

The US Department of State's *Country Reports on Human Rights Practices for 2019* for Sri Lanka observes that "[t]he law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights" (US 11 Mar. 2020, 15). Similarly, an Australia Department of Foreign Affairs and Trade (DFAT) country information report on Sri Lanka notes that the Sri Lankan constitution allows for freedom of movement and that "no official restrictions apply to internal relocation" (Australia 4 Nov. 2019, para. 5.26). A 2020 Freedom House report on Sri Lanka indicates that, following the 2019 Easter bombings, some temporary limitations on movement were introduced (Freedom House 4 Mar. 2020, Sec. G1).

The *Constitution of the Democratic Socialist Republic of Sri Lanka* provides the following regarding freedom of movement:

14. (1) Every citizen is entitled to –

...

(h) the freedom of movement and of choosing his residence within Sri Lanka;

(Sri Lanka 1978)

The DFAT report indicates that, in 2011, mandatory registration of residents in Jaffna and Kilinochchi with the military was terminated following the submission of a fundamental rights petition to the Supreme Court (Australia 4 Nov. 2019, para. 5.26). The same report further states that the military no longer requires Tamils residing in the South to register (Australia 4 Nov. 2019, para. 5.26). In correspondence with the Research Directorate, a Sri Lankan journalist and human rights activist stated that households do not have to register with the local police in Sri Lanka and that registration is only required for other official purposes, including voting, acquiring residence and/or death certificates (from village officers), and change of address (Journalist 11 July 2020). In a follow-up correspondence, the same source indicated that there are sometimes localized efforts by police to distribute registration forms but that these are not "official" forms issued by the government (Journalist 4 Aug. 2020).

A Police Ordinance from 1865 provides the following about registration:

76. Every householder within such town and limits shall furnish the officer of police of his division, when required so to do by such officer under the order received to that effect from any Magistrate having jurisdiction within such town and limits, or from the Inspector-General of Police, with a list of all the inmates of his house, distinguishing the members of his family from the servants or others resident therein; and he shall also, if it shall be so directed in the order of the Inspector-General of Police or Magistrate report any increase or diminution, or change in the same ; and he shall not, having received such notice under such order, harbor a stranger without giving such notice thereof to the principal officer of police of his division ; and every person failing in any duty imposed upon him by this clause shall be guilty of an offence, and be liable to any fine not exceeding fifty rupees [C\$0.36]. (Sri Lanka 1865)

In correspondence with the Research Directorate, the Executive Director of the Centre for Policy Alternatives (CPA), a Sri Lankan non-partisan civil society organization based in Colombo that conducts research and engages in advocacy with a focus on democratic governance, peace, and human rights (CPA n.d.), stated that the Police Ordinance of 1865 is "broad and vague" and that it does not provide a justification for the collection of this information (CPA 15 July 2020). A 2016 article

by TamilNet, a Sri Lankan newswire service, states that during the war, the police used section 76 of the Police Ordinance to register Tamil households in areas that were controlled by the Sri Lankan military (TamilNet 5 Mar. 2016). The article further indicates that police started registering households in the Batticaloa district quoting section 76 of the Police Ordinance (TamilNet 5 Mar. 2016). A May 2018 TamilNet article reports that the police quoted section 76 of the Sri Lankan Police Ordinance when they requested that primary household residents in Colombo inform the nearest police station of any updated household information (TamilNet 22 May 2018). The Executive Director also noted that, sometimes, registration with the police has been required through the Emergency Regulations (CPA 15 July 2020). According to the Executive Director, registration information "is collected on an ad hoc basis and there is no established procedure; the information is collected at the Police Station level and the IGP [Inspector-General of Police] can decide which police stations should collect such information" (CPA 15 July 2020). The same source further explained that the police collect information on persons who live in the residence permanently and on those who reside there on a temporary basis, and that, for temporary residents, the police require information including the purpose of their stay, their National Identity Card (NIC) number, and their permanent address (CPA 15 July 2020). Further and corroborating information on the application of the Ordinance could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2. Registration in Colombo

A TamilNet article reports that, in May 2018, Sri Lankan police in Colombo "started to demand registration of residents in the city as it was practicing during the times of war" (TamilNet 22 May 2018). The same source indicates that forms were circulated to households in districts of Colombo (divisional secretariats) with Tamil populations requesting registration of information about the primary occupant of each household, the permanent addresses of other household residents and the nature of their relationship with the primary occupant, and information about household assistants (TamilNet 22 May 2018). A June 2020 article by the Tamil Guardian, a "news portal with a focus on providing context and commentary on Tamil affairs," states that "Sri Lankan police have been registering the details of occupants in households across Colombo according to reports emerging from the city, with at least some forms also asking for the ethnicity and religion of any occupants" (Tamil Guardian 10 June 2020). Sources report that, in June 2020, officials requested that all temporary residents in Colombo and its suburbs register at the closest police station (*Daily Mirror* 1 June 2020; *Ceylon Today* 1 June 2020; *NewsWire* 1 June 2020). According to sources, the Western Province Senior Deputy Inspector General (DIG) stated that individuals who are not entered in the electoral registry should register with the police and that the police plan to create a database of temporary residents residing in Colombo and its suburbs (*NewsWire* 1 June 2020; *Daily Mirror* 1 June 2020).

3. Registration in Other Regions of the Country

According to an April 2019 Tamil Guardian article, Sri Lankan police, along with Special Task Force (STF) members were registering information about Muslims residing and working in parts of the north-east (Tamil Guardian 25 Apr. 2019). The same source reports that STF members collected information regarding Muslims from the Divisional Secretariat and community mosque in Point Pedro, and police similarly went to mosques in Jaffna town and Mullaitivu town to collect information on worshippers (Tamil Guardian 25 Apr. 2019). A May 2019 Tamil Guardian article notes that Sri Lankan police ordered families in Trincomalee to register with the police and "to complete three copies of the 'family details' form from the local Grama Sevaka [village officer]"; one copy is submitted to the Grama Sevaka, one is submitted to the police and the last one is to be kept by the family (Tamil Guardian 3 May 2019). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

A July 2019 TamilNet article indicates that police in the police division of Kaaththaa-kudi and in the administrative division of Ma'n-munaip-pattu in the Batticaloa district ordered residents to register the members of their household and to record the NIC information of every resident (TamilNet 28 July 2019). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Further information on registration in other regions of the country could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Internet sites, including: Al Jazeera; Amnesty International; Canada – High Commission of Canada to Sri Lanka and Maldives; Commonwealth Human Rights Initiative; Denmark – Danish Immigration Service; *The Diplomat*; ecoinet; Factiva; Groundviews; Human Rights Watch; INFORM Human Rights Documentation Centre; Internal Displacement Monitoring Centre; Institute of Policy Studies of Sri Lanka; INTERPOL; Law & Society Trust; Minority Rights Group International; National Peace Council of Sri Lanka; People for Equality and Relief in Sri Lanka; Tamil Information Centre; Sri Lanka – Department for Registration of Persons, Government Information Centre, National Police Commission, Sri Lanka Police; Sri Lanka Mirror; UN – International Organization for Migration Sri Lanka, Refworld, UNHCR; US – Embassy in Sri Lanka.

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Query response on Sri Lanka: Registration in Colombo for Tamil and Sinhalese citizens from Jaffna or other regions of



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