

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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19 Sri Lankans, Including 6 Women, at Grave Risk of Torture if Returned

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(Beirut) [United Arab Emirates](#) (UAE) authorities should not deport 19 Tamil refugees to [Sri Lanka](#) because they would be at serious risk of torture and persecution upon return. The United Nations refugee agency (UNHCR) has recognized all 19 as refugees, but the UAE authorities have told the group they must leave the country by April 11, 2013.

For the UAE to return recognized Tamil refugees to a grave risk of torture in Sri Lanka would signal a total disregard for their well-being and the most basic principle of international refugee and human rights law, said [Bill Frelick](#), refugee program director at Human Rights Watch. Sri Lanka's treatment of Tamils they deem politically suspect is dismal and under no circumstances should the UAE deport this group there.

The 19, including six women, were part of a group of 46 Sri Lankan Tamil asylum seekers who fled Sri Lanka in October 2012, trying to reach Australia by boat. After their boat ran into trouble, they were rescued by a Singaporean ship on October 14. The 46 were taken to the port of Jebel Ali, south of Dubai, in the UAE.

In November, UNHCR recognized 39 of the 46 as refugees. Although UNHCR has been seeking third-country resettlement on their behalf, it has not yet been able to secure resettlement offers for 19 of them. These are the refugees who are under threat of deportation, according to Sri Lankan sources, who told Human Rights Watch that UAE police have informed the refugees that they must go back to Sri Lanka. Some were told they had to leave by April 11.

The UAE has not ratified the 1951 Convention relating to the Status of Refugees. The UAE is nevertheless bound by customary international law not to return them to persecution or other ill-treatment, Human Rights Watch said. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which the UAE ratified in July 2012, prohibits returning an individual to a country where there are substantial grounds for believing that he would be in danger of being subjected to torture.

Human Rights Watch has previously documented the Sri Lankan authorities torture of people with suspected links to the separatist Liberation Tigers of Tamil Eelam (LTTE), including people returned from countries such as the United Kingdom as failed asylum seekers. Returning recognized refugees to their countries of origin is a violation of international refugee and human rights law, which prohibits sending anyone back to a place where their life or freedom would be threatened or where they would face a real risk of torture or other ill-treatment.

A 66-year-old woman and a 4-year-old girl are among the six female refugees. Three members of the group of 19 allege that Sri Lankan authorities tortured them in 2011.

The Sri Lankan security forces have long used torture against people deemed to be linked to the LTTE, and growing evidence indicates that Tamils who have been politically active abroad in peaceful opposition to the government may be subject to torture and other ill-treatment.

Human Rights Watch [documented](#) detailed accounts of 75 cases of alleged rape and sexual abuse from 2006 to 2012 in both official and secret detention centers throughout Sri Lanka. In the cases documented by Human Rights Watch, men and women reported being raped on multiple occasions, often by several people, with the army, police, and pro-government paramilitary groups frequently participating.

Victims also described being beaten, hung by their arms, partially asphyxiated, and burned with cigarettes, among other forms of abuse. None of those who spoke to Human Rights Watch had access to legal counsel, family members, or doctors while they were detained. Most said that they signed a confession in the hope that the abuse would stop, though the torture, including rape, often continued.

[Previous investigations](#) by Human Rights Watch have found that some rejected Tamil asylum seekers from the United Kingdom and other countries have been subjected to arbitrary arrest and [torture](#) or other ill-treatment upon their arrival in Sri Lanka.

The principle of non-return, which bars the forced return of refugees, is the cornerstone of worldwide refugee protection, Frelick said. If the UAE forcibly returns these refugees, it not only will put their lives at risk, but erode the foundation of protection for refugees everywhere.

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