

Human Rights Watch

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

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Urgently Review Tamil Allegations of Torture

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(London) The [United Kingdom](#) should immediately suspend deportations to [Sri Lanka](#) of ethnic Tamils with real or imputed links to the Liberation Tigers of Tamil Eelam (LTTE) or who have engaged in activities the Sri Lankan authorities might view as anti-government, Human Rights Watch said today. The next scheduled deportation of Tamils from the United Kingdom to Sri Lanka is due to take place on September 19, 2012.

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. Human Rights Watch today [issued a document](#) it sent on August 1 to the UK immigration minister detailing [13 cases of alleged torture](#) of failed Tamil asylum seekers on return to Sri Lanka. All of these cases are supported by medical documentation.

In its haste to be tough on failed asylum seekers, the British government is turning a blind eye to compelling evidence that Tamils deported to Sri Lanka risk torture on arrival, said [David Mepham](#), London director. Given the serious risk of torture that Tamils returned from the UK may face, the British government should immediately impose a moratorium on returns pending a thorough review of relevant UK policy and the introduction of new risk assessment guidelines.

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.

In one case, a 32-year-old Tamil man from Jaffna was among 24 Tamils deported to Sri Lanka by the UK Border Agency on June 16, 2011, after his asylum claim was rejected. On return, he was questioned at the airport outside Colombo and subsequently picked up at the Omanthai checkpoint in northern Sri Lanka. The security forces then took him to police headquarters in Colombo, where he was interrogated about his activities in London and severely tortured. He told Human Rights Watch he was whipped with electric wires and suspended upside down and beaten with sand-filled plastic pipes and forced to sign a confession in Sinhala, a language he did not understand.

In another case, a Tamil woman whose asylum claim had been rejected in the UK returned to Sri Lanka in May 2009. She said she was detained, questioned, and subjected to torture including sexual abuse by security agents, and imprisoned for five months at an army camp. She told Human Rights Watch that officials accused her of being a fundraiser for the LTTE in the UK and showed her video clips of her holding a banner critical of the Sri Lankan government in a public demonstration.

One Tamil man who returned from the UK in 2005 made another attempt at fleeing Sri Lanka in 2008 and was returned to the country in January 2010. He told Human Rights Watch about his torture at the headquarters of the Criminal Investigation Department in Colombo and at an army camp in Vavuniya in northern Sri Lanka where he was subsequently transferred. I was hung upside down and beaten with truncheons and hot metal rods. I was stripped naked in both detention sites. I was sexually abused on two or three occasions in Vavuniya. The perpetrators were uniformed army personnel.

The UK Border Agency's Operational Guidance Note on Sri Lanka sets out its policy on deportations to Sri Lanka. Its update from April 2012 acknowledges reports of torture as a widespread practice in Sri Lanka, but omits guidance on the risk of torture based on perceived or actual participation in demonstrations and other anti-government political activity abroad.

The United Kingdom is a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which states in article 3 that no state shall expel, return (refouler) or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture. In making such determinations, the authorities shall take

into account all relevant considerations including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant, or mass violations of human rights.

The UK government has not explained why it condemns Sri Lankas use of torture but rejects evidence before the UK Border Agency that demonstrates the danger of torture to Tamil deportees, Mepham said. It is time for a serious rethink so that what the UK says in its foreign policy is reflected in how it acts in its immigration policy.

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