

## Refugee Review Tribunal

### AUSTRALIA

#### RRT RESEARCH RESPONSE

**Research Response Number:** LKA31211  
**Country:** Sri Lanka  
**Date:** 15 January 2007

Keywords: Sri Lanka – Sri Lankan Navy – Tamils

This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

---

#### Questions

**Are there any reports of the Sri Lankan Navy (SLN) firing on boats?**

#### RESPONSE

**Are there any reports of the Sri Lankan Navy (SLN) firing on boats?**

#### SLN firing on boats

During 2006, a fresh round of conflict started between the Liberation Tigers of Tamil Eelam (LTTE) and the Sri Lankan government. As a result, the Sri Lankan Navy (SLN) is actively patrolling Sri Lankan waters and intercepting boats transporting displaced Sri Lankan Tamils to the Indian state of Tamil Nadu. The SLN also regularly fires artillery shells at fishing vessels suspected of transporting arms and ammunitions for LTTE fighters. In one such incident in September 2006, the SLN fired artillery on Indian fishermen, prompting protests from the Indian government. The SLN has enforced a night blockade of the sea to prevent refugees going to India. In August 2006, Sri Lanka's Ambassador to Nepal, Amarlal Sumit Nakandala, confirmed that the SLN fired on unarmed and innocent fishermen. In July 2006, fishing boats operating off the Mannar Sea came under indiscriminate shelling from the SLN. In June, Sri Lankan refugees alleged that the SLN burnt thirty five boats based at Paysalai and Mannar to prevent Tamils from taking refuge in Tamil Nadu. Following the escalation of conflict in April of 2006, more than two thousand eight hundred Tamils have fled from Sri Lanka. Tamils fleeing the conflict in Sri Lanka pay people traffickers their lifetime savings to get on board fishing vessels to India. The boats are often packed with people and travelling at night, with no radar or modern equipment, to avoid the SLN patrols. Those on board face risks such as abandonment at sea or being fired on by the SLN. In May 2006, ten people died

when the boat carrying them to India capsized ('India protests Sri Lankan Navy firing on fishermen' 2006, IRNA website, 18 September

<http://www.irma.ir/en/news/view/0609185899191707.htm> – Accessed 12 January 2007 – Attachment 1; 'Tamil refugee flow from Sri Lanka unrelenting' 2006, Indian Muslims website, 5 August

[http://www.indianmuslims.info/news/2006/august/05/india\\_news/tamil\\_refugee\\_flow\\_from\\_sri\\_lanka\\_unrelenting.html](http://www.indianmuslims.info/news/2006/august/05/india_news/tamil_refugee_flow_from_sri_lanka_unrelenting.html) – Accessed 12 January 2007 – Attachment 2; Subramanai, T.S. 2006, 'We need to change the mindset', *Frontline*, 26 August – 8 September

<http://www.hinduonnet.com/fline/fl2317/stories/20060908002009200.htm> – Accessed 12 January 2007 – Attachment 3; 'Fresh batch of Sri Lankan refugees arrive in Rameswaram' 2006, *The Hindu* website, 10 July

<http://www.thehindu.com/2006/07/10/stories/2006071010330400.htm> – Accessed 12 January 2007 – Attachment 4; 'Sri Lankan Navy burnt boats' 2006, say Tamil refugees, *The Hindu* website, 20 June <http://www.thehindu.com/2006/06/20/stories/2006062008840400.htm> –

Accessed 12 January 2007 – Attachment 5; 'Sri Lanka: Renewed conflict displacing thousands' 2006, Refugees International website, 7 October

<http://www.refugeesinternational.org/content/article/detail/8972> – Accessed 10 January 2006 – Attachment 6).

### **SLN intercepting refugees**

The SLN is on a constant watch for boats carrying Sri Lankan Tamils to Tamil Nadu. According to the SLN website:

Naval troops at Urumalai in Thalaimannar nabbed 19 persons making attempts to illegally migrate to India around 1600 hrs on 18th October 2006 near Sand Bank area off Thalaimannar. Preliminary investigations revealed that those persons were from Trincomalee and planning to illegally migrate with the help of some other persons. Arrested persons were handed over to Thalaimannar police.

Naval troops arrested 07 and 11 persons in two different incidents in Thalaimannar on 29th September 2006, while those persons were purportedly making attempts to illegally migrate to India. In the first incident, around 1150 hrs, a naval team on foot patrol apprehended 05 persons with another 02 accomplices in Urumalai area. It was revealed that those persons were from Vavuniya.

Naval troops in Thalaimannar apprehended 14 persons around 0800 hrs on 26th September 2006, at Urumalai beach in Mannar, while they were waiting for a craft to board in order to migrate to India. They were from Trincomalee and were planning to flee to India in fear of LTTE threats and atrocities, it revealed.

Naval troops on routine patrol on board small naval craft detected two fiberglass dinghies, which were ferrying 38 persons, around 1440 hrs on 07th September 2006, north of 07th Sand Bank off Thalaimannar. There was a three-member boat crew who were engaged in human transporting/smuggling. Preliminary investigations revealed that those persons migrating to India were from Trincomalee.

Naval crew on routine patrol on board small craft apprehended a fiberglass dinghy around 1130 hrs on 21st August close to 05th sand bank off Mannar. There were 16 persons on migration attempt with 02 crewmen ('Sri Lanka Navy' 2007, Sri Lanka Navy Security News, 10 January <http://www.navy.lk/> – Accessed 10 January 2007 – Attachment 7).

## **Political situation in Sri Lanka**

RRT *Research Response LKA31159* provides an overview of the current political situation in Sri Lanka. Since April 2006, conflict between the LTTE and the Sri Lankan government escalated and attempts to revive the 2002 peace accord failed in October 2006. Recent reports indicate that increasing numbers of civilians are getting killed in the conflict. In December 2006, nineteen Tamil refugees were killed after Sri Lankan artillery shells hit a school (RRT Country Research 2007, *RRT Research Response LKA31159*, 8 January – Attachment 8; ‘19 more Tamil refugees killed, new SLA offensive south of Vaharai’ 2006, TamilNet website, 10 December <http://www.tamilnet.com/art.html?catid=13&artid=20556> – Accessed 10 January 2007 – Attachment 9).

According to the Human Rights Watch World Report 2007:

Sri Lankan government forces were implicated in several massacres of civilians, indiscriminate aerial bombing and shelling, and complicity in the abduction of children for use as combatants. The LTTE was responsible for direct attacks on civilians with landmines and suicide bombings, targeted killing of political opponents, and the continued recruitment of children into their forces. Both sides conducted military operations with little regard for the safety of civilians in the conflict zone and interfered with the delivery of relief assistance by humanitarian agencies (Human Rights Watch 2007, *World Report – Sri Lanka*, January <http://hrw.org/englishwr2k7/docs/2007/01/11/slanka14837.htm> – Accessed 12 January 2007 – Attachment 10; Also see: ‘Sri Lanka’s Chilling 2006 Timeline’ 2006, Lanka Newspapers website, 30 December [http://www.lankanewspapers.com/news/2006/12/10882\\_space.html](http://www.lankanewspapers.com/news/2006/12/10882_space.html) – Accessed 12 January 2007 – Attachment 11).

According to a UNHCR report, there has been heavy fighting in the Jaffna peninsula between the LTTE and the government forces. Curfews were imposed throughout the Jaffna district since 11 August 2006 and the main road linking Jaffna to the mainland was closed in August 2006. It is reported that some sixty thousand two hundred and eighty two people were displaced by the fighting by September 2006 (UNHCR 2006, *UNHCR Position on the International Protection Needs of Asylum-Seekers from Sri Lanka*, December – Attachment 12; ‘Hunger, war fears stalk Sri Lanka's isolated Jaffna’ 2006, *Reuters* website, 30 October <http://www.alertnet.org/thenews/newsdesk/SP301856.htm> – Accessed 15 January 2007 – Attachment 13; ‘Sri Lanka's Jaffna region "choking" – Red Cross’ 2006, *Yahoo News* website, 6 September <http://in.news.yahoo.com/060906/137/67bvp.html> – Accessed 15 January 2007 – Attachment 14).

## **List of Sources Consulted**

### Internet Sources:

#### **United Nations (UN)**

UNHCR [www.unhcr.org](http://www.unhcr.org)

#### **Non-Government Organisations**

Human Rights Watch website [www.hrw.org](http://www.hrw.org)

Refugees International website [www.refugeesinternational.org](http://www.refugeesinternational.org)

#### **Region Specific Links**

Indian Muslims website [www.indianmuslims.info](http://www.indianmuslims.info)

Frontline website [www.hinduonnet.com](http://www.hinduonnet.com)

The Hindu website [www.thehindu.com](http://www.thehindu.com)

Tamil News website [www.tamilnet.com](http://www.tamilnet.com)

## Topic Specific Links

Lanka Newspapers website [www.lankannewspapers.com](http://www.lankannewspapers.com)

## Search Engines

Google search engine <http://www.google.com.au/>

## Databases:

FACTIVA (news database)

BACIS (DIMA Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)

RRT Library Catalogue

## List of Attachments

1. 'India protests Sri Lankan Navy firing on fishermen' 2006, IRNA website, 18 September <http://www.irna.ir/en/news/view/0609185899191707.htm> – Accessed 12 January 2007.
2. 'Tamil refugee flow from Sri Lanka unrelenting' 2006, Indian Muslims website, 5 August [http://www.indianmuslims.info/news/2006/august/05/india\\_news/tamil\\_refugee\\_flow\\_from\\_sri\\_lanka\\_unrelenting.html](http://www.indianmuslims.info/news/2006/august/05/india_news/tamil_refugee_flow_from_sri_lanka_unrelenting.html) – Accessed 12 January 2007.
3. Subramanai, T.S. 2006, 'We need to change the mindset', *Frontline*, 26 August – 8 September <http://www.hinduonnet.com/fline/fl2317/stories/20060908002009200.htm> – Accessed 12 January 2007.
4. 'Fresh batch of Sri Lankan refugees arrive in Rameswaram' 2006, *The Hindu* website, 10 July <http://www.thehindu.com/2006/07/10/stories/2006071010330400.htm> – Accessed 12 January 2007.
5. 'Sri Lankan Navy burnt boats' 2006, say Tamil refugees, *The Hindu* website, 20 June <http://www.thehindu.com/2006/06/20/stories/2006062008840400.htm> – Accessed 12 January 2007.
6. 'Sri Lanka: Renewed conflict displacing thousands' 2006, Refugees International website, 7 October <http://www.refugeesinternational.org/content/article/detail/8972> – Accessed 10 January 2006.
7. 'Sri Lanka Navy' 2007, Sri Lanka Navy Security News, 10 January <http://www.navy.lk/> – Accessed 10 January 2007.
8. RRT Country Research 2007, *RRT Research Response LKA31159*, 8 January.
9. '19 more Tamil refugees killed, new SLA offensive south of Vaharai' 2006, TamilNet website, 10 December

<http://www.tamilnet.com/art.html?catid=13&artid=20556> – Accessed 10 January 2007.

10. Human Rights Watch 2007, *World Report – Sri Lanka*, January  
<http://hrw.org/englishwr2k7/docs/2007/01/11/slanka14837.htm> – Accessed 12 January 2007.
11. ‘Sri Lanka’s Chilling 2006 Timeline’ 2006, Lanka Newspapers website, 30 December  
[http://www.lankanewspapers.com/news/2006/12/10882\\_space.html](http://www.lankanewspapers.com/news/2006/12/10882_space.html) – Accessed 12 January 2007.
12. UNHCR 2006, *UNHCR Position on the International Protection Needs of Asylum-Seekers from Sri Lanka*, December.
13. ‘Hunger, war fears stalk Sri Lanka's isolated Jaffna’ 2006, *Reuters* website, 30 October  
<http://www.alertnet.org/thenews/newsdesk/SP301856.htm> – Accessed 15 January 2007.
14. ‘Sri Lanka's Jaffna region "choking" – Red Cross’ 2006, *Yahoo News* website, 6 September  
<http://in.news.yahoo.com/060906/137/67bvp.html> – Accessed 15 January 2007.