### **Refugee Review Tribunal**

### AUSTRALIA

#### **RRT RESEARCH RESPONSE**

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Country:	
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Keywords: Sri Lanka – White Pigeons – Tamil Eelam Liberation Organisation (TELO) – Tamils in Colombo – Tamils Rehabilitation Organisation (TRO)

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

**1.** Please provide any information available on the possibility of Tamils from Trincomalee relocating to Colombo including the ethnic makeup of the city and any documented problems facing Tamils who have relocated there.

2. Please provide any information about the White Pigeons.

**3.** Please provide any information about former Tamil Eelam Liberation Organisation (TELO) members and how they are viewed by the LTTE and the Sri Lankan government.

#### RESPONSE

### **1.** Please provide any information available on the possibility of Tamils from Trincomalee relocating to Colombo including the ethnic makeup of the city and any documented problems facing Tamils who have relocated there.

The Tamil Guardian reports that outside of Colombo:

Death squads run by Sri Lanka's military are killing dozens of Tamil civilians in the Jaffna peninsula each week. Many more are being killed in all the Army-controlled districts. People are disappearing and bodies are being dumped every day in Trincomalee, Batticaloa, Amparai and Vavuniya.

Masked Army-backed paramilitaries and troops in plainclothes are knocking on doors in the middle of the night and calling their victims out. Many people are being dragged off the streets in broad daylight in the unmarked minibuses and vans, collectively referred to as 'white vans'.

Many of those abducted simply disappear. The bodies of others are found dumped by the road side or secluded spots, bearing the signs of torture and riddled with bullets or single, execution-style gunshot wounds.

Emboldened by a new-found sense of battlefield superiority over the Liberation Tigers, Sri Lanka's military has unleashed a campaign of terror amongst the Tamil community, mirroring a similar campaign unleashed against the Sinhala youth during the late eighties ('Death squads unleash wave of terror' 2006, *Tamil Guardian*, 20 September. <u>http://www.tamilguardian.com/article.asp?articleid=855</u> – Accessed on 5 Oct 2006 CISTNET Sri Lanka CX162832 – Attachment 1).

Within the capital, Tamil's have been required to register with the Police:

The Sri Lankan Government has announced that Tamils living in Colombo city and suburbs, and in the hill country are required to register with the Police station nearest to their residences.

Other measures include mass arrests of Tamils:

Shortly after the Sinhala nationalist President Mahinda Rajapakse came into power last November, security measures targetting Tamils in the south were stepped up, amid escalating violence in the north and east.

On New Year's eve last year, the mass arrests of Tamils, a practice which was stopped when the pro-peace UNF government came into power in 2002, was reintroduced.

That night, police and troops arrested 920 Tamils, including 105 Tamil women, in a joint cordon and search operation in Colombo.

The arrested were taken in busses to 8 different police stations and were being photographed, finger-printed and videoed by the Sri Lankan Intelligence agencies.

The search operation was conducted in Tamil residential areas in Wellawatte, Bambalapitiya, Maradana, Kotahena, Grandpass and Mutuwal. Fifty three Tamils were detained after identity-registration in the operation, tellingly codenamed "Strangers Night III." ('Tamils must register with Police' 2006 *Tamil Guardian*, 12 July http://www.tamilguardian.com/beta/news\_details.asp?newsid =728, Accessed on 29 August 2006. (CISNET Sri Lanka CX160440 – Attachment 2)

The Tamil Week website reported on the "Strangers Night" operation:

Tamils living in the electoral divisions of Colombo West and East were given a terrible shock on the night of Saturday December 17th when a massive security operation was launched against them. Over 600 Police and security force personnel were deployed in an operation codenamed "Operation Strangers Night" in the areas of Wellawatte, Bambalapitiya, Havelock town, Pamankade, Kirillapone and Narahenpita. Once again Tamils in Colombo were brutally reminded that they were all suspicious aliens in the eyes of the state simply because of their ethnicity.

A news report in the "Daily Mirror" of Dec 19th stated as follows – "More than 100 suspicious people were taken into custody following a massive cordon and search operation code-named "Strangers Night" in Wellawatta, Narahenpita, Kirulapone and Bambalapitiya police areas, police said yesterday. ('Tamils in Colombo harassed by "Strangers Night" Operation'2005, *TamilWeek*, 18 December, TamilWeek Website <a href="http://www.tamilweek.com/Tamils\_Strangers\_Night\_Operation\_.html">http://www.tamilweek.com/Tamils\_Strangers\_Night</a> – Accessed 1 February 2006 – Attachment 3)

The Toronto Star reported on the abduction and disappearance of Tamils:

A few weeks ago, after midnight, a white van full of what appeared to be government soldiers pulled up in front of Kanakan Sasikaran's house. They kicked in the back door and about 15 men, some of them with black masks, stormed into the house. They hauled Sasikaran, 29,

from his bed, dragged him out to the van and, just before speeding off, struck his wife in the face with the butt of an AK-47 assault rifle. There has been no trace of Sasikaran since.

Diplomats and rights watchdogs like Human Rights Watch and Amnesty International are sounding the alarm about the killing and disappearance of Tamil civilians, which is spinning the cycle of violence out of control. As the Tamil Tigers have stepped up their suicide bombings and attacks on military, government and civilian targets, the security forces appear to have responded by taking revenge on Tamil civilians. It has already created a culture of fear among Tamil civilians (Mills, A. 'The 'missing' Tamils of Sri Lanka' 2006, *Toronto Star*, 12 July,

http://www.thestar.com/NASApp/cs/ContentServer?pagename=thestar/Layout/Article\_Type1 &c=Article&cid=1152654614218&call pageid=968332188492&col=968793972154&;t=TS Home - Accessed on 13 July 2006. (CISNET Sri Lanka CX157146) – Attachment 4).

The BBC in September 2006 reported on the kidnappings in Colombo:

The Tamil campaigners have asked for better security Members of the minority Tamil community in the Sri Lankan capital, Colombo, have appealed for government help to tackle a spate of abductions. They say the police and government have not done enough to investigate the kidnappings of nearly 50 Tamils in recent weeks.

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Another man, Sothilingam Krishanthan, 21, disappeared on 3 September as he arrived in Colombo from the eastern town of Trincomalee. A close relative of Mr Krishanthan said that he rang her from his mobile on his way to Colombo on the night train. ... "Since then, there is no trace of him. He had all his identity documents with him," she told the BBC. "We informed the national Human Rights Commission, the ICRC and went to every police station in Colombo." Sinnakkalee Karunaharan, a travel agent in the capital, Colombo, has been missing since 27 December.

Family members, who wished to remain anonymous, told the BBC that he was abducted by a group of men in a white van in Wellawatta. ...

The image of the "white van" invokes memories of the "era of terror" in the late 1980s when death squads abducted and killed thousands of Sinhala youth in the south of the country. The Asian Human Rights Commission (AHRC) says the "white van culture" is now re-appearing in Colombo to threaten the Tamil community. The police insist that they will do what is necessary to protect witnesses and complainants ('Fears grow over Tamil abductions' *2006 BBC* News, 26 September <u>http://news.bbc.co.uk/2/hi/south\_asia/5382582.stm</u> – Accessed on 29 September 2006 CISNET Sri Lanka CX162525 – Attachment 5).

In another *BBC* Report, evidence is presented of political pressure on the police to protect the abductors of Tamils:

The police chief in Sri Lanka has pledged not to bow down to pressure from the authorities to release a suspect on abduction of Tamil civilians. Inspector General of Police (IGP), Chandra Fernando, has told Civil Action Committee that he would conduct a thorough investigation on the matter. Kotahena police have arrested a suspect on Saturday night when he arrived with a group of armed men to collect a ransom from a businessman from Kochchikade .... Leader of the New Left Front, Dr. Wickramabahu Karunaratne, told BBC Sandeshaya that they have "reliable information" that the leading government figures are putting pressure on the police to release the suspect. ('Tamil abductions: suspect arrested' 2006, *BBC Sinhala*, 1 October <u>http://www.bbc.co.uk/sinhala/news/story/2 006/10/061001\_tamil\_abductions.shtml</u> – Accessed on 3 October 2006. (CISNET Sri Lanka CX162621) – Attachment 6)

### 2. Please provide any information about the White Pigeons.

According the White Pigeon (UK) website, the organisation is:

White Pigeon is a charitable organization working on rehabilitation of those deemed to be disabled by war activities or any other reason in Sri Lanka. In the UK we are a registered charity and we work in partnership with Tamils Rehabilitation Organization (TRO) Sri Lanka, a registered Non Governmental Organisation.

We work with many major Non Governmental Organizations such as Mine Advisor Group, Norwegian Peoples Aid, Danish De-mining Group, UNICEF, and Swiss Foundation for Mine Action.

Our aim:

- Rehabilitate those deemed to be disabled by war activities or any other reason. Alleviating the hardship arising of those persons and their lifestyle as a result of their disability.
- Empowering those disabled towards self reliance.

Creating awareness among the local residents of dangerous objects such as anti personnel landmines and other dangerous objects which were left over from the war ('About Us: White Pigeon (UK) – rehabilitating those disable by landmines' (undated), http://www.whitepigeonuk.org/aboutus.html – Accessed 5 October 2006 – Attachment 7)

It appears to have been started in 1994 in Jaffna, and is sometimes known as Venpura:

Land mines and aerial bombardment have made hundreds of Tamil civilians disabled. But help for the disabled wasn't immediately forthcoming. Fitting artificial limbs was costly and there was severe shortage of hospitals and medical equipment. The organization, Venpura (White Pigeon), was born to address this need. Following the opening of its first site in Kullapiddy Road, Jaffna in 1994, Venpura has been offering free prosthetic services to people in the NorthEast enabling many to become productive members of the society ('Prosthetic rehabilitation in Vanni' 2002, *TamilNet website*, 5 October, <a href="http://www.tamilnet.com/art.html?catid=13&artid=7584">http://www.tamilnet.com/art.html?catid=13&artid=7584</a> – Accessed 5 October 2006 – Attachment 8).

The White Pigeons also has a "technical institute" in Trincomalee which is run by a Dr S. Abraham ('White Pigeon assists Trincomalee disabled' 2003, TamilNet website, 5 December, <u>http://www.tamilnet.com/art.html?catid=13&artid=10626</u> – Accessed 5 October 2006 – Attachment 9).

As stated on its website (see quote above), the White Pigeon works with the Tamils Rehabilitation Organisation (TRO). The TRO has been accused of being a fund raising front for the Liberation Tigers of Tamil Eelam (LTTE). The TRO was registered with the Charity Board in the UK, which investigated, and subsequently closed the organisation:

3. The Charity operated by transferring money to the Tamils Rehabilitation Organisation in Sri Lanka ("TRO SL") to be applied by that organisation on relief and rehabilitation projects. The Charity also promoted the welfare and needs of Tamils through its cultural programme; sent aid directly to Sri Lanka, most notably in the form of second hand prosthetic devices for victims of the war; and helped and advised Tamil refugees arriving in the UK. The Charity's income in the year ending 28 February 2000 was £1,489,726.

7. The Commission found evidence of mismanagement. It was established that the Charity's financial controls were inadequate and that there was a lack of transparency in its operations. The Charity operated by the withdrawal of large cash sums from the Charity's bank accounts. The Trustees exercised little or no control over the application of funds in Sri Lanka and failed to demonstrate a clear audit trail relating to expenditure. They also failed to provide the Commission with any explanation as to the provenance of some of the funds received from the US and Canada. The Commission therefore concluded that the Charity's property was at risk.

. . .

11. The Interim Manager's initial evaluation of the Charity's state of affairs found that the Trustees had not been able to account satisfactorily for the application of charitable funds of the Charity and also concluded that the trustees were not administering the charity to an acceptable standard. The Interim Manager appointed BDO Burah Hathy in Sri Lanka to undertake a review of the systems operated by TRO SL, tracing specific transactions from the Charity. This review concluded that financial record keeping was adequate. However, the results of the review suggested that the TRO SL liaised with the LTTE in determining where funds could be applied. It also found that once funds had been received by TRO SL, they were used for a variety of projects which appeared to be generally humanitarian, but not necessarily charitable in English law nor in line with the Charity's objects.

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16. In August 2005 the Interim Manager confirmed that the Charity had no assets and had ceased to operate. Accordingly, on 10 August 2005 the Commission discharged the Interim Manager and removed the Charity from the Register of Charities under section 3(4) of the Act as having ceased to operate... ('Tamils Rehabilitation Organisation' (undated) *Charity Commission Website*, <u>http://www.charity-</u>

<u>commission.gov.uk/investigations/inquiryreports/tamils.as</u> p – Accessed 6 October 2006 – Attachment 10).

The Government of Sri Lanka (GOSL) raised concerns following the Boxing Day Tsunami that White Pigeon/TRO was passing money to the LTTE:

The British Charity Commission raided the offices of TRO in London in 2000 and froze its bank accounts and assets. So in U.K, LTTE front organisations are reported raising funds for Tsunami victims in the name of an unregistered charity called "White Pigeon". GOSL has issued a memorandum to In Canada, a Special Canadian Senate Committee identified TRO as a group raising money for guns and materials used by the Tamil Tigers. In Australia, TRO is an approved charity and is openly collecting funds for tsunami relief work ('Tsunami: Politics of relief in Sri Lanka' 2005, *South Asia Analysis Group Website*, 16 December, <u>http://www.saag.org/%5Cpapers13%5Cpaper1226.html</u> – Accessed on 16 December 2005. (Cisnet Sri Lanka CX142774) – Attachment 11).

In late August 2006, the Sri Lankan Government moved to freeze the assets of the TRO:

On Monday 29 August 2006 TRO was informed by Seylan Bank, Commercial Bank, Bank of Ceylon, People's Bank, Hatton National Bank, Pan Asia Bank, and Standard Chartered Bank that they had been instructed by the Central Bank of Sri Lanka to "freeze" all TRO accounts. The TRO office in Colombo was advised by all of these banks that "no transactions would be allowed" until further notice.

The news report on this, published on the TRO's website, comments on shelling/bombing of civilian areas of Trincomalee District in April 2006 ('TRO Bank Account Frozen' 2006, *Tamil Rehabilitation Organisation website*, 3 September, <a href="http://www.troonline.org/news/more.php?id=47">http://www.troonline.org/news/more.php?id=47</a> – Accessed 5 October 2006 – Attachment 12).

The Patriotic National Movement has openly linked the TRO with the LTTE (which it has compared to Al-Qaeda) and called for the EU to take all possible action against them. This view was republished on the Sri Lankan Embassy in Berlin's website ('Ban the LTTE in EU demands PNM' 2005, *Embassy of Sri Lanka in Berlin website*, 20 December, <a href="http://www.srilanka-botschaft.de/NEWSupdates\_neu/pp/pp\_pnm051220E.htm">http://www.srilanka-botschaft.de/NEWSupdates\_neu/pp/pp\_pnm051220E.htm</a> – Accessed 5 October 2006 – Attachment 13).

# **3.** Please provide any information about former Tamil Eelam Liberation Organisation (TELO) members and how they are viewed by the LTTE and the Sri Lankan government.

The Tamil Eelam Liberation Organisation (TELO) was formed in 1972, from earlier beginnings. Originally an anti-government force, its military heyday was in the 1980's:

This organisation (TELO) was formally founded in 1979 though it was in existence since 1968 as an unstructured organisation. TELO has its origins in the Thangadorai group under the leadership of Thangadorai and Kuttimani. In one of their major acts, on March. 25, 1981, the TELO committed robbery by ambushing a "Peoples Bank" van which was returning to Jaffna town with the day's collection. An amount of Rs. 78 lakh rupees was taken and several policemen killed in this hit was masterminded by Kuttimani.

Prime Minister's advisors were working overtime, giving facilities to the militants, particularly the TELO (Tamil Eelam Liberation Organisation) to be trained in the use of modern arms in the camps organised in Tamil Nadu, Karnataka, Uttar Pradesh, New Delhi and elsewhere. The idea was that after the training, they would be supplied with arms and sent to Northern Sri Lanka to engage the Sri Lankan troops in guerrilla action. It was supposed to be a top secret operation without even the knowledge of the State Government and its Intelligence agency.

On April 5, 1981, Kuttimani, Thangadurai and Sellathurai Sivasubramaniam alias Thevan were arrested at Mannalkadal, near Point Pedro, while trying to escape in a boat to India. After the arrest of Thangadorai and Kuttimani, Sri Sabaratnam took over the TELO leadership. The three important TELO leaders Thangadurai, Kuttimani and Jegan were killed in a prison massacre in Wellawatte in 1983 while they were incarcerated there. After the death of these leaders, TELO could never regroup and in the ensuing internecine skirmishes, the LTTE virtually liquidated this organisation by the middle of eighties ('Other Tamil Eelam Groups' (undated), Tamil Tigers Website <u>http://www.tamiltigers.net/othergroups.html</u> – Accessed 6 October 2006 – Attachment 14).

An unconfirmed report from Wikipedia says that TELO worked with the LTTE during the 1984 assault on Jaffna:

In February 1984, the TELO together with the EROS and the EPRLF set up a common militant front for the Eelam strugle, which was called the Eelam National Liberation Front, or ENLF. The LTTE joined the ENLF in April that year. In co-ordination, the groups began carrying out attacks against government positions in Jaffna. The TELO used its arms to destroy the main police station in Jaffna, and attack military convoys. The combined assaults led to the near-total disappearance of government authority in Jaffna.

Shortly afterwards, TELO was liquidated by the LTTE, though it reformed as a political party:

A number of TELO members became unhappy with Sri Sabaratnam's leadership, and dissension grew in the ranks. By 1985, a number of factions had emerged in the TELO. The

rivalry between the factions led to the murder of Dass, one of the factional leaders, in April 1986. This led to a split in the organisation, with several dozen members leaving.

In the meantime, differences with the LTTE were also growing. The LTTE was unhappy with the pro-India stance of the TELO. They also were upset that the TELO was getting by far the largest share of contributions from Sri Lankan Tamil expatriates, even though the TELO was not as active or successful as the LTTE. Prabhakaran also feared that India would use the TELO to have him killed.

Matters came to a head with the assassination of two prominent Tamil politicians in Jaffna, M. Alalasundaram and V. Dharmalingam, in September 1985. The TELO and the LTTE blamed each other for the killings. In February 1986, the LTTE pulled out of the ENLF. On 29 April that year, they launched an all-out assault on the TELO. TELO bases across Jaffna were shelled with mortars. TELO cadres, whether armed or unarmed, came under rifle attack and were shot dead. No quarter was given, according to eyewitnesses. Those who surrendered were shot dead as they laid down their weapons, and those who attempted to flee were shot as they ran. Civilians were warned not to shelter fugitives. The few TELO cadres who managed to find refuge with other armed groups such as the EPLRF or the EROS were nearly the only ones who survived. On 5 May, the TELO's leader Sri Sabaratnam was shot dead by Sathasivam Krishnakumar of the LTTE, better known as Kittu. In all, over four hundred men had been killed, and the TELO had been virtually wiped out ('Tamil Eelam Liberation Organization' (undated) Wikipedia website, http://en.wikipedia.org/wiki/Tamil\_Eelam\_Liberation\_Organization - Accessed 5 October 2006 – Attachment 15). (Users should be aware that Wikipedia is a Web-based free-content encylopaedia which is written collaboratively by volunteers. The Research Service recommends that users of Wikipedia familiarise themselves with the regulatory practices which Wikipedia employs as a preventative measure against vandalism, bias and inaccuracy. For more information, see the recommended background reading available in the Wikipedia Topical Information Package.)

After this, TELO is reported to have switched to supporting the Sri Lankan government:

Tamil Eelam Liberation Organisation (TELO)

Formed in 1972. Has operated as a national political party since 1988. It has assisted the Sri Lankan security forces in their fight against the LTTE. Won 3 seats in the October 2000 general election (UK Home Office 2004, Sri Lanka Country Report April 2004, April, www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDCOI&id=40a887847 – Accessed 6 October 2006 – Attachment 16)

The UK Home Office republished reported instances of attacks on TELO for the first half of 2005:

June 2 The re-transmission station of an Indian television channel, Sun TV, at Vairavarpuliyankulam in the Vavuniya district which was operated by cadres of the Tamil Eelam Liberation Organization (TELO) is attacked with hand grenades by rival LTTE cadres, causing damages to equipment.

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Unidentified assailants kill a former TELO member, identified as Mathy, in the Kurumankadu area of Vavuniya district.

A civilian, identified as Rajmohan Seenithamby, a former member of the TELO, is shot dead by unidentified assailants in the Valaichenai area of Batticaloa district.

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February 13: Suspected LTTE cadres lob five hand grenades targeting the TELO district office at Batticaloa, injuring a TELO member (UK Home Office 2006, Country of origin information bulletin Sri Lanka update on key issues, April. <u>http://www.homeoffice.gov.uk/rds/pdfs06/sri\_lanka\_bulletin\_120406.doc</u> – Accessed 6 October 2006 – Attachment 17).

## List of Sources Consulted

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Databases: FACTIVA (news database) BACIS (DIMA Country Information database) ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)

## **List of Attachments**

- 1. 'Death squads unleash wave of terror' 2006, *Tamil Guardian*, 20 September. <u>http://www.tamilguardian.com/article.asp?articleid=855</u> – Accessed on 5 Oct 2006. (CISTNET Sri Lanka CX162832)
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- 5. 'Fears grow over Tamil abductions' 2006 BBC News, 26 September <u>http://news.bbc.co.uk/2/hi/south\_asia/5382582.stm</u> – Accessed on 29 Sep 2006. (CISNET Sri Lanka CX162525)

- 6. 'Tamil abductions: suspect arrested' 2006, *BBC Sinhala*, 1 October <u>http://www.bbc.co.uk/sinhala/news/story/2 006/10/061001\_tamil\_abductions.shtml</u> – Accessed on 3 October 2006. (CISNET Sri Lanka CX162621)
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- 8. 'Prosthetic rehabilitation in Vanni' 2002, *TamilNet website*, 5 October, <u>http://www.tamilnet.com/art.html?catid=13&artid=7584</u> – Accessed 5 October 2006.
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- 11. 'Tsunami: Politics of relief in Sri Lanka' 2005, South Asia Analysis Group Website, 16 December, <u>http://www.saag.org/%5Cpapers13%5Cpaper1226.html</u> – Accessed on 16 December 2005. (Cisnet Sri Lanka CX142774)
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- 'Ban the LTTE in EU demands PNM' 2005, *Embassy of Sri Lanka in Berlin website*, 20 December, <u>http://www.srilanka-</u> <u>botschaft.de/NEWSupdates\_neu/pp/pp\_pnm051220E.htm</u> – Accessed 5 October 2006.
- 14. 'Other Tamil Eelam Groups' (undated), Tamil Tigers Website <u>http://www.tamiltigers.net/othergroups.html</u> – Accessed 6 October 2006.
- 15. 'Tamil Eelam Liberation Organization' (undated) *Wikipedia website*, <u>http://en.wikipedia.org/wiki/Tamil\_Eelam\_Liberation\_Organization</u> – Accessed 5 October 2006.
- 16. UK Home Office 2004, Sri Lanka Country Report April 2004, April, <u>www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDCOI&id=40a887847</u> – Accessed 6 October 2006.
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