

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Question

Please provide an update, since March 2008, on whether people (especially elderly Tamil women) who have been living overseas for an extended period are assumed to be wealthy when they return to Sri Lanka and are targeted for extortion for this reason, or are targeted for having family abroad who are assumed to be wealthy.

RESPONSE

Please provide an update, since March 2008, on whether people (especially elderly Tamil women) who have been living overseas for an extended period are assumed to be wealthy when they return to Sri Lanka and are targeted for extortion for this reason, or are targeted for having family abroad who are assumed to be wealthy.

RRT *Research Response LKA333109*, of 20 March 2008, provides brief information on two related subjects: whether people who have been living overseas for an extended period are assumed to be wealthy when they return to Sri Lanka and are targeted for that reason; and what sort of people are targeted for extortion in Colombo (RRT Research & Information 2008, *Research Response LKA33109*, 20 March – Attachment 1).

Research for this response was unable to locate specific information as to whether elderly Tamil women with children living in overseas would be likely to be targeted for abduction for ransom. Nonetheless, information was located suggesting that Tamils in Colombo have been kidnapped and had ransom demands made of expatriate relatives, including those in Australia. A July 2007 report on the SBS television current affairs programme *Dateline* quotes claims from three Tamils who live in Australia that they have had relatives kidnapped and subsequently have been subject to ransom demands. In April 2008, British newspaper *The Independent* reported similar claims from Tamils living in the United Kingdom, and in December 2008 the *Tamil Mirror* claimed that “[t]hose who have relatives living in the

western countries are targeted and abducted”. A March 2006 report from Human Rights Watch focuses on the tactics used by the Liberation Tigers of Tamil Eelam (LTTE) to extract funds from expatriate Tamils, including the abduction of relatives in Sri Lanka, while a June 2007 International Crisis Group report on human rights abuses in Sri Lanka focuses on the abduction of businessmen, and reports claims of the involvement of Sri Lankan security forces in the abductions (Lazaredes, N. 2007, ‘Tamil Abductions’, *Dateline*, 11 July <http://www.sbs.com.au/dateline/story/transcript/id/130805/n/Tamil-Abductions> – Accessed 2 April 2009 – Attachment 2; McDougall, D. 2008, ‘Sri Lanka’s disappeared: Gang demands Tamil exiles pay ransom for kidnapped relatives’, *The Independent*, 6 April <http://www.independent.co.uk/news/world/asia/sri-lankas-disappeared-gang-demands-tamil-exiles-pay-ransom-for-kidnapped-relatives-805256.html> – Accessed 2 April 2009 – Attachment 3; Ganesan, M. 2008, ‘Sri Lanka: The political dimension’, TamilCanadian.com website (source: *Tamil Mirror*), 31 December <http://www.tamilcanadian.com/page.php?cat=52&id=5654> – Accessed 2 April 2009 – Attachment 4; Human Rights Watch 2006, *Funding the ‘Final War’: LTTE Intimidation and Extortion in the Tamil Diaspora*, Vol. 18, No. 1(C), March – Attachment 5; International Crisis Group 2007, *Sri Lanka’s Human Rights Crisis*, Asia Report No. 135, 14 June – Attachment 6).

Extracts from these reports follow below.

A report on the SBS television programme *Dateline* from July 2007 provides testimony from three Tamils residing in Australia who have had relatives in Colombo kidnapped, and subsequent ransom demands made to their expatriate relatives. In the report, one of the Tamils in Australia claims that he was told by a Sri Lankan government minister that the Karuna group (here named the ‘Karnua’ group), “a proxy force for the Government in its war against the Tamil Tigers”, was responsible for the kidnapping:

Until recently, Tamils have lived peacefully with their Sinhalese neighbours in Sri Lanka’s capital Colombo, but in the past two years they’ve been subject to a dramatic rise in kidnappings, extortion and in some cases murder.

DR MANO MOHAN, TAMIL COMMUNITY LEADER: It’s an easy way of making money, it’s an easy way of inflicting terror in the community. And it’s an easy way of ethnic cleansing.

Dr Mano Mohan is a Sydney cardiologist and a leading figure in the Australian Tamil community. He says the kidnapping and disappearances of Tamils has reached epidemic proportions.

DR MANO MOHAN: This is going on for the last two years, without any rhyme or reason and Tamils of Sri Lanka are fed up. They live in fear, and Tamils of Sri Lanka who live abroad who are citizens of other countries are unable to visit their kin for fear of being abducted, of fear of being killed, this is a state of affairs. It’s anarchy.

Dr Mohan told *Dateline* of several disappearances which have had terrible consequences for Tamils living in Australia. He introduced me to three men here in Sydney all Australian citizens, who have had relatives abducted from the street of Colombo. Concerned for their families’ safety, none were prepared to be identified.

DEVAN: On the front, there was some writing on it by chalk asking her to go to a certain phone booth at a certain time. She’d been there, was waiting and at the right time, there was a call from the phone.

Devan, not his real name, told Dateline his sister's husband was kidnapped and the kidnappers told her to get a \$60,000 ransom from Sydney.

DEVAN: Somebody was talking, not in pure Tamil, not in Sinhalese, in between, speaking Tamil but in a different accent, telling her that they got her husband and demanding for 50 Lak, rupees.

REPORTER: What is 50 Lak in Australian dollars?

DEVAN: 50 Lak in Australian money, that's about \$60,000 and she was crying.

Unable to raise so much cash quickly, Devan offered his sister what he could.

DEVAN: So I told her that I would try and get at least \$10,000 or something like that but she said, "No, it's going to be very very hard, they're going to kill him, if we don't do something to start with." Then I asked her to get some time and I told her that within one week I'll try and get some money.

Cobbling together a few high interest rate private loans and keeping the entire business a secret from his immediate family here in Sydney, Devan sent a \$40,000 ransom to his sister in Sri Lanka. His brother in law was released, but refuses to talk about the experience.

DEVAN: My sister tried – I told my sister to find out something. She was trying to get something out of him. He don't even say nothing, not even a word. When she start talking about him, he just look somewhere. Also, he would never talk.

Devan's story had a happy ending but Dateline met another Australian Tamil family who's relative has not been released even after the ransom was paid.

MURALI: It's real agony. It's not only one. So many people undergoing, certainly, we would love the Australian Government and help at least to find out what is happening.

Murali, not his real name is still waiting for news of his brother in law, an Australian citizen who disappeared in Colombo over a year ago.

MURALI: The following day someone said that he will be released, if we pay a ransom. The call came on the cellphone and he said to pay them what they are asking, and they asked a large sum of money, in the order of millions in Sinhalese rupees.

Murali says his family paid the kidnappers more than \$1 million to release his brother in law, a wealthy businessman. Several months later he hadn't been released and the family went to the Sri Lankan Government. Murali says the family was told by a Government Minister that this Tamil paramilitary force, the Karnua group was behind the abduction. Last year, Dateline filmed the Karnua group which is accused of acting as a proxy force for the Government in its war against the Tamil Tigers.

MURALI: One Minister, he promised that he should be able to get him releases and he said he know that he's abducted by Karnua group. He said that.

REPORTER: The Minister confirmed this, that it was the Karnua group involved?

MURALI: Yes, the guerilla group of Karnua group, that was involved and they will – he will help to release him. But I think they were trying for nearly two months and at the end of two months he said that we can't help (Lazaredes, N. 2007, 'Tamil Abductions', *Dateline*, 11 July

<http://www.sbs.com.au/dateline/story/transcript/id/130805/n/Tamil-Abductions> – Accessed 2 April 2009 – Attachment 2).

An April 2008 article from *The Independent* quotes Tamils living in the United Kingdom who claim to have had relatives kidnapped in Colombo, and who have subsequently been approached for ransom payments. The report notes that extortion has long been a fund-raising method for the LTTE, but that the Tamil “Karuna Faction militia, now a de-facto extension of Sri Lanka’s intelligence services ... are kidnapping young Sri Lankan men in Colombo as a business enterprise and targeting the same diaspora the Tamil Tigers have been milking”. According to this report, those abducted are mostly young Tamil men, but the report also quotes a Tamil woman from Colombo who “claims they targeted her family for financial reasons, because her eldest nephew lives in the UK and the family owned a small hotel”:

Ten years ago, as a 17-year-old, he fled Sri Lanka after his sister died in an air-raid. Six months ago, his brother and cousin were kidnapped in Colombo by “agents” claiming to act on behalf of the island’s Karuna Faction militia, now a de-facto extension of Sri Lanka’s intelligence services. And last month he was approached outside his west London church by two Sri Lankan men claiming to know the whereabouts of his kidnapped relatives. They asked him to hand over his savings or his relatives in Colombo would face further violence and intimidation.

In Colombo his family have faced similar blackmail. His terrified aunt, Maria Regina, sold her home, took a loan she could never repay and handed over \$25,000. Both the kidnap victims are still missing. They are not alone. In the last year alone, hundreds have been taken, never to be seen again.

...On the streets of London, Toronto and Berlin it is well known that Sri Lanka’s separatist Liberation Tigers of Tamil Eelam (LTTE) are, on a daily basis, using threats, intimidation and violence to extort millions of pounds from the estimated 800,000 Tamils living abroad. But an investigation by *The Independent* on Sunday in both Colombo and London has found the first evidence that Sri Lanka’s government-backed militia, the Karuna Faction, are similarly extorting money from the island’s far-flung diaspora.

Ariyathas said: “The Tamil Tiger fundraisers have long been a part of our lives in Britain. They turn up at Hindu Temples and community centres where Tamils meet. Many people I know have been paying direct debits into LTTE accounts for many years.

“What is happening now is very different. The Karuna Faction are kidnapping young Sri Lankan men in Colombo as a business enterprise and targeting the same diaspora the Tamil Tigers have been milking.

“The trouble is, the Karuna are now an extension of the Sri Lankan army. The question I want to know is: am I being extorted and threatened by government agents? Since I saw them outside my church they haven’t returned, but I fear they know where I live.”

They certainly knew where his cousin lived in the Sri Lankan capital’s largest Tamil neighbourhood, Colombo 13. Arulthas Pushpathas is one of hundreds of young Tamil men who have been abducted from their homes in the city over the past 12 months.

His mother (and Ariyathas’s aunt), Maria Regina, clutches a photograph of him as she sits on a broken car seat, inexplicably abandoned in the decrepit lobby of her family’s short-stay lodge. She said: “They came looking for him, here at the lodge, at night, but he wasn’t at home. Raids here are common; many Tamils arriving in the city stay here. They come in with torches and guns in the middle of the night. It is terrifying.

“I was worried about my son. They had taken his cousin two months before. Later that same night a neighbour saw an unmarked white van pull up and my boy was bundled in to the back. I’ve not seen him since.”

Shortly after Arulthas was abducted, Maria received a request for a \$25,000 ransom, which she paid, bankrupting herself in the process. Despite the payment, neither her son nor nephew have been handed back.

She claims they targeted her family for financial reasons, because her eldest nephew lives in the UK and the family owned a small hotel. Now homeless after selling her house in the north to raise money, she spends her days walking from army camp to detention centres pleading for his release.

One Sri Lankan MP, Mano Ganesan said: “Understand this. There are two key motivations behind the government-sponsored arbitrary arrests and abductions of young Tamil men. The initial motivation was to spread fear in the heart of a community and suppress any opposition within the capital. Now the key motivation seems to be making money and cashing in on political unrest.

“We have lists and photographs of hundreds of ‘disappeared’, mostly young Tamil men, and in all of the most recent cases ransoms are being demanded from their families at home and abroad, particularly in London and Toronto. This is being carried out by the Sri Lankan intelligence services and the Karuna Faction who have found a lucrative sideline in extortion” (McDougall, D. 2008, ‘Sri Lanka’s disappeared: Gang demands Tamil exiles pay ransom for kidnapped relatives’, *The Independent*, 6 April <http://www.independent.co.uk/news/world/asia/sri-lankas-disappeared-gang-demands-tamil-exiles-pay-ransom-for-kidnapped-relatives-805256.html> – Accessed 2 April 2009 – Attachment 3).

In December 2008 the *Tamil Mirror* reported that Tamils “who have relatives living in the western countries are targeted and abducted. They are released when relatives transfer money to Bank accounts” (this was report sourced from the TamilCanadian.com website):

It is not only political abductions. There is further extension. The saga of persons going missing has sent fear psyche amidst the Tamil community in Colombo. The ordinary criminals too made use of this fearful situation by entering the fray. Many wealthy Tamils are abducted and released after ransom payments. Those who have relatives living in the western countries are targeted and abducted. They are released when relatives transfer money to Bank accounts. Even minority Muslim businessmen have undergone this trauma (Ganesan, M. 2008, ‘Sri Lanka: The political dimension’, TamilCanadian.com website (source: *Tamil Mirror*), 31 December <http://www.tamilcanadian.com/page.php?cat=52&id=5654> – Accessed 2 April 2009 – Attachment 4).

The Human Rights Watch (HRW) March 2006 report *Funding the ‘Final War’: LTTE Intimidation and Extortion in the Tamil Diaspora* focuses on the methods used by the LTTE to extract “donations” from expatriate Tamils. According to this report, “some people ... provide funds because they have family or property in Sri Lanka and fear negative repercussions against family members ... if they do not give”. In some cases, “the LTTE suggests that a refusal to give money will put family members in Sri Lanka at risk”; the report quotes a source who “reported that the LTTE has abducted Tamils in Sri Lanka and held them ransom until family members in the West paid money to the LTTE”:

As discussed in this report, some people also provide funds because they have family or property in Sri Lanka and fear negative repercussions against family members or even

confiscation of their property if they do not give. They also often want to maintain their ability to visit their families without encountering problems from the LTTE. Some Tamils are told that if they do not pay funds to the LTTE, they will not be allowed to return to Sri Lanka or will have “trouble” when they do. In other cases, the LTTE suggests that a refusal to give money will put family members in Sri Lanka at risk. A London Tamil told Human Rights Watch, “If you feel intimidated, if they feel that they can bully you, they make a blanket statement saying ‘We know how to deal with you. We know that you have family back home, your father or mother. We will sort you out.’”

This person reported that the LTTE has abducted Tamils in Sri Lanka and held them ransom until family members in the West paid money to the LTTE. She told Human Rights Watch,

There have been abductions back home of people – businessmen or relatively affluent people who have refused to give them money, and who have all their children abroad, seen to be doing well. And many such people have been abducted. In such circumstances, the action is initiated there. They target a person who has obviously some considerable money and is not in need. If they have many children or close relatives living abroad, they abduct them, and then the relatives here raise a lot of money and send it back home. And of course such stories then have a huge impact here, and those who feel vulnerable give money without much questioning. This has happened many times over the years, and I personally know of people to whom this has happened (Human Rights Watch 2006, *Funding the ‘Final War’: LTTE Intimidation and Extortion in the Tamil Diaspora*, Vol. 18, No. 1(C), March – Attachment 5).

A June 2007 International Crisis Group (ICG) report titled *Sri Lanka’s Human Rights Crisis* provides an overview of the “wave of abductions for ransom in Colombo” dating from mid-2006. This ICG report claims that these “abductions seem to have been designed to extract money to fund Tamil militant groups, primarily the TMVP”, and a journalist quoted in the report claims that “[t]here is close collaboration by sections of the police and armed forces and intelligence personnel”:

Since mid-2006, there has been a wave of abductions for ransom in Colombo, generally targeting Tamil but lately also Muslim business owners. Few victims have anything to do with politics; in most cases the abductions seem to have been designed to extract money to fund Tamil militant groups, primarily the TMVP. Most remain missing; some have been found dead; others were released after paying large ransoms. Given that many of the abductions are done in the day amid very tight security, the assumption is that most are committed with the knowledge or connivance of security forces. According to a journalist:

The actual abductions are generally done by the Karuna or EPDP group or in a few cases by both. There is close collaboration by sections of the police and armed forces and intelligence personnel. Some top “security” guy is usually at hand to help out if something goes wrong.

There has long been an extensive web of LTTE extortion among Tamils in parts of Colombo. Some businessmen have been forced to pay illegal taxes, as have those in the north and east. There has never been a serious government response to this mass extortion, and there is little recourse for any targeted businessman. The pro-government TMVP has tried to take over many LTTE tax networks, forcing businessmen to pay both militant groups. It also may have targeted many who had before managed to avoid these taxes.

The reliance on paramilitaries to fight the government’s war, while refusing to pay them for it, has blurred the lines between political and criminal violence. What may have started out as

an attempt to establish an extra layer of militant taxation or undermine LTTE taxation networks has descended into increasing lawlessness and insecurity for all minority businessmen. Any rich entrepreneur from the Tamil or Muslim communities is now a potential target. In May 2007 there were reports of more than a dozen Muslim businessmen abducted for ransom. Some were reportedly released after paying 50 million SLR (\$500,000).

Although this may indicate a general descent into criminality from earlier, more politically motivated abductions, there is widespread concern in minority communities that the abductions are part of a broader plan by Sinhalese extremists to drive Tamils and Muslims out of key economic sectors. A Tamil lawyer claims that “there is a more subtle targeting of Tamil business now than in 1983. Now they are snuffing out the economic lifeline. What they failed to do in the 1983 riots, the JHU and the JVP together, with the help of security forces, are succeeding in today.”

Certainly many Tamil businessmen have left the country, deciding it is too risky to remain in Colombo. There is no protection in these cases: the police have not followed up any leads provided to them (International Crisis Group 2007, *Sri Lanka’s Human Rights Crisis*, Asia Report No. 135, 14 June – Attachment 6).

List of Sources Consulted

Internet Sources:

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

Databases:

FACTIVA (news database)

BACIS (DIAC Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

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

RRT Library Catalogue

List of Attachments

1. RRT Research & Information 2008, *Research Response LKA33109*, 20 March
2. Lazaredes, N. 2007, ‘Tamil Abductions’, *Dateline*, 11 July
<http://www.sbs.com.au/dateline/story/transcript/id/130805/n/Tamil-Abductions> – Accessed 2 April 2009.
3. McDougall, D. 2008, ‘Sri Lanka’s disappeared: Gang demands Tamil exiles pay ransom for kidnapped relatives’, *The Independent*, 6 April
<http://www.independent.co.uk/news/world/asia/sri-lankas-disappeared-gang-demands-tamil-exiles-pay-ransom-for-kidnapped-relatives-805256.html> – Accessed 2 April 2009.

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4. Ganesan, M. 2008, 'Sri Lanka: The political dimension', TamilCanadian.com website (source: *Tamil Mirror*), 31 December
<http://www.tamilcanadian.com/page.php?cat=52&id=5654> – Accessed 2 April 2009.
5. Human Rights Watch 2006, *Funding the 'Final War': LTTE Intimidation and Extortion in the Tamil Diaspora*, Vol. 18, No. 1(C), March.
6. International Crisis Group 2007, *Sri Lanka's Human Rights Crisis*, Asia Report No. 135, 14 June.