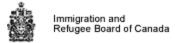Immigration and   Commission de l'immigration
Refugee Board of Canada   et du statut de réfugié du Canada

Canada

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28 January 2010

LKA103344.E

Sri Lanka: Security controls at the international airport and ports
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Airport Security

Regarding airport security at Bandaranaike International Airport (BIA), located in Katunayake in the Gampaha district (UK 23-29 Aug. 2009, 7), an official from the Canadian High Commission in Sri Lanka stated the following in 13 January 2010 correspondence:

Airport Controls: Traveller entry and exit controls for [BIA] are the responsibility of the Sri Lankan Department of Immigration and Emigration. All persons seeking to enter or depart the country are legislatively directed to present themselves at a designated port of entry. These controls take the form of passport examination, short oral interviews and the use of caches (secure entry stamps on passports).

In addition, travellers may be subject to an examination by Sri Lanka Customs. Sri Lanka Customs' main functions center on revenue collection and enforcing customs law and other related rules and regulations. In broad terms it is tasked with the collection of taxes, duties and other levies as imposed by the government; to ensure proper enforcement of tariff, trade and social protection policies of the state; and to ensure flow of passenger, goods and related means of transport

The Sri Lankan National Police Criminal Investigations Unit (CID) is responsible for investigating cases and laying potential charges under the Sri Lankan Criminal Code and Immigration Act at the airport. The CID may investigate cases of document malfeasance, human smuggling and trafficking, and conduct criminal background checks of returned Sri Lankan nationals in order to check for any outstanding domestic criminal… warrants.

Airport Security: Responsibility for airport security is divided between the Sri Lankan Air Force and the Civil Aviation Authority of Sri Lanka.

Sri Lankan Air Force military personnel are responsible for the perimeter and building security in and around [BIA]. This would include the screening of public and private vehicles and their passengers as they enter the airport pick-up and drop off areas.

The Civil Aviation Authority of Sri Lanka (CAA) was established 27 December 2002 and is deemed a public entity for the purpose of audit of accounts within the Government of Sri Lanka.

Its primary function is to undertake activities that promote civil aviation safety and security in keeping with International Standards and Recommended Practices adopted by International Civil Aviation Organization (ICAO). In broad terms the CAA administers the issuance of secure passes granting access to controlled areas, initial

screening of passengers and their baggage as they enter the airport terminal, and screening of passengers and their carry-on baggage as they report to sterile boarding lounges.

Passport Verification: The machine readable zone (MRZ) of all passports is swiped into the Computerized Passenger Clearance System. This system maintains an entry/exit record for all persons travelling through Sri Lanka ports of entry. The system has the capacity to flag persons or passports of concern but is not directly linked to criminal information databanks. (Canada 13 Jan. 2010)

In follow-up correspondence, on 19 January 2010, the Official noted that uniformed police officers are also present at BIA: some are responsible for traffic duty, while others are posted at entrances and exits to secure transit areas (ibid. 19 Jan. 2010). The Official also noted that, generally, passengers do not interact with the police officers (ibid.).

The United Kingdom (UK) Home Office Report of Information Gathering Visit to Colombo, Sri Lanka 23-29 August 2009 includes interview responses to airport security questions from a range of government and non-government sources (UK 23-29 Aug. 2009). In addition to detailed responses on airport security, the UK Home Office report includes the following summary on the treatment of Tamils at BIA:

Sources agreed that all enforced returns (of whatever ethnicity) were referred to the [CID] at the airport for nationality and criminal record checks, which could take more than 24 hours. All enforced returns were wet-fingerprinted. Depending on the case, the individual could also be referred to the State Intelligence Service (SIS) and/or Terrorist Investigation Department (TID) for questioning.

Anyone who was wanted for an offence would be arrested. Those with a criminal record or LTTE connections would face additional questioning and may be detained. In general, non-government and international sources

agreed that Tamils from the north and east of the country were likely to receive greater scrutiny than others, and that the presence of the factors below would increase the risk that an individual could encounter difficulties with the authorities, including possible detention:

- outstanding arrest warrant

- criminal record

- connection with LTTE

- illegal departure from Sri Lanka

- involvement with media or NGOs

- lack of an ID card or other documentation. (ibid., 5)

The UK Home Office report also contains information on the verification of passengers' prior criminal offenses and indicates that the Department of Immigration and Emigration (DIE) has access to an alert list (ibid., 7). This list is said to contain "information relating to court orders, warrants of arrest, jumping bail, escaping from detention as well as information from Interpol and the SIS computer system" (ibid., 7). According to the report, the DIE computer database has an alert system based on this list, but the alert system does not detail the reason for the alert, since the alert simply indicates that DIE staff must refer passengers who are flagged to the CID or the SIS (ibid., 7). The August 2009 UK Operational Guidance Note states that

immigration officers at BIA use a computer system that flags those who are "on the wanted or stop list," but that there is no concrete evidence to affirm that the database contains information on every individual who has been detained by the police or army (Aug. 2009, 15).

Port Security

In 13 January 2010 correspondence, the Canadian Official also provided the following information on port security in Sri Lanka:

Marine Arrival/Departure: Currently there is no international ferry service in operation, although there is a proposal to start such a service in 2010 between India and Sri Lanka. As fishing is a key industry on the island, there is significant small vessel traffic leaving and returning to the country that would not necessarily be recorded.

Port Security: Access to Sri Lanka's major ports is highly restricted.

Irregular Migration: There are regular media reports that there is irregular migration from Sri Lanka using sea routes. These reports indicate that persons unlawfully departing the island are not accessing vessels at commercial ports, but are leaving on smaller fishing vessels, or being ferried by these smaller vessels to larger ships off shore. Currently the primary destination for this irregular migration has been islands off the coast of Australia.

Sources indicate that four fishing boats with more than 100 asylum seekers were intercepted off the southern coast of Sri Lanka in November 2009 (Sunday Times 29 Nov. 2009; Colombo Page 24 Nov. 2009). According to the Colombo-based Sunday Times, the 169 asylum seekers headed for Australia were arrested and taken to a camp in Boosa, Galle (southern Sri Lanka) (29 Nov. 2009). A source from the CID indicated that preliminary investigations revealed that a large portion of the money paid by the asylum seekers went to the owner of the four fishing boats, who owns a fleet of vessels and who has reportedly disappeared (Sunday Times 29 Nov. 2009). Additionally, the 29 November 2009 Sunday Times article states that investigations were also underway in order to ascertain whether the LTTE was involved in this human-smuggling attempt.

Reports on whether the asylum seekers have since been released could not be found among the sources consulted by the Research Directorate.

The United States (US) Country Reports on Terrorism 2008 states that coast guards, police officials and security analysts from the Indian state of Tamil Nadu "acknowledged that the government was unable to monitor sufficiently the thousands of small commercial fishing vessels that ply the waters between India and Sri Lanka" (30 Apr. 2009).

In an address to the United Nations (UN) General Assembly in September 2009, the Prime Minister of Sri Lanka, Ratnasiri Wickramanayaka, stated the following in regard to maritime security:

The threat posed to maritime security through the transportation of large consignments of sophisticated equipment and lethal cargo to provide logistical support to terrorist groups requires our urgent attention. In recent years Sri Lanka has experienced the most unprecedented and dangerous forms of maritime terrorism. Our Navy has successfully confronted and interdicted the movement of virtual floating warehouses of arms and ammunition, which posed a grave threat to the security and stability of our nations and to our region. At the global level, this phenomenon calls for

a revision of existing laws pertaining to boarding and search of vessels in the high seas.

We need a comprehensive legal framework to address all aspects of safety and security of maritime navigation... . (Sri Lanka 26 Sept. 2009, 6)

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: Aviation Authority of Sri Lanka, Sri Lanka High Commission in Ottawa, the International Organization for Migration (IOM) in Sri Lanka, and Airport and Aviation Services (Sri Lanka) Limited did not respond within the time constraints of this Response. Attempts to contact the Civil Aviation Training Center (CATC) in Colombo and the Sri Lankan Ministry of Defence were unsuccessful. Sri Lankan Airlines headquarters in Canada was not able to provide information for this Response.

Publication: Travel Information Manual (TIM), December 2009

Internet sites, including: Airport International, Airport Security Asia, Amnesty International (AI), Civil Aviation Training Centre (CATC) Sri Lanka, Daily News [Colombo], Department of Immigration and Emigration (DIE) - Sri Lanka, European Country of Origin Information Network (ecoi.net), Factiva, International Association of Marine Investigators, International Organization for Migration (IOM), Jane's Intelligence Review, LankaPage, Overseas Security Advisory Council (OSAC), Planet Data, South Asia Terrorism Portal (SATP), TamilNet.