



# Sri Lanka Asylum Seeker - U.S. Appeal Court Vacated Removal Order: TGTE

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*Transnational Government of Tamil Eelam's Center for Refugees press note*

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Transnational Government of Tamil Eelam's Center for Refugees issued the following press note:

U.S. Appeal Court Vacated Removal Order

Remanded to Adjudicate Fear of Persecution on Account of Being Failed Asylum Seeker.

The TGTE wishes to draw to the attention of Sri Lankan Tamils who are making refugee or asylum claims and those assisting them in these claims of the decision of the United States Federal Court of Appeal, Eleventh Circuit.

In that case, a young Sri Lankan Tamil claimed he feared torture on removal to Sri Lanka as a failed asylum seeker and presented evidence to support his fear.

The Board of Immigration Appeals denied the claim on the basis that the United States Department of State Country Reports on Human Rights, in its section on Sri Lanka, was silent on the issue where returned asylum seekers faced a risk of torture.

The Federal Court of Appeals overturned the Board decision. The Court ruled that the silence of the US State Department, without more, could not rebut the evidence presented which showed that returned asylum seekers are subjected to torture on return. The case was sent back to the Board for reconsideration.

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