

# Transnational Government of Tamil Eelam Urges Aceh Governor Not to Return Sri Lankan Tamil refugees to Sri Lanka

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Mr. Visuvanathan Rudrakumaran, Prime Minister of the Transnational Government of Tamil Eelam (TGTE), today in a letter to the Aceh Governor whilst thanking him for the, "emergency assistance given to Sri Lankan refugees," urged him not to return them to Sri Lanka.

Instead, Rudrakumaran has asked the 44 refugees be given access to the United Nations High Commissioner for Refugees and be permitted to make



refugee claims: "We request the governments of Indonesia and of Aceh to allow the 44 Sri Lankan Tamil refugees now ashore in Aceh, access to the United Nations High Commissioner for Refugees and the International Organisation for Migration," Rudrakumaran wrote.

Earlier, in a move to force them back to sea, warning shots were allegedly fired by the Indonesian police as the Tamil refugees stranded for over a week on the coast of Aceh, attempted to come ashore. Although Indonesia is not a signatory to the Refugee Convention, Rudrakumaran appealed to, "Aceh and Indonesia nonetheless to respect and adhere to customary international law, which binds all states, components of states and individuals."

Rudrakumaran pointed to factors that would make it dangerous for them to return - particularly the, "numerous human rights abuses, abductions and rape," and the, "arrests carried out under the Prevention of Terrorism Act (PTA) that have failed to meet even the minimum standards of due process." Citing dire conditions prevailing in Tamil areas, Rudrakumaran reiterated that, as such, it would be, "inhumane in these circumstance to deny Sri Lankan Tamil refugees in the State of Aceh their rights to seek protection."

"Tamil areas are saturated with Sri Lankan security forces, where there is one military personnel to every five civilians, which is believed to be the highest civilian to security forces ratio in the world. Tamils also remain deeply nervous about persistent surveillance by the Sri Lankan security forces. There is a substantial internally displaced population who have not been resettled in the seven years since the end of the war," he stated.

He reminded the Governor of, "the genocide, crimes against humanity and war crimes Tamils have

been subject to," referring to the, UN Internal Review Report on Sri Lanka, that found, "around 70,000 Tamils were killed and hundreds of Tamil women were raped by Sri Lankan security forces."

In further persuading the Governor, quoting from the Universal Declaration of Human Rights, "which is part of the international law binding all," Rudrakumaran wrote: "Everyone has the right to seek and enjoy in other countries asylum from persecution. This principle, of non-refoulement, means that refugees in need of protection and refugee claimants should not be forcibly returned to the country they fled where they will be subject to persecution."

BELOW IS THE LETTER IN FULL:

June 21, 2016

Zaini Abdullah  
Governor of Aceh  
Banda Aceh  
Aceh, Indonesia

Dear Governor,

I am writing on behalf of Tamils all over the world to thank you for the emergency assistance given to 44 Sri Lankan refugees who came ashore in Aceh and to urge you to continue humanitarian assistance and protection for them.

We also urge you not to return any Tamils to Sri Lanka, where Tamils face numerous human rights abuses, including abductions and rape. The UN Human Rights Council noted in April that Sri Lanka saw a spate of arrests of Tamils under the Prevention of Terrorism Act (PTA). Arrests carried out under the PTA have failed to meet even the minimum standards of due process. The Government of Sri Lanka committed to the Human Rights Council in Sept. 2015 that it would repeal the PTA.

Tamil areas are saturated with Sri Lankan security forces, where there is one military personal to every five civilians, which is believed to be the highest civilian to security forces ratio in the world. Tamils

also remain deeply nervous about persistent surveillance by the Sri Lankan security forces. There is a substantial internally displaced population in Sri Lanka, who have not been resettled in the seven years since the end of the war. It would be inhumane in these circumstances to deny Sri Lankan Tamil refugees in the State of Aceh their rights to seek protection.

Tamils have been subjected to genocide, crimes against humanity and war crimes. According to the UN Internal Review Report on Sri Lanka around 70,000 Tamils were killed in 2009 and hundreds of Tamil women were raped by Sri Lankan security forces. There are 90,000 Tamil war widows facing hardship and thousands of disappeared.

We request that the Governments of Indonesia and of Aceh allow the 44 Sri Lankan Tamil refugees now ashore in Aceh access to the United Nations High Commissioner for Refugees and the International Organization for Migration. These refugees should be permitted to make refugee claims. We understand that Indonesia is not a signatory to the Refugee Convention. We urge Aceh and Indonesia nonetheless to respect and adhere to customary international law, which binds all states, components of states and individuals.

The Universal Declaration of Human Rights, which is part of the international law binding all, provides:

"Everyone has the right to seek and to enjoy in other countries asylum from persecution. " This principle, of non-refoulement, means that refugees in need of protection and refugee claimants, should not be forcibly returned to the country of danger fled.

Thank you.

Sincerely,  
Visuvanathan Rudrakumaran, Esq.  
Prime Minister  
Transnational Government of Tamil Eelam

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