

EXTERNAL

AI Index: AMR 20/02/98

23 January 1998

Further information on EXTRA 05/98 (AMR 20/01/98, 9 January 1998) - Fear of refoulement / Fear of torture

CANADAManickavasagam Suresh, aged 42

Manickavasagam Suresh, a Tamil man from Sri Lanka, is still facing imminent forcible return to Sri Lanka, where he would be in danger of serious human rights violations, particularly torture.

On 19 January 1998, his deportation from Canada, scheduled for the same day, was stayed until 23 January 1998, in order to give an Ontario Court the opportunity to hear a motion to stay his removal.

In an affidavit presented to the Federal Court of Canada, a lawyer acting on behalf of the Department of Citizenship and Immigration summarized a communication received by one official from another official, advising that the Sri Lankan government had given assurances to other officials of the Canadian government that Manickavasagam Suresh would not be subjected to "torture or degrading treatment". The communication notes that it was "presumed" that the Sri Lankan government would provide protection.

In these circumstances, Amnesty International does not view that adequate assurances have been given that Manickavasagam Suresh will not be subjected to torture if returned to Sri Lanka.

FURTHER RECOMMENDED ACTION: Please send telegrams/faxes in English or in your own language:

- urging that Manickavasagam Suresh not be forcibly returned to Sri Lanka and expressing deep concern that, if returned, he would be at risk of serious human rights violations, in particular torture, in Sri Lanka;
- urging that Canada abide by its obligations under the Convention against Torture and that Manickavasagam Suresh not be put at risk of torture irrespective of any accusations against him;
- noting that the Canadian government is bound by the internationally-recognized principle of non-refoulement, which prohibits states from forcibly returning people to countries where they risk serious human rights violations.

APPEALS TO:

Jean Chretien
Prime Minister
Office of the Prime Minister
Langevin Block
Ottawa, Ontario K1A 0A2, Canada
Faxes: +1 613 995 0101
Telegrams: Prime Minister, Ottawa, Canada
Salutation: Dear Prime Minister

Anne McLellan
Minister of Justice
Department of Justice
Justice Building
Ottawa, Ontario K1A 0H8, Canada
Faxes: + 1 613 941 2279

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Telegrams: Justice Minister, Ottawa, Canada
Salutation: Dear Minister

Lucienne Robillard
Minister of Citizenship & Immigration
Jean Edmonds Tower South 21/f
365 Laurier Avenue West
Ottawa, Ontario K1A 1L1, Canada

Faxes: +1 613 954 2221

Telegrams: Immigration Minister Robillard, Ottawa, Canada
Salutation: Dear Minister

COPIES TO: diplomatic representatives of Canada accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.