

EXTERNAL

AI Index: AMR 20/01/98

EXTRA 05/98

Fear of refoulement / Fear of torture

9 January 1998

CANADAManickavasagam Suresh, aged 42

---

Manickavasagam Suresh, a Tamil man from Sri Lanka, is facing imminent forcible return to Sri Lanka, where he would be in danger of serious human rights violations, particularly torture. His deportation from Canada has been scheduled for 19 January 1998.

Article 3 of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Canada is a party, states that no person can be returned to another state where "there are substantial grounds for believing he would be in danger of being subjected to torture".

The Canadian government is bound by the internationally-recognized principle of non-*refoulement*, which prohibits states from returning people against their will to countries where they risk serious human rights violations.

Manickavasagam Suresh is alleged to have links to the Liberation Tigers of Tamil Eelam (LTTE), the main armed opposition group fighting for a separate state in the north and east of Sri Lanka. In the context of the ongoing armed conflict between security forces and the LTTE, there have been continuing reports of arbitrary arrests and detention, torture, "disappearances" and extrajudicial executions. Amnesty International has documented the widespread torture of individuals, particularly those suspected of being members or suspected members of the LTTE in the custody of the security forces in Sri Lanka.

Manickavasagam Suresh was recognized as a refugee by Canadian authorities in 1991. He has been detained since October 1995 on the grounds that he was suspected to be a member of an organization that is alleged to have committed terrorist acts. On 29 August 1997 the Federal Court found that a security certificate declaring Manickavasagam Suresh to be a person "inadmissible into Canada" under Section 19 of the Immigration Act, was not unreasonable.

Amnesty International opposes the forcible return of anyone to a country where he or she may be at risk of human rights violations, irrespective of any accusations against them.

**RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English or 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**  
**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.** Check with the International Secretariat, or your section office, if sending appeals after 19 January 1998.