

## **Funding the “Final War” LTTE Intimidation and Extortion in the Tamil Diaspora**

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## I. Summary and Recommendations

*Ninety percent of people, even if they don't support the LTTE, they are scared. The killing doesn't just happen back home in Sri Lanka. It happens in Paris, in Canada. They burned the library,<sup>1</sup> they broke the legs of DBS Jeyaraj. They tried to stop the CTBC radio from organizing. A journalist was killed in Paris. The threat is not only in Sri Lanka. It's everywhere, all over the world.*

—Tamil community activist, Toronto, January 2006

Between 1983 and 2002, the armed conflict between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE or Tamil Tigers) cost an estimated 60,000 or more lives, and was marked by gross human rights abuses and violations of the laws of war on both sides. The war prompted nearly one-quarter of Sri Lanka's Tamils to leave the country, many fleeing government abuses, creating a Tamil diaspora that now numbers approximately 600,000-800,000 worldwide.

As Sri Lankan Tamils established themselves in Canada, the United Kingdom (U.K.) and other Western countries, the Tamil community became a significant source of financial and political support for the LTTE in its struggle to establish an independent state, "Tamil Eelam," for the Tamil minority in Sri Lanka's North and East. While many members of the Tamil diaspora willingly and actively support the LTTE, others have been subject to intimidation, extortion, and physical violence as the LTTE seeks to suppress criticism of its human rights abuses and to ensure a steady flow of income.

Journalists and activists in the Tamil diaspora who openly criticize the LTTE or are perceived to be anti-LTTE have been subject to severe beatings, death threats, smear campaigns, and fabricated criminal charges. In 2005, the LTTE detained two British Tamils for several weeks in Sri Lanka in order to gain control over a Hindu temple in London. Such incidents have created a culture of fear within the Tamil community, stifling dissent and discouraging individuals from organizing activities that are not sanctioned by the LTTE.

The LTTE has for many years pressured members of the Tamil community to provide financial support for its operations. In late 2005 and early 2006, as armed violence escalated in Sri Lanka's North and East, threatening the four-year-old ceasefire between

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<sup>1</sup> The Tamil Resource Center, burned by arson in Toronto in May 1994.

the government and the LTTE, the LTTE launched a massive fundraising drive in Canada and parts of Europe, pressuring individuals and business owners in the Tamil diaspora to give money for the “final war.” Fundraisers for the LTTE and LTTE-linked organizations went from house to house, and approached businesses and professionals, demanding significant sums of money for their cause. In Canada, families were typically pressed for between Cdn\$2,500<sup>2</sup> and Cdn\$5,000, while some businesses were asked for up to Cdn\$100,000. Members of the Tamil community in the U.K., France, Norway, and other European countries were asked for similar amounts.

Individuals who refused were sometimes threatened. Some were told that if they didn’t pay the requested sum, they would not be able to return to Sri Lanka to visit family members. Others were warned they would be “dealt with” or “taught a lesson.” After refusing to pay over Cdn\$20,000, one Toronto business owner said LTTE representatives made threats against his wife and children.

The LTTE and groups linked to it such as the World Tamil Movement repeatedly call and visit Tamil families seeking funds. Some families have received as many as three visits in a single week. Fundraisers may refuse to leave the house without a pledge of money, and have told individuals who claim not to have funds available to borrow the money, to place contributions on their credit cards, or even to re-mortgage their homes.

The LTTE identifies Tamils from the West who return to Sri Lanka to visit family members, and systematically pressures them for funds when they arrive in LTTE-controlled territory in the North of Sri Lanka. The assessed “rate” is often Cdn\$1, £1, or €1 per day for the length of time they have lived in the West, so individuals who have been abroad for years may be asked for thousands, and told they may not leave until they produce the requested amount. In some cases, the LTTE may confiscate their passports until the money is paid.

Many members of the Tamil diaspora vividly remember government abuses during the war, and willingly contribute funds to the LTTE. They see the Tamil Tigers as a legitimate and important representative of the Tamil people and their interests. They support the LTTE’s goal of establishing an independent Tamil state and the use of military means to achieve that objective.

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<sup>2</sup> At time of writing, the Canadian dollar was worth US\$0.87 or £0.50.

Other members of the Tamil community do not wish to contribute, either because of their personal economic circumstances, or because they do not believe in the LTTE's goals or methods. Some support Tamil political parties that have been decimated or marginalized by the LTTE. However, under intense pressure or outright threats, these individuals may be forced to provide financial support for LTTE operations, including its continuing pattern of child recruitment, political killings, and other human rights abuses that have continued, even during the four-year ceasefire.

The LTTE's dependence on the Tamil diaspora for financial support, and the diaspora's substantial size and influence, give the diaspora unique potential to influence the LTTE's policies and behavior, including its human rights practices. However, that potential has been effectively neutralized by the LTTE's effective use of intimidation and extortion within the community.

The governments of countries that host substantial Tamil populations have a responsibility to protect individuals from these abuses. However, government authorities admit that responding to such activity has not been a high priority, and they have taken little action to respond. Although fear within the Tamil community has resulted in few individual complaints to the police or other law enforcement, clear patterns of intimidation and extortion should prompt proactive government action, including police investigations, prosecutions, and public outreach to the community to publicize individuals' rights and avenues of complaint.

### ***Methodology***

Human Rights Watch conducted research for this report from October 2005 through February 2006, conducting interviews in person and by telephone with members of the Tamil communities in Toronto, Canada; London, U.K.; Geneva, Switzerland; and Dusseldorf, Germany. The focus of the investigation was on the Tamil communities in Canada and the U.K., as together these two countries host nearly half of the global Sri Lankan Tamil diaspora. In both countries, Human Rights Watch interviewed Tamil business owners, professionals, activists, journalists, and other individuals. Most interviews were conducted in English; some were conducted with Tamil translation.

We also talked with representatives of the London Metropolitan Police, the Toronto Police, the U.K. Foreign and Commonwealth Office, the World Tamil Movement, and independent experts. In February 2006 we submitted questions in writing to the LTTE in Sri Lanka regarding the issues covered in this report, but did not receive a response. In February 2006 we also contacted the British Tamil Association by both telephone and electronic mail with questions related to this report, but did not receive a reply.

Because of the significant security risks for Tamils interviewed for this report, the names of most individuals are kept confidential. Some locations and other identifying details are also withheld or changed in order to protect the identity of those who spoke with Human Rights Watch. Some cases reported to Human Rights Watch have been omitted entirely, because it was not possible to describe the reported incidents without putting the individuals involved at risk.

## ***Recommendations***

*To the governments of Canada, the United Kingdom and other countries with a significant Tamil diaspora*

**Take active steps to protect Tamil residents from harassment, threats, extortion and violence linked to the LTTE. Specifically:**

- Establish a special interagency task force, headed by the police and including other agencies as appropriate, to actively investigate intimidation and extortion in the Tamil community, and initiate prosecutions as warranted;
- Initiate a public education campaign in the Tamil community, using Tamil newspapers, radio, and other media, to publicize relevant law related to intimidation, harassment, and fundraising by the LTTE or other groups, and steps that individuals can take if they are subject to such activity;
- Establish a special hotline, staffed by Tamil speakers, to receive complaints of intimidation and extortion, and provide information as appropriate to law enforcement authorities;
- Initiate meetings with leaders in the Tamil community to discuss patterns of LTTE-related intimidation and extortion, using such meetings to communicate the government's deep concern regarding such activity, its commitment to respond, and steps that are being taken to protect members of the Tamil community;

- Take steps to inform members of the Tamil community that funds raised for the LTTE may indirectly support the commission of war crimes, including the recruitment of children as soldiers;
- Urge the LTTE to end all use of violence, threats, intimidation, and harassment against members of the Tamil diaspora.

### *To the LTTE and organizations linked to the LTTE*

- Immediately stop all use of violence, threats, intimidation and harassment to solicit funds from the Tamil community, including among the diaspora and from members of diaspora communities making return visits to Sri Lanka;
- Immediately stop all use of violence, threats, intimidation or harassment against Tamils who express criticism of the LTTE or organize events or activities independently of the LTTE.

### *To the Tamil diaspora*

- When it is possible without undue personal risk, ensure that funds provided to organizations in Sri Lanka are not directly or indirectly benefiting the LTTE so long as the LTTE continues to commit serious human rights abuses.
- Seek opportunities to promote human rights within the Tamil community, including dialogue regarding the community's role in improving the human rights situation in Sri Lanka.

## II. Background

### ***War in Sri Lanka***

Sri Lanka's population of nearly 20 million consists of roughly 74 percent predominately Buddhist Sinhalese, 18 percent mostly Hindu Tamils, and some 7 percent Muslims. The great majority of the Tamils are concentrated in the country's North and East provinces, with a large population also in the capital, Colombo. Between 1983 and 2002, the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE, or Tamil Tigers) were engaged in a brutal war for control of Sri Lanka's North and East that claimed over 60,000 lives and had huge economic costs.

Preceding the war was over a quarter-century of Tamil grievances. A Sinhalese-dominated government came to power in 1956 (eight years after independence) and began to assert Sinhalese dominance, leading to systematic discrimination and the economic, political, and cultural marginalization of the minority Tamil population. Peaceful efforts by Tamil political parties to redress Tamil grievances failed, and by the late 1970s, Tamil political parties and militant separatist groups began to advocate for an independent Tamil state, "Tamil Eelam." Insurgency operations against state security forces followed, led by the LTTE and other militant Tamil groups.

In 1983 the insurgency campaign erupted into war. After the LTTE killed thirteen high-ranking Sinhalese soldiers on the northern Jaffna peninsula, violent retaliatory riots in Colombo targeted the Tamil community. The riots killed thousands of Tamils and destroyed an estimated 90 percent of Tamil-owned shops and businesses. Many neighborhoods were destroyed and nearly 100,000 Tamils in Colombo were displaced. Evidence suggested government collusion in the riots, and many observers identify these riots as the trigger for the war.

The conflict was marked by gross human rights abuses and violations of the laws of war on both sides.<sup>3</sup> Government forces carried out massacres of Tamil civilians and engaged in indiscriminate aerial and artillery bombardment of civilian areas, including medical facilities and places of worship where civilians had taken refuge.

Tens of thousands of people "disappeared" while in the custody of Sri Lankan security forces during the course of the conflict. Suspected sympathizers with various guerilla

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<sup>3</sup> See, e.g., Human Rights Watch annual *World Report* entry for Sri Lanka for years 1990-1994 and 1996-2003.

groups were subject to mass arrests, extrajudicial executions, and prolonged detention without trial. Human rights lawyer N. Kandasamy estimated that in 2000 alone, some 18,000 people, the vast majority Tamil, may have been arrested under emergency regulations and anti-terrorism legislation nationwide.<sup>4</sup> Sri Lankan security forces often subjected Tamil detainees to mistreatment and torture.

Many Tamils lost family members to the conflict or resultant atrocities and experienced or witnessed government abuses. Police and army personnel were implicated in sexual violence against Tamil women, including gang rapes. Tamil residents in the North and East experienced discrimination at checkpoints, routine beatings, torture, and public humiliation. Security personnel subjected detainees to forced labor.

Government forces were instrumental in displacing hundreds of thousands of civilians, often in an apparent attempt to deprive opposition forces of local support. Security forces also cut off the supply of food and humanitarian assistance to the North for weeks at a time.

Children in the North and East were particularly affected by the conflict. One study in the North found that one-third of children had lost a relative in the war, 25 percent had witnessed violence, and 25 percent had experienced a threat on their own life.<sup>5</sup>

The LTTE, led by Vellupillai Prabhakaran, was responsible for committing gross abuses. The group is believed to have carried out more than 200 suicide bombings aimed at both civilian and military targets. The Tigers used suicide bombers to assassinate former Indian Prime Minister Rajiv Gandhi in 1991, and Sri Lankan President Ranasinghe Premadasa in 1993. A failed assassination attempt by a suicide bomber in 1999 wounded Sri Lankan President Chandrika Kumaratunga and killed twenty-one others. The LTTE also assassinated politicians from rival Tamil parties, journalists, and human rights activists. The LTTE carried out numerous attacks against civilian objects, including the burning of an Indonesian passenger ferry, and bombings of buses, commuter trains, parked airliners, hotels, and office buildings in Colombo's financial district, and a sacred Buddhist shrine in Kandy. The largest number of casualties from a single bomb attack occurred in January 1996 when a suicide truck bomb destroyed the Central Bank in Colombo, killing ninety-one people and injuring 1,400.

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<sup>4</sup> Cited in Human Rights Watch, *World Report 2002*, p. 254.

<sup>5</sup> "Child Soldiers: Understanding the Context," *BMJ*, Volume 324, May 25, 2002.

The LTTE engaged in massacres and retaliatory killings of Sinhalese and Muslim villagers. It imprisoned and tortured thousands of dissidents and their family members and conducted public executions of suspected informers. It also recruited thousands of children for use as soldiers, often through force or coercion, and used some of them to carry out suicide bombings.

Under the auspices of a Norwegian government facilitation team, the LTTE and the Sri Lankan government signed a ceasefire agreement in February 2002. The Sri Lankan Monitoring Mission (SLMM), led by Norway and staffed by military and civilian personnel from the Nordic countries, was established to monitor compliance with the ceasefire agreement.

The ceasefire agreement brought a respite from hostilities, but not an end to serious abuses. From February 1, 2002, through December 31, 2005, the SLMM reported over 3,500 violations of the ceasefire agreement, many of which involved the use of violence and intimidation against civilians, and the vast majority being committed by the LTTE.<sup>6</sup> Since the beginning of the ceasefire, more than 200 Sri Lankans, mostly Tamil, have been killed in apparent political killings, most allegedly the work of the LTTE, which continued to carry out killings of LTTE critics and members of non-LTTE Tamil political parties.<sup>7</sup> Other killings, such as the assassination of a pro-LTTE parliamentarian during a Christmas mass, have been attributed to an LTTE breakaway faction under ex-Tiger commander Colonel Karuna, to Tamil political parties, or to Sri Lankan security forces. For a period in mid-2005, the rate of political killings reached nearly one a day.<sup>8</sup>

The LTTE also continued to recruit children into its forces throughout the ceasefire. From February 2002 through January 2006, UNICEF documented 4,347 cases of child recruitment; over 36 percent involved children under the age of fifteen at the time of recruitment.<sup>9</sup> During a 2004 investigation, Human Rights Watch also documented

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<sup>6</sup> The LTTE committed 3,471 of the violations; 162 were ruled violations by government forces. Over half of the violations attributed to the LTTE were for child recruitment. SLMM, "Summary of Recorded Complaints and Violations from All Districts," [online] <http://www.slmm.lk/OperationsMatter/complaints/Accumulated.pdf> (retrieved January 29, 2006).

<sup>7</sup> For more information on political killings, see Human Rights Watch, "Sri Lanka: Killings Highlight Weaknesses of Ceasefire," press release, February 11, 2005, [online] <http://hrw.org/english/docs/2005/02/11/slanka10162.htm>; Human Rights Watch, "Sri Lanka: Political Killings Escalate," press release, August 15, 2005, [online] <http://hrw.org/english/docs/2005/08/15/slanka11630.htm>.

<sup>8</sup> See Human Rights Watch, "Political Killings Escalate," press release, August 15, 2005.

<sup>9</sup> E-mail communication from UNICEF-Colombo to Human Rights Watch, February 3, 2006. The true total may be significantly higher, as many instances of child recruitment are never reported to UNICEF.

numerous cases of child recruitment by the LTTE.<sup>10</sup> Recruitment and use of children under the age of eighteen by non-state armed groups is a violation of international law, and the recruitment or use of children under the age of fifteen is considered a war crime.<sup>11</sup>

During Sri Lanka's November 2005 presidential election, an LTTE boycott resulted in a virtual absence of voters in the North and several bombings in the East. Tamils living in LTTE-controlled areas in the East who sought to vote were forcibly prevented by the Tigers from doing so.

In late 2005, the LTTE carried out numerous ambushes and other attacks that killed more than eighty members of the Sri Lankan Army and Navy, putting the ceasefire into serious jeopardy. In December 2005 and January 2006, over 150 people were killed; nearly half were civilians. Sri Lankan security forces have responded to the LTTE attacks with harsh security measures. At least ten people were reported to have "disappeared" following arrest by security forces in northern Sri Lanka during November and December 2005.<sup>12</sup> On December 19, security forces responded to stone-throwing demonstrators from Jaffna University by firing live ammunition into the crowd; dozens of people were reportedly injured. The government also carried out cordon and search operations in Colombo, arresting and briefly detaining hundreds of Tamils in late December. On January 2, security forces allegedly shot and killed five high school students in Trincomalee.

The SLMM's office in Batticaloa was bombed on January 13, and the mission temporarily suspended operations in Trincomalee because of the escalating violence. The Mission issued a series of statements in December and January, repeatedly raising concerns about the increased tension and possibility of a full-scale return to war.<sup>13</sup>

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<sup>10</sup> Human Rights Watch, "Living in Fear: Child Soldiers and the Tamil Tigers in Sri Lanka," *A Human Rights Watch Report*, vol. 16, no. 13(C), November 2004, [online] <http://hrw.org/reports/2004/srilanka1104/>.

<sup>11</sup> The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict establishes eighteen as the minimum age for participation in hostilities and for any recruitment by non-governmental armed groups (A/RES/54/263, adopted May 25, 2000, entered into force February 12, 2002). Sri Lanka ratified the protocol on September 8, 2000. Customary international humanitarian law, as reflected in Protocols I and II to the Geneva Conventions of 1949, as well as the Rome Statute of the International Criminal Court, puts the minimum age for recruitment in armed forces or armed groups at fifteen; serious violations of international humanitarian law are war crimes. See International Committee of the Red Cross, *Customary International Humanitarian Law* (Cambridge: 2005), rules 136 & 137.

<sup>12</sup> Amnesty International, "Amnesty International Concerned about Escalation of Violence," public statement, January 11, 2006.

<sup>13</sup> See for example, SLMM, "The Cease Fire Agreement and the Peace Process in Jeopardy," press release, December 29, 2005, and "SLMM questions whether there is still a Ceasefire in Sri Lanka," press release, January 13, 2006, [online] [www.slmm.lk](http://www.slmm.lk).

Tensions eased in late January 2006, when the LTTE and the government agreed to resume ceasefire talks in Geneva.

### ***The Tamil Diaspora and Support for the LTTE***

Beginning in 1983, the effects of the war, including widespread government abuses targeting the Tamil population, prompted hundreds of thousands of Tamils to flee Sri Lanka. As of 2001, the Sri Lankan Tamil diaspora was estimated at 600,000-800,000, accounting for approximately one-quarter of the global Sri Lankan Tamil population.<sup>14</sup>

The majority of Sri Lankan Tamils are found in Western Europe, India, Australia, and North America. The largest numbers are found in Canada (approximately 200,000-250,000), India (approximately 150,000), U.K. (approximately 110,000), Germany (approximately 50,000), Switzerland, France, and Australia (each approximately 30,000).<sup>15</sup>

Between 1996 and 2001, Canada's Tamil community grew by 38 percent, making it the country's fastest growing ethnic population.<sup>16</sup> The vast majority of Canadian Tamils live in the Toronto area, creating a larger urban Tamil population than is found in any city in Sri Lanka itself.

As Tamils settled abroad, particularly in areas with high Tamil concentrations such as in Toronto or London, they established a range of Tamil institutions and organizations, including Tamil-owned businesses, media, religious temples and churches, and cultural, political, and service organizations, including agencies that help new arrivals to find housing or employment. To ensure both political and financial support, the LTTE sought—and gained—influence or control over many of these institutions. One Toronto Tamil remarked, “Whatever is happening in the Tamil community, they make sure their agenda is there.”<sup>17</sup>

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<sup>14</sup> Rajesh Venugopal, “The Global Dimensions of Conflict in Sri Lanka,” Working Paper Number 99, Queen Elizabeth House, University of Oxford, February 2003.

<sup>15</sup> Estimates of the size of the Sri Lankan Tamil diaspora vary. See Wolfram Zunzer, “Diaspora Communities and Civil Conflict Transformation,” Berghof Occasional Paper No. 26, Berghof Research Center for Constructive Conflict Management, September 2004; also Venugopal, “The Global Dimensions of Conflict in Sri Lanka,” 2003.

<sup>16</sup> Zunzer, “Diaspora Communities,” 2004.

<sup>17</sup> Human Rights Watch interview, Toronto, Canada, November 2005.

The growing diaspora also became an important source of income for the LTTE. Many Tamils had suffered or witnessed abuses by Sri Lankan security forces, and gladly sent funds to support the LTTE's war against the government. There was broad support among the Tamil community in the West for the LTTE's fight for Tamil autonomy in Sri Lanka, and they saw the LTTE as a legitimate representative of the Tamil people and their interests. By the 1990s, a steady income stream flowed from the diaspora to the LTTE.

By the mid-1990s, some experts believed that 80 to 90 percent of the LTTE's military budget came from overseas sources, including both diaspora contributions and income from international investments and businesses.<sup>18</sup> The exact amount of funds is impossible to determine. For example, various sources estimated the amount of money flowing from the Canadian diaspora to the LTTE in the late 1990s at anywhere between Cdn\$1 million and more than Cdn\$12 million a year.<sup>19</sup>

Funds were raised through a variety of means, such as collections at Hindu temples and public events, including annual Heroes' Day celebrations that honor LTTE "martyrs." In most countries with a significant Tamil diaspora, Tamils established charitable organizations to raise funds for Tamil causes. These included the World Tamil Movement, British Tamil Association, and the Tamil Rehabilitation Organization, among others. Although the charities solicited funds to assist civilians affected by the war, numerous inquiries, including investigations by Canadian intelligence, have found that a significant amount of the funds raised were channeled to the LTTE for its military operations. The Canadian Security Intelligence Service (CSIS) concluded in 2000 that at least eight non-profit organizations and five companies were operating in Canada as fronts for the LTTE.<sup>20</sup>

The LTTE and its front organizations also sought contributions by directly soliciting individuals at their homes and places of business. Human Rights Watch spoke to a Tamil who worked as a volunteer for the LTTE in London for several years in the late 1990s, going from house to house on Sundays in neighborhoods where Tamils were

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<sup>18</sup> See for example, Peter Chalk, "Liberation Tigers of Tamil Eelam's (LTTE) International Organization and Operations – A Preliminary Analysis," Commentary No. 77, Canadian Security Intelligence Service, March 17, 2000.

<sup>19</sup> See for example, Daniel Byman, Peter Chalk, Bruce Hoffman, William Rosenau and David Branna, "Trends in Outside Support for Insurgent Movements," RAND Corporation Report, 2001, p 50, [online] [http://www.rand.org/pubs/monograph\\_reports/MR1405/MR1405.ch3.pdf](http://www.rand.org/pubs/monograph_reports/MR1405/MR1405.ch3.pdf); see also Stewart Bell, "Sri Lanka's Civil War and the Canadian Connection," *The National Post* (Toronto), June 3, 2000, and Stewart Bell, "Groups Act as Fronts for Terror," *The National Post* (Toronto), December 9, 2000.

<sup>20</sup> Confidential CSIS documents on file at Human Rights Watch.

concentrated to collect money. He and other volunteers would often offer families pro-Tiger newspapers or books as an enticement to give.

The former volunteer said that every month the regional head for the LTTE would meet with the volunteers to give a target for that month's fundraising. The instructions were often quite explicit about the funds' intended purpose. He told Human Rights Watch: "Sometimes they would say they want to form something, like a military battalion, or that they want to buy arms or an armed vehicle. They were upfront about buying weapons."<sup>21</sup>

The LTTE maintained computer records to keep track of individuals who contributed, including their addresses and telephone numbers. The former volunteer in London told Human Rights Watch, "If families didn't give money, we would keep visiting them. We would tell them we would come back next month." In addition to the monthly targets, once a year the LTTE would raise money for a special project, asking members of the Tamil community for larger amounts—£200-250 (U.S.\$350-430) per family, and up to £2,000 (U.S.\$3,500) from businesses.

To ensure a regular flow of income, the LTTE sought pledges of regular monthly contributions from Tamil families. In London in the late 1990s, approximately 1,000 individuals reportedly were paying regular contributions of £10, £20, or £30 per month to support the London LTTE office.<sup>22</sup> Monthly pledges were encouraged in Canada and other countries as well. By the early 2000s, the system had become more sophisticated, and fundraisers in Toronto asked Tamils to sign forms authorizing automatic monthly bank transfers from their bank accounts. Such automatic transfers ensured regular payments to the LTTE and relieved volunteers of making repeated visits to Tamil homes to collect pledges.

In the U.K., Canada, and elsewhere, the LTTE also used its computer database, public records, and information from supporters to keep close track of Tamils in the community, including new arrivals. One Toronto woman moved three times within Toronto. "Each time, they came to visit within a month or two. Once it was within two weeks of when we moved in."<sup>23</sup>

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<sup>21</sup> Human Rights Watch interview with a former LTTE volunteer, London, U.K., November 30, 2005.

<sup>22</sup> Ibid.

<sup>23</sup> Human Rights Watch interview, Toronto, Canada, November 12, 2005.

The U.K. government officially designated the LTTE as a terrorist organization in 2001, forcing the LTTE to shut down its London office.<sup>24</sup> The terrorist designation and global focus on anti-terror initiatives following the September 11, 2001 Al-Qaida attacks on New York and Washington, D.C. made many individuals more reluctant to give funds to the LTTE or its front groups. The rate of contributions was also affected by the February 2002 ceasefire agreement signed by the LTTE and the Sri Lankan government: with a halt in active hostilities, many in the Tamil diaspora no longer perceived a pressing need to contribute to the LTTE.<sup>25</sup> Fundraising activity continued, however, and according to some accounts, became more aggressive to compensate for individuals' increasing reluctance to give.<sup>26</sup>

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<sup>24</sup> Under the U.K. Terrorism Act 2000 organizations may be proscribed (or outlawed) in the U.K. if it "commits or participates in acts of terrorism, prepares for terrorism, promotes or encourages terrorism, or is otherwise concerned with terrorism." (Part II, 3 (5)). The LTTE was included in a list of twenty-one organizations for proscription prepared by the U.K. Home Secretary in February 2001. The Terrorism Act 2000 (Proscribed Organizations) (Amendment) Order 2001 came into force on March 29, 2001.

<sup>25</sup> Human Rights Watch interviews, October 2005 and February 2006.

<sup>26</sup> In September 2002, Human Rights Watch collected detailed testimonies from members of the Tamil community in Toronto who had experienced violent attacks, death threats and loss of livelihood because they refused to contribute funds to the LTTE.

### III. A Culture of Fear: LTTE Intimidation, Threats, and Violence

*In Sri Lanka, there is nothing scarier than being a Tamil person of influence—whether you are a teacher, a school principal, a doctor, a journalist, a politician, or a successful businessman. Ordinary Tamils have learned to keep their heads down, do exactly what their neighbors do, and not make waves. These lessons traveled with them to Toronto and London and Paris—where the LTTE and its supporters continued to take over and monopolize social structures, from refugee relief in the 1980s to newspapers, shops and temples. A few threats, a few smear campaigns, a murder or two, and the lesson is reinforced.*

—a Western Sri Lanka expert<sup>27</sup>

A history of LTTE violence in both Sri Lanka and the West has created a climate of fear for many within the Tamil diaspora, discouraging statements, activities, or even social interactions that may be perceived as critical of the LTTE. Many members of the Tamil community closely follow events in Sri Lanka's North and East, where the LTTE has systematically assassinated perceived Tamil rivals not only during the war, but also throughout the four-year ceasefire. As noted above, since the beginning of the ceasefire, over 200 people, mostly Tamil, have been killed apparently for political reasons, mainly at the hands of the LTTE. Those killed included teachers, journalists, individuals linked with opposition parties, and others perceived as critical of the LTTE. Some apparently have been killed solely for working in educational, social or religious programs funded by the Sri Lankan government. For many Tamils in the West with family members remaining in Sri Lanka, the message was that any act of disloyalty may result in death.

Tamils in the West have been subject to death threats, beatings, property damage, smear campaigns, fabricated criminal charges, and even murder as a consequence of dissent. Although incidents of actual violence have been relatively rare, they reverberate strongly within the community and effectively discourage others from expressing views that counter the LTTE.

In November 2005, a German Tamil named Vaithiyanathan Loganathan was attacked and severely beaten after he and several other German Tamils organized a memorial event in Dusseldorf for the former principal of Central College, a large and prominent school in Jaffna. The principal, Kanakapathy Rajadurai, known to oppose the LTTE's recruitment of children, was shot and killed at his school on October 12, 2005. The

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<sup>27</sup> E-mail communication to Human Rights Watch, February 2006.

organizers of the German memorial event were all former students at the college. Loganathan had also taught there from 1979 to 1982.<sup>28</sup>

Prior to the memorial, Loganathan's fellow organizers received as many as five or six threatening phone calls per day. Fearing a disturbance at the event, the organizers approached the local police, who sent several uniformed officers to monitor it.

Loganathan chaired the event and gave a tribute to Rajadurai. He condemned those responsible for his death, but did not attribute the killing to any particular group. At least one other speaker at the memorial, however, alleged that the LTTE was responsible.

The event itself went smoothly, but afterwards Loganathan's fellow organizers again received threatening telephone calls. On November 12, a week after the event, Loganathan was assaulted when he went to pick up his wife from her shop in nearby Essen. He was attacked from behind by two men who pushed him to the ground and beat his head repeatedly with glass bottles. A third man beat his right leg with an iron bar. The attackers made no effort to take his money or other valuables. They ran away after patrons of a restaurant next door shouted and called the police.

Loganathan suffered two fractures in his right leg, lost several teeth, and required thirteen stitches on his head. He was hospitalized for three days, required extensive physical therapy, and two months after the attack still had not returned to work. He told Human Rights Watch, "I believe that if the people in the neighborhood hadn't seen the attack and called for help, I probably would have died that day."<sup>29</sup>

Witnesses described the assailants as two white men and one dark-skinned man. A few days after the attack an LTTE-linked Tamil website, *Webeelam.com*, stated that it had received a telephone call from a pro-LTTE group, "Anniyan Padai," claiming responsibility for the assault. According to *Webeelam.com* the caller said, "We have already taught Loganathan a lesson and the next person we target will be a woman."<sup>30</sup>

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<sup>28</sup> Human Rights Watch telephone interview with V. Loganathan, Dusseldorf, Germany, January 23, 2006.

<sup>29</sup> Ibid.

<sup>30</sup> "Anniyan Padai (Force) again warns!!" November 16, 2005, <http://www.webeelam.com>.

Speaking to us two months after the assault, Loganathan said,

Over the last decade and a half, there have been many incidents like this, mainly against people who attempt to put any ideas against the LTTE or criticism against the LTTE . . . so periodically, there are these attacks to keep the community quiet.

Fear is always there that there is a death threat hanging over me. This meeting was a memorial meeting. I can't give up my right to express myself, my freedom of expression. For example, now I might go on the radio to express my views or I might speak at a cultural event. This would be considered against them [LTTE] . . . So the fear of another attack is very present.<sup>31</sup>

Diaspora journalists have learned that publishing or broadcasting information that is critical of the LTTE can carry a heavy price. In the mid-1990s, prominent Tamil journalist DBS Jeyaraj published *Muncharie*, an independent Tamil weekly in Toronto that carried news and features related to events in Sri Lanka and the Tamil community in the West. As the Sri Lankan army began to make advances against the LTTE in Sri Lanka, the paper reported the LTTE's defeats, while other Tamil newspapers portrayed LTTE operations in a more favorable light. As a result of his coverage, Jeyaraj began to receive systematic, threatening phone calls on a daily basis. In November 1995 he received thirty-seven abusive calls in a single day.

When he continued to publish critical accounts of LTTE losses, pro-LTTE operatives began to target Jeyaraj's advertisers and the Tamil shops that carried his paper. In one instance, pro-LTTE operatives visited ten to fifteen shops that carried the paper, seized copies of the paper, and dumped them. Losing circulation and advertising revenue, Jeyaraj was forced to stop publishing the paper in 1995.<sup>32</sup>

In February 1993, in an incident that is widely known in the Tamil community, four individuals attacked Jeyaraj in a car parking lot after he attended a movie with his wife. The assailants beat Jeyaraj with baseball bats, and broke both of his legs. Although he

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<sup>31</sup> Human Rights Watch telephone interview with V. Loganathan, Dusseldorf, Germany, January 23, 2006.

<sup>32</sup> For excerpts of the "Open Letter" published by DBS Jeyaraj regarding his decision to suspend publication of *Muncharie*, see "The Death of a Newspaper," *Sunday Times* (Sri Lanka), April 7, 1996, reproduced online at [www.sinhaya.com/newspaper\\_death.html](http://www.sinhaya.com/newspaper_death.html) (retrieved February 10, 2006); see also Canadian Security Intelligence Service, "International Terrorism: The Threat to Canadians," *RCMP Gazette*, Vol 63, No. 6.

reported the incident to the police, and Jeyaraj had information about the identity of his assailants, no one was ever arrested for the crime.

Even after thirteen years, the attack on Jeyaraj continues to have a chilling effect on Tamil journalism in the West. Journalists who are encouraged to report LTTE abuses reply, “Do you want me to end up like Jeyeraj?” Dissidents often cite Jeyeraj’s experiences as a reason why many members of the community dare not express views that challenge the LTTE.<sup>33</sup>

Another incident frequently cited by Tamils is the 1994 murder of Sabaratnam Sabalingam in Paris. Sabalingam was reportedly preparing to publish an anti-LTTE book, based on his acquaintance with LTTE leader Vellupillai Prabhakaran, when he was shot and killed execution-style in front of his family. Suspects in the murder—two trained Tiger militants—were identified but never charged, reportedly because witnesses were not willing to testify.<sup>34</sup>

Threats against independent Tamil journalists continue. Newspaper publishers have been pressured to drop the writers of articles perceived to be critical of the LTTE.<sup>35</sup> Individual journalists told Human Rights Watch that they received threatening phone calls. An LTTE supporter reportedly told one Tamil journalist, “If you don’t support the LTTE cause in your newspaper, we will deal with you.”<sup>36</sup>

In October 2005, an Australian group linked to the LTTE issued death threats against Selliah Nagarajah, a political columnist and law lecturer at the University of Western Australia. The group, Ellalan Padai, reportedly distributed handbills at a Hindu temple in Melbourne warning Nagarajah to stop writing about the LTTE, and stated, “This is our final warning.”<sup>37</sup> The same month Nagarajah received a letter warning, “Your writing will end up in your death. This is the time to weed out traitors; very soon the Tamil world and your friends will know of your death; this will teach a lesson to other traitors.”<sup>38</sup>

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<sup>33</sup> Human Rights Watch interviews, Toronto, Canada, January 2006.

<sup>34</sup> See Stewart Bell, “Threat to Canadians?” *National Post*, June 6, 2001.

<sup>35</sup> Human Rights Watch interviews, Toronto, Canada, November 2005 and January 2006.

<sup>36</sup> Human Rights Watch interview, Toronto, Canada, November 2005.

<sup>37</sup> “Life threat on the life of Selliah Nagarajan,” *Asian Tribune*, October 4, 2005, [online] [www.asiantribune.com/show\\_news.php?id=15774](http://www.asiantribune.com/show_news.php?id=15774) (retrieved February 10, 2006).

<sup>38</sup> A copy of this letter is on file at Human Rights Watch.

Staff and volunteers at the London-based Tamil Broadcasting Corporation (TBC) have been particular targets. The TBC is an independent radio station that regularly broadcasts programs that are critical of LTTE abuses. TBC's program director, V. Ramaraj, has received repeated death threats, and volunteers at the station regularly receive abusive and threatening telephone calls.

One volunteer who participates in a weekly TBC program told Human Rights Watch in November 2005, "When I started helping TBC, I started to get calls. They threatened my wife, told her I should stop helping the TBC, and told her that the TBC is traitorous radio." He said that some calls threatened harm if he returned to the North of Sri Lanka. He said that in August 2005, one caller told him, "They will put you behind bars, you are a traitor, you will be killed."<sup>39</sup> In late 2005, the volunteer's wife received an e-mail message telling her that her husband should stop going to the TBC. "You have three children, tell your husband to get out of it, otherwise you will become a widow."<sup>40</sup>

In July 2004, a caller to TBC threatened to bomb the radio station. In May 2005, intruders broke into TBC's London offices, damaging property and stealing broadcasting equipment. Although the London Metropolitan police investigated the incident, no one was charged with the crime.

The TBC is run nearly entirely through voluntary contributions from the Tamil community. A representative remarked, "We can't run commercially. If people advertise with us, they get intimidated, get visits. So we can't get any commercials."<sup>41</sup>

Tamil activists in both the U.K. and Canada have been subjected to smear campaigns for speaking out against LTTE abuses or organizing events independent of the LTTE. The volunteer with TBC mentioned above said that at a social function in late 2005, he learned that rumors were spreading in the Tamil community that he was receiving money from the Indian secret service. He said, "They are talking about me in London, spreading stories that I am a traitor. I came to help TBC to expose the truth and see fairness. I feel like I have to help, but they are projecting it like I am doing something wrong."<sup>42</sup> In December 2005, Seyed Bazeer, a U.K.-based lawyer, was accused by an LTTE-associated website of being linked to Al-Qaeda after he had spoken publicly against LTTE killings of Muslims in eastern Sri Lanka. The website, *Nitharsanam*, claimed

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<sup>39</sup> Human Rights Watch interview, London, U.K., November 2005.

<sup>40</sup> Ibid.

<sup>41</sup> Human Rights Watch interview with TBC staff, London, U.K., November 2005.

<sup>42</sup> Human Rights Watch interview, London, U.K., November 2005.

that Bazeer, a Tamil-speaking Muslim, was the U.K. representative of the Sri Lankan arm of Al-Qaeda, and was “known to incite violence by spreading Osama Bin Laden’s jihad theology and ideology.” The site published a photo of Bazeer and urged U.K. government action to “curb the activities of such individuals.”<sup>43</sup>

Members of the Tamil diaspora are justifiably concerned when they are targeted on LTTE-linked websites. Just two months before the accusations against Bazeer, *Nitharasanam* published a reference to K. Rajadurai, the principal of Central College in Jaffna, stating that “his corpse would be found soon with a name board around his neck.” Rajadurai was shot and killed at his school shortly afterwards (see above).<sup>44</sup>

In October 2005, Toronto police arrested a Tamil community leader, Namu Ponnambalam, after an LTTE supporter falsely accused him of assault. In late September Ponnambalam had helped to organize and had chaired a public meeting featuring V. Anandasangari, the leader of the Tamil United Liberation Front, a political party in Sri Lanka. A week later, at an October 4 memorial for assassinated Sri Lankan foreign minister Lakshman Kadirgamar, a member of the audience claimed that Ponnambalam and several others had threatened and physically attacked him at the previous week’s event. Ponnambalam was arrested by police, handcuffed, and taken to a Toronto police station where he was questioned. He was released within a few hours when it became apparent that the accusations were without foundation. However, the details of his arrest were published in *Eellanadu*, a prominent Tamil newspaper in Toronto.<sup>45</sup> Ponnambalam believes that the publicity the newspaper gave to the incident was a deliberate attempt to intimidate him and members of his family and to damage his reputation.<sup>46</sup>

The LTTE and its supporters often use family members—both in the West and in Sri Lanka—to convey warnings to dissidents. In Toronto, one activist received a telephone call from a relative saying that an LTTE representative had warned that “If you are not going to control yourself, they will take care of you.”<sup>47</sup> A London activist who criticized the LTTE on a radio program was later contacted by his brother in Sri Lanka. The brother had been invited to a colleague’s home, where he was met by two LTTE members. The LTTE reportedly told him, “Your brother should shut up; otherwise it is

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<sup>43</sup> Human Rights Watch telephone interview, London, January 12, 2006; See Nitharsanam.com, December 9, 2005, [online] <http://www.nitharsanam.com/?art=13690>.

<sup>44</sup> University Teachers for Human Rights, Bulletin No. 39, November 2005.

<sup>45</sup> “Thugs Attack Person who asked Questions at Anandasangaree’s Meeting,” *Eellanadu*, September 12, 2005.

<sup>46</sup> Human Rights Watch interview, Toronto, Canada, November 2005.

<sup>47</sup> Human Rights Watch interview, Toronto, Canada, November 2005.

not good for him.” The colleague later admitted that he had invited the brother to his home under explicit instructions from the LTTE. The London activist said, “My brother is very worried about his own family.”<sup>48</sup>

In many cases, overt or even implicit threats are not necessary to silence LTTE critics. Well-known incidents of killings, assaults, threats, and targeting have prompted members of the Tamil diaspora to police themselves. Relatives often discourage family members from speaking out, worried about possible repercussions, including to family members in Sri Lanka. Continued political killings attributed to the LTTE in Sri Lanka have convinced many Tamils that anyone could be at risk.

One Toronto man involved in a cultural organization that has been repeatedly identified as “anti-LTTE” in the Tamil media described the impact of the LTTE’s control over the Tamil community: “Canada is not actually a democracy because we can’t even open our mouths against the LTTE. People are scared to open their mouths. Only a small minority are willing to open their mouths and do some small, small work.”<sup>49</sup>

In London, a Tamil man who said he was once a strong supporter of the LTTE told us:

Personally, I supported the LTTE. Ninety percent of our people support them. Most of the people are behind them, even if you don’t take the gun, we support them. But later on, things change and certain groups are targeted. Whoever questions them. We can see their behavior. Whoever asks questions about their activities, they don’t let them live. You don’t have any freedom of speech. I was very quiet for some time, having family in Sri Lanka, so I kept within limits. I didn’t want to expose myself. I can see by experiences that if I do anything, there is a lot of reaction. . . . I’m concerned about my life and my family. The community is very scared.<sup>50</sup>

A Toronto Tamil who was once targeted for her activity in a multicultural organization, said, “I used to openly say how I feel, but now am very careful. People who are open get targeted, so their work is very short. You start something, you want to work for human rights, you want to make changes, but the space is very limited.”<sup>51</sup>

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<sup>48</sup> Human Rights Watch telephone interview, London, U.K., January 2006.

<sup>49</sup> Human Rights Watch interview, Toronto, Canada, November 2005.

<sup>50</sup> Human Rights Watch interview, London, U.K., November 2005.

<sup>51</sup> Human Rights Watch interview, Toronto, Canada, November 2005.

#### IV. LTTE Control of Hindu Temples in the West

*Temples are money-making places. If they take control, they have control of the money, they can control the surplus, they can control the people coming there.*

—trustee of a Hindu temple, London, October 2005

The majority of Tamils are Hindu. For many members of the Tamil diaspora, Hindu temples provide not only a place of worship, but also a focal point for social and community activities and an avenue for charitable giving. The Toronto area has approximately forty Hindu temples attended by Sri Lankan Tamils; London has twenty-two. Because the temples provide both ready access to the Tamil community and to a potential source of funds, the LTTE has sought control over temple events, management, and revenue.

The LTTE's influence is apparent in many Hindu temples in the West. Temples may display photographs of Prabhakaran, the LTTE leader, and sell LTTE flags, CDs of Prabhakaran's speeches, or videos and DVDs promoting the LTTE. The temples may also collect money for the Tamil Rehabilitation Organization<sup>52</sup> or other LTTE front groups. At one temple in London, all attendees reportedly are told to make out "standing orders" (monthly pledges) for the LTTE, which are then collected by the British Tamil Association.<sup>53</sup>

A trustee for a Hindu temple in the Toronto area told Human Rights Watch that in late 2005, LTTE representatives approached his temple several times, asking for Cdn\$1 million as part of the recent LTTE fundraising drive. The trustee said when the men first approached him, they identified themselves as representatives from the intelligence group of Pottu Amman (the intelligence chief for the LTTE) and said that "We are going to declare Tamil Eelam [i.e. independence—see below], so we need the funds immediately."<sup>54</sup>

Several sources also described systematic efforts by the LTTE to take over the management structures of local temples. The temple trustee described the "capture" of

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<sup>52</sup> The Tamil Rehabilitation Organization was organized by the LTTE in 1985 initially to assist Tamil refugees from Sri Lanka taking refuge in South India. It eventually changed its stated objective to focus on the humanitarian needs of persons affected by war in the North and East.

<sup>53</sup> Human Rights Watch interview, London, U.K., October 2005.

<sup>54</sup> Human Rights Watch interview, Toronto, Canada, January 2006.

another temple in Toronto: “They got LTTE supporters in as members. Then when they had a majority, they could elect the trustees.”<sup>55</sup>

In one case in Australia, the Tamil Tigers reportedly tried to take control of a Hindu temple in Perth and use it for fundraising purposes. The ‘Tigers’ efforts led to a government investigation, and the case was cited by the government as an argument for tighter controls on the LTTE. The Australian Minister of Foreign Affairs subsequently acted to freeze the assets of the LTTE and other entities associated with terrorism in late 2001.<sup>56</sup> The following year, Subramaniam Muthulingam, a member of the temple’s management committee, was stabbed to death by two unknown Tamil youths while visiting his family in Colombo. Political killings in Sri Lanka are rarely investigated, and the perpetrators in this case were never identified or charged. However, according reports by human rights groups, Tamils who knew Muthulingam believed that the murder was linked to Muthulingam’s vocal criticism of the LTTE and his efforts to resist the Tiger’s takeover of the temple in Australia.<sup>57</sup>

In another well-publicized case, Rajasingham Jayadevan and Arumugam Kandiah Vivekananthan, director and secretary, respectively, of a private Hindu temple in London, were detained for several weeks by the LTTE in northern Sri Lanka in early 2005 until they agreed to hand over control of the temple to a group aligned with the LTTE.<sup>58</sup>

Jayadevan had lived in the U.K. for over twenty-five years, and before his detention was a strong supporter of the LTTE. In 1999 he helped Anton Balasingam, the LTTE’s primary political representative and negotiator outside of Sri Lanka, gain permission to leave Sri Lanka and get medical care in Norway. In 1999 and 2000, his temple raised funds for LTTE humanitarian projects and the Tamil Rehabilitation Organization. When the U.K. government designated the LTTE as a terrorist group in late 2001, Jayadevan independently initiated an application to the UK High Court for a judicial review of the Terrorism Act, arguing that the proscription scheme violated the right to freedom of expression and freedom of association under the European Convention on Human

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<sup>55</sup> Human Rights Watch interview, Toronto, Canada, January 2006.

<sup>56</sup> Charter of the United Nations (Anti-Terrorism – Persons and Entities) List 2001 (No. 2). The Minister of Foreign Affairs listed twenty-five entities, including the LTTE, in accordance with paragraph 1(c) of United Nations Security Council Resolution 1373, which calls on states to “freeze without delay funds and other financial assets or economic resources” of persons or entities associated with terrorist acts. See [http://www.dfat.gov.au/icat/persons\\_entities/2\\_proscribed\\_entities\\_10\\_dec2001.html](http://www.dfat.gov.au/icat/persons_entities/2_proscribed_entities_10_dec2001.html).

<sup>57</sup> University Teachers for Human Rights, Special Report No. 15, “The Australian Scene,” October 4, 2002.

<sup>58</sup> Human Rights Watch interviews, London, U.K., October 2005.

Rights. However, his effort was not sanctioned by the LTTE and resulted in criticism from Balasingam and the pro-LTTE media.

Jayadevan also angered the LTTE when he resisted LTTE efforts to take control of his temple, Eelapatheeswarar Aalayam. At the end of 2004, he traveled to northern Sri Lanka for a pre-arranged meeting with LTTE leaders to discuss the difficulties he was encountering with the LTTE in London. After he arrived he and his colleague Vivekananthan were initially housed at LTTE guesthouses in Kilinochchi, but after several days they transferred to an LTTE compound. Jayadevan said, “We were lured into a trap and detained in a cunning way. We were kept in a derelict building with two rooms. It was dirty, with filthy linen, and cobwebs. We found a dead rat in the water tank.”<sup>59</sup>

They were guarded by four LTTE soldiers, and on several occasions were questioned at length about their activities in London by representatives of the LTTE finance and intelligence units. They were allowed no contact with their family, and given only very basic medical care.

After six weeks, Jayadevan and Vivekananthan were finally told that Vivekananthan would be released, but only after both men signed papers authorizing the transfer of the London temple to an organization specified by the LTTE. Once the papers were signed, they were told, Vivekananthan would be released to return to London to execute the transfer, and once the transfer was complete, Jayadevan would also be released.

Jeyadevan said, “We wrote the letter in Tamil to LTTE leader Prabakaran. We felt we had no choice. Our concern was our release.” At this point, Jeyadevan had been on a limited hunger strike, eating only one meal a day for fifteen days. After Vivekananthan’s release on February 20, Jeyadevan went on a full hunger strike for an additional fifteen days. He was taken to a medical center, where doctors told the LTTE that he should be taken to a hospital in Colombo. He said that, instead, he was returned to detention.

On March 2, after returning to London, Vivekananthan signed a formal agreement to transfer control of the temple to Sivayogam, the organization designated by the LTTE.<sup>60</sup> When he called the LTTE to confirm that the transfer was complete, however, the LTTE responded that they were conducting further investigations of Jayadevan’s activity and would not release him.

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<sup>59</sup> Human Rights Watch interview, London, U.K., October 2005.

<sup>60</sup> Documents on file at Human Rights Watch.

Vivekananthan and Jayadevan's family then went public, reporting the detention to the London police, the British High Commission in Colombo, members of the U.K. parliament, and the media. Following mounting media and political pressure, Jayadevan was finally released on March 12, 2005.

Joined by four of the temple's original trustees, the temple's landlord challenged the transfer of the temple in U.K. court. The action prompted several threats against Vivekananthan and temple trustees. On March 24, a man came to Vivekananthan's shop in London and told him, "If you take the temple back, we will shoot you both." Later, Vivekananthan said he was told, "If you go to the court as a witness with the landlord, when you go to the hearing, you have to support Seevaratnam [Nagendram Seevaratnam, the chairman of Sivayogam]. If you don't support him, we have instructions from the LTTE to bump you off." One of the other trustees was told, "You let the LTTE down badly. The LTTE is not happy. They will deal with you."<sup>61</sup>

At a hearing on April 7, 2005, the high court ruled that the transfer of the temple was not valid, and returned control of the temple to its original trustees. Sivayogam was ordered to pay £35,000 in legal fees. Since the return of the temple, Jayadevan and the other trustees report that they have received several further threats. In one incident in December, a man vandalized the temple. Jayadevan said, "He went berserk by tearing down the notice board and damaging the door with a traffic cone. He was saying that he was a Black Tiger and will teach us a lesson."<sup>62</sup> In mid-January 2006, handwritten posters in Tamil were posted throughout the neighborhood near the temple, stating that "Jayadevan is a traitor to the cause and will be taught a lesson."<sup>63</sup>

Some temples have taken proactive steps to avoid LTTE control. For example, one public temple in the Toronto area froze its membership and adopted a policy that individuals could only become members after volunteering for a period of three years.<sup>64</sup>

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<sup>61</sup> Human Rights Watch interview, London, U.K., October 2005.

<sup>62</sup> "Black Tigers" are special LTTE operatives who engage in suicide bombings.

<sup>63</sup> E-mail communication to Human Rights Watch, January 30, 2006.

<sup>64</sup> Human Rights Watch interview, Toronto, Canada, January 2006.

## V. Paying for “The Final War”: LTTE Fundraising and Extortion within the Tamil Diaspora in late 2005 and early 2006

*I have a brother there [Sri Lanka]. I don't want him to get hurt. I'm going to do whatever they ask.*

—Toronto woman asked for funds by the LTTE<sup>65</sup>

Although many Tamils willingly contribute money to the LTTE, many others do so because they feel they have little choice. The same fear that silences critics of the LTTE prompts many members of the diaspora to provide financial support for the LTTE, regardless of whether they support the LTTE's cause.

In late 2005, the escalation of LTTE attacks on Sri Lankan forces and the increase in rights abuses by both sides coincided with a massive LTTE fundraising drive among the Tamil diaspora. In Canada, the U.K., and other parts of Europe, LTTE representatives went house to house and visited Tamil-owned businesses, requesting substantial sums of money, often using intimidation, coercion, and outright threats to secure pledges.

In Toronto, individual families typically were asked to pay between Cdn\$2,500 and Cdn\$5,000, although some families were reportedly asked for as much as Cdn\$10,000. Business owners were asked for amounts ranging from Cdn\$25,000 to Cdn\$100,000.<sup>66</sup> One Hindu temple reported being asked for Cdn\$1 million.<sup>67</sup> In London, many individual families were asked for £2,000 and businesses approached for amounts ranging from £10,000 to £100,000.<sup>68</sup> Members of the Tamil communities in France and Norway reported requests for similar sums.<sup>69</sup> Individuals and business owners were sometimes told that the money was a “loan” that would be repaid with interest. Others were asked for an outright contribution.

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<sup>65</sup> Human Rights Watch telephone interview, Toronto, Canada, January 2006.

<sup>66</sup> Human Rights Watch interviews, Toronto, Canada, November 2005 and January 2006.

<sup>67</sup> Human Rights Watch interview, Toronto, Canada, January 2006.

<sup>68</sup> Human Rights Watch interviews, London, U.K., November and December 2005.

<sup>69</sup> An e-mail communication to Human Rights Watch on February 22, 2006 reported that the LTTE was approaching Tamils in Paris requesting €2,000; Norwegian media have reported that in Oslo, LTTE representatives have asked Tamils for sums of 20,000 Norwegian kroner (approximately US\$3,000 or £1,700) or more. See Ny Tid, February 17, 2006, <http://www.nytid.no/?sk=irix&id=3454>

The individuals requesting the funds sometimes identified themselves directly as representatives of the LTTE. In other instances, they indicated that they were from the World Tamil Movement or the British Tamil Association, organizations that are widely believed to be fronts for the LTTE. Some families told Human Rights Watch that their visitors simply stated that they had been “sent by Prabhakaran” (the supreme leader of the LTTE) to collect the funds. The fundraisers usually traveled in pairs, although some sources told Human Rights Watch that they had been approached by a group of three or four representatives.<sup>70</sup>

LTTE representatives provided a variety of explanations for how the money would be used. In many of the cases reported to Human Rights Watch, the funds were sought for “the final war.” Tamil families and business owners were told that the LTTE had a plan for driving out all Sri Lankan army forces from the North and East within two months, and that within that period the war would be over. Others were told that the LTTE was preparing to declare “Tamil Eelam” (i.e. independence) and needed to build its treasury. Some members of the community were also told that the funds were needed to gain United Nations (U.N.) recognition of Tamil Eelam, and that the U.N. would subsequently provide funds to the new Tamil state.<sup>71</sup>

One Toronto family received three visits during one week. The first visit, they said, came from three men claiming to represent the World Tamil Movement.

They said that they had been sent by Prabhakaran to collect money. They had a lot of documents and material, including information about us, such as our phone number and address. When I asked them what the money was for, they said, “We need to increase our economy. We only have two months to get the Sri Lankan army out. We have all the plans made, but we are asking the Tamil people for final support.”<sup>72</sup>

The men asked the family for Cdn\$5,000. “When they asked for the money, they looked at their file. They asked how long we had lived in this house. After we told them, they said, \$5,000.”<sup>73</sup>

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<sup>70</sup> Human Rights Watch interviews, Toronto, Canada and London, U.K., November 2005 – January 2006.

<sup>71</sup> Human Rights Watch interviews, Toronto, Canada and London, U.K., November 2005 – January 2006.

<sup>72</sup> Human Rights Watch interview, Toronto, Canada, January 2006.

<sup>73</sup> Ibid.

After the family refused to give, the men returned two more times. On subsequent visits, the men again stated that the funds they sought were for “the final war.”<sup>74</sup> The men offered to give the family until February 2006 to pay the \$5,000, but the family refused.

A Tamil who has lived in London for more than twenty years described a visit he received from two LTTE representatives at his home in August 2005:

They said, “We are in this area today. Our leader in the Vanni<sup>75</sup> asked us to collect money from each individual.” Then they asked for £2,000. They said, “If you contribute money here, you can go to Sri Lanka and visit your family. We will give you a PIN number. That number will allow you to move freely in Jaffna. Otherwise, you will have problems. If you don’t pay here, you will pay double or triple when you go to Sri Lanka.”<sup>76</sup>

The man said that he was worried by the threat. “I have a parent and siblings in Sri Lanka and I want them to see my children.”

Despite his concerns, the man tried to refuse, explaining that he was unemployed and did not have the funds. He said that the LTTE continued to pressure him, saying “You are from Sri Lanka, it is your responsibility, you must give. If you have family to look after, that is your problem. We are asking you to contribute to the freedom struggle.”<sup>77</sup> The LTTE representatives stayed for an hour and a half, until finally the man consented to sign an agreement, promising to pay the £2,000. He filled out a form, which requested information including his income and his family’s address in Sri Lanka. He said, “I heard from others that they will stay for hours and hours talking. They won’t leave without a pledge or a post-dated check.”<sup>78</sup>

A London businessman told Human Rights Watch that in November 2005, vans came to his district of business to transport local Tamil shop owners to an undisclosed location for a meeting. That day, LTTE representatives had come to his shop and told him that they wanted to talk to all the businessmen and would return to collect him in

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<sup>74</sup> Ibid.

<sup>75</sup> The Vanni is an area in the North of Sri Lanka that is under LTTE control and contains the LTTE headquarters.

<sup>76</sup> Human Rights Watch interview, London, U.K., November 2005.

<sup>77</sup> Ibid.

<sup>78</sup> Ibid.

thirty to sixty minutes. He refused to go, claiming that he had no time. However, he heard about the meeting later from one of about twenty-five business owners from his district who participated. He was told that representatives of the LTTE and British Tamil Association addressed the business owners, asking for funds for the “last fight.”

Lots of shop owners signed agreements at the meeting about the amounts they would pay. Lots of people are giving money. Some are giving £100,000. If they refuse, they are told, “In that case, you won’t go back to Sri Lanka.”<sup>79</sup>

Not long after that meeting, three men came to his shop and asked for £50,000. “They said that every shop owner was being asked for £50,000. I told them that if I gave them that amount of money, I would have to close my shop. They then asked me what was the maximum amount I could give. I told them I had no money, but they said they would come back in a month’s time.” He told Human Rights Watch that he was reluctant to give for economic reasons and because he had heard from a relative in the LTTE about LTTE human rights abuses, including child recruitment.

The shop owner reported that the same three men returned several weeks after the first visit. “They told me, ‘We are from the LTTE; we have come to collect the money.’” The shop owner again told them that he did not have any money. They left only after he threatened to call the police.<sup>80</sup>

Several sources indicated that LTTE fundraising efforts intensified in Toronto in December 2005. One Tamil whose job brought him in contact with large numbers of Tamils said he knew of at least seventy or eighty people who had been asked for money and that the majority had given.<sup>81</sup> When asked if the pace of fundraising had increased, he said, “Definitely. Before, there were not that many people who had been visited. Now, everyone is talking about it. I’ve talked to lots of people who have given Cdn\$2,000-3,000. They [the LTTE] are getting lots of money, collecting lots of money.”<sup>82</sup>

One Toronto woman said, “In this neighborhood, I talked to everyone and everyone has been visited. Six families.” She believes that the amount that families are asked for varies depending on the assets and income of the family. She said that one family that had paid

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<sup>79</sup> Human Rights Watch interview, London, U.K., November 2005.

<sup>80</sup> Human Rights Watch telephone interview, London, U.K., January 2006.

<sup>81</sup> Human Rights Watch interview, Toronto, Canada, January 2006.

<sup>82</sup> Ibid.

off their mortgage was asked for Cdn\$10,000, while another family with a smaller house was asked for Cdn\$2,000.<sup>83</sup>

Another Toronto family told Human Rights Watch that they were pressed for several thousand dollars. After the family repeatedly stated that they would not pay, the LTTE representatives produced a form and said, “Can you fill this out and write down that you don’t believe in what the LTTE is doing?” The husband refused. He said, “Then they began writing and turned around the form and asked me to sign it.”<sup>84</sup>

In one case reported to Human Rights Watch, the house of a Toronto family was vandalized after the family refused to pay the LTTE. Although the police were unable to identify the perpetrators, the couple believed that the LTTE was responsible. Fearful of remaining at the same address, the family reportedly moved to a different home.<sup>85</sup>

A Toronto area businessman was visited by the LTTE in October 2005 and asked for Cdn\$8,000. He responded that his business was having trouble and he did not have any money to give. Several weeks later, he was visited again at his business by four men from the LTTE. This time they asked for Cdn\$20,000. The businessman again indicated that he had no money to contribute. The men responded, “Others have no room to give, but they find a way. This is your duty. You have to help your community from here. This is Mr. Prabhakaran’s request. You need to help start the war.”

The businessman said that when he continued to refuse, the LTTE said, “If you don’t want to contribute, say that you don’t want to.” The businessman again said that he was financially unable to do so. Finally, the LTTE said, “Okay, we understand that you do not want to help us, but you will learn the lesson soon. We understand that you are not considering your wife and your children.”<sup>86</sup> When Human Rights Watch asked if he was worried about the safety of his wife and children, the man said, “Yes, of course.”

### ***Pressures to Give Money***

Within the Tamil diaspora, individuals hold a variety of views regarding the Tamil Tigers and their decision whether or not to give financial support is often based on a complex set of factors. As noted above, many are active supporters of the LTTE, and perceive

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<sup>83</sup> Human Rights Watch interview, Toronto, Canada, January 2006.

<sup>84</sup> Human Rights Watch interview, Toronto, Canada, January 2006.

<sup>85</sup> E-mail communication to Human Rights Watch, January 12, 2006.

<sup>86</sup> Human Rights Watch interview, Toronto, Canada, January 2006.

the Tigers as an important and effective representative of the Tamil people and their interests. They believe in the LTTE military struggle for independence in the North and East and willingly provide financial support for “the cause.”

Others within the community do not necessarily support the LTTE’s goals or methods, but give money to protect or enhance their standing in the Tamil community or their business interests.

As discussed in this report, some people also provide funds because they have family or property in Sri Lanka and fear negative repercussions against family members or even confiscation of their property if they do not give. They also often want to maintain their ability to visit their families without encountering problems from the LTTE. Some Tamils are told that if they do not pay funds to the LTTE, they will not be allowed to return to Sri Lanka or will have “trouble” when they do. In other cases, the LTTE suggests that a refusal to give money will put family members in Sri Lanka at risk. A London Tamil told Human Rights Watch, “If you feel intimidated, if they feel that they can bully you, they make a blanket statement saying ‘We know how to deal with you. We know that you have family back home, your father or mother. We will sort you out.’”<sup>87</sup>

This person reported that the LTTE has abducted Tamils in Sri Lanka and held them ransom until family members in the West paid money to the LTTE. She told Human Rights Watch,

There have been abductions back home of people—businessmen or relatively affluent people who have refused to give them money, and who have all their children abroad, seen to be doing well. And many such people have been abducted. In such circumstances, the action is initiated there. They target a person who has obviously some considerable money and is not in need. If they have many children or close relatives living abroad, they abduct them, and then the relatives here raise a lot of money and send it back home. And of course such stories then have a huge impact here, and those who feel vulnerable give money without much questioning. This has happened many times over the years, and I personally know of people to whom this has happened.<sup>88</sup>

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<sup>87</sup> E-mail communication to Human Rights Watch, November 8, 2005.

<sup>88</sup> E-mail communication to Human Rights Watch, November 8, 2005.

Pressure is particularly intense for members of the Tamil business and professional community. Many rely on the Tamil community for a significant portion of their business and fear that if they are labeled as anti-LTTE, they will lose customers or clients. One shop owner told Human Rights Watch, “If I continue to ignore their requests, they might label me as anti-Tiger and tell people ‘don’t do business with him.’”<sup>89</sup> An attorney told Human Rights Watch, “Most professionals pay, because they are afraid that if they don’t, the World Tamil Movement will give them bad publicity and it will negatively affect their client base.”<sup>90</sup>

At a very practical level, some people agree to give simply because they do not want the hassle of being repeatedly called and visited.

Finally, a portion of the community (according to most accounts, a significant minority) is actively opposed to the LTTE. Some may have initially supported the ‘Tigers’ cause, but have either become convinced that the Tigers can never achieve their goals militarily, or have become deeply disillusioned by the ‘Tigers’ continuing record of human rights abuses, including the recruitment of children as soldiers and their practice of murdering political opponents. Of this group, some may still give money to the LTTE, because they feel that they have no choice, while others refuse on principle.

A Tamil in London told Human Rights Watch, “I think that most people who are giving money are not giving money for the cause. They give because of fear.”<sup>91</sup> A medical professional in Toronto was visited by the LTTE at his office three times within a ten-day period in late 2005. Each time, he indicated that he had patients and was too busy to talk. He told us, “I heard from other businesspeople that they are asking for money.” He didn’t press for details, however. “Here, you don’t know who you are talking to, whether they are in favor of them or not.” He also said that he had relatives in Jaffna. “We are scared of what happens to them.”<sup>92</sup>

### ***Attempts to Refuse and Resist***

Few individuals dare to refuse directly the LTTE’s requests for money. In this respect, most of the individuals interviewed by Human Rights Watch for this report are not typical in the Tamil community. Individuals who are willing to speak to a human rights organization about their experiences are also much more likely to stand up to the LTTE.

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<sup>89</sup> Human Rights Watch interview, Toronto, Canada, November 2005.

<sup>90</sup> Human Rights Watch interview, Toronto, Canada, November 2005.

<sup>91</sup> Human Rights Watch interview, London, U.K., December 2005.

<sup>92</sup> Human Rights Watch telephone interview, Toronto, Canada, November 2005.

In many other cases made known to Human Rights Watch, individuals gave funds under pressure but declined to speak to us for fear of exposure or possible reprisals from the LTTE.

Many of the individuals interviewed for this report stated clearly that they did not support the LTTE's methods and refused to give money, and were subsequently not pressed further for funds. One Toronto man who refused to give said, "If you are scared, they will come and sit, but if they know they won't get anywhere, they will leave."<sup>93</sup> Another individual said similarly, "If you are scared, they will push; if you are firm, they will back down."<sup>94</sup>

A firm refusal does not always guarantee that a family will be left alone, however. One Toronto Tamil was visited at his home in January 2006 by two men who identified themselves as representatives of the World Tamil Movement. When the man raised questions about the LTTE and made it clear that he did not support the LTTE, the World Tamil Movement representatives threatened him, saying "We will deal with you." [*Nee kavanamai iru. Unnai Kavanippom. Nee poorathai parpom.*] The man said, "When you repeat this phrase to an English-speaking person, people don't take it seriously. But for a Tamil person, the implication is that you will be killed."<sup>95</sup>

Short of outright refusal, many members of the diaspora use a variety of methods to avoid giving money. When LTTE fundraisers come to an apartment building or neighborhood, families that receive a visit will often call their neighbors to warn them that fundraisers are in the area. Many then simply pretend that they are not at home and do not respond when the fundraisers knock.

As shown in some of the illustrations above and below, when fundraisers make contact, the individuals approached will often claim that they are not able to give because of financial problems. They may say that they have invested all of their money into their business, that they are unemployed or make very low wages, or have to support other members of their family. If they are not able to avoid giving entirely, they may use these reasons to negotiate a lower payment. Such arguments may elicit little sympathy from the LTTE, however. Individuals who have tried these arguments have been told by LTTE fundraisers that they should borrow the funds, make a contribution on their credit card, or even re-mortgage their home. One individual in London who was

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<sup>93</sup> Human Rights Watch interview, Toronto, Canada, January 2006.

<sup>94</sup> Human Rights Watch interview, Toronto, Canada, January 2006.

<sup>95</sup> Human Rights Watch telephone interview, Toronto, Canada, January 2006.

unemployed when approached by the LTTE was told that he should cut out one meal a day to enable him to give to the LTTE.<sup>96</sup>

### ***Fundraising versus Extortion***

Some argue that the LTTE and its front organizations are simply engaging in aggressive fundraising strategies, and that each individual is free to decide whether or not he or she wants to give. However, the evidence collected by Human Rights Watch indicates that in many cases the pressure to provide funds for the LTTE constitutes extortion.<sup>97</sup> Some individuals interviewed by Human Rights Watch were directly threatened when they refused to give; others were either told that they would not be able to visit their family members in Sri Lanka, or would encounter unspecified “trouble” if they went to visit without having contributed. Representatives of the LTTE or World Tamil Movement have also engaged in intimidating behavior, as for example, in the case of the family that was pressed to sign a written statement declaring that their refusal to give money was because they did not support the LTTE cause.

As described earlier, violent attacks and smear campaigns against journalists and activists in the West and ongoing political killings in Sri Lanka have created a culture of fear that prompts many Tamils to acquiesce to LTTE demands without protest. Even if the actual possibility of violence is remote, the community’s knowledge of such incidents and patterns creates a climate where overt warnings or threats are often not necessary.

A Toronto activist told Human Rights Watch that even though actual acts of violence in Western countries are rare,

These few incidents work to ensure that the LTTE does not have to frequently resort to violence—they create a constant backdrop of violence and impunity that gives every warning or comment by the LTTE, however superficially benign, much greater significance. The point is often made by LTTE supporters that no explicit intimidation or threat is made, but the LTTE does not have to make such explicit

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<sup>96</sup> Human Rights Watch interview, London, U.K., November 2005.

<sup>97</sup> The Criminal Code of Canada, for example, defines extortion as follows: “Every one commits extortion who, without reasonable justification or excuse and with intent to obtain anything, by threats, accusations, menaces or violence induces or attempts to induce any person. . . to do anything or cause anything to be done. Criminal Code of Canada, Section 346. Under U.K. law, extortionist activity described in this report is considered blackmail, and defined in part as follows: “A person is guilty of blackmail if, with a view to gain for himself or another or with intent to cause loss to another, he makes any unwarranted demand with menaces.” U.K. Theft Act 1968, Section 21 (1).

statements since everyone knows what they actually mean and are capable of.<sup>98</sup>

### ***Response from the World Tamil Movement***

Sitha Sittampalam, the president of the World Tamil Movement in Canada, told Human Rights Watch that the World Tamil Movement “works for the welfare of Canadian Tamils and is also concerned with the problems we face back home in terms of suppression of rights and the freedom struggle.”<sup>99</sup>

When asked about the World Tamil Movement’s relationship to the LTTE, Sittampalam told Human Rights Watch, “We are sympathetic to our cause there and because the LTTE is fighting for our rights and in the vanguard we have always campaigned to help them.” The organization’s website prominently features quotes from LTTE leader Vellupillai Prabhakaran.<sup>100</sup> However, Sittampalam denies that the World Tamil Movement collects funds directly for the LTTE, or for any other organization. He told Human Rights Watch:

We don’t raise funds, but we canvas and advise people to help our people there [in Sri Lanka] for rehabilitation from the war and the tsunami. . . We ask them to give it to the TRO [Tamil Rehabilitation Organization] or SEDAT [Social and Economic Development Association of Tamils]. Some give to the TRO branch here, or some give bank to bank transactions. People do it individually in their own way.

When asked about reports that representatives from the World Tamil Movement ask directly for money, Sittampalam responded, “I think that is not correct. We are asking them to help these people and send it [the money] themselves.” He also denied that the World Tamil Movement collects money for the LTTE. “We do not say, ‘Give it to the LTTE.’ There are no LTTE here who are asking for money.”<sup>101</sup> This statement is contradicted by numerous testimonies collected by Human Rights Watch.

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<sup>98</sup> E-mail communication to Human Rights Watch, February 2006.

<sup>99</sup> Human Rights Watch telephone interview with Sitha Sittampalam, president, World Tamil Movement, Toronto, February 3, 2006.

<sup>100</sup> See [www.worldtamilmovement.com](http://www.worldtamilmovement.com)

<sup>101</sup> Human Rights Watch telephone interview with Sitha Sittampalam, president, World Tamil Movement, Toronto, February 3, 2006.

## VI. Extortion of Tamil Expatriates Visiting Sri Lanka

Since the ceasefire between the Sri Lankan government and the LTTE in February 2002, increasing numbers of Tamil expatriates have taken advantage of the relative peace to visit family and friends who remained in the North and East of Sri Lanka, areas that are largely under the control of the LTTE. Increasingly, these visits have become a source of revenue for the LTTE as the LTTE has begun to systematically identify visiting expatriates and pressure them to contribute to the “cause.”

Visitors to the North of Sri Lanka may travel by one of two routes: fly to Jaffna from Colombo, or travel north by bus or car on the main A9 highway that stretches from Kandy in the south to Jaffna at the northern tip of Sri Lanka. North of Vavuniya, travelers reach the Omanthai and Muhamalai crossing points that separate government- and LTTE-held territory. Leaving government-held territory, they must exit their vehicles and show documentation at a government checkpoint before crossing several kilometers of no-man’s land that is monitored by the International Committee of the Red Cross (ICRC). On the other side, visitors stop again at an LTTE checkpoint where they must show documentation before proceeding into LTTE-held territory. At the checkpoint, travelers are directed by signs into separate queues depending on whether they are Sri Lankan nationals, or whether they carry foreign passports.

Recent expatriate visitors to the North report that foreign Tamil visitors are given a pass at the checkpoint, for which they must pay 1,000 rupees (approximately U.S.\$10). They are told that within three days of reaching their destination, they must take the pass to the local LTTE office in Jaffna or Kilinochchi.

At the LTTE office, visitors must give detailed personal information, such as their name, home phone and address, employer, salary information, whether or not they own their home, and how long they have lived there. They are also asked for information about their past contributions to the LTTE. If visitors cannot verify a history of regular contributions, they then may be told an amount of money that they “owe” to the LTTE. The amount varies but is often calculated on the basis of \$1, £1, or €1 per day, for each day that they have lived in the West. For expatriates who have lived in the West for long periods of time, the amount can be substantial. For example, a Tamil who has lived in Toronto for twenty years might be expected to pay Cdn\$7,300. Alternatively, they may be pressured to sign a pledge to pay a monthly amount once they return home.<sup>102</sup>

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<sup>102</sup> Human Rights Watch interviews, Toronto, Canada, November 2005.

## **Priya's Story**

Priya (not her real name) left Sri Lanka in the early 1990s and now lives in the Toronto area. In mid-2005, she made her first visit back to Sri Lanka in more than ten years, traveling by road from Colombo to visit a parent and siblings in the North. She told Human Rights Watch:

At the checkpoint, they told me that each family had to get a pass and pay 1,000 rupees. I was told that was the rule. Then once you get to [town], within three days you have to go to the LTTE office and give all your details there. I paid the 1,000 rupees and gave my name and passport number.

On the second day, I went to the [LTTE] office. They asked how long I had been living abroad and if I had contributed any money while abroad. I said I hadn't. I told them I was living on welfare and had children. I said it was very difficult, so I didn't give money.

The LTTE told me, "When you go back, you should give money. You should help our struggle. It is your obligation to help us." I agreed that when I got back I would give money month to month. I felt I had to agree, because I was in their territory. I was afraid that if I refused, they would demand the money then. They asked for \$50 per month. I said I couldn't afford \$50, but would pay \$30. They finally agreed on \$40 a month and said I should pay it to the World Tamil Movement.

They asked me to fill out a form and sign it. It included my home address, name, and the amount I had agreed to pay. When I was there [at the office], for most people, they were demanding money right then, but in my case, they said paying later would be okay. Maybe it was the way I was talking to them.<sup>103</sup>

Priya said that at the time, she felt she had little choice but to report to the LTTE office and sign the pledge. "If I didn't go to the office, they would have come to look for me. At the checkpoint they asked me where I would stay. If I had argued with them and refused to give the money, I might have had problems."

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<sup>103</sup> Human Rights Watch interview, Toronto, Canada, November 2005.

After signing the pledge, the LTTE office put a seal on the pass she had received at the border checkpoint and instructed her to present it when she left LTTE-controlled territory to return to Colombo.

After returning to Toronto, Priya said that representatives from the World Tamil Movement started calling her within a week. “They left three or four messages, but I didn’t pick up the phone. If my children answered, they told them I was at work.”

Shortly afterward, a man came to Priya’s home. Priya said, “He had all the information, including my passport number. He said, ‘I’m from the World Tamil Movement. You said in Sri Lanka that you would give money. I am here to collect it.’ He had a printout and I could see other peoples’ names. It had my name and children’s names, my passport number, and my address.”

Priya told the man that she had managed to make the trip to Sri Lanka by taking out a loan, and that she could not afford to pay any more. “He said, ‘People who only make \$6 or \$7 an hour are giving, so you have to give the money.’ I tried to argue with him and ask him to come back after a few months. I told him I couldn’t afford it. He said, ‘All these people who are much worse off than you are giving, so you have to give.’”

Eventually, Priya agreed to pay the amount she had pledged. When she spoke to Human Rights Watch several months later, she indicated that she was thinking of stopping the payments, but was afraid that if she stopped paying, “they would probably come and harass me, and come and constantly knock on my door.” She was also concerned that if she did not keep up the payments, she would not be able to return again to Sri Lanka to see her family. “If I don’t pay the money, next time I go, they will demand the entire [accumulated] amount. I can’t afford to pay that much.”

When speaking to Human Rights Watch, Priya became visibly upset. She indicated that one of the reasons why she did not want to give money to the LTTE was because of their practice of recruiting children as soldiers.

My brother’s children are in the Vanni. The LTTE is collecting money here and using the money to train children to fight and die with the [Tiger] army. The people who collect the money here are living a very good life and drive a nice car. They don’t seem to care that it is the children there who are forced to fight and die. My children are here. I will never let them join or fight or die. Nor would any other Tamils in

Canada let their children fight and die. But there are children there who are being used as fighters. How can they accept that? I worry about my nephews and nieces.<sup>104</sup>

### ***Common Extortion Methods***

Priya's experience is not unique. A lawyer with a Toronto practice reported that from March through November 2005, he had at least a dozen clients who had been pressured to pay money while visiting Sri Lanka. He said, "All of my clients who have been to Jaffna have had the experience. If they go by land, it is a sure case."<sup>105</sup>

He reported that clients who fly to Jaffna may not immediately be identified, but that word often spreads quickly in local neighborhoods when someone visits from abroad. "Then by the second or third day, someone will come and say, 'You should go to the Kondavil office [LTTE treasury].'<sup>7</sup> If you try to avoid him, the man will come again. Then your family says, 'You need to go. If you don't, you will create a problem for us.'"

According to the attorney's clients, they were required to give detailed personal information at the LTTE office in Kondavil, a village near Jaffna town. He said that individuals were often unsure of how much personal information the LTTE already possessed, so were afraid to give any false information. Some of his clients reported that they were told they could not leave Jaffna until they paid the amount of money requested, and that if they didn't have the money with them, they should get it from family members in Canada. "If they are told not to leave, people don't want to take the risk, so they get their family to wire the money." He was unaware of anyone who was forcibly detained, but said, "The mere verbal order is more than enough to upset them."<sup>106</sup>

Even people who have given contributions while in the West may be pressured to give when visiting Sri Lanka. The attorney said, "If you say that you have given, they say they don't have a record. They ask, 'Do you have a PIN number?' Or they will enter your name and date of birth in a computer and say, 'No, we checked, you didn't give money.' You have to give."<sup>107</sup>

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<sup>104</sup> Ibid.

<sup>105</sup> Human Rights Watch interview, Toronto, Canada, November 2005.

<sup>106</sup> Ibid.

<sup>107</sup> Human Rights Watch interview, Toronto, Canada, November 2005.

In some cases, the LTTE confiscates the passports of visiting Tamils until they pay the requested amount of money. A reliable source in London provided information about a Tamil woman with two children, from another European country, who visited Jaffna in 2005.<sup>108</sup> They flew to Jaffna from Colombo because they had already heard about families being pressed for money when passing through the LTTE checkpoint by road. When they reached Jaffna, they were told to report to Kondavil. At the Kondavil office, officials worked out a figure based on the amount of time they had lived in the West and had not contributed money to the LTTE. The woman was told that before they left, they would have to pay 500,000 rupees (approximately £2,800/U.S.\$4,800). She only had 100,000 rupees with her, which she paid. The LTTE then took her passport and informed her that the passport would be returned to her when she returned with the other 400,000 rupees.

Rather than pay the amount, the woman flew back to Colombo that same night, and went to her embassy the following day, claiming that she had lost her passport. After receiving a replacement passport, she quickly returned to Europe with her children.<sup>109</sup>

In another case, a British Tamil woman visiting the North was asked at the LTTE checkpoint if she had contributed to the LTTE while living in the U.K. She responded that her husband had given £35 a month. She was told that the amount was “not enough” and was asked for 1.3 million rupees (approximately £7,300/U.S.\$12,600). The LTTE took her passport and instructed her to visit the LTTE office in Jaffna. In Jaffna, she was again pressed for money but refused to pay. When she returned to the checkpoint to retrieve her passport, she was again pressed for money until she finally signed an agreement to increase the family’s monthly pledge to £50.<sup>110</sup>

Not every expatriate who travels to the North is pressed to give funds. One Toronto university student who traveled to Jaffna by road in mid-2005 was told at the checkpoint to visit the Kondavil LTTE office in Jaffna within three days. “They said, ‘You must go.’ I was kind of scared, so I went there. Some people said if I don’t go there will be big trouble. They said I might not be able to leave.” At the Kondavil office she was asked for personal information. Her impression of the meeting: “The main idea is that they want the money from us.” She told the LTTE representatives that she was still in school, had loans, and was not working. In her case, the LTTE did not press her for immediate funds or a pledge, but informed her that once she got a job, she should start to give. She

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<sup>108</sup> Human Rights Watch interview, London, U.K., November 2005.

<sup>109</sup> Human Rights Watch interview, London, U.K., November 30, 2005.

<sup>110</sup> Human Rights Watch interview, London, U.K., October 2005.

expressed concern that they would continue to monitor her. “They have my current address, so they can come to my house.”<sup>111</sup>

As word of such stories spreads, many Tamil families reportedly have begun to change their travel plans and even cancel planned trips to visit Sri Lanka for fear of being forced to pay amounts that they cannot afford or are not willing to give. The attorney in Toronto told Human Rights Watch, “Many people have cancelled plans to go, even if they are strong LTTE supporters. I know three or four families who have cancelled plans to go visit.”<sup>112</sup> A London Tamil who has lived in the U.K. for more than twenty years and was approached for money in mid-2005 told Human Rights Watch, “I had plans last year to visit, but now I have this problem to take the PIN number and payment.”<sup>113</sup>

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<sup>111</sup> Human Rights Watch telephone interview, Toronto, Canada, November 2005.

<sup>112</sup> Human Rights Watch interview, Toronto, Canada, November 2005.

<sup>113</sup> Human Rights Watch interview, London, U.K., November 2005.

## VII. Response of the U.K. and Canadian Authorities

*We know that extortion is going on, but this is not a priority for the British government. When we look at what we need to concentrate our resources on, in terms of terrorist groups, we are focusing on Islamic groups.*

—inspector with the London Metropolitan Police<sup>114</sup>

Only two of the individuals who spoke to Human Rights Watch about their experiences of being pressed for money had reported the incident to the police or other government authorities (see below). Many expressed fear that filing a complaint would only expose them further within the Tamil community, and result in further harassment, intimidation, or worse. One Toronto Tamil said:

People are afraid to come out [publicly] because the nuisance from police is much worse than from the Tigers. With the Tigers, if worst comes to worst, you have to pay \$2,000. But if you talk to the police, they could come to your house at anytime. If police comes to the door, how do you explain that to your neighbors? I don't want to be identified as an informant to the community. If police come to your door, you will be identified as an informant. You will be isolated, totally isolated from the community.<sup>115</sup>

The Toronto businessman against whose wife and children a threat was made when he refused to give Cdn\$20,000 told Human Rights Watch that he had considered going to the police, but ultimately changed his mind, fearing that reporting the incident could bring retaliation from the LTTE. He said, "If they [the police] do a big action to get the guys, then I can help them. But they need to support me, protect me. If they investigate and nothing happens, it's not good for me."<sup>116</sup>

An inspector with the Metropolitan Police in London indicated that the reluctance of individual Tamils to make reports limited the police's ability to respond. "All we do is get one or two members of the Tamil community [to give us intelligence], but all of the

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<sup>114</sup> Human Rights Watch telephone interview, London, U.K., December 14, 2005.

<sup>115</sup> Human Rights Watch telephone interview, Toronto, Canada, January 22, 2006.

<sup>116</sup> Human Rights Watch interview, Toronto, Canada, January 2006.

victims without exception are too intimidated to make reports, so what we end up with is intelligence without solid evidence.”<sup>117</sup>

The inspector stated that if reports were made, the police would investigate the allegations and launch an operation against those responsible. However, both of the London Tamils who told Human Rights Watch that they had called the police regarding LTTE visits said that they felt that their complaints were not taken seriously. One Tamil living in the London area reported that in December 2005, the LTTE telephoned him to tell him that they would come to his home that evening to collect funds for the LTTE. The man said that he then called the police and asked them to come to his house. He said, “I told them that they [the LTTE] are going to ask for money and I won’t give it. There may be trouble.” He said the police informed him that if the LTTE had not made direct threats to his life or safety, they would not send officers to his house.<sup>118</sup>

In another case documented by Human Rights Watch, a Tamil living in London called the police after being visited twice by men demanding money for the LTTE. When the police arrived at the man’s house, the man said he gave them the license number of the visitors’ car and pointed out the house where the men had gone after leaving his home. He said the police told him that they would take the details of the incident but that there was “no evidence” of an offense.<sup>119</sup>

One Tamil living in London said, “There is general apathy about the police at the moment that they do not take up matters complained to them seriously. . . . The police must create awareness among their forces that there are serious problems existing and they must be directed appropriately to deal with the issues.”<sup>120</sup>

The inspector with the Metropolitan Police acknowledged that, generally, the police force has done little to respond to extortion by the LTTE. He also indicated that the lack of attention may be due to political considerations:

A few years ago, there seemed to be a policy to deliberately ignore what was going on. At the time, the U.K. was trying to support the peace agreement [between the Sri Lankan government and the LTTE], and did

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<sup>117</sup> Human Rights Watch telephone interview with Inspector Philip Perry, Metropolitan Police, London, U.K. December 14, 2005.

<sup>118</sup> Human Rights Watch interview, London, U.K., February 2006.

<sup>119</sup> Human Rights Watch telephone interview, London, U.K., January 2006.

<sup>120</sup> E-mail communication to Human Rights Watch, February 11, 2005.

not want to upset the LTTE. So the Met [Metropolitan Police] was getting information and intelligence, and the Special Branch, which deals with terrorism, was denying what was going on.<sup>121</sup>

In Canada, the Tamil community forms a powerful voting bloc, and many members of Parliament from ridings (electoral districts) in the Toronto area are dependent on Tamil votes. Some Canadian Tamils suggest that as a result, many members of parliament are reluctant to address LTTE intimidation. One Toronto activist told Human Rights Watch, “Vocally denouncing or acknowledging LTTE activity would be politically costly. The lack of political will is [also] due to the fact that LTTE extortion is seen as a Tamil problem, and not a Canadian one.”<sup>122</sup>

A detective inspector with the intelligence section of the Toronto Police confirmed the difficulty of getting formal complaints. “The trick is to have people with information that we can pursue far enough to create a criminal investigation.” He identified a major challenge for the police force as establishing trust and rapport with the Tamil community: “We have to get their trust. . . . If we can get enough victims to create a bigger pool of complainants, they will not feel as vulnerable.”<sup>123</sup>

When asked if the Toronto police were involved in any current investigations of extortion within the Tamil community, the detective inspector indicated he was not at liberty to provide such information.<sup>124</sup> However, none of the members of the Tamil community in Toronto who spoke with Human Rights Watch seemed aware of any inquiries made into the issue by either police or other government authorities.

A Tamil in London told Human Rights Watch that the police should be investigating the fundraising activity. “The LTTE is collecting money in broad daylight. Under the Terrorism Act, it is unlawful to support any terrorist organization, and the LTTE is proscribed as a terrorist organization in the U.K.”<sup>125</sup>

In Toronto, one Tamil commented, “If the police really wanted to stop them, they could. They only have to follow the WTM [World Tamil Movement] employees. I have a

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<sup>121</sup> Human Rights Watch telephone interview with Inspector Philip Perry, Metropolitan Police, London, U.K. December 14, 2005.

<sup>122</sup> E-mail communication to Human Rights Watch, February 2006.

<sup>123</sup> Human Rights Watch telephone interview with Detective Inspector Steve Irwin, Intelligence Services, Toronto Police, January 19, 2006.

<sup>124</sup> *Ibid.*

<sup>125</sup> Human Rights Watch interview, London, U.K., December 2005.

few license plate numbers of people who do the fundraising. If I can get them, the police can get them.”<sup>126</sup>

Another individual expressed skepticism that the police understood the situation well enough to be able to investigate effectively. When visited by representatives of the World Tamil Movement, he was able to take the license plate number of the visitors. But he said, “The police don’t know how to handle the situation. If I approach them, they will say, ‘Okay, we will charge this fellow who owns this car.’ But if they do that, then the crank phone calls will start and my family life will be shattered. I will lose my peace of mind.” He said that rather than pursue individual complaints, the police should undertake broader investigations into the fundraising activity of the LTTE and World Tamil Movement.<sup>127</sup>

Tamils in London also said that the police should undertake more systematic investigations. One told Human Rights Watch,

The problem is that the police are not making efforts at a national/metropolitan level to deal with the problem. The efforts made so far are by individual officers in one specific police station. These types of efforts are temporary as transfers and promotions of police officers frustrate continuity of their individual efforts. What we need is a major government level decision. The government is more pre-occupied with Islamic extremism and they have not channeled resources to deal with the proscribed LTTE activities. But the government is fully aware of the situation facing the Tamils.<sup>128</sup>

According to a detective inspector with the intelligence unit of the Toronto police, Canadian court cases linking the LTTE to terrorist activity make fundraising for the LTTE a matter of national security, and it falls under the jurisdiction of the Integrated National Security Enforcement Team (INSET), a joint initiative that is administered by the Royal Canadian Mounted Police and involves the police, customs and immigration, the police intelligence unit, and others.<sup>129</sup>

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<sup>126</sup> Human Rights Watch interview, Toronto, Canada, January 2006.

<sup>127</sup> Human Rights Watch telephone interview, Toronto, Canada, January 2006.

<sup>128</sup> E-mail communication to Human Rights Watch, February 2006.

<sup>129</sup> Human Rights Watch telephone interview with Detective Inspector Steve Irwin, Intelligence Services, Toronto Police, January 19, 2006

Incidents of violence or abduction, not surprisingly, have received greater attention from law enforcement. For example, both Jayadevan, the U.K. resident who was detained at length by the LTTE in northern Sri Lanka, and Loganathan, who was severely beaten in Germany, expressed general satisfaction with the subsequent investigations by the U.K. and German authorities.

The Loganathan case offers a particularly useful model for police response. Although authorities were unable to identify the perpetrators responsible for Loganathan's beating, they made efforts to prevent additional incidents by seeking out individuals known to be collecting funds for the LTTE in the Tamil community, and by communicating a clear message that the authorities were gravely concerned and that any future incidents would be treated as extremely serious.<sup>130</sup>

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<sup>130</sup> Human Rights Watch interview, Dusseldorf, Germany, January 23, 2006.

## VIII. Conclusion

The LTTE's use of intimidation, harassment, extortion, and even physical violence against members of the Tamil diaspora is effectively stifling Tamil dissent regarding on-going LTTE human rights abuses in Sri Lanka. LTTE extortion is also forcing Tamils, including those who do not support the LTTE, to provide financial support for LTTE operations, including its continuing pattern of child recruitment and political killings. Both intimidation and extortion have significantly limited the ability of Tamils in the West who do not support the LTTE's pattern of human rights abuses to effectively speak out and influence LTTE behavior.

Western governments, although obliged to protect their residents and citizens from such abuses, have done too little in response to the patterns of intimidation and coercion that victimize members of the Tamil community. Governments with a significant Tamil diaspora should take stronger action to protect members of the community, ensuring their right to express themselves on issues of vital concern to their community and to live without fear.

## **Acknowledgements**

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