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Sri Lankan State Terror extends boundaries

The Sri Lankan Government has once again exposed its arrogance as a 'democratic state' apparently unbound by international law and order, extending their practice of illegal abductions, kidnap, disappearances and violations of human rights with impunity, this time across international borders. The military establishment's disrespect and disregard to international law and order in Sri Lanka is now being permitted internationally, it seems.

Recent news reports surrounding the alleged arrest of Mr Selvarasa Pathmanathan has once again brought to the foreground the Sri Lankan Government's ability to whitewash international norms. The anomalies surrounding his kidnap and detention give rise to serious concerns over Sri Lanka's seemingly superseding legal jurisdiction which is not restricted to the island of Sri Lanka.

The illegal abduction and subsequent extrajudicial transfer of Mr Pathmanathan to Sri Lanka should be challenged by all those who believe in democracy, and are party to Geneva conventions. Extraordinary Rendition is illegal in accordance with Article 3 of the United Nations Convention Against Torture, which clearly prohibits extradition of any persons to a state where there are substantial grounds for believing that he would be in danger of being subjected to torture.

Sri Lanka's Defence website boasts Minister Keheliya Rambukwella's proclamations that "Sri Lanka is capable of defeating LTTE terrorism wherever it emerges", further stating that the arrest of Mr Pathmanathan was only made possible with the unreserved, and adequate support of the "international friends" of Sri Lanka.

By its eerie silence, the international community, institutions like the Commonwealth and the UN are, by default, accepting daylight abductions as being internationally accepted practice and allowing for rogue states to extend their belligerent practices across borders.

International laws, treaties, governance and conventions will all have to be rewritten if this sets a new precedent.

Sri Lankan regime has been effective in eliciting the support of the international community to conduct its Genocidal agenda against the Tamil people. Whilst the international community obliged then, under the pretext of eliminating terrorism, Sri Lanka's lack of willingness to attend to international calls to stop the ongoing incarceration of over 300,000 civilians in 'Nazi-style' detention camps have largely gone unchallenged.

The silence of international institutions have only signalled acceptance of this piecemeal approach adopted by the Sri Lankan regime. This paves the way for other countries to be selective of the international laws they wish to adhere to and exploit the international conventions and UN charters to which they have signed to.

Even international media, which normally takes the higher moral ground, has been largely desolate on this issue, raising little concern of the circumstances surrounding this illegal act by a defiant state acting outside its legal jurisdiction.

Mr Pathmanathan was instrumental in "silencing the guns" of the armed struggle and promoting democratic and political means in progressing forward the Tamil liberation struggle, despite many pundits, including governments and reputable international institutions, predicting guerrilla warfare.

By allowing removal of a moderate leader from the equation and by maintaining silent, thus supporting Sri Lankan State terrorism, the international community seem to gesture a dangerous path for the radical elements.

If Mr Pathmanathan has breached any laws of the land where he was domicile, or breached any international law, then the due legal process should have been followed by governments and government agencies involved. That is why extradition treaties are in place.

Concerned citizens of the country of domicile of Mr Pathmanathan have the right to demand for a public enquiry into breaches of laws of the land.

British Tamils Forum



Recent allegations of UK's complicity in torture and rendition gave rise to a statement from the Foreign Secretary David Miliband stating that the UK "firmly opposed" torture and cruel, inhuman and degrading treatment or punishment. Widespread dismay at UK's possible involvement in "War on Terror" human rights abuses has clearly shown UK public opinion on such illegal practices.

UK Prime Minister's office argues that suspension from the Commonwealth has only been carried out in instances where there has been a failure of democracy in member states, on which grounds Sri Lanka does not warrant such a deferral. If rules, regulations and laws are to be effective, no one should be above the law. Perpetrators of international law cannot go unpunished on the grounds of having no precedents.

Any other state guilty of such persistent refusal to observe the will of the 'international community' would have been subject to warnings of economic and/or military sanctions.

If the international community continues to be a silent bystander, inaction is likely to promote violence and anarchy, not just in Sri Lanka, but allow free reign for similar states to practice state terrorism internationally.

In light of these concerning developments, British Tamils demand:

- ✚ UK Government to, along with other governments, demand from the Sri Lankan Government that Mr Pathmanathan must be produced immediately in a court of law and charges made against him as soon as possible
- ✚ The ICRC must be given access to Mr Pathmanathan immediately and Article 3 Convention against torture must be followed to protect Mr Pathmanathan's human rights and safeguard his wellbeing
- ✚ Mr Pathmanathan must be given access to legal representation according to international laws
- ✚ Any breach of international law by governments, government institutions or agencies involved in this illegal abduction and extraordinary rendition should be investigated and action taken to establish law and order
- ✚ UK government, along with US and other administrations with firm belief in international law and order, should speak out against such international acts of crime by a state
- ✚ Foreign and Commonwealth Office must review its stance on supporting suspension of member states from the Commonwealth, whether breach of law without precedents can go unpunished
- ✚ Media that values human rights and respects law and order should promote action against such acts of crime by a state

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Notes to Editors:

British Tamils Forum exists to harness the skills and the knowledge of the members of the forum, well-wishers and significant others including mainstream decision makers in the UK with the aim of alleviating the sufferings of the Tamil community in the Island of Sri Lanka and to further their right to self determination within a democratic framework underpinned by international law, its covenants and conventions. For more information admin@tamilsforum.com and/or visit: www.tamilsforum.com