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OF JURISTS

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## ICJ Concern over ASIO Raids on Sri Lankan Tamils in Melbourne

ASIO raids on the homes of Melbourne's Sri Lankan Tamil community last week highlight serious concerns held by ICJ Australia that counter-terrorism laws may ensnare innocent charitable donors in their net, and may be used by foreign governments to pursue their own political agendas.

Federal officers seized computers, bank records, telephone records and other material from a number of homes in Melbourne last week. Federal authorities were looking for alleged evidence to support claims that certain people were involved in providing financial assistance to the Liberation Tigers of Tamil Eelam (LTTE or "Tamil Tigers") in Sri Lanka. The LTTE have been locked in a civil war in the island nation for over 30 years, seeking an independent Tamil state in the North and East of the majority ethnic Sinhalese island state.

There has been a great deal of fund-raising in Australia in support of victims of the Boxing Day tsunami last year, and much of it has been dedicated to the deprived and war-torn Tamil areas in the North and East of Sri Lanka. After widespread reports that international aid was being diverted by entrenched official corruption in Sri Lanka, and that very little assistance was reaching Tamil areas in the North and East, Sri Lankan Tamil communities around the world, including Australia, embarked on fund-raising drives to provide direct aid to those tsunami-devastated areas.

Mr Steve Mark, Chair of ICJ Australia said **"The very wide definitions for financial offences in our counter-terrorism laws has worried ICJ Australia for some time, because there is real potential that donations made for genuine cultural and charitable purposes may be caught up in the counter-terrorism net. The amendments to our laws currently being debated in Parliament seek to widen their scope even further, and there is real potential that innocent donors will attract the adverse interest of law enforcement agencies in this country."**

The LTTE is a listed terrorist organisation, and there are real and legitimate concerns about some of their activities in the island's ethnic conflict. The Melbourne raids came just one week after President Mahinda Rajapakse was elected to office in Sri Lanka on the back of rigid policies on the ethnic conflict and after running a stridently Sinhala nationalist line.

Mr Mark said, **“The major sources of information leading to these raids is very likely to be Sri Lankan officials. The ability of Australian intelligence agencies to assess the real basis of information from foreign governments is limited. It is undoubtedly true that intelligence sharing between countries is a valuable tool in combating terrorism, however, Australia must exercise great caution that information provided by foreign governments against Australian people is not infected by the political motivations of those governments.”**

Mr Mark also said, **“Many Australians of Sri Lankan Tamil origin are here after being granted protection by this country from state-sponsored persecution. There is a real and serious concern that our international protection obligations under the Convention relating to the Status of Refugees are under threat from our legislative response to terrorism.”**

No people have been charged with any alleged offences as a result of these raids, but investigations continue. ICJ Australia is monitoring the situation closely as a worrying development relevant to Senate's review of the amendments to Australia's counter-terrorism laws due to be voted on within the next two weeks.

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For further information, please contact **Mr Steve Mark**, Chair, ICJ Australia.