

## NEWS



Tamil refugees on board the ship that was intercepted off the coast of Canada

## Migrants on cargo ship reach Canada

MANY of the 76 migrants seized from a ship off the Canadian coast have valid travel documents and legitimate reasons to apply for refugee status in Canada, according to a lawyer who has spoken to them.

Human rights lawyer Lee Rankin told CBC News he has met about 30 of the men who journeyed to Canada from Sri Lanka, and he believes many have good reasons to seek refugee status.

Rankin said many of the men planned to come to Canada and brought supporting documents with them, including birth certificates, national identity cards and in some cases passports.

Rankin said that as members of the losing side in Sri Lanka's civil war, the Tamil men have a good case for refugee status.

"If you look at the information about the country involved, the human rights record is poor — extra-judicial killings, as well as very brutal treatment to people suspected of being on the losing side of the civil war," said Rankin.

The migrants feared for their lives during a gruelling, lengthy voyage, said a lawyer who spoke with one of the men. The 76 Tamil asylum seekers had only minimal supplies and skeleton facilities during the journey, he said.

"It was a very difficult, difficult experience and something that I think can probably best be described as parallel to a Titanic-type of an experience," said Gary Anandasangaree, a lawyer for the Canadian Tamil Congress.

The migrants had little sense of time, only that the voyage lasted for weeks, Mr. Anandasangaree said. He said they encountered rough weather and "there were times" they

feared for their lives.

One migrant looked "exhausted" when he spoke to him late Tuesday at a detention centre in Maple Ridge, B.C. Mr. Anandasangaree interviewed the man on behalf of a Toronto lawyer who is representing him.

"They took extraordinary risk during the voyage," he said. "It's quite eye-opening to look at what they went through to get here."

Lawyers hired to represent some of the detained men are criticizing Canada's slow response to the refugee drama, saying they cannot even speak with their clients and that it is taking far too long for them to get hearings.

"If this happened in a criminal [law] context, people would be up in arms," said Hadayt Nazami, a Toronto lawyer who is representing one migrant.

Lawyer Doug Cannon said he hasn't been able to speak to his client even though the man was taken into custody Saturday night. Under Canadian immigration law, people detained at the border must get a hearing within 48 hours, or within a reasonable time.

"I'm frustrated," Mr. Cannon said, adding he has contacted Canada Border Services Agency and the Immigration and Refugee Board to demand that his client get a detention hearing today. "I can't even get through to him."

Mr. Cannon said he suspects that the officials are overwhelmed by the volume of migrants who arrived en masse but argued that's no excuse for the holdup. If delays persist, he said, a lawyer could make a valid argument to have a client released.

Rankin dismissed reports the men paid an Indonesian human smuggling ring as much as \$45,000 for passage to Canada, saying the men he met told him they paid 45,000 Sri Lankan

rupees, worth about \$410 Cdn at current exchange rates.

About 30 of them say they have family or friends already in Canada, and Rankin said 60 Tamil-Canadian families in the Vancouver and Toronto areas have volunteered to take the others.

The ship departed from India early last month, according to international shipping records. While it sailed as the Ocean Lady, it was registered as the Princess Easwary, press reports said.

After a stop in Mumbai on Aug. 31, the Princess Easwary sailed from the northwest Indian port of Mundra on Sept. 8. That was its last recorded port of call until it entered Canadian waters.

While the records indicate the ship's last port of call was India, it may have made unreported stops elsewhere in South or Southeast Asia to pick up its human cargo before heading for Canada.

The company listed as the ship's owner does not appear to exist. Ray Ocean Transport Corp., registered in the Seychelles, owns the vessel and it is operated by Sunship Maritime Services, records show.

But the National Post has been unable to locate any company officials. Both companies share an address in Cebu, Philippines, but the telephones appear to be out of service and emails sent to Sunship were returned as undeliverable. The Princess Easwary is the only ship operated by the companies.

Several other businesses, including another shipping company and a Canadian immigration consultant, have used the same office. The Woodbridge, Ont.-based consultant said a prospective business partner had operated from that address but it had never been an official branch of his firm.

## 'Can't live in Sri Lanka' says 9 year old asylum seeker



Alex, spokesman for the asylum seekers, spoke on their behalf

"SRI LANKA refugees, we have lived in forest for one month. Please, sir, please take us to a country. It's OK if it is not Australia. It's better if any other country trades us. We can't live in Sri Lanka."

These were the desperate words of 9 year old Brindha, as she pleaded on Australian television.

She is one of the 255 men, women and children who have been stranded in waters off the Sunda straits of Indonesia since last month.

They were attempting to flee from Sri Lanka and make their way towards Australia, where they could claim asylum, before they were intercepted by Indonesian authorities.

The desperate Tamil civilians aboard the boat staged a hunger strike last week, as they attempted to persuade Australian authorities to allow them to seek asylum.

The hunger strike lasted 52 hours before authorities eventually persuaded them to cease.

A wooden board with the words "We are Sri Lankan civilians, Plz save our lives" scribbled onto it, is on display aboard the ship.

Australian Prime Minister Kevin Rudd has so far been unmoved and said that their individual cases should be processed by the United Nations.

In reference to the hunger strike he commented that he would not be swayed by "any tactics deployed by any particular person".

"There are still Tamil people in Sri Lanka who are dying every day. This is why most of these people here have fled from genocide in Sri Lanka and trying to find a future somewhere else... We're just people without a country to live in," said Alex, spokesman for the group.

"But the situation in our country right now, I'm telling you,

Tamils do not have an opportunity to survive in Sri Lanka," he said.

The group of asylum seekers are still aboard their boat, which has docked the West Java port of Merak in Indonesia and are refusing to leave the vessel.

According to the spokesman there are 195 men, 31 women, and 27 children on board, each of whom reported to have paid \$15,000 USD in order to be smuggled out of Sri Lanka, amounting to nearly \$ 4 million USD in total.

The conditions of the boat have been described as far from adequate with there being just one toilet on the boat for all on board.

One of the inhabitants, Varshini from Jaffna, is on board with Marthavan, her seven-year-old son, and Amirtha, her four-year-old daughter. She said her children believed they would see their father soon.

She has yet to tell them that he was taken away by Government affiliated paramilitary forces, while they were sleeping 18 months ago.

"There are still many more Sri Lankans who need help," said Alex, at a press conference organized by the asylum seekers.

Alex and his fellow civilians are still refusing to leave the boat until they meet a United Nations High Commissioner for Refugees (UNHCR) official to explain the asylum procedure and give assurances about their future.

"If you had no place to go, if you had no country of your own, what would you do and how long would you stay in a boat before you were promised to enter a country that will give you asylum? How long will you go? How desperate will you be?" said Alex.

"We're not only suffering back home we're suffering here. We have no choice."

"We have no country to go back to."