

Sri Lanka's 6th Amendment to be Challenged at the UN by TGTE: Call to all Lawyers to Join

6th Amendment is a violation of Freedom and Conscience

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The Transnational Government of Tamil Eelam (TGTE) starting on October 24th, coinciding with this year's UN day, is calling all lawyers from the homeland, the Tamil Diaspora, Global Tamils, and all progressive lawyers across the globe to lend their support and provide legal representation in the communication to be filed by the TGTE with the UN Human Rights Committee with respect to the 6th Amendment to the Sri Lankan Constitution.

It is expected that the TGTE will be citing several internationally well known cases and argue with the UN that the 6th Amendment to the Sri Lankan Constitution criminalizes peaceful advocacy for an independent state and that it is a violation of freedom of conscience and freedom of speech guaranteed in the international covenant on civil and political rights.

The cases in point are as follows:

1) The European Court of Human Rights in the cases of *Okçuoğlu v. Turkey*, and *Arslan v. Turkey* 8 July 1999 held that convictions for disseminating separatist propaganda violated the guarantee of freedom of expression in the European Convention of Human Rights.

2) In the case of *Erdođdu and Ince v. Turkey* also July 8, 1999, the Court held that convictions for disseminating propaganda against the indivisibility of the state violated the guarantee of freedom of expression in the Convention.



3) The Court, in the case of Association Ekin v. France held on July 17, 2001 that the banning of a book advocating Basque separatism violated the guarantee of freedom of expression in the Convention.

4) In the case of IsakTepe v. Turkey the Court on October 21, 2008 held that a charge without a conviction for disseminating separatist propaganda violated the guarantee of freedom of expression in the Convention.

The present call by the TGTE to Lawyers across the globe is reminiscent of the 1976 Trial-at-Bar proceedings against the Tamil leaders for distributing to the public copies of the Vaddukoddai Resolution. A record of 67 lawyers represented the Tamil leaders then, including late S.J.V. Chelvanayagam QC, Late G.G. Ponnampalam QC, and late M. Thiruchelvam QC.

The TGTE will set up a website in which interested lawyers will be able to log their names, affiliation, and their country of residence in order to express their interest in joining this call for legal representation. Eelam Tamils are called upon to campaign for legal personnel in the homeland as well as around the world, Tamils and non-Tamils alike, to sign up with this timely project.

It is to be emphasized that while the 6th Amendment criminalizes advocacy for independent state in Sri Lanka, calling for the repeal of the 6th Amendment is not prohibited by this law.

Attorney and human rights activist, David Matas, is coordinating this effort.

ABOUT TRANSNATIONAL GOVERNMENT OF TAMIL EELAM (TGTE):

Transnational Government of Tamil Eelam (TGTE) is a democratically elected Government of a million strong Tamils (from the island of Sri Lanka) living in several countries around the world. TGTE was formed after the mass killing of Tamils by the Sri Lankan Government in 2009.

TGTE twice held internationally supervised elections among Tamils around the world to elect 132 Members of Parliament. It has a bicameral legislature and a Cabinet. It held one of its Parliamentary sittings in the British Parliament.

TGTE is leading a campaign to realize Tamils' political aspirations through peaceful, democratic and diplomatic means. The Constitution of the TGTE mandates that it should realize its political objective only through peaceful means.

The Prime Minister of TGTE is Mr. Visuvanathan Rudrakumaran, a New York based lawyer.

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TGTE Welcomes Ban Ki Moon's visit to Sri Lanka. Cautious Him about False promises and hoodwinking by the Government

BACKGROUND:

Tamils in the island of Sri Lanka faced repeated mass killings in 1958, 1965, 1977, 1981 and 1983 and the mass killings in 2009 prompted UN Secretary General Ban Ki-moon to appoint a Panel of Experts to report on the scale of the killings.

According to UN internal review report on Sri Lanka, over 70,000 Tamils were killed in five months in early 2009 and Tamil women were raped by the Sri Lankan Security forces. There are over 90,000 Tamil war widows and thousands of Tamils disappeared due the conflict.

According to this UN report, the killings and other abuses that took place amount to war crimes and crimes against humanity. Independent experts believe that there are elements of these abuses that constitute an act of genocide.

Members of the Sri Lankan security forces are almost exclusively from the Sinhalese community and the victims are all from the Tamil community.

A Buddhist Monk shot and killed a Sri Lankan Prime Minister 1959 for having talks with Tamil political leaders.

Tamils overwhelmingly voted in a Parliamentary election in 1977 to establish an independent and sovereign country called Tamil Eelam. This Parliamentary election was conducted by the Sri Lankan Government.

Transnational Government of Tamil Eelam

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