

TGTE Appeals to UN Special Rapporteurs About Sri Lanka's Ban on Maaveerar Naal Commemoration

Ban and harassment experienced by Tamils in their attempt to commemorate Maaveerar Naal is a violation of their right to Peaceful Assembly & Freedom of Speech

NEW YORK, UNITED STATES OF AMERICA, November 24, 2020 /EINPresswire.com/ --

On behalf of the Transnational Government of Tamil Eelam (TGTE), Global Diligence LLP filed an addendum yesterday with the United Nation Special Rapporteur on Freedom of Peaceful Assembly and Association and the United Nation Special

Rapporteur on Freedom of Opinion and Expression about the bans on public gathering and assembly in commemoration of Maaveerar Naal - a day of remembrance of those who fought on behalf of the Tamil Liberation Movement - to its original complaint pertaining to the prohibition of the 33rd Commemoration of Lt. Col Thileepan's Passing filed with their office previously.

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*Transnational Government of
Tamil Eelam (TGTE)*

The Addendum states: “Tamil People in Sri Lanka have been engaged in decades of struggle - both armed and peaceful - for liberation from the oppression meted out by the Sinhalese majority government in Colombo, Sri Lanka. Maaveerar Naal is held to commemorate those who died fighting such repression with events being held on the annual date in which the first cadre from the Liberation Tigers of Tamil Eelam [LTTE] Lt. Shankar died.

It is stated in the Addendum, the ban and harassment experienced by the Tamil People in their attempt to



Maaveerar

commemorate Maaveerar Naal is a violation of their right to Peaceful Assembly and their freedom of speech guaranteed in Article 21 and Article 19 of the International Covenant on Civil

and Political Rights respectfully. It is also stated the fact that the LTTE is placed in the terrorist list by the Sri Lankan State cannot serve as a justification to prohibit people paying respect to the dead, unless the acts of commemoration fall within one of the exceptions which allow for restriction under Article 21. It was also pointed out that the respect for the war dead and their graves is protected under human rights law, in particular the right to human dignity.

In the Addendum it is also pointed out that the risk of spreading COVID-19 justifies the total ban of the event ignores the myriad alternative methods in which the commemorations can still be performed in a COVID-safe manner, such as through social distancing or mask wearing. COVID-19 cannot serve as a justification to ban outright the commemorative events on the basis of public health. Indeed, as highlighted in our previous letter, the misuse of the COVID-19 pandemic to restrict basic rights is already well-documented.

The only reasonable interpretation of the facts is that the Magistrates' decisions to ban the commemoration was rooted in racial or ethnic oppression and discrimination against Tamils. In other words, the Courts' prohibition is based on "the identity of the participants [and] their relationship with the authorities." The misuse of powers by the Police and Magistrates amounts to a "discriminatory abuse and attack." Since Sri Lanka "must ensure that laws and their interpretation and application do not result in discrimination in the enjoyment of the right of peaceful assembly, for example on the basis of race, colour, ethnicity [...]", Sri Lanka is in clear violation of its duty to "respect and ensure" the rights to peaceful assembly and freedom of expression with respect to the commemoration of Maaveerar Naal.

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