

# TGTE's Effort to Remove LTTE from India's 'Unlawful Association' List - New Petition to Ministry of Home Affairs

*"Chilling Effect on Free Speech & Assembly Among Reasons to End Ban"*

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The Transnational Government of Tamil Eelam (TGTE)\* sent a Petition to India's Ministry of Home Affairs on March 8th, 2023, requesting the removal of the Liberation Tigers of Tamil Eelam (LTTE) from the nation's "Unlawful Association" list. The petition

is a step forward in TGTE's ongoing and more than three-year-old campaign, which began on September 5, 2019, when TGTE Prime Minister Visuvanathan Rudrakumaran filed a challenge to the LTTE's inclusion in the "Unlawful Association" list with the Unlawful Activities Tribunal, New Delhi, and imparted himself a party in the proceedings. TGTE's filing was a response to the Home

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Tamil Nadu is not Part of Traditional Eelam Tamil Homeland”

*V. Rudrakumaran*

Affairs Ministry's referral of the notification of the LTTE "as a terrorist organization" to the Unlawful Activities Prevention Tribunal on June 11, 2019, for the purpose of adjudicating whether there was sufficient cause to declare the LTTE an "unlawful association".

TGTE's new petition states that the LTTE ban hinders the

work of those committed to peaceful self-determination for the Tamil people on the island of Sri Lanka and makes the TGTE and association-based activities on behalf of Eelam Tamils impossible. The said petition further states that the commonality of the goals of the LTTE and the TGTE namely the establishment of an independent and sovereign state of Tamil Eelam, supporters of the TGTE are scared to propagate and join the cause of Tamil Eelam. In short, the proscription of LTTE in India has a chilling effect in the political advocacy of the TGTE.

"The TGTE's newest petition requests nothing more than the right for those who support the



cause to make their case in the court of public opinion in India, unimpeded by the false perception that somehow espousing Tamil separatism is tantamount to endorsing or even promoting terrorism," TGTE Prime Minister Rudrakumaran said.

In each LTTE banning notifications the Ministry of Home Affairs allege that the LTTE's objective for a separate homeland (Tamil Eelam) for all Tamils was a threat to the sovereignty and territorial integrity of India and amounted to secession of a part of the territory of India from the Union and thus, falls within the ambit, or scope, of the "unlawful association" under the law. The TGTE responds in its recent petition that the activities of supporters and sympathizers in the territory of India for a separate Tamil homeland (Tamil Eelam) is not an agenda to bring about secession of a part of territory of India.

In response to the Tribunal's observation that "nothing prevented the LTTE from coming forward to the Tribunal and taking a categorical stand that it does not subscribe to an objective of secession of a part of the territory of India and does not advocate integration of one or more parts of India with the Tamil speaking parts of Sri Lanka", the TGTE responded that there was no effective service rendered to a competent person on behalf of LTTE.

Citing case laws, the TGTE also argues in its petition that activities of individuals claiming affiliation with an LTTE cannot be attributed to the LTTE unless it is condoned by the LTTE leadership. The petition also notes that, based on expert's declarations, the LTTE does not have any organizational structure or characteristics of an extant organization. The TGTE's petition further states that diplomatic support from the Government of India, is essential for the realization of the aspirations of Eelam Tamils.

The TGTE quotes in the petition's clause pertaining to the foreign policy of Tamil Eelam the Freedom Charter promulgated by the TGTE with the participation of more than a 100,000 people that "expressing solidarity with the people of India and to foster peace and security in the Ocean Region, Tamil Eelam will forge a special relationship with India".

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#### \* ABOUT THE TRANSNATIONAL GOVERNMENT OF TAMIL EELAM (TGTE):

The Transnational Government of Tamil Eelam (TGTE) is a democratically elected Government of over 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 thrice held internationally supervised elections among Tamils around the world to elect 135 Members of Parliament. It has two chambers of Parliament: The House of Representatives

and the Senate and also a Cabinet.

TGTE is leading a campaign to realize the political aspirations of Tamils through peaceful, democratic, and diplomatic means and its Constitution mandates that it should realize its political objectives only through peaceful means. It's based on the principles of nationhood, homeland and self-determination.

TGTE seeks that the international community hold the perpetrators of war crimes, crimes against humanity, and genocide against the Tamil people to account. TGTE calls for a referendum to decide the political future of Tamils.

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

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