



The Tamil National Alliance (TNA) wishes to unequivocally condemn the recent action taken by the Government of Sri Lanka to designate several Tamil diaspora organisations and individuals under Gazette Extraordinary No. 1854/41 of 21 March 2014. This Gazette notification was issued under the United Nations Regulations No. 1 of 2012 published in the Gazette Extraordinary No. 1758/19 of 15 May 2012.

These measures come in the wake of the passage of Resolution 25/1 on 'Promoting reconciliation, accountability and human rights in Sri Lanka', adopted at the 25th session of the United Nations Human Rights Council on the 23 March 2014.

We note that Regulation 7 of the United Nations Regulations No. 1 of 2012 stipulates that the Competent Authority shall take all reasonable steps to notify such organisations and individuals in writing of such designation. Moreover, the Regulation provides that the written notice shall contain information relating to the *reasons* for the designation.

Despite the lapse of two months since the publication of the said Gazette notification, the Government of Sri Lanka has failed to present any reasons for the designation of these organisations and individuals.

We note that the reasons for designating any organisation or individual must disclose 'reasonable grounds' for belief that such organisation or individual has committed or attempted to commit, or participated in or facilitated the commission of 'terrorist acts'. According to the United

Nations Regulations No. 1 of 2012, the definition of 'terrorist act' has the same specific meaning as in the Convention on the Suppression of Terrorist Financing Act, No.25 of 2005. In this context, the written notices must explain the reasons for designating such organisations and individuals in light of the specific definition provided in the Act.

Among the several organisations and individuals listed, are many who have supported the TNA's quest to find a political solution to the National Question based on a framework of devolution that is within in a united Sri Lanka and acceptable to all communities. Such a framework has been enunciated by us continuously at elections and endorsed by the Tamil People. We cite for example, the public statement issued by the Global Tamil Forum (GTF) on 14 January 2012, in which they said:

We note that the elected representatives of the Tamil people in Sri Lanka the Tamil National Alliance has engaged with the Government of Sri Lanka for the past one year, in dialogue to find a durable, and dignified political solution to the National Question. Such resolution must necessarily alter the governance structure of the country to recognise that the Tamil speaking peoples are entitled to the right to self-determination and granting to them irreversible autonomy in the areas of historic habitation. We for our part will support the full implementation of such an arrangement if agreed upon, and urge the international community to encourage the Sri Lankan Government to come up with such an acceptable political solution and ensure its genuine implementation.

There are many other diaspora organisations that are members of the GTF, which is an umbrella organisation. The Government of Sri Lanka has designated some of these organisations along with the GTF. There are others too who have no links whatsoever to any 'terrorist acts' as defined in the 2005 Act, but have been designated in the list without a shred of evidence to justify such designation. These organizations and individuals

have consistently and publicly argued for a political solution within an undivided country. For instance, the Australian Tamil Congress (ATC) published a document in July 2010 titled, 'A Blueprint for a peaceful Sri Lanka', in which their goal for a political solution was articulated as follows:

Implementation of a political solution that provides equal rights and opportunities to all citizens of Sri Lanka, with the committed engagement of major and minor political parties and supported by the International Community.

Similarly, the Canadian Tamil Congress (CTC), as recent as September 2013, congratulated the TNA on its victory at the Northern Provincial Council election, and stated:

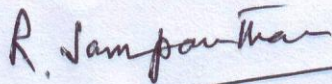
We at CTC call upon the Sri Lankan government to recognize the wishes of the Tamil people through the result of this election and immediately implement the 13th amendment in full. It is also very clear from the TNA election manifesto, the government of Sri Lanka must go far beyond the 13th amendment to satisfy the Tamil people. We therefore call upon the international community, particularly India, to put all their influence in helping to implement the legitimate demands of the Tamil people in Sri Lanka.

The Canadian Tamil Congress thanks and applauds the people of the Northern province for exercising their democratic right by voting in this election, despite all the intimidation. CTC recognizes and respects the wishes of Tamil people and will stand by the TNA and its Chief Minister elect Justice Wigneswaran in the quest to achieve real equality, justice, peace and respect for our people.

While acknowledging the right of any government to take appropriate steps to counter violent threats to national security—provided those steps comply with domestic and international human rights and humanitarian law—we note with serious concern that this regressive step taken by the government is consistent with many other measures that it continues to

take in the North and the East that are against the spirit of reconciliation. These measures include the military occupation of private lands, and the arbitrary arrest, detention and 'rehabilitation' of Tamil youth under the Prevention of Terrorism Act.

We therefore call on the Government of Sri Lanka to review the decision to designate all of the said organisations and individuals and remove from that list organisations and individuals against whom there is no evidence of engaging in or supporting any 'terrorist acts' as defined by the 2005 Act.

A handwritten signature in dark ink, reading "R. Sampanthan", written over a horizontal line.

R Sampanthan

Leader, Tamil National Alliance

24th May 2014