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Constitution of the
Norwegian Council of Eelam Tamils (NCET)

1. Introduction:

Norwegian Council of Eelam Tamils

A Norway-wide council based on democratic and popular participation of Norwegian Tamils of Eelam descent (Eelam Tamils in Norway), mandated to deal with their affairs in Norway, in the international arena and to voice for the rights of the Eelam Tamils in their homeland. The Council will function according to the laws, rules and regulations of Norway.

2. Primary objects:

- (a) **Diaspora affairs in Norway:** Domestic political, social, economical and cultural affairs of Eelam Tamils in Norway, promoting identity, integration and welfare. The Council shall engage in advocacy focusing on diverse aspects of affairs of the Eelam Tamil diaspora in such spheres as Tamil identity (language and heritage), culture, education, integration, economic development and welfare of Eelam Tamils in Norway.
- (b) **International Affairs of the diaspora:** The Council shall coordinate with Eelam Tamils affairs of other countries, internationally addressing common issues related to Eelam Tamils.
- (c) **Working for independence, sovereignty and development of Eelam Tamils in their homeland:** The Council shall voice for the formation of the independent and sovereign state of Tamil Eelam in the contiguous north and east of the island of Sri Lanka (North-East) on the basis that the Tamils in the island of Sri Lanka constitute a distinct nation, have a traditional homeland, have the right to self-determination and aspire for the formation of independent and sovereign state of Tamil Eelam in their homeland as mandated by the people of the North-East in the General Election of 1977 in the island and reaffirmed by 98.95 percent of Eelam Tamils in Norway in the referendum held on 10 May, 2009, which is referred to as The Norwegian Tamil Mandate 2009 (NTM-2009). The Council shall work for the recognition and acceptance of Tamil Eelam by the International Community and is determined to guard against any efforts from any quarter prevailing upon Eelam Tamils to surrender their sovereignty.

3. Ancillary objects & guiding principles:

- (a) Strengthening the integration of Eelam Tamils in Norwegian society.
- (b) Promoting individual right to participation in public affairs without discrimination on the basis of opinion, religion, sex, race, colour or any other factors in Norway.
- (c) Promoting Tamil identity, culture and heritage to help facilitate harmonious co-existence within a multi-cultural Norway.
- (d) Promoting discussion, debate and democratic decision-making process among the Eelam Tamil community in Norway.
- (e) Preserving conducive dialogue with other institutions of Eelam Tamils in Norway.
- (f) Preserving socio political and cultural identity whilst maintaining active dialogue with Norwegian political parties.
- (g) Recognising the Eelam Tamil National Agenda (ETNA) in the island of Sri Lanka in that: 1) Eelam Tamils constitute a distinct nation of their own in the island, 2) as a nation, Eelam Tamils have the absolute Right of Self-Determination, 3) Eelam Tamils have their inalienable and inherent right to their traditional homeland in the contiguous north and east of the island of Sri Lanka, 4) the Tamil homeland did not surrender its sovereignty to the Sri Lankan unitary state and that the Tamil sovereignty is deemed to be restored in an independent nation state as democratically mandated by the Eelam Tamils in the general elections of 1977, basing Vaddukkoaddai Resolution of 1976. However, this is not to exclude supporting any future decisions arrived at by Eelam Tamils through the exercise of their absolute self-determination.
- (h) Recognising the immeasurable sacrifices of liberation fighters and civilians during the freedom struggle for Tamil Eelam.
- (i) Recognising the positive political, judicial, social and cultural achievements of the de-facto state of Tamil Eelam.
- (j) Recognising that the nation of Eelam Tamils has to be engaged in the groundwork of making Tamil Eelam: 1) secular, 2) liberal democratic, 3) based on popular participatory politics, 4) egalitarian outlook, 5) one that upholds the rule of law and 6) one that guarantees freedoms enjoyed in liberal democracies elsewhere.
- (k) The Council shall adopt and promote national and sovereign symbols of Eelam Tamils.
- (l) Promoting universal human rights and the fundamental freedoms of the people in the traditional homeland in the contiguous North-East of the island of Sri Lanka and elsewhere in the island according to the Universal Declaration of Human Rights, the International Covenants on Civil and Political Rights; Economic and Cultural Rights and other related statutes whilst voicing for the rights of a casteless, secular society in the said Tamil homeland.

- (m) Distancing from groups or parties that support draconian laws and military subjugation of Tamils in Sri Lanka.
- (n) Pursuing all democratic and non-violent avenues in order to establish Tamil Eelam.
- (o) A secretariat shall be established with dedicated resources in order to ensure effective functioning of the NCET according to the above objectives and guiding principles.

4. The Assembly:

- (a) The Assembly shall consist of bicameral Houses: **House of Eelam Tamils in Norway (HETN)** and **House of Tamil Eelam Institutions in Norway (HTEI)**.
- (b) The Initial Assembly shall develop procedures for each of the Houses and the Executive Committee.
- (c) An independent Election Committee (Election Authority) such as the committee that arranged the Norwegian Tamil Mandate of 2009 (NTM-2009, the Ballot on the Vaddukkoaddai Resolution: 10 May, 2009), but not limited to it, shall be constituted and tasked with the conduct of the elections for HETN.
- (d) The Election Authority shall document the results of the elections so that new members could be selected based on number of votes. If an already elected candidate ceases his/her activity with written notice, a replacing candidate will be selected from the list.
- (e) The HETN shall join the HTEI on the issues involving homeland affairs and the global affairs related to the political aspirations of Eelam Tamils in the homeland. All decisions related to Primary Objects 2 (b) and 2 (c) are to be passed by a concurrent majority of both the Houses. If there is no agreement between the Houses on the same issue twice, the decision shall be made based on 2/3 majority (13 votes) of the entire Assembly as a single unit.
- (f) The HETN shall decide on issues exclusively related to the Primary Object 2 (a) without the participation of HTEI.
- (g) The two Houses shall conduct separate meetings. Both the Houses shall meet together at least twice per year (semi-annual and annual session) to review progress and to debate on suggested resolutions.
- (h) Each year, a President and a Vice-President shall be elected for the Assembly. If the President is elected from the Eastern Region of Norway (majority region), the Vice-President shall be elected from one of the other regions and vice versa.
- (i) Designated Leaders elected by the respective Houses shall head HETN and HTEI.
- (j) At least one person from each House or a common representation agreed by both the Houses shall jointly represent the NCET as representatives at global level.
- (k) Political independency on domestic affairs in order to strengthen communication across party lines. None of those who hold positions in the NCET or its Houses shall

simultaneously be an official of any political party or an elected member of any political party in any of the national or local government bodies. Anybody, holding positions in political parties can contest the elections of NCET and become elected representatives in both the Houses and participate in decision-making as elected representatives, but they cannot hold official positions on behalf of the NCET or its Houses, in representing the bodies externally.

(l) House of Eelam Tamils in Norway (HETN):

- 1) **Number of Representatives:** 15. Ten representatives shall be elected regionally and five representatives at national level.
- 2) **Candidates:** Any person regardless of the country of origin with legal status of residency in Norway and at least 18 years of age is eligible to contest in the initial election. The candidate has to accept his/her commitment to the principles defining the goal of Eezham Tamil nationalism in the Constitution and become a member of the NCET. Only those who have been members for 2 years shall be eligible for nominations in the election, except the initial election in 2009. A candidate shall not contest at both regional and national level at the same time.
- 3) **Term of Office:** 4 years.
- 4) **Eligible voters:** Eelam Tamils in Norway.
- 5) **Defintion of Eelam Tamils in Norway:** Those who are eligible to vote shall be residents of Norway, be above 16 years or complete 16 years in the course of the year when the election is conducted. In addition, they shall meet one of the following criteria: 1) born in the island of Ceylon/Sri Lanka and has Tamil as their mother tongue, 2) has a spouse who was born in Ceylon/Sri Lanka and has Tamil as his/her mother tongue, 3) descendants of the above categories 1 and 2.
- 6) **Verification of eligible voters:** The Birth Certificate or other valid document/s (e.g., passport) proving their birth in Sri Lanka must be produced at the time of voting. Those who were born in Norway must produce documents to prove their parents' country of origin to the Election Officials. This can be confirmed by producing the concerned documents to an Election Observer with the assistance of a helper/ interpreter with knowledge of Tamil or by showing a copy of their parents' passports.
- 7) **Regional list:**
Norway is divided into five regions in NCET context, according to the demographic pattern of Eelam Tamils: 1) East (8 counties: Oslo, Akershus, Hedmark, Oppland, Telemark, Østfold, Vestfold and Buskerud), 2) West (2 counties: Hordaland and Sogn og Fjordane), 3) Mid (3 counties: Møre og Romsdal, Nord-Trøndelag and Sør-Trondelag), 4) South and South-West (3 counties: Vest-Agder, Aust-Agder and Rogaland), 5) North (3 counties: Nordland, Troms and Finnmark). One representative is to be elected per 1,000 voters on average.
- 8) **Regional Councils:** Each region shall have a local council, which shall consist of 3, 5, 7 or 9 representatives depending on the number of candidates competing in the Elections.
- 9) The Assembly shall define the delegation of powers and the procedures for regional councils. The idea is to ensure grass-root democratic participation, decision-making and interaction at regional level.
- 10) **National list:** 5 members (half the number of regionally elected members) shall be elected also at national level to encourage 1) a broader Norway-wide perspective on

Tamil affairs 2) Norway-wide popular participation, 3) participation of candidates based on their ability regardless of their originating region, 4) interaction across regional-level.

- 11) An average of 10 candidates shall be encouraged to participate at national level election.
- 12) **Demographic pattern:** The number of candidates per region and the elected members of regional council and the number of additional members to form regional councils shall be based on the demography of Eelam Tamils in Norway according to the data from the Statistics of Norway (SSB) on voters at and above the age of 18 in 2009 is given in the table in Annexure 1 and according to the number of candidates coming forward to contest in the elections from each region This pattern shall be reviewed in case of significant changes in the demographic pattern in the future.

(I) House of Tamil Eelam Institutions in Norway (HTEI)

- 1) **Number of Representatives:** Tamil Eelam institutions in Norway shall elect five (5) persons.
- 2) **Term of Office:** 4 years
- 3) **Candidates:** Any Eelam Tamil with legal status of residency in Norway and completes at least 18 years of age during the election year, is eligible as a candidate. The candidate has to accept his/her commitment to the principles defining the goal of Eelam Tamil nationalism in the Constitution. The entitled institutions shall vote and elect 5 persons from a publicly maintained list of candidates. Each institution shall send a single representative (e.g. the head of the institution) to vote. A group of eminent persons agreed upon by the institutions shall announce the candidates and conduct the secret ballot.
- 4) **Criteria for eligible institutions for voting:** An organisation that is able to document that it meets the following criteria qualifies for voting: 1) the organisation shall express willingness to constitutionally incorporate the NTM-2009 before the end of the year 2010, and 2) the institution has at least 30% of its target membership as active members.
- 5) The criteria are set in order to see the basic principles of the Council are not violated by any contradictory principle of participating institutions.

5. Membership

- (a) The Regional Councils of NCET shall enlist membership. The Executive Committee shall fix the annual membership fee. The members are those who agree with the principles set out in this Constitution, paying membership fee. The annual fee for the initial term shall be 100 NOK. Only those who have been members for 2 years shall be eligible as candidates in the election, except the initial election in 2009. Anyone, who agrees with the mandates of this Constitution, paying the membership fee, shall be a member. But, voting is limited only to the eligible voters.
- (b) The membership will end upon:
- 1) death of the member
 - 2) voluntary cancellation by the member
 - 3) elimination from the list of the members (non-payment)
 - 4) exclusion by the Council

If a member has seriously compromised the interests of the NCET, the Executive Committee may release him from membership. The member concerned may appeal to the Assembly within one month of receipt of the notice of the Executive Committee's decision. The Assembly shall make a final decision, after a hearing. During the term of appeal and pending appeal, the membership shall remain suspended. The Assembly may decide to expel a member by a decision to that effect, taken by a majority of the votes cast by both the Houses.

6. Executive Committee

- (a) **Members:** The EC shall consist of 5 persons: Chairperson, Deputy Chair, Treasurer, Secretary and Spokesperson.
- (b) **Term of Office:** 2 years
- (c) **Responsibilities:** The Executive Committee is responsible to design, coordinate and adopt a Long Term, Mid-Term and Short Term working programme for the Special Committees with the approval of the Assembly. The Initial Executive Committee shall develop the procedures for the Sub-Committees, which shall be numbered annexure to this Constitution.
- (d) **Liaising officials:** If necessary, the Executive Committee should handle the relationship with mainstream political parties in Norway through specially appointed party specific Liaising Officers.

7. Special Committees

Executive Committee shall appoint Special Committees, according to their needs. Such a committee shall have at least 3 members and the term of office shall be 2 years. The Executive Committee shall appoint a Head for each Special Committee and appoint skilled persons with the approval of the bicameral Assembly or by 2/3 majority of a joint session of the representatives of both the Houses.

8. Finance:

- (a) The NCET shall raise funds as necessary to fulfil its aims without compromising its objects. The infrastructure of NCET shall not be dependent on external sources in order to sustain itself.

- (b) A qualified and registered external Auditor who shall not be a member of the NCET shall be appointed by the Executive Committee.

9. Constitution:

- (a) The Constitution shall be presented to the public in three languages (Norwegian, Tamil and English) at least 2 weeks before the first election so that the voters are able to provide their consent to the constitution by their participation.
- (b) The initial Assembly is also required to ratify the Constitution.
- (c) **Amendment to the Constitution:** This Constitution may be changed at the request of the Assembly provided: (1) the amendment is supported by a two-third majority of each of the two Houses of the bicameral Assembly, (2) the amendment is presented to the Electorate in a referendum, and (3) the amendment is accepted by no less than 30% of the Electorate and no less than 50% of the voters in a referendum.

10. Dissolution & dispute resolution:

- (a) Any proposal to dissolve the NCET may be tabled by a resolution to that effect by a two-thirds concurrent majority of both the Houses at an Extra-Ordinary meeting called especially for the purpose. The resolution shall be presented to the Electorate (Eelam Tamils in Norway) with 3 months advance notice and not be opposed by no less than 30% of the Electorate in order to be passed. If more than 30% of the Electorate opposes the tabled suggestion, a new election shall be conducted within 6 months from the registered date of the objection. If a resolution to dissolve is not opposed, the Executive Committee shall appoint a person or persons to be liquidators and the Trustees shall oversee the final disposal of NCET's assets.
- (b) Any dispute on the interpretation of this Constitution shall be resolved in the courts of Norway, with the Oslo Tingrett (District Court) as the agreed venue.

11. Date: 29 October 2009

Annexure 1: Demographic pattern based on statistics from SSB obtained in May 2009.
The statistics is based on voters at and above the age of 18 in 2009

Region	County	Voters	Subtotals	NCET Assembly	Minimum number of additional Candidates	Regional Council (at minimum)	Average number of expected nominations
East Norway/ Øst							
	Oslo	4439					
	Akershus	1156					
	Hedmark	24					
	Oppland	28					
	Telemark	72					
	Østfold	102					
	Vestfold	69					
	Buskerud	221	6111	6	+3	9	12
South and Southwest Norway / Sør og Sør-Vest							
	Vest-Agder	76					
	Aust-Agder	33					
	Rogaland	439	548	1	+2	3	5
West Norway / Vest							
	Hordaland	859					
	Sogn og Fjordane	261	1120	1	+2	3	5
Mid Norway / Midt							
	Møre og Romsdal	478					
	Nord-Trøndelag	32					
	Sør-Trøndelag	199	709	1	+2	3	5
North Norway / Nord							
	Nordland	101					
	Troms	94					
	Finnmark	89	284	1	+2	3	5